



Safeguarding Children and Vulnerable Adults Procedure

1. Purpose

The purpose of this procedure is to implement the Safeguarding Children and Vulnerable Adults Policy of the Lutheran Church of Australia (the church).

In all interpretations of this procedure, the safety and protection of children and vulnerable adults is always the first priority.

2. Screening

1. Working with children type checks

1.1 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 (for example, a Sunday school superintendent)
- chaplain/elder/pastoral assistant
- person (paid or volunteer) who directly engages with children, young people or vulnerable adults 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

¹There 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 Professional Standards for further details.

The relevant working with children type checks are:

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

1.2 Processes for obtaining working with children type checks

In NZ, a person who requires a police vetting check contacts Professional Standards, which provides details of the outcome of the check to the person when the check is complete.

In ACT, a person who requires a working with vulnerable people registration applies through this website: www.accesscanberra.act.gov.au/business-and-work/working-with-vulnerable-people/apply-for-or-renew-a-wwvp-registration#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: ocg.nsw.gov.au/working-children-check/applicant

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 SA–NT District Office goes to 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: 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 (WWCC) 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 (DHS) Screening Unit online portal and complete their application. All WWCCs will be verified through the DHS Screening Unit portal prior to the person commencing in their church role.

In Tas, a person who requires a working with vulnerable people (child-related activity) check commences an application through this website: 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: 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 Professional Standards, files one copy and returns the original.

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

1.3 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 Professional Standards to organise an international police check. If an immigration visa application process includes an international police check, a copy of the outcome of the check must be provided to Professional Standards.

1.4 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 (for example, after five years in SA). 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.

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

1.5 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 will reimburse the person (unless the person wishes to personally bear the cost).

1.6 Monitoring working with children type checks

Any person required to hold a current working with children type check must notify their Safe Church Coordinator of the details of their working with children type check before they commence their role. For the duration of their work, volunteering or service, the person must also immediately notify the Safe Church Coordinator of any change of status or outcome of their working with children type check.

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

- Notify Professional Standards in a timely manner of any person appointed to or commencing a position that is defined as requiring a current working with children type check.
- Update details of all working with children type checks for employees and volunteers on the Safety Management Online database (SMO), which is administered by Professional Standards, in a timely manner.
- When updating details, record the document type, the person's full name and date of birth, the relevant reference number, and the expiry date.
- Notify Professional Standards regarding their own working with children type checks and pastors' working with children type checks so that Professional Standards 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 must notify the applicable government authority and check whether the details held by this authority are up to date. Professional Standards should be able to assist with this notification, if necessary.³

2. Further screening measures

Being approved to work with children, young people or vulnerable adults is not just about obtaining working with children type checks. Further intentional appointment processes and participation in Safe Church 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. An intentional appointment process includes the following.

2.1 Application

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

2.2 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. A number of position description templates are available in the 2 Start Well and 5 Volunteer Specific folders in the Church Worker Support resources on the portal.

³Each jurisdiction has a slightly different system. For example, the SA–NT District Office is registered with the DHS Screening Unit portal and verifies the accuracy of all working with children checks (a requirement under SA state law).

2.3 Referees

Details of referees must be obtained from the person applying for the relevant role. This is important, especially when the person is unknown or new to the congregation. Even when 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.

2.4 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.

3. Safe Church Training

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

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

Level 1	Level 2	Level 1
✓	✓	Pastor
✓	✓	General Church Board member
✓	✓	Governance/council chair or their representative
✓	✓	Safe Church Coordinator, ministry leader (eg Sunday school superintendent)
✓	✓	Member of Lutheran Church of New Zealand Council of Synod
(✓)	(✓)	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
✓		Person (paid or volunteer) who engages with children or vulnerable adults as part of their ministry/position
(✓)		Congregation members welcome (not required)

Safe Church Training is valid for three years. For further information, see www.lca.org.au/safechurchtraining

4. Reporting Contact Numbers

4.1 NZ

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

4.2 ACT

Police – 131 444 or 000 if the person is in immediate 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.

4.3 **NSW**

Police – 13 14 44 or 000 if the person is in immediate 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 a victim of child abuse.

4.4 **NT**

Police – 131 444 or 000 if the person is in immediate danger
Territory Families – 1800 700 250 Qld

4.5 **Qld**

Police – 13 14 44 or 000 if the person is in immediate 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.

4.6 **SA**

Police – 131 444 or 000 if the person is in immediate 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.

4.7 **Tas**

Police – 131 444 or 000 if the person is in immediate 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.

4.8 Vic

Police – 131 444 or 000 if the person is in immediate 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.

4.9 WA

Police – 131 444 or 000 if the person is in immediate 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.

4.10 Professional Standards

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

5. Support Contact Numbers

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

5.1 New Zealand

Lifeline Aotearoa

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

Youthline

0800 376 633 or text 234

www.youthline.co.nz

Youthline provides assistance and support for children and young people, as well as their families.

What's Up

0800 942 8787

www.whatsup.co.nz

What's Up is 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.

5.2 Australia

Kids Helpline 1800 551 800

kidshelpline.com.au

Kids Helpline is a 24/7 online and phone counselling service for people aged 5 to 25.

1800 Respect

1800 737 732

1800respect.org.au

1800 Respect offers 24/7 telephone and online crisis counselling, information and referral for anyone in Australia who has experienced or been impacted by sexual assault or domestic or family violence. It is 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

Bravehearts provides 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

Child Wise provides training and organisational capacity building on child abuse prevention.

In Good Faith Foundation 1300 124 433

igff.org.au

The In Good Faith Foundation provides independent advocacy, casework, referral and support to aid recovery for victims, their families and communities responding to clergy and other abuse.

Lifeline 131 114

lifeline.org.au

Lifeline provides 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

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

6. Reporting and Responding to Risk of Harm to a Child

This section pertains specifically to child-related matters. An allegation or report of risk of harm to a vulnerable adult will be dealt with in accordance with the church's Complaints Handling Policy and Procedure.⁴

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.

6.1 Disclosure of risk of harm

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 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).

⁴ See www.lca.org.au/policies

The person must not:

- put pressure on the child for further information
- push the child to reveal the details of the harm or 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 harm or is at risk of abuse or is being abused. These disclosures must be taken just as seriously as a disclosure that comes from a child directly.

6.2 Types of harm disclosed

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:

- obscene exposure (for example, an adult masturbating in front of a child or exposing their genitals)
- having, attempting to have, or facilitating any kind of sexual contact with a child
- possessing, creating or exposing children to pornography
- giving goods, money, attention or affection in exchange for sexual activities or images
- voyeurism
- sexting
- 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:

- showing favours to one child over others (for example, providing special tutoring to a child or giving a child a lift home)
- taking photos of a child who is in the care of the church outside of official duties
- creating situations to be alone unsupervised with a child (for example, tutoring, rehearsals, excursions)
- repeatedly visiting a child and/or their family at their home for no professional reason
- providing gifts or favours to a child or their family
- wearing inappropriate clothing around children
- using sexual language or gestures
- making written or verbal sexual advances
- sharing details with a child of one's own sexual experiences
- taking a child to one's house to be alone with the child
- arranging to meet a child alone away from the institution when there is no professional reason for doing so
- sharing phone numbers with a child, except as allowed by the church's policies and related procedures for professional purposes and documentation
- not following the church's Social Media Policy⁵ when engaging with a child via social media
- asking children to keep a relationship secret
- showering, dressing or undressing with the door open (for example, on excursions and in residential situations)
- 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:

- touching a child to attract the child's attention, guide a child, or comfort a distressed child
- a person raising their voice to attract attention or restore order in a ministry space
- touching a child to remove the child from physical danger, such as grabbing a child to prevent the child from falling
- 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 must make reports to both the local police and the applicable government child protection authority. Contact numbers are listed above.

⁵ See www.lca.org.au/policies

When reporting, the person must provide:

- 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.

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

It is important to notify Professional Standards 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. Professional Standards is available to support those who suspect harm or abuse has been or is occurring.

The response of Professional Standards to an allegation or report will 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, Professional Standards will 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.

1. Professional Standards will check that reports have already been made to the local police and the applicable government child protection authority, as applicable. Professional Standards will take care to not compromise any investigation by police or other applicable authorities. Depending on advice from the authorities, Professional Standards will notify the applicable bishop.⁶ If the allegation or report relates to a church worker, employee or volunteer in ACT, NSW, Tas, Vic or WA, Professional Standards will assist the applicable bishop in fulfilling requirements under the relevant reportable conduct scheme. If the applicable jurisdiction does not yet have a reportable conduct scheme, Professional Standards 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.
2. Depending on advice from the authorities, Professional Standards will refer the matter to the church's Complaints Triage Committee for an assessment and recommendation regarding the best way for the church to address the allegation or report.
3. As part of its assessment, the Complaints Triage Committee will determine whether an investigation of an alleged breach of a church standard or policy is required.⁷ This will be based on a number of factors, such as the credibility of the allegation and the seriousness of the misconduct alleged. If possible, the Complaints Triage Committee will aim to complete the assessment within seven days of receiving all the relevant details. In accordance with guidance from the Complaints Triage Committee and instruction from the applicable bishop, Professional Standards will write a response to the parents of the relevant child. If no investigation is required, it is most likely that Professional Standards will close its file unless additional key details are subsequently provided for the consideration of the Complaints Triage Committee.
4. If the Complaints Triage Committee determines that an investigation is required, Professional Standards will proceed to prepare terms of reference for the investigation in accordance with the Complaints Triage Committee's instructions. Upon approval by the applicable bishop, Professional Standards will engage an independent external body (the investigator) to carry out the investigation.

The terms of reference for the investigation will require that a written notice is provided to the respondent, which identifies the relevant allegation. A copy of the policy and this procedure will also be provided to the respondent.

If appropriate, Professional Standards will inform the parents or carers of the relevant child about who will be conducting the investigation. The investigation may involve seeking further information from the child and other parties. The investigator will avoid, if possible, making the child repeat their account of what allegedly happened. If the child is interviewed, there must be an adult support person at the interview.

⁶ Depending on all of the relevant circumstances, the respective district bishop or the bishop of the church, as appropriate

⁷ The Complaints Triage Committee will also consider whether it is necessary to take any interim measures that address health and safety requirements. For example, this might involve standing the respondent down from ministry on a temporary, no-fault basis or informing other parties of the substance of the complaint.

The investigator will only disclose confidential information when it is necessary to do so for the purpose of investigating the matter. It is possible that it would not be appropriate to disclose the relevant child's name to the respondent. Whether there is such a disclosure is at the discretion of the investigator.

The investigator will provide an opportunity for the respondent to respond to the allegation in writing, as well as verbally. This may or may not involve meeting in person. If the respondent is interviewed, a support person for the respondent will be permitted to attend the interview.

The investigator will aim to complete the investigation within 30 days of commencing the investigation. The investigator will determine the allegation to be 'substantiated', 'partially substantiated' or 'not substantiated'.⁸

The investigator will provide an investigation report and all supporting evidence to Professional Standards and the applicable bishop.

5. The applicable bishop will make a preliminary determination, deciding on, firstly, whether to accept the investigator's findings and, secondly, whether disciplinary actions are required.⁹
6. Professional Standards will inform both the parents/carers of the relevant child and the respondent of the preliminary determination, with accompanying reasons, seeking confirmation of whether they accept the bishop's decision. Appropriate pastoral care will continue to be provided.
7. If either the parents/carers confirm that they do not accept the determination, they are able to submit the matter to the church's Tribunal Administrator to consider whether there are sufficient grounds for referral to a church tribunal.¹⁰
8. If the Tribunal Administrator determines there are sufficient grounds for a tribunal hearing to occur, the tribunal will consider the relevant appeal, together with supporting evidence, as well as the other side's response. The tribunal will prepare findings on whether the relevant allegation is substantiated and whether disciplinary actions are required. The Tribunal Administrator will notify the applicable bishop and Professional Standards of the tribunal's findings.
9. The applicable bishop will make a final determination and communicate this determination, with reasons, to both the complainant and the respondent. The applicable bishop is responsible for implementing any disciplinary actions. Professional Standards is responsible for facilitating the provision of continuing pastoral care to the parties involved and impacted.
10. The Policy and Procedure on Prevention of Risk of Harm from a Person of Concern¹¹ may still apply, even if the allegation has not been substantiated. The Professional Standards file on a complaint will be closed when no further action is required. It should only subsequently be re-opened if there is a compelling reason for doing so, such as new and salient evidence coming to light.

6.4 Historical allegations of child-related abuse or harm

It is possible that an adult will disclose that they were harmed or abused as a child. In such a situation, the majority of steps set out above will 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 the police, the adult's wishes should be respected. However, a de-identified report should be submitted to the police. Professional Standards should be available to assist people in the church with this process.

⁸ 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 that for an allegation to be substantiated, evidence must show it is more likely than not that the alleged breach of a church standard or policy occurred. If there is an allegation of a significant breach, 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.

⁹ Possible disciplinary actions may involve a requirement to complete further training, an official warning, counselling, close supervision, a suspension, or a permanent removal from ministry.

¹⁰ Professional Standards will provide the Tribunal Administrator's contact details to the applicable party at this point.

¹¹ See www.lca.org.au/policies

6.5 Redress

In relation to child sexual abuse that occurred before 1 July 2018, Professional Standards will encourage a person seeking redress to submit an application 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 the applicable bishop about assistance sought with their processes of healing.

6.6 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.

7. Child Safety Standards for Congregations

The church has approved its own Child Safety Standards for Congregations.¹² Each congregation will take all reasonable steps to implement these standards. A congregation (or a parish on behalf of its constituent congregations) will assess itself against the Child Safety Standards for Congregations every three years 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

8. ChildSafe Australia Safety Management System

The church will follow sound safety management, which requires thorough risk assessment and management, regarding all programs, together with reporting of all incidents. The church uses the ChildSafe Australia safety management system. Safe Church Training participants are provided with resources enabling them to use the system.

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 suited to a specific type of work environment.

9. ChildSafe Australia Code of Practice

The church has adopted ChildSafe Australia's Code of Practice for Working Safely with All Participants, which is available on the church's website at www.lca.org.au/policies

All pastors, employees and volunteers must 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.

10. Review of This Procedure

This procedure will 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.

¹² The Child Safety Standards for Congregations align with the National Principles for Child Safe Organisations.