

# **DUTY OF CARE**

**‘A SHARED RESPONSIBILITY’**

## **HANDBOOK FOR LEADERS OF YOUTH AND CHILDREN’S MINISTRY**

*An accompanying manual to Faithfulness in Service: The National Code for Personal Behaviour and the Practice of Pastoral Ministry’.*

*(General Synod, April 2011)*

***Includes:***

**Guidelines for Recruitment**

**Guidelines for Safe Practice**

**Understanding Child Abuse**

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# Contents

Page

<b>Our Duty of Care</b>	6
Definitions	6
Biblical mandate	6
<b>GUIDELINES FOR LEADER RECRUITMENT</b>	7
<b>Recruiting</b>	
Choose carefully	7
Responsibility of the Vicar	7
Spiritual maturity	7
Know the applicant	7
<b>Screening</b>	
Authorisation as Lay Minister	8
Leader application form	8
Driver application form	8
Impromptu volunteers	8
<b>Working with Children Check</b>	
Exemptions	9
How to apply for a WWC Card	10
The worker	11
The employer	11
What happens if a card is withdrawn	12
What records could result in a WWC card being withdrawn or not issued?	12
What happens if an individual disagrees with a Negative Notice?	12
Application costs	13
Who must obtain a WWCC card	12
Will other checks be required?	13
Teachers with current VIT registration	13

Checking the status of WWCC cards	14
Notification of change of personal details	14
WWCC record keeping	14
WWCC website	15
<b>National Police Certificates</b>	
What to do if the police certificate reveals a record	16
Volunteers under 18 years	16
Why National Police Certificate?	16
Some Frequently Asked Questions about National Police Certificates	17
Procedure for National Police Certificates Checks for Volunteers	18
Instructions for completing the National Police Check Application Form	18
Authorised Diocesan Lay Ministers (Stipendiary or Honorary)	19
Application for Clearance for Ministry	19
<b>Screening checklist</b>	19
<b>Induction</b>	
Why induction is good	20
What to include	20
Field Committee	20
Supporting leaders	20
Supervision	21
Regular team meetings	21
Opportunity to worship	21
Support available from Diocese	21
<b>GUIDELINES FOR SAFE PRACTICE</b>	
<b>Pastoral care and appropriate behaviour</b>	22
Pastoral care guidelines	22
Safety in numbers	22
Keep records	22

Safeguard feelings	23
Visibility	23
Refer on	23
Use of electronic communications	23
Mobile phones	23
Emails	24
Social networking internet sites	24
Physical contact	25
Appropriate behaviour for leaders	26
Inappropriate behaviour for leaders	26
Toileting	27
Discipline	28
Physical restraint	29
<b>Safety Awareness</b>	
Develop and practice emergency procedures	29
Preventing accidents and incidents (risk assessment)	29
Recording accidents and incidents	30
Insurance	30
Identification	30
Safety ratios	30
First aid	31
Transport	31
Bus travel	32
Residential activities	32
Information for parents	33
Collecting personal information and consent	33

## **UNDERSTANDING CHILD ABUSE**

Right to be safe	35
Physical abuse	35
Sexual abuse	36
Emotional abuse	36
Neglect	37
Responding pastorally	38
Disclosure of abuse	38
Mandatory reporting of child abuse	39
Referrals to Child FIRST	39

## **Resources**

Appendices	40
Faithfulness in Service	40
Insurance Information and Advice	40
Scripture Union ‘Lighting a path to safety’ Handbooks	40

## **Useful Contacts**

Director of Professional Standards	41
Police	41
Department of Justice	41
Department of Human Services	41
Anglicare	41
Child Wise Help Desk	41

# Our duty of care

## Definitions

By ‘Children’s and Youth Ministry’ we mean any activity run by the church aimed at anyone under 18 (i.e. infants to adolescents) including programs where parents are present.

By ‘Leader’ we mean anyone who is either paid or voluntary and who exercises some form of leadership or assistance in children’s and youth ministry.

It is the intention of this document to give churches clear guidelines of minimum standards for duty of care.

## Biblical mandate

The church should be a place where young people can come to know and experience the love of God through those who care for and work with them.

In the Bible, there are a number of images which inform our understanding of the nature of God and the way he relates to all his people, and especially to children. Jesus welcomed children physically and spiritually. For example in Mark 10:15-16 (NIV):

*“I tell you the truth, anyone who will not receive the kingdom of God like a little child will never enter it. And he took the children in his arms, put his hands on them and blessed them.”*

How can we mirror his approach, *safely*?

God relates to his people as a Father to his beloved children. We can see that God actively protects, nurtures and provides a “safety-net”, as it were. He encourages growth and development in a safe environment.

For example in 1 Corinthians 13:6-7 (NIV):

*“Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres.”*

And in Proverbs 1:33 (NIV):

*“but whoever listens to me will live in safety and be at ease, without fear of harm.”*

Clearly, we have a Biblical mandate to be proactive for the welcome, safety, care and protection of the young people in our midst.

It is expected that all leaders in children’s and youth ministry in the church will respect the responsibility that parents (or guardians) pass on to us. Therefore it is imperative that all leaders are familiar with the duty of care issues spelt out in this handbook.

# GUIDELINES FOR LEADER RECRUITMENT

## Recruiting

### Choose carefully

A person appointed to a leadership position will have ongoing influence on children and young people, and be seen as a role model. The damage can be long term if inappropriate people are appointed. The time to pay attention is at the initial stage of recruiting or appointing. Don't be rushed by immediacy of need; the suitability of the person is far more important than the delay caused by the correct process.

*Leaders with oversight responsibility must be 18 years of age or above.*

### Responsibility of the Vicar

All appointments, volunteer or paid, are to be made in consultation with the Vicar.

### Spiritual maturity

Christian Leadership is first and foremost a spiritual task. Being good with children or youth and having the right qualifications is not enough. Make sure that the person selected is spiritually mature and accountable. Pay attention to such passages as *1 Timothy 3*, *1 Peter 5* and *1 Corinthians 1-2*.

### Know the applicant

Make sure all appointed leaders are well known in your church. They should have been members for a minimum of six months, but preferably more than one year. In the case of an outside appointment, referees must be contacted and consulted as to the suitability of the applicant. Their previous church must also be contacted. According to Child Wise, reference checking is a vital and most effective step in screening applicants for their suitability.

Consider how a person acts around children and young people. Have you seen them interacting and enjoying spending time with them and are the interactions appropriate? Do the children or young people enjoy the person's company?

## **Screening**

As part of the Church's duty of care it is important that leaders are screened and that their intention and ability to follow appropriate conduct guidelines has been tested. This is to ensure that the people involved in children's or youth ministry are suitable to work with young people. This must be done before the person begins their ministry.

### **Authorisation as Lay Minister**

Paid leaders and voluntary leaders who exercise a significant and public ministry (e.g. Children's Ministry Coordinator; Youth Minister) are to be formally authorised by the Archbishop as either an 'Authorised Stipendiary Lay Minister' or an 'Authorised Honorary Lay Minister'. Application forms for authorisation can be obtained from the PA to Director of Theological Education, The Anglican Centre. (See back page for contact details.)

### **Leader application form**

It is highly recommended that churches use the "Leader Application Form" (*Appendix A*) as an acceptable process for screening leaders (available from <http://www.melbourne.anglican.com.au/mission/youthchildrenfamily/youth/Pages/default.aspx>). The church has entrusted the duty of care for young people to its leaders. This application helps fulfill that trust. All leaders in children's and youth ministry are required to fill in an application form, which includes details of previous church positions, the nomination of referees and a signed leader declaration.

### **Driver application form**

Leaders who may be transporting children or youth by car or bus must complete a Driver Application (*Appendix G*).

### **Impromptu volunteers**

Adult volunteers who are not part of your usual team must be screened briefly before they are allowed to assist. The leader with overall responsibility should go through the safety guidelines with them and check whether they fit the criteria. Impromptu volunteers must never be left alone with participants and will require extra supervision since they have not been properly screened.



## **The Working with Children Check**

The Victorian Government has enacted legislation called the *Working with Children Check* (WWCC) to help protect children in our community. All employee and volunteer groups who work with and relate to children are required to apply for a WWCC card. Without the card they cannot work with children, in any capacity.

It is a legislative requirement that religious organisations must ensure that all paid or unpaid workers apply for a card. The Anglican Diocese of Melbourne supports this initiative.

### **Exemptions**

Individuals in the following categories do not need a WWCC card, even if they come into contact with children in the course of their work.

- individuals under the age of 18 years
- a parent volunteer whose child ordinarily participates in the activity (volunteering no more than 4 times per year)
- all the child participants are close family relations
- a sworn police officer who has not been suspended from duty
- a teacher who has current registration with the Victorian Institute of Teaching
- a person closely related to each child they have contact with in their child-related work
- an 18 or 19 year old student volunteer where their volunteer work is undertaken at, or has been organised by, their educational institution
- a visiting worker who does not ordinarily reside and perform child-related work in Victoria.

If an exemption could apply - for example, a parent volunteers in an activity in which their child also participates - but the parent also performs other child-related work, they still require a WWCC card. For example, a parent who volunteers in a Sunday School program which their child also ordinarily attends and who also volunteers in the Kid's Club program, will require a WWCC card if their work is regular, direct and not directly supervised. The

definition of 'supervision' is detailed and very specific. Please *do not assume* that a person's work is supervised; please get advice on this important point. Parish priests will be able to give or get advice, alternatively contact:

Claire Sargent, Director of Professional Standards, 1800 135 246 or  
Dorothy Hughes, Children and Families Ministry Facilitator, 9653 4275.

***No exemption applies to individuals who***

- are on the Sex Offenders Register
- are subject to an Extended Supervision Order under the Serious Sex Offender Monitoring Act, or
- have a "Negative Notice".

***These individuals are not permitted to work with children.***

**How to apply for a WWCC card**

Application forms are available from a Post Office or, if your church requires more than five forms, they can be ordered via the following website <http://www.justice.vic.gov.au/wps/wcm/connect/Working+with+Children/Find/Forms/> Individual application forms are not available for download. After completing the form and providing the required proof of identity and photograph, applications must be lodged at a Victorian Post Office. The Anglican Diocese of Melbourne must be listed as the "primary employer" for paid or volunteer workers with the Archbishop's authority. Applicants who are engaged at a parish level (ie: not subject to the Archbishop's authority) must have their parish's address listed under 'primary employer'. The applicant will receive a coded receipt which they need to show to their employer to allow them to continue in their work until their WWCC card is issued.

Each successful applicant will be issued with a WWCC card which is valid for five years and is transferable between different organisations, except if they move from a volunteer to an employee position. *A person will automatically pass the WWCC if they have no relevant criminal offences or relevant findings made against them by professional disciplinary bodies.*

Once a WWCC card is issued, the individual must notify their workplace of the successful 'Assessment Notice' within seven days of receipt, show the

card to the responsible person who will confirm and record the number and date of their card. The Department of Justice, the government department responsible for administering this system, will provide ongoing monitoring and any relevant charges, convictions or findings of guilt since the initial check will lead to a reassessment of the card holder's ability to hold a WWCC card. The employer and the card holder can also make inquiries as to the status of an individual's card.

Workers and employers are committing an offence, and significant penalties can apply, if they do not fully comply with the *Working with Children Act 2005*.

### **The worker**

If the worker:

- is required to apply for a card and they continue to work with children, or
- continues to work with children after being issued with a Negative Notice, or
- uses a false Assessment Notice or use someone else's Assessment Notice or,
- provides false or misleading information in relation to their application for a WWCC card,

that worker may be liable for up to two years imprisonment and/or a fine.

It is an offence to use a volunteer WWCC Card for paid child-related work.

If the worker fails to notify the WWCC Unit and their employer, agency or volunteer organisation in writing of a relevant change in the status of their WWCC within seven days of becoming aware of the change or, if after receiving a Negative Notice they fail to surrender their Assessment Notice and card, they may be liable for a term of imprisonment and/or a fine.

### **The employer**

It is an offence to engage a person who is required to have a WWCC card and who does not have one. It is the employer's responsibility to ensure workers have a WWCC card where legislation requires them to have one. If an employer is found guilty of purposefully or recklessly breaching these

responsibilities, they are personally liable for a term of up to two years imprisonment and/or a fine of over \$28,600.

The responsibility for WWCC registration and status for persons with the Archbishop's licence or authority is managed by the Diocese, all other paid or unpaid workers will be managed by the vicar. However the priest chooses to administer the registration and status of workers, they cannot delegate their responsibilities for these requirements – they remain the employer.

### **What happens if a card is withdrawn?**

If Department of Justice staff determine that a worker's card will be withdrawn, the card holder will be issued with an 'Interim Negative Notice' or a 'Negative Notice'. The worker must inform the employer within seven days and not engage in child-related work. An employer organisation will only ever be informed that an applicant has not been successful in obtaining or retaining a WWCC card, not of the reasons why they were unsuccessful.

The individual cannot apply for another WWCC card for five years after the Negative Notice, unless there has been a relevant change in their circumstances.

### **What could result in a WWCC card being withdrawn or not issued?**

The list of relevant criminal offences can be found on the Department of Justice website, [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren), click on 'Record Checking Process'. The WWCC check searches for convictions, findings of guilt and charges for serious sexual, serious violence and serious drug offences as well as relevant findings from professional disciplinary bodies.

### **What happens if an individual disagrees with a Negative Notice?**

A negative notice can be appealed to the Victorian Civil and Administrative Tribunal (VCAT)

### **Application costs**

Volunteers do not pay for a WWCC card. For those in paid employment there is a fee (the current fee can be found on the Working With Children website). If a person moves from a volunteer to a paid position, they must

reapply for an employee WWCC card. As the card is a prerequisite for the employment of any licensed/authorised person (clergy or lay minister), the Australian Tax Office currently advises that the cost can be claimed on tax returns.

### **Who must obtain a WWCC card?**

The Victorian Parliament has legislated that a WWCC card is a minimum requirement for all people who interact with children in a working environment. The definition of “direct contact” with a child means that if you have physical contact with, talk face to face with, or are within eyesight (you can physically see) children in the course of your work, paid or unpaid, you will need a WWCC.

### **Will other checks be required?**

The WWCC Check creates a mandatory minimum standard for a range of child-related industries. The Department of Justice expects that organisations will continue with their usual application, interview and training methods to complement the WWCC. This means that the Anglican Church will continue to undertake other screening checks, including position application forms, reference checks and the National Police Certificate. The WWCC is not the same as the National Police Certificate, which also takes into account burglary, fraud and other offences.

In supporting this Victorian Government initiative, you are urged to have all paid and volunteer workers lodge an application for a WWCC card. Err on the side of caution, rather than seeking to discover a reason for individuals not to apply. Err on the side of safety for children.

### **Teachers with current VIT registration**

Parishioners who are qualified teachers and hold a current Victorian Institute of Teaching (VIT) card are not required to obtain a Working with Children Check card. The Diocese does require that they obtain a National Police Certificate in addition to their VIT registration.

To maintain their VIT card, teachers must undergo an annual check. Should the teacher not regain a VIT card or if they cease teaching, then to continue as a parish volunteer they must obtain a WWCC card immediately.

## **Checking the status of WWCC cards**

Go to the Department of Justice website ([www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren)), click on “Check Status” in the list on the right-hand side of the page, then click on the link at the bottom of the Check Status page. Checking the status of a card or an application for a card is a simple matter of entering the surname and the number of the card or assessment notice (or the Application/Receipt number if the application is still being processed).

The status of WWC cards should be checked:

- as part of the screening of new leaders;
- annually, as a check that the card is still valid.

Record and initial that this status check has been completed.

## **Notification of change of personal details**

If the parish was not listed as the primary organisation on the WWCC application when the card was applied for, the card-holder should fill out a “Notification of Change of Personal Details” form to add the parish to the list of employers.

This form is available at [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren), *Maintaining Your Check*.

All new leaders who did not list the parish on their original WWCC card application are also required to complete this form.

Ask to see the completed “Notification of Change of Personal Details” form.

If the Parish posts the ‘Notification of change of personal details’ form you will be able to ensure that the Department of Justice actually receives the completed form and that the Department of Justice will notify the parish if that person fails the Working With Children check; or receives a negative notice in the future.

The checking process is ongoing, so this is a safeguard for the life of the card.

## **WWCC record keeping**

You must keep a record that for all adults who lead or assist in programs or

activities with anyone under the age of 18:

- you have sighted their current WWCC card, and recorded the number on the card and the expiry date; or
- the person is exempt from applying for a WWCC card, and record the circumstances under which they are exempt.

It is also best practice to record the result of annual status checks - see “Checking the status of WWCC cards” above.

Examples of forms for use in record keeping are available in Word or Excel format from the Children and Families Ministry Facilitator (see back page for contact details).

### **WWCC website**

You can find detailed information on the Working With Children Check including the Working with Children Act at [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren) .

It is important to note that the Working With Children Check is a mandatory minimum standard for a range of child-related industries. It is not intended to replace the National Police Certificate.

### **National Police Certificates**

All employed and volunteer leaders and helpers (18 and over) must have a National Police Certificate on commencement of service and every three years thereafter. If there is a change in role, a leader may be required to obtain a further National Police Certificate for the new role. You must keep a register of all adults working in your program. Under Diocesan insurance arrangements, there is no indemnity for sexual assault or sexual harassment if the Diocese or Parish knows or ought to have known that the employee or volunteer had previously committed such offences. Therefore, if any offence involving violence or abuse is revealed by the police certificate, that person cannot be involved in programs for children or young people under the age of 18 or for any other ministries. You should seek the advice of the Director of Professional Standards as soon as possible. (See back page for contact details.)

The purpose of the National Police Certificate must be “Contact with children” for each organization. The National Police Certificate is only issued for one purpose, as specified in Section E of the application form.

### **What to do if the National Police Certificate reveals a record**

If a National Police Certificate reveals a criminal record, the individual (who received it personally) must notify the Vicar and Director of Professional Standards and discuss the record with them. A decision will be made on whether the individual can be involved in youth work.

*If the nature of the offence is sexual, drugs or otherwise abusive, then do not under any circumstances involve that person in ministry with youth or children*

The Vicar must discuss the outcome of the National Police Certificate with the applicant and keep detailed records of the discussion. The Vicar should then contact the Director of Professional Standards.

### **Volunteers under 18 years**

If you have volunteers under 18 years you should still conduct a screening process.

Parental support should be given and references checked before commencement in your program. See Appendix B for a sample screening/application form.

A WWCC card is not applicable to anyone under 18 years.

Applicants are able to consent to a National Police Check if they are 15 years or older, but under the age of 15 years consent must be given by a parent or guardian.

Volunteers under 18 should take on an apprentice type role. You will need to pay special attention to the responsibilities and commitments expected of them.

An under-age volunteer must not be left in charge of a group. There should always be an adult present.

### **Why a National Police Certificate?**

1. To show the community, church congregation and any new families that we are concerned for the well being of their youth and children



2. To put new families at ease regarding the safety of their children
3. To prevent any person with a record of child abuse from being involved with or having access to children and teenagers
4. To protect and assist the church in case of allegations.

## **Some frequently asked questions about National Police Certificates**

### *Who needs to be checked?*

Any person aged 17 and older who has regular contact with children or youth needs to be screened in this way.

### *What are the implications if we employ someone with a record?*

If a Parish goes ahead with an applicant who has had a previous offence recorded on their National Police Certificate, then the Diocesan Insurance is null and void and the Parish will be financially responsible for claims should they re-offend.

### *What if the parents are present?*

Although responsibility for the children or youth has not transferred to the leaders, it is recommended that all leaders of a program undergo this check because they are still building a relationship with the child.

### *What if we have leaders on a roster basis?*

Even if your leaders are only with children a few times a year it is still necessary to obtain a National Police Certificate. They should also fill in a “Leader Application Form” (*Appendix A*) and have references checked.

### *Who receives the National Police Certificate?*

Victoria Police will post the National Police Certificate to the address of the person applying for it. It *will not* be posted to the Diocese or the parish. The recipient of the National Police Certificate must show it to the Vicar or other designated person in the parish (e.g. Churchwarden, Youth Minister, Children and Families Minister). A secure register of all National Police Certificates with the name, receipt number and clearance date must be kept. The information should also be recorded in the Vestry minutes. The National Police Certificate *must not* be retained by the parish, but be returned to the person to whom it is addressed.

*Can I use my police certificate for other organisations?*

Yes, the holder can show their National Police Certificate to other organisations.

### **Procedure for National Police Certificate checks for volunteers**

Ask volunteer leaders who are *not* authorised honorary or stipendiary lay ministers to complete a National Police Record application form.

The application form should be filled out online and then printed – go to the Victoria Police website, [www.police.vic.gov.au](http://www.police.vic.gov.au), click on Our Services, then on Police Record Checks, then click on “New online application form”.

Parishes may also request a copy of the application form from the Children and Families Ministry Facilitator (see back page for contact details).

### **Instructions for completing the National Police Check Application Form:**

**Section A:** select the “National name check”.

**Section B:** complete name, phone contact, date and place of birth.

**Section C:** current and previous five years of residential addresses.

**Section D:** If payment is being made by the parish, the Vicar or authorised representative (e.g. Churchwarden, Youth Minister, Children and Families Minister) should complete and sign Section D. We recommend that the parish pays for all or half the National Police Record check fee for volunteers. Always check the Victoria Police website ([www.police.vic.gov.au](http://www.police.vic.gov.au)) for the correct fee.

**Section E:** select “*Option 2 – Volunteer/authorised student/Family Day Care resident status*” and mark the box, “*Contact with children*”. **DO NOT fill in** or sign the “*Declaration of volunteer/authorised student/Family Day Care resident status*”.

**Section F:** The applicant must sign this section in the presence of the person certifying the photocopies of the Proof of Identity documents.

**Section G:** Volunteers must provide certified photocopies of Proof of Identity documents. A current passport together with a driver’s licence (showing current address) is suitable for ID purposes. You must have proof

of your full name, date of birth, signature and current address. This information will be covered by your driver's licence unless you have changed your address and not yet notified VicRoads. The person certifying these documents can be the Vicar, any police person or the local pharmacist.

Mark envelope 'Private and Confidential' and mail forms, certified copies of Proof of Identity documents and cheques (made payable to "Victoria Police") to:  
PA for Volunteer Police Checks, The Anglican Centre  
209 Flinders Lane, Melbourne VIC 3000

The Diocesan officer will complete Section E "*Declaration of volunteer/ authorised student/Family Day Care resident status*" and forward the application to the Public Enquiry Service, GPO Box 919, Melbourne VIC 3001.

National Police Record checks must be completed every three years or whenever the applicant takes on another role.

### **Authorised Lay Ministers (Stipendiary or Honorary)**

It is a diocesan requirement that all Stipendiary or Honorary Lay Ministers in the parish be authorised by the Archbishop. As part of this process, National Police Record checks must be completed *before* the commencement of ministry in the parish. The office of the Director of Theological Education has the necessary paperwork and information for these procedures, and will forward the National Police Record application form to you.

### **Application for Clearance for Ministry**

Under S52 of the *Professional Standards Act 2009*, before an Authority for an Authorised Lay Minister can be granted by the Archbishop, an Application for Clearance for Ministry must be completed and returned to the Director of Professional Standards. The office of the Director of Theological Education will provide the necessary form.

## **Screening checklist**

1. Leader Application / Referees Form completed
2. Driver Application Form completed (if applicable)
3. Interview
4. Referees contacted
5. Working With Children check:
  - Card or letter of authorisation sighted and details recorded
  - Notification of Change of Personal Details sent to Department of Justice (for cardholders who had not listed the parish on the original application)
  - Status checked on Department of Justice website
6. National Police Certificate sighted and details recorded
7. Authorisation as lay minister where applicable (includes National Police Record check and Clearance for Ministry form).

## **Induction**

### **Why induction is good**

A proper induction process is important for the support of new leaders and helps avoid upset if an issue arises.

### **What to include**

New leaders need a formal induction to their role. Take them through policies, procedures, standards and your ministry vision and goals, in relation to both the Parish and the specific ministry program they are working in. You may even consider calling their first few months an apprenticeship phase in leadership development, especially if it is their first leadership role. The induction process should include a formal review after the first few months at a date that is set at the commencement of the role. This will be an opportunity to reflect on any issues which may have arisen and decide on any action which might be required.

### **Field Committee**

Set up the Field Committee for Authorised Lay Ministers as early as possible. (Refer to the guidelines available from the PA to the Director of Theological Education, Phone: 9653 4220.)

## **Supporting leaders**

Post-recruitment support, supervision and accountability are often neglected. These are essential both for the health of the leader and for the program and its participants.

## **Supervision**

For paid staff (e.g. Youth Minister, Children and Families Minister), a weekly or fortnightly supervisory meeting with the Vicar or appointed ministry coordinator is strongly recommended.

## **Regular team meetings**

Ministry teams for particular programs (e.g. Playgroup, Sunday morning children's program, youth group) will benefit from regular meetings to plan, share information, raise concerns and pray for one another and for the families, children and young people who attend the program. Training and development of ministry skills can be done at team meetings. Team meetings are a strategic way of fostering openness in dealing with issues before they become a problem.

## **Opportunity to worship**

Programs that run concurrently with the main Sunday worship can prevent leaders (and participants) regularly taking part and being nourished by corporate worship. Think carefully about how opportunities can be provided for leaders to attend worship. It may be possible to re-schedule the program, or teams may have regular rostered time off.

## **Support available from the Diocese**

Diocesan Children and Families and Youth Ministry staff are available to advise and support parishes and may be able to provide training for your team. (Refer to back page for contact details)

# **GUIDELINES FOR SAFE PRACTICE**

## **Pastoral care and appropriate behaviour**

A leader's behaviour should always be respectful of young people and above reproach. Attire appropriate to the activity, culture and environment should be worn at all times.

Leaders must be culturally sensitive. Participants should not hear ignorant, biased or ridiculing statements about other religions or family practices. Leaders must be mindful of their attitudes, behaviour and language. What they are seen to be doing can have more weight than what they say. Leaders must abstain from put downs and foul language.

## **Pastoral care guidelines**

When involved in pastoral care of a young person, it is important to show genuine interest and to provide a safe environment. Healthy and appropriate relationships between leaders and the young people attending their programs are encouraged; it is important that all such relationships are transparent and that parents and church leaders are made aware of the relationships between individual leaders and children or youth.

Great care must be taken to maintain healthy boundaries. Favouritism towards particular individuals is unhelpful and could be misconstrued by the individual or by observers.

## **Safety in numbers**

Don't be alone with a young person. Always partner with another leader. Always try to have present a person of the same gender as the young person. If you are unable to find another leader to work with you, arrange another meeting time when it is possible, or meet in a venue where other appropriate adults are present.

## **Keep records**

Record meetings in your diary, noting date, time, location and duration of meeting, those present, and any outcomes.

## **Safeguard feelings**

To avoid establishing the perception of inappropriate intimacy, maintain appropriate boundaries. Be careful in your ongoing pastoral relationships that the young person does not mistake your pastoral care for inappropriate affection.

## **Visibility**

Make sure you can be seen by others, even if they cannot hear you. Be in a well-lit room and, if you are outside at night, stand under a light. It is important that other people can see you so false accusations cannot be made. If necessary, it is a good idea to leave a door open to increase transparency.

## **Refer on**

If you are unsure how to help a young person, refer them to a professional service. This may be the Vicar or other specialised service. If it is appropriate, express support by following up with them to check that they are comfortable with the help they are receiving.

## **Use of electronic communications**

The internet and mobile phones have transformed our methods of communications and transfer of information. However, the ease of use of these technologies requires that care must be increased to ensure that transparent and healthy relationships with appropriate personal boundaries are maintained. Take care not to disclose personal information about the children or youth in your care or about other leaders. Remember that information in emails, or posted on the internet or sent in text or video messages can be reproduced and taken out of your control. The Diocese is working on the production of more detailed guidelines regarding the appropriate use of electronic communications.

## **Mobile phones**

Contacting young people on their mobile phones is equivalent to meeting with them privately. To maintain transparency, all phone calls should be made to the home phone. For primary-aged children and young people in Years 7-9, initial phone contact should be with the parent to explain the purpose of the call. Even if the young person answers the phone, ask to speak with their parent first. For those in Years 10-12, it is allowable to speak

directly to the young person, but take care that parents are aware of your contact and of the extent of the relationship.

Texting young people to convey generic logistical information is permissible, (e.g. “Remember youth group starts this Friday”). For Years 10-12, texting may also include encouragement (e.g. “Praying as you start exams,” “Thanks for great job leading music at camp”).

## **Emails**

Emails sent to primary-aged children or young people in Years 7-9 should be of a generic logistical nature only and copied to their parents. Other conversations should be face-to-face.

Emails to young people in Years 10-12 may include appropriate personal conversational content, but it is advisable that more significant conversations are conducted face-to-face.

All emails sent by leaders to children and young people must include a BCC or CC to a storage email account that is accessible by an appropriate church leader (e.g. a gmail account) for future reference if required.

## **Social networking internet sites**

Although social networking internet sites (e.g. Facebook) have become a popular and convenient means of keeping in touch and sharing information, there is also the potential for inappropriate sharing and misuse of personal information.

It is not appropriate for leaders to communicate with primary-aged children on social networking sites, or to have other forms of on-line contact, except to post promotional and logistical information about events and programs on the parish website.

For young people in Year 7 and above, online contact may include group discussions that are public and read by others. The history of the conversation must be kept and recorded.

It is not recommended that leaders participate with young people on social networking sites. If you believe that this could be an appropriate form of communicating with young people, your parish leadership should develop



strict guidelines. The guidelines would include, but are not limited to:

- ensuring that youth cannot use your social networking site to see postings by, or participate in conversation with, your peers
- ensuring that any text, all photos and videos, are beyond reproach and cannot be misconstrued.

If you are using social networking sites, consider setting up an account that is dedicated to your role as a youth leader and limit access to the young people with whom you have a leadership role. Alternatively, set up a dedicated group on a regular account with privacy settings which allow participants to see only approved content.

### **Physical contact**

Appropriate physical contact is important for children's healthy development. Young people are not always best placed to determine an appropriate level of physical contact and therefore it is the responsibility of clergy and leaders to be alert to and immediately cease any inappropriate physical contact.

The degree of physical contact a young person will have with others will, within boundaries, be a factor of their personality. Except in circumstances such as a medical emergency, physical contact should be kept to a minimum and within the guidelines outlined below but even then only if it is clear that such physical contact is occurring with the young person's permission.

Church workers must take continuing and particular care to ensure that the physical contact is respectful of the young person's feelings and privacy.

Younger children may spontaneously show affection through hugging or other physical contact. Avoiding this physical contact may be misinterpreted by them as dislike, so it is important to think about how to divert their approaches in ways that also reaffirm them, e.g. ask for their help in carrying equipment, give them a task to do. Smile while you say something like: "Could you carry my bag for me?" or "Would you like to hold this picture for me?" Be friendly and relaxed while maintaining personal boundaries.

Any physical contact with participants is to be of a non-sexual nature and appropriate to the situation. Any physical contact that could be construed as

sexually stimulating is inappropriate and must be avoided. Children and teenagers may not be aware of creating such situations. It is the responsibility of clergy and leaders to be alert and to immediately cease any inappropriate physical contact.

### **Appropriate behaviour for leaders**

Acceptable behaviour on the part of a leader towards the young person in their care might include:

- bending down to the child's eye level, speaking kindly and listening attentively
- brief side hugs
- pat on the shoulder or back
- comforting someone by placing an arm around their shoulder and giving them a gentle squeeze from the side
- handshakes
- high fives or hand slapping
- verbal praise
- touching hands, shoulders and arms of children or youth
- arms around shoulders
- holding hands while walking with small children
- sitting beside small children
- kneeling or bending down for hugs with small children
- holding hands during prayer; and
- holding a preschool child who is crying, provided that they want to be held.

The degree to which any or all of the above may or may not be acceptable will depend on circumstances and the relationship that already exists between the parties. In all situations it is the responsibility of the clergy and church workers to act appropriately.

### **Inappropriate behaviour for leaders**

Unacceptable behaviour on the part of a leader may include:

- any behaviour of a sexual nature
- inappropriate or lengthy embraces
- kisses on the face
- having children over three years old on your lap
- touching bottoms, chests or genital areas other than for appropriate nappy changing or toileting of infants and toddlers
- showing affection in isolated areas such as bedrooms, staff only areas or other private rooms
- occupying a bed with a child or youth
- touching knees, legs or torsos of children or young people
- wrestling with children or young people
- tickling children or young people
- piggyback or shoulder rides
- any type of massage given by a child or young person to an adult
- any type of massage given by an adult to a child or young person
- any form of unwanted affection or attention
- comments or compliments (spoken, written, or electronic) that relate to physique or body development. (Examples would be, “you sure are developing,” or “you look really hot in those jeans”.)
- snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing
- giving gifts of money to individual children or young people; and
- private meals with individual children or young people.

## **Toileting**

If you need to take a child to the toilet, stand in the outer doorway where others can see you and the child can see you when washing their hands. In the case of pre-schoolers, if a parent is not available a female leader should be the helper. Specific training is required to assist younger children and children with special needs and disabilities clean up and dress.

Children of primary school age should not need an adult escort. If there is a

specific reason why an adult should take a primary-aged child to the toilet, they should be accompanied by another leader or more than one child. Sending children to the toilet with a buddy is a reasonable safety precaution.

Teenagers should never require an adult escort to the toilet, unless they have a disability and need a carer trained to assist.

It is recommended that before a pre-school child enters the toilets, an adult checks the area is safe and secure.

A child size toilet and basin, or an inner seat and a small step, could be provided to assist children to easily use the facilities.

The provision of nappy changing facilities is recommended, with an accompanying request that parents dispose of the nappies appropriately.

## **Discipline**

Clergy and leaders should ensure that a disciplinary strategy is developed, explained and made known for all areas of children's and youth ministry.

When the behaviour of a child/young person requires correction, for the safety and welfare of themselves or the group, it is important that:

- a warning precedes any discipline, where safety and the situation permits
- the discipline is explained to the child/young person
- the child/young person is given an opportunity to explain themselves
- the discipline is appropriate to the occasion and the age of the child/young person
- corporal punishment or other abusive discipline is not used
- very young children are not isolated as a form of discipline
- a higher authority is called if support is needed.

When a child/young person is refusing to move or participate when asked, resist the temptation to physically handle them. If necessary call in a more senior leader or their parents. Be aware that most situations can be defused by tactically ignoring undesirable behaviour and acknowledging the positive behaviour of the group or individuals.

## **Physical restraint**

Physical restraint is only permissible to protect children from harm or to avoid an accident.

When physical restraint has been used, make a written record of the circumstances identifying the restraint used, the member of the clergy or leader and child involved and any witnesses.

The child's parents or guardians must be informed of the circumstances of the incident at the earliest possible opportunity.

## **Safety awareness**

### **Develop and practice emergency procedures**

Each leader should know what to do in an emergency. Ensure that written emergency procedures are developed and regularly practised at least annually with leaders *and* participants in the program.

### **Preventing accidents and incidents (risk assessment)**

Many accidents and incidents are the result of unsafe conditions, unsafe acts by participants, or errors of judgment on the part of leaders.

It is the responsibility of the Churchwardens to carry out a full risk assessment of buildings and other Parish property and to ensure that all groups or programs are conducted in a manner that ensures the safety of the participants. The parish must have an Evacuation and Emergency Response Plan.

Leaders of children's and youth ministry programs have a particular duty of care to the young people who have been entrusted to them. Information and training on the parish's Evacuation and Emergency Response Plan must be provided by the Vicar and/or Churchwardens.

In addition, incorporate an assessment of risk into your program planning, and make sure that members of your team are aware of their responsibility to ensure the safety of the children or young people with whom they are working. One way of developing an awareness of risk assessment is to ask your team for feedback on safety issues as part of planning, and to regularly discuss safety at team meetings.

## **Recording accidents and incidents**

Keep an accurate record of all incidents and accidents for insurance purposes, and to help prevent similar events in the future.

Include names and contact details of those involved, date, time, place and responses with as full and accurate a description as possible. Refer to the Risk Management Manual “Protecting People Protecting Property” Incident/Hazard report form - *Appendix D*.

## **Insurance**

The Insurance Manual of the Diocese of Melbourne contains a summary of the various liability policies which apply to claims against the Diocese, Parishes, Clergy, Employees and Volunteers as well as the Volunteers Personal Accident policy. It also includes Claims and Incident Reporting Procedures.

There are some important points to keep in mind:

- Normal activities are insured but anything unusual must be cleared with the insurers before it is undertaken
- An uninsured activity must not take place
- If there is an accident, never admit liability
- Never sign any document that waives rights of claim from another party or gives indemnity without checking with the Risk Management and Insurance Department of the Diocese.
- Follow the Incident Reporting Procedure in the Insurance Manual.

*Please remember that insurance is not a substitute for diligent management and practice.*

## **Identification**

Leaders should wear a name badge that clearly identifies who they are (with a photograph if possible) and which group they lead, and may also have a line that says leaders have a current Working with Children Check card.

## **Safety ratios**

Adequate adult to child/young people ratios depend on the ages of those

participating. *Children or young people should never be alone with one adult, so there must always be at least two adults present in a program.* Where possible, have at least one leader from each gender. Special arrangements are required if the program involves young people with ‘special needs’, e.g. ADHD or physical disabilities. The individual needs of participants must be catered for, both for their safety, but also to enable their participation on an equal footing.

The following ratios are the minimum requirement:

- 2 adults to 6 infants;
- 2 adults to 10 children under 3 years old;
- 2 adults to 20 children aged 3 to 5 years old;
- 2 adults to 30 children/youth in school age groups.

*Note: You may need to increase the ratios for adventure activities.*

In some cases where several groups are involved it may not be possible to have two leaders for every group in every room. In this instance make sure another leader is within hearing or seeing range and the door is open.

## **First aid**

There should be at least one leader with current Level 2 First Aid qualifications, or equivalent, present during all children’s and youth ministry programs. In order to ensure this, as many of your leaders as possible should be encouraged to do Level 2 first aid training.

Level 2 first aid training includes training in emergency life support and cardio-pulmonary resuscitation, convulsions, poisoning, respiratory difficulties, management of severe bleeding, injury and basic wound care.

## **Transport**

When making transport arrangements, leaders should take reasonable steps to ensure that:

- all drivers or operators are fully licensed, responsible, experienced and are not impaired by alcohol or any other mind-altering or addictive substance
- all motor vehicles and other forms of transport used are registered,

insured, safe and fitted with appropriate child restraints or safety devices (e.g. seat belts, life jackets)

- leaders are never alone with a young person in a motor vehicle. Organise trips so that the last two passengers are left at the same address. For additional safety, it is worth asking the participants to use the rear seats.

All drivers should complete the Leader Application Form (*Appendix A*) and Driver Application Form (*Appendix G*) to ensure proper screening.

## **Bus travel**

When travelling on a bus:

- follow regular bus rules and remind participants of bus rules before travel commences
- don't allow participants to distract the driver
- keep noise level to a minimum
- remain seated whilst in motion
- seatbelts must be worn where fitted
- no part of the body is to be out of the window
- place bags securely under seats or on the shelves
- check safety practices of external service providers. Duty of care is shared between the group leaders and the external provider
- ensure the bus driver is not left alone with children during the excursion.

## **Residential activities**

Residential activities (e.g. sleepovers or camps) require a heightened degree of attention to careful planning and risk management, ensuring that leaders are aware of their responsibilities and are alert to possible threats to the wellbeing of participants.

Restrict participants from leaving the activity once they have arrived to ensure no one leaves and returns with alcohol or disappears.

Ensure that participants are adequately supervised with segregated sleeping



areas for males and females. Leaders should sleep near each group.

It is desirable to keep a light on all night for safe moving to the bathroom. Ensure all leaders have a torch. Take necessary steps to enable participants to have a sufficient amount of sleep.

### **Information for parents**

All groups or activities that operate as part of children's or youth ministry must provide parents with information about the ethos of the group, its core values, typical activities, and contact numbers for leaders.

Information about special activities, particularly if a group is going off site, should be provided to parents/guardians prior to the event, and permission forms must be obtained.

### **Collecting personal information and consent**

A registration form asking for personal details of parents/guardians and the participants, emergency contact details, and relevant medical and dietary information must be completed by a parent before their child takes part in any children's or youth ministry program. The completed form should give permission for leaders to authorise treatment in the event the parent or guardian cannot be reached. (*Refer to Appendix C for Medical information consent form.*)

Permission must be obtained before public use/release of a person's photo or video image. Therefore the form should include a request to take media footage which may be used after the event. Never use photos or video images of a young person in any forum if their parents' permission has not been granted.

In the case of friends, visitors and anyone who would not have undergone the normal registration/permission process, do everything reasonable to obtain permission from their parents – either written or verbal (ring them up if necessary). Collect registration information and ensure that the participant receives parent information and registration forms if it is likely they will participate again in the future.

If the program is going off site and there is no permission, the visitors should not accompany you unless other acceptable arrangements can be made. Document all attempts to contact parents.

All registration information should be kept in a folder for easy access during your programs, including programs that are off site, keeping in mind that only leaders should be allowed access to the information.

You need to be sure that all personal records are kept secure and only appropriate leaders have access to information such as registration, permission forms and personnel files. Keep in mind the heightened privacy rights environment in which we operate today. Any breach could bring about legal action.

Information on families and participants is often shared between leaders but great care should be taken to avoid breaking the confidence the family or participant has placed in the leaders. Think about whether you would mind other people knowing similar information about you. Keep in mind that information flow can be a sensitive matter.

# UNDERSTANDING CHILD ABUSE

## Right to be safe

Everyone has the right to be safe at all times. Those who care for children must act in their best interests and take reasonable steps to ensure their safety. It is the responsibility of each youth and children's minister to protect children and young people from physical, sexual and emotional abuse and to report any abuse suspected or discovered.

The initial effects and long term consequences of child abuse impact negatively on the individual child, their family and the wider community. Abuse may be a single incident or occur over a period of time. Early identification and effective intervention can lessen the initial and long term effects of child abuse and promote recovery of the children and families concerned.

Child abuse may be defined as an act that endangers the young person's physical or emotional health or development. Children do not generally have the power to stop abuse. They rely on others to help them. The responsibility for making sure that children are safe and that their needs are being met is shared between the family, the community and the state.

## Physical abuse

Physical abuse occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver or another party (e.g. sibling, friend). The injury may be inflicted intentionally or be the inadvertent consequence of physical punishment or aggressive treatment.

Physical indicators of abuse include:

- bruises, burns, sprains, dislocations, bites, cuts
- fractured bones, especially in an infant where a fracture is unlikely to be accidental
- poisoning
- internal injuries.

Possible behavioural indicators of abuse include:

- showing wariness or distrust of adults
- wearing long sleeved clothes on hot days (to hide bruising or other injury)
- demonstrating fear of parents and of going home
- becoming fearful when other children cry or shout
- being excessively friendly to strangers
- being very passive and compliant.

## **Sexual abuse**

Sexual abuse of a child occurs when a person uses power or authority over a child to involve the child in sexual activity. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including suggestive comments.

Sexual abuse is not easily identified through physical indicators. Often the first sign is when a child tells someone they trust that they have been sexually abused. However the presence of sexually transmitted diseases, pregnancy, or vaginal or anal bleeding or discharge may indicate sexual abuse.

One or more of these behavioural indicators may be present:

- the child telling someone that sexual abuse has occurred
- habit of complaining of headaches or stomach pains
- unexpected problems with schoolwork
- displaying sexual behaviour or knowledge which is unusual for the child's age
- behaviour such as frequent rocking, sucking and biting
- experiencing difficulties in sleeping
- having difficulties in relating to adults and peers.

## **Emotional abuse**

Emotional abuse occurs when a child's parent or caregiver or another party (e.g. sibling, friend) repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

There are few physical indicators, although emotional abuse may cause delays in emotional, mental, or even physical development.

Possible behavioural indicators include:

- displaying low self esteem
- tending to be withdrawn, passive, tearful
- displaying aggressive or demanding behaviour
- being highly anxious
- showing delayed speech
- acting like a much younger child – e.g. soiling, wetting pants
- displaying difficulties in relating to adults and peers.

## **Neglect**

Neglect is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.

Physical indicators include:

- frequent hunger
- malnutrition
- poor hygiene
- inappropriate clothing e.g. summer clothes in winter
- left unsupervised for long periods
- medical needs not attended to
- abandoned by parents.

Possible behavioural indicators include:

- stealing food
- staying at school outside school hours
- often being tired, falling asleep in class
- abusing alcohol or drugs
- displaying aggressive behaviour
- not getting on well with peers.

*(Reference: Victorian DHS website [www.dhs.gov.au](http://www.dhs.gov.au)).*

## **Responding pastorally**

Should a child/young person disclose something that causes concern, stay calm and listen. Take care that you are not dismissive of what they have told you, particularly if it is about someone you know and respect (e.g. “That can’t be true!”). Reassure them that it was a good thing to tell you and that they are not to blame for whatever has taken place. Avoid strong reactions but convey you have clearly understood what they have said to you. Let them know you are required to report something so serious and how you will do that. Do not promise to keep the disclosure secret.

You may have to probe a little to clarify whether and how the child/young person remembers or knows some of these pieces of information. It is imperative not to ask leading questions or put words in their mouth.

Immediately following disclosure record in writing what you said and what the child/young person said. This report should be as near to verbatim as you can remember. Include times, places and details of events such as colours of clothing or reasons for the child/young person thinking something was as they tell it. Also include facts such as where you were, what the child/young person was wearing, how he or she approached the subject, and the emotions they displayed.

Sign, time and date the report. Immediately report it to your minister or ministry coordinator (unless either are the person accused of the abuse, in which case give the copy to the Director of Professional Standards) and keep the original in a safe place.

## **Disclosure of abuse**

If a child or young person discloses information that reasonably suggests abuse is currently occurring, you should immediately report it to your minister or ministry coordinator. However if the accused person is your minister or ministry coordinator, call the Director of Professional Standards help line on 1800 135 246 instead. *Never go to the person who is accused as you could put the child at risk of further harm.*

You, your minister or ministry coordinator should then seek advice from the Director of Professional Standards. You or your ministry coordinator may

also be obliged to report the disclosure to the Police and to the Department of Human Services if you or they form the necessary belief that the child is at risk.

### **Mandatory reporting of child abuse**

*Children and Young Persons Act 1989* imposes the following requirements on leaders and workers:

“Any person who believes on reasonable grounds that a child is in need of protection may notify the police or the Department of Human Services of that belief and of the reasonable grounds for it.

... any person with a post-secondary qualification in youth, social or welfare work who works in the health, education or community or welfare services field who in the course of practising his or her profession or carrying out the duties of his or her office, position or employment forms the belief on reasonable grounds that a child is in need of protection **must** notify the Department of Human Services of that belief and of the reasonable grounds for it as soon as practicable after forming the belief; and after each occasion on which he or she becomes aware of any further reasonable grounds for the belief.”

Section 4.9 of the Code of Good Practice for Clergy states:

*The mandatory reporting provisions of Children, Youth and Families Act 2005 do not apply to clergy merely in their capacity as Clergy. It should be noted that the Act does permit voluntary reporting where a person believes a child is in need of protection.*

### **Referrals to Child FIRST**

Under new provisions of the *Children, Youth and Families Act 2005*, “Child FIRST” teams are being established across Victoria to provide a more integrated approach to supporting vulnerable children, youth and families. If there is a concern about the welfare of a child or young person, but you are not sure if there are grounds for making a report, then you may choose to make a referral to “Child FIRST”. The Contact List to find your local “Child FIRST” team can be found at: <http://www.cyf.vic.gov.au/family-services/how-to-make-a-referral-to-child-first>.

## Resources

### Appendices

Appendices to this document can be found in your church “Duty of Care” Kit or downloaded from the website [www.melbourne.anglican.com.au/Children and Families](http://www.melbourne.anglican.com.au/ChildrenandFamilies).

They include:

- A Leader application and Referee form
- B Application form for volunteers under 18 years of age
- C Medical information / consent form
- D Risk assessment checklist
- E Accident/injury/illness report form
- F Annual check list for playgroups
- G Volunteer driver application

### Faithfulness in Service

Faithfulness in Service: A National Code for personal behaviour and the practice of pastoral ministry by clergy and church workers, which was updated in April 2011 can be found at:

[www.melbourne.anglican.com.au/parishportal/registryinfo/ClergyManual](http://www.melbourne.anglican.com.au/parishportal/registryinfo/ClergyManual)

### Insurance information and advice

Each parish has been providing with a copy of the “Protecting People, Protecting Property” manual. The chapters below are relevant to children’s and youth ministry.

- |                     |             |
|---------------------|-------------|
| Food handling       | Chapter 27  |
| Children’s Ministry | Chapter 24  |
| Youth Ministry      | Chapter 25  |
| Privacy             | Chapter 29. |

### Scripture Union ‘Lighting a path to safety’ handbooks

*Managing Safety in the Water - Team Leader file, p 35 and Team member handbook, p 37.*

Contact Scripture Union Victoria on 9482 5700 or [su@suvic.org.au](mailto:su@suvic.org.au) or [www.suvic.org.au](http://www.suvic.org.au).



## Useful Contacts

**Director of Professional Standards** 1800 135 246

**Police** [www.police.vic.gov.au](http://www.police.vic.gov.au)  
Public Enquiry Service 9247 5907

### **Department of Justice**

[www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren)

Working with Children Check Information Line 1300 652 879

### **Department of Human Services** [www.dhs.vic.gov.au](http://www.dhs.vic.gov.au)

Child Protection Crisis Line (24 hours 7 days a week) 131 278

**Anglicare** [www.anglicarevic.org.au/](http://www.anglicarevic.org.au/) 9321 6133

**Child Wise Help Desk** 1800 99 10 99

## Notes

## Notes

**Anglican Diocese of Melbourne**

209 Flinders Lane  
Melbourne VIC 3000  
Tel: 9653 4220

**Children and Youth Ministry Team**

**Children and Families Ministry Facilitator**

Tel: 9653 4275  
childrenandfamilies@melbourneanglican.org.au

**Regional Youth Ministry Facilitators**

youth@melbourneanglican.org.au

**Director of Professional Standards**

Phone: 1800 135 246  
P O Box 329, Canterbury VIC 3126

**Director of Theological Education : Network 1:28**

The Anglican Centre, 209 Flinders Lane, Melbourne VIC 3000  
Phone: 9653 4220

**Updated July 2011  
(Back page updated November 2012)**