

06.03–1

Child Protection Procedure

Purpose

The purpose of this procedure is to implement the Child Protection Policy of the Lutheran Church of Australia (the church).

Primary principle

In all interpretations of this procedure, the safety and best interests of children and young people must be the primary consideration.

Working with children type checks

Requirement for a working with children type check

Agencies of the church, such as schools, must have their own systems in place for monitoring compliance with requirements for working with children type checks.

In some states and territories of Australia or in New Zealand, by virtue of their age, position or employment, some people may be exempt from holding a working with children type check.

Otherwise, the following persons must hold a current working with children type check:

- pastor on the roll of pastors (including emeritus in active service)
- Safe Church Coordinator, ministry leader (eg Sunday school superintendent)
- chaplain/elder/pastoral assistant
- person (paid or volunteer) who directly engages with children, young people or vulnerable persons as part of their ministry/position
- employee and volunteer, where and as specified in their position description
- board member/council member/committee member/district or General Synod delegate.¹

The relevant working with children type checks are:

- in New Zealand (NZ), a police vetting check

¹ There are exceptions in some jurisdictions. Depending on the circumstances, a person may be unable to apply for a working with children type check if they do not directly engage with children or young people. In such a situation, the person should instead obtain a national police clearance; they can contact their district Professional Standards Officer for further details.

- in the Australian Capital Territory (ACT), a 'not prohibited' working with vulnerable people registration
- in New South Wales (NSW), a 'not prohibited' working with children check
- in the Northern Territory (NT), a working with children clearance (also known as an Ochre card)
- in Queensland (Qld) a blue card, or exemption card if applicable
- in South Australia (SA), a 'not prohibited' working with children check
- in Tasmania (Tas), a working with vulnerable people (child-related activity) registration
- in Victoria (Vic), a 'not prohibited' working with children check
- in Western Australia (WA), a 'not prohibited' working with children check.

Processes for obtaining working with children type checks

In NZ, a person who requires a police vetting check contacts the NZ Professional Standards Officer (PSO).

The PSO provides details of the check to the person when it is complete.

In ACT, a person who requires a working with vulnerable people registration applies through this website: <https://www.accesscanberra.act.gov.au/s/article/working-with-vulnerable-people-wwvp-registration-tab-how-to-apply>

The person includes their congregation/ministry and district office as relevant organisations on the application form.

The person asks a local leader for any assistance required.

In NSW, a person who requires a working with children check applies through this website: www.kidsguardian.nsw.gov.au

Once the person receives the check, they provide the reference number to the relevant congregation/ministry or district office.

In NT, a person who requires an Ochre card notifies their congregation/ministry or the SA-NT District office.

The congregation/ministry or the SANT District office goes to <https://forms.pfes.nt.gov.au/safent/>, completes an 'Eligibility for Volunteer concession fee' form and provides the completed form to the person.

The person applies for an Ochre card through the same website, providing all of the required documents.

The person asks a local leader for any assistance required.

In Qld, a person who requires a blue card or an exemption card applies through this website: <https://www.bluecard.qld.gov.au/index.html>

The person includes their congregation/ministry and the Qld District office on the list of relevant organisations.

In SA, a person who requires a working with children check completes a preliminary application form² and submits it to the SA–NT District office. The district office commences an application on behalf of the person, and the person receives an email with login and password details. This allows the person to log into the Department of Human Services Screening Unit online portal and complete their application.

In Tas, a person who requires a working with vulnerable people (child-related activity) check commences an application through this website:

<https://www.cbos.tas.gov.au/topics/licensing-and-registration/work-with-vulnerable-people/applications/apply>

The person includes their congregation/ministry and the Victorian District office on the list of relevant organisations.

After receiving a reference number, the person visits a Service Tasmania outlet with the reference number and required identification documents. The person asks a local leader for any assistance required.

In Vic, a person who requires a working with children check applies through this website:

<http://www.workingwithchildren.vic.gov.au>

The person includes their congregation/ministry and the Victorian District office on the list of relevant organisations.

The person asks a local leader for any assistance required.

In WA, a person who requires a working with children check obtains an application form from a local leader or an Australia Post outlet.

The person and a local leader complete the form (the local leader needs to complete part 6).

The person posts the form to the Working With Children Screening Unit.

After receiving details of the check in the post, the person takes the check to a local leader.

The local leader makes two copies of the check document, posts one copy to the district PSO, files one copy and returns the original.

Persons from overseas in ministry

If there is a plan for a person from overseas or has been living overseas for a significant length of time (longer than 12 months) to commence a ministry role, there is an additional requirement for the relevant congregation or ministry to contact the relevant district PSO to organise an international police check. If the person is able to provide a recent police certificate, obtained during an immigration visa application process, there is no need for duplication.

Expiry of working with children type check

Any person required to have a working with children type check must renew their check before the expiry date of the check. If the check does not have an expiry date, the person should renew the check within three years of the most recent issue or renewal date.

² Available to download from the SA–NT District website Professional Standards page at www.sant.lca.org.au/departments/psd

If any person required to have a working with children type check fails to maintain a working with children type check or has their check suspended, they must be suspended from their duties until a new working with children type check is obtained.

Payment for working with children type checks

When a person applies for a working with children type check or international police check, they may be charged a fee. The applicable congregation or ministry should reimburse the person, unless the person wishes to personally bear the cost.

Monitoring working with children type checks

The Safe Church Coordinator for each congregation, ministry, department and office must:

- update details of all working with children type checks for employees and volunteers on the Safety Management Online database (SMO), which is administered by the Professional Standards Department (PSD), in a timely manner
- when updating details, record the document type, relevant reference number, the expiry date and check type
- notify PSD regarding their own working with children type checks and pastors' working with children type checks so that PSD can update SMO
- monitor compliance with requirements under this procedure for working with children type checks.

Where a person commences a role and already holds a working with children type check, the Safe Church Coordinator should notify the applicable government authority and check whether the details held by this authority are up to date. The relevant district PSO should be able to assist with this notification, if necessary.

Further screening measures

Being approved to work with children, young people or vulnerable adults is not just about obtaining working with children type checks and completing Safe Church Training. Further internal appointment processes and training are required to determine a person's overall suitability for a role. Relevant Church Worker Support resources can be accessed through the church's portal. When employing someone, first review 'Pre-Employment Considerations For Congregations'. An intentional appointment process includes the following.

1. Application

Anyone wanting to take on a role should complete an application. There is a 'Volunteer Expression of Interest' form on the portal. Ideally the person will have been a participant in your congregation or ministry for at least six months before being appointed to a role.

2. Interview (use role description)

The next step is an interview with the person to determine their suitability. There is a 'Recruitment Interview Guide' on the portal. It is important that a role description is available so an informed decision can be reached. There are a number of position description templates available in the '2 Start Well' and the '5 Volunteer Specific' folders in the Church Worker Support resources on the portal.

3. Referees

Details of referees must be obtained from the person applying for the relevant role. It is important, especially in situations where the person is unknown or new to the congregation. Even in situations where the applicant is well known to the congregation, there must be intentional conversations with referees. It is important to ask questions of the referees regarding the applicant's suitability to work with children, young people and vulnerable adults and to ask whether the referee has ever had any concerns regarding this. See the 'Recruitment Interview Guide' for further guidelines.

4. Signed agreement

If the person is successful, they must be asked to sign an agreement even if they are a volunteer. There are templates for employment agreements in the '2 Start Well' folder and a template for a volunteer covenant in the '5 Volunteer Specific folder' on the church's portal.

Safe Church Training

Agencies of the church, such as schools, must have their own appropriate training programs in place.

The below table sets out who needs to complete Safe Church Training:

Level 1	Level 2	Role
✓	✓	Pastor
✓	✓	General Church Board member
✓	✓	Governance/council chair or their representative
✓	✓	Safe Church Coordinator, ministry leader, person in key decision-making position (eg Sunday school superintendent)
(✓)	(✓)	Employee/volunteer, where and as specified in their position description
✓		Pastor emeritus in active service
✓		Board member/council member/committee member/district or General Synod delegate
✓		Chaplain/elder/pastoral assistant/lay reader/lay worship leader/welcomer
✓		Person (paid or volunteer) who engages with children or vulnerable persons as part of their ministry/position
(✓)		Congregation members welcome (not required)

Safe Church Training is valid for three years. To update Level 1, it is not necessary to repeat all three sessions as a refresher version of training is provided.

Reporting contact numbers

NZ

Ngo Pirihimana O Aotearoa – Police – 105 or 111 if the person is in imminent danger
Oranga Tamariki – Ministry for Children – 0508 326 459

ACT

Police – 131 444 or 000 if the person is in imminent danger

Child and Youth Protection Services – 1300 556 729

Under ACT legislation, a prison sentence of up to two years can apply for a failure to report a child sexual offence. In addition, a prison sentence of up to five years can apply for a failure by a person in authority to protect a child or young person from a sexual offence.

NSW

Police – 13 14 44 or 000 if the person is in imminent danger

Department of Communities and Justice – 132 111

Under NSW legislation, a prison sentence of up to five years can apply if serious abuse of a child under the age of 18 years is not reported to the police. In addition, a prison sentence of up to two years can apply for a failure to reduce or remove the risk of a child becoming the victim of child abuse.

NT

Police – 131 444 or 000 if the person is in imminent danger

Territory Families – 1800 700 250

Under NT legislation, not reporting harm to a child is an offence.

Qld

Police – 13 14 44 or 000 if the person is in imminent danger

Department of Children, Youth Justice and Multicultural Affairs –

Brisbane

1300 682 254 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

Central Qld

1300 682 254 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

Darling Downs

1300 683 390 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

Far North Qld

1300 684 062 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

Ipswich

1800 316 855 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

North Coast

1300 703 921 (9.00am to 5.00pm, Monday to Friday)

1800 177 135 (outside business hours)

North Qld

1300 706 147 (9.00am to 5.00pm, Monday to Friday)
1800 177 135 (outside business hours)

South-east Qld

1300 679 849 (9.00am to 5.00pm, Monday to Friday)
1800 177 135 (outside business hours)

Under Qld legislation, a prison sentence of up to three years can apply if sexual abuse of a child under the age of 16 years is not disclosed to the police as soon as practicable. In addition, a prison sentence of up to five years can apply for failure to protect a child from a child sexual offence.

SA

Police – 131 444 or 000 if the person is in imminent danger

Department for Child Protection Child Abuse Report Line (CARL) – 131 478

Under SA legislation, a prison sentence of up to three years can apply if sexual abuse of a child under the age of 18 years is not disclosed to the police as soon as practicable. In addition, a prison sentence of up to 15 years can apply for failure to protect a child from sexual abuse.

All pastors, employees and volunteers in the church are mandated notifiers. A penalty of \$10,000 can apply for a failure by a mandated reporter to report harm or risk of harm.

Tas

Police – 131 444 or 000 if the person is in imminent danger

Department of Communities Tasmania Child Safety Service – 1800 000 123

Under Tas legislation, a prison sentence of up to 21 years can apply if sexual abuse of a child under the age of 18 years is not disclosed to the police as soon as practicable. In addition, a prison sentence of up to two years can apply for failure to protect a child from harm.

Vic

Police – 131 444 or 000 if the person is in imminent danger

Department of Human Services (8.45am to 5.00pm, Monday to Friday)

North division – 1300 664 977

South division – 1300 655 795

East division – 1300 360 391

West division – rural and regional – 1800 075 599

West division – metropolitan – 1300 664 977

Department of Human Services (outside business hours – statewide) 131 278

Under Vic legislation, a prison sentence of up to three years can apply if sexual abuse of a child under the age of 16 years is not disclosed to the police as soon as practicable. In addition, a prison sentence of up to five years can apply for failure to protect a child under the age of 16 years from a sexual offence.

WA

Police – 131 444 or 000 if the person is in imminent danger
Department of Communities, Child Protection and Family Support
1800 273 889 (9.00am to 5.00pm, Monday to Friday)
1800 199 008 (outside business hours)

Under WA legislation, a prison sentence of up to 10 years can apply for failing to protect a child from harm.

PSD

Australia – 1800 644 628 or 0438 320 218
New Zealand – 0800 356 887 +61 (0) 438 320 218

Support contact numbers

These services are staffed by professionally qualified and experienced counsellors. They are not employees of the church.

New Zealand

Lifeline Aotearoa
0800 543 354 or text 'Help' to 4357
www.lifeline.org.nz
24/7 crisis support and suicide prevention

Youthline
0800 376 633 or text 234
www.youthline.co.nz
Assistance and support for children and young people, as well as their families

What's Up
0800 942 8787
www.whatsup.co.nz
For 5- to 18-year-olds. Phone counselling is available Monday to Friday, 12 noon to 11.00pm, and on weekends, 3.00pm to 11.00pm. Online chat is available Monday to Friday, 1.00pm to 10.00pm, and on weekends, 3.00pm to 10.00pm.

Australia

Kids Helpline
1800 551 800
kidshelpline.com.au
24/7 online and phone counselling service for people aged 5 to 25

1800 Respect
1800 737 732
1800respect.org.au
24/7 telephone and online crisis counselling, information and referral for anyone in Australia who has experienced or been impacted by sexual assault, domestic or family violence. Staffed by trauma specialist counsellors.

Blue Knot Foundation
1300 657 380

www.blueknot.org.au

Blue Knot provides information and support for anyone who is affected by complex trauma. Complex trauma is repeated, ongoing, and often extreme interpersonal trauma – violence, abuse, neglect or exploitation experienced as a child, young person and adult.

Bravehearts
1800 272 831

bravehearts.org.au

Specialist case management, counselling and telephone counselling for child and adult survivors, non-offending family members and friends.

Child Wise
1800 991 099

childwise.org.au

Training and organisational capacity building on child abuse prevention

In Good Faith Foundation
1300 124 433

igff.org.au

Provides independent advocacy, case work, referral and support to aid recovery for victims, their families and communities responding to clergy and other abuse.

Lifeline
131 114

lifeline.org.au

24/7 crisis support and suicide prevention

Relationships Australia
1300 364 277

www.relationships.org.au

Relationships Australia is a leading provider of relationship support services for individuals, families and communities. They aim to support all people in Australia to achieve positive and respectful relationships.

Elm Place
1800 188 118

elmplace.org.au

Elm Place is the home of support services to people whose lives have been affected by institutional and out-of-home care as children specifically, Forgotten Australians, former child migrants and the Stolen Generations.

Suicide Call Back Service
1300 659 467

suicidecallbackservice.org.au

24/7 counselling for people 18 years and over who are suicidal, caring for someone who is suicidal or people bereaved by suicide.

Reporting and responding to risk of harm to a child

Agencies of the church, such as schools, must have their own systems in place in relation to reporting and responding to risk of harm to a child.

Concerns regarding harmful behaviours may be disclosed to any person. Concerns may be raised in relation to harmful behaviour by a member of a child's family or by someone in the church, such as an employee or volunteer.

In all situations where a person within the church becomes aware that a child has been or is being harmed or is at risk of harm or being abused or is at risk of abuse, the person must, in the first instance, take all steps required to ensure the child's immediate safety. If the child is in immediate danger, this may involve calling emergency services.

If the disclosure comes from a child, the person must:

- Listen carefully and non-judgementally.
- Take notes, if possible.
- Tell the child they are not to blame.
- Tell the child what they have said is being taken seriously.
- Reassure the child that they were right to disclose.
- Tell the child what is likely to happen next (if known).

The person must not:

- put pressure on the child for further information
- push the child to reveal the details of the abuse
- ask leading questions
- show distress, shock, discomfort or anger
- promise to keep the disclosure secret
- advise the alleged perpetrator of the child's disclosure.

A disclosure may come from someone who witnesses harm or abuse towards a child, is informed about abuse that has allegedly occurred, or has formed a view that a child is at risk of abuse or is being abused. These disclosures should be taken just as seriously as a disclosure that comes from a child directly.

There may be harm flowing from different types of abuse such as neglect, emotional abuse, physical abuse, sexual abuse, domestic violence and bullying.

Sexual abuse includes:

- a) obscene exposure (for example, an adult masturbating in front of a child or exposing their genitals)
- b) having, attempting to have, or facilitating any kind of sexual contact with a child
- c) possessing, creating or exposing children to pornography
- d) giving goods, money, attention or affection in exchange for sexual activities or images
- e) voyeurism
- f) sexting
- g) grooming offences (as defined by law in most jurisdictions).

Disturbing behaviour, which includes 'grooming' behaviour and may be sexual in nature, includes but is not limited to:

- a) showing favours to one child over others (for example, providing special tutoring to a child or giving a child a lift home)
- b) taking photos of a child who is in the care of the church outside of official duties
- c) creating situations to be alone unsupervised with a child (for example, tutoring, rehearsals, excursions)
- d) repeatedly visiting a child and/or their family at their home for no professional reason
- e) providing gifts or favours to a child or their family

- f) wearing inappropriate clothing around children
- g) using sexual language or gestures
- h) making written or verbal sexual advances
- i) sharing details with a child of one's own sexual experiences
- j) taking a child to one's house to be alone with the child
- k) arranging to meet a child alone away from the institution when there is no professional reason for doing so
- l) sharing phone numbers with a child, except as allowed by the church's policies and related procedures for professional purposes and documentation
- m) not following the church's Social Media Policy³ when engaging with a child via social media
- n) asking children to keep a relationship secret
- o) showering or dressing or undressing with the door open (for example, on excursions and in residential situations)
- p) not respecting the privacy of children when they are using the bathroom or changing (for example, on excursions and in residential situations).

Examples of behaviour that should not be considered disturbing:

- a) touching a child to attract the child's attention, guide a child, or comfort a distressed child
- b) a person raising their voice to attract attention or restore order in a ministry space
- c) touching a child to remove the child from physical danger, such as grabbing a child to prevent the child from falling
- d) accidental contact.

If a person in the church becomes aware of any allegation, disclosure or reasonable suspicion (or they form their own reasonable suspicion) that a child has been harmed or is at risk of harm (whether inside or outside the church's environment), the person should make reports to both the local police and the applicable government child protection authority. Contact numbers are listed below.

When reporting, the person should set out:

- their name and contact details
- the name, age, address and family of the child
- details about the alleged perpetrator if known (including about the next expected contact with the child)
- a description of what was said and what they observed
- times and dates of the incidents or information recorded.

Safe Church Level 1 Training sets out details about reporting suspected harmful behaviours.

PSD response to allegations and reports of child-related harm, abuse or disturbing behaviour within the church

It is important to notify PSD of all allegations and reports of child-related harm, abuse or disturbing behaviour in a timely manner, regardless of how these allegations and reports are disclosed. PSD is available to support those who suspect harm or abuse has been or is occurring.

³ See www.lca.org.au/policies

PSD will check reports have already been made to the local police and the applicable government child protection authority, as applicable.

If the applicable persons of authority are not already aware of the allegation or report, PSD should (depending on advice from authorities) notify them as well as the church's insurers. The applicable persons of authority may wish to seek legal advice on the matter. It is important that the persons of authority provide a copy of this procedure to their legal advisers.

If the allegation or report relates to a pastor, employee, or volunteer in ACT, NSW or Vic, PSD should assist the applicable persons of authority to fulfil requirements under the relevant reportable conduct scheme. If the applicable jurisdiction does not yet have a reportable conduct scheme, PSD will immediately contact any other relevant government authority, for example, the Department of Human Services Screening Unit in SA. It is necessary to always immediately report certain information about a person involved with the church, including any serious criminal offences, child protection information or disciplinary or misconduct information.

PSD should make its best effort to respond promptly to disclosures, seeking and following guidance from the applicable authorities. PSD should take care not to compromise any investigation by police or other applicable authorities.

In most cases, PSD should carry out an initial assessment of potential risk. PSD should provide any initial risk assessment to the applicable persons of authority,⁴ who may need to decide whether to take any interim measures that address health and safety requirements.⁵ If appropriate, PSD should inform the child or their parents or guardians of any interim measures that affect their health and safety. PSD may also liaise with the applicable persons of authority in relation to finding pastoral care and other support for any of the parties involved or impacted as necessary.⁶ In relation to support, there is a list of useful contact numbers below.

An individual in the church who has a role in responding to an allegation should declare any relevant conflict of interest. The church should take all reasonable steps to appropriately manage the conflict of interest, in accordance with the church's Conflict of Interest Policy and related procedures.⁷

PSD and investigations

PSD should take appropriate steps, which (depending on advice from authorities) may involve preparing an investigation plan and organising for an investigation to be carried out in a timely manner. PSD may conduct the investigation itself or appoint an independent external body to investigate.⁸

⁴ For example, this might be the bishop of the church and the relevant district bishop.

⁵ For example, supervision of the respondent or standing the respondent down (on pay, if applicable) until the allegation has been addressed.

⁶ An appointed pastoral carer should not take on the role of an advocate. PSD is able to provide guidelines regarding pastoral care and support persons. Support may form part of a trauma-informed response. In addition, support for the child's family and other persons affected may be necessary.

⁷ See www.lca.org.au/policies

⁸ Taking into account all of the surrounding circumstances, such as the seriousness of the alleged misconduct, the level of risk, the outcome sought, expertise required to investigate the matter properly, identified conflicts of interest and any specific legal advice received

PSD's response to the suspicions should take into account not just the key factual circumstances but also the psychological and other effects on the child and any other impacted parties.

Throughout the process, PSD should be mindful of the specific needs of culturally and linguistically diverse families. Additional safeguards may be required to meet the needs of Aboriginal and Torres Strait Islander children, children from migrant or refugee backgrounds, children with disabilities or children who live in out-of-home care.

An investigation may involve seeking further information from other parties and, if appropriate, the child. If the child is interviewed, there should be a suitable adult support person present. The investigator should avoid, if possible, making the child repeat their account. The child should not be interviewed without the approval of the police or relevant government child protection authority.

It is important that the details of an investigation are kept confidential, ie not discussed with external parties. This duty of confidentiality certainly applies to the investigator. However, in some circumstances, the investigator's duty to properly address the matter may override the duty to be confidential.

The investigator should contact the respondent by telephone and in writing. The investigator should provide a copy of this procedure to the respondent as well as all key details of the allegation in writing. The respondent should be given the opportunity to seek independent advice and representation. Otherwise, the duty of confidentiality applies to the respondent.

The investigator should allow the respondent to answer to all allegations in writing, as well as verbally. This may or may not involve meeting in person. If there is a face-to-face meeting, the respondent should be given the opportunity to bring along a support person.

The investigator should aim to meet the timeframes set by the applicable reportable conduct scheme. If the investigation does not fall under the jurisdiction of a reportable conduct scheme the investigator should aim to complete an investigation report within 30 days of commencing the investigation. The investigation report should assess each allegation as 'substantiated' or 'not able to be substantiated'⁹ and, depending on the terms of the investigation plan, may recommend actions.¹⁰

The investigator should provide its final investigation report to PSD¹¹ (if PSD is not the relevant investigator itself) and the applicable persons of authority.

Depending on all of the surrounding circumstances, PSD may need to provide the investigation report to the applicable governance bodies.¹² Taking into account confidentiality and privacy issues, it may be appropriate for PSD to provide a redacted, de-identified version of the report to the governance bodies.

⁹ The relevant standard of proof is the balance of probabilities, having regard to the principles set out in the case of *Briginshaw v Briginshaw*. This means, for an allegation to be substantiated, evidence should show it is more likely than not that the alleged abuse occurred. If there is a report of significant abuse, and if there are potentially grave consequences for the respondent in the event that the allegation is substantiated, the relevant evidence needs to be able to withstand close scrutiny.

¹⁰ Possible actions may involve training, an official warning, counselling, close supervision, a suspension, a permanent removal from office or further proceedings pursuant to Article 10 of the church's constitution (which covers 'Discipline, Adjudication and Appeals').

¹¹ Attaching all supporting evidence

¹² For example, this might be the General Church Board and the relevant district church council or board.

There should be a determination, as soon as practicable, on whether to accept the investigator's findings. It may be necessary to seek legal advice before the determination is made. If there is a complainant, they should be informed of the outcome.

The applicable persons of authority or governance bodies are responsible for implementing the course of action they have determined to be appropriate. This may include facilitating the provision of any pastoral care to the parties involved and impacted.

Following the determination, the policy and procedure on Prevention of Risk of Harm from a Person of Concern¹³ may still apply, even if no allegations have been substantiated.

If the file is closed it should only subsequently be re-opened in the event that there is a compelling reason for doing so, such as new and salient evidence coming to light.

Historical allegations of child-related abuse or harm

It is possible that an adult will disclose that they were abused as a child. In such a situation, the majority of steps set out above should still apply, although it will probably not be necessary to contact the relevant government child protection authority. Suspicions, allegations and disclosures of historical child-related abuse or harm should be reported to the police. If an adult who says they were abused as a child does not want the matter reported to police, the adult's wishes should be respected. However, a de-identified report should be submitted to the police. PSD should be available to assist people in the church with this process.

Redress

In relation to a finding of 'substantiated', regarding child sexual abuse that occurred before 1 July 2018, an application for redress should be directed to the National Redress Scheme for people who have experienced institutional child sexual abuse: www.nationalredress.gov.au

The scheme will be able to provide an independent determination on whether a person is eligible to receive redress. The elements of redress are a direct personal response (an apology) from the church, access to therapeutic counselling and psychological care, and a monetary payment.

In relation to a finding of 'substantiated', regarding an allegation of abuse that is outside the scope of the National Redress Scheme, a person may wish to write to an applicable governance body about assistance sought with their processes of healing.

Whistleblower protection

The church is committed to:

- enabling all persons who attempt to disclose misconduct in good faith to be protected from legal action, detrimental conduct and breaches of confidentiality
- meeting all requirements of Part 9.4AAA of the *Corporations Act 2001* (Cth) and the *Protected Disclosures Act 2000* (NZ), as applicable.

¹³ See www.lca.org.au/policies

Child Safety Code of Practice

The church has adopted ChildSafe's Code of Practice, which is available on the church's website at www.lca.org.au/policies

All pastors, employees and volunteers should follow this code of practice. It is also set out in the Team Members Guide (version 3, pages 15–28; version 4, pages 80–92), which is provided to all participants during the Safe Church Level 1 Training.

Child Safety Standards for Congregations

The church has approved its own Child Safety Standards for Congregations.¹⁴ Each congregation should take all reasonable steps to implement these standards. A congregation (or a parish on behalf of its constituent congregations) should assess itself against the Child Safety Standards for Congregations on an annual basis and submit a child safety plan to the applicable district office. More details are available on the church's website at www.lca.org.au/css

Implementation of safety management system

The church should follow sound safety management, which requires thorough risk assessment and management, regarding all programs, together with reporting of all incidents. The church's safety management system is explained in detail during the Safe Church Training program.

This safety management system does not apply to agencies of the church, such as schools and childcare centres, which are required to implement safety management practices that are suited to a specific type of work environment.

Review of this procedure

This procedure should be regularly reviewed in consultation with relevant ministries at least every three years. After each review, a copy of the updated version will be provided to the applicable government authority, for example, the Department of Human Services in South Australia.

Document controls

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¹⁴ The Child Safety Standards for Congregations align with the National Principles for Child Safe Organisations.