



Crossway Group Child Protection Policy



Effective Date	1 January 2017
Approved by	Crossway Board
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Attachments

- 1 Outline of Applicable Law
- 2 Responding to Suspected Child Abuse
- 3 Suspected Child Abuse Report
- 4 Child Protection Code of Conduct

Acceptance, Amendments and Review:		
Approval Date	Part	Amendments or other action
7 Dec 2016	6	Provisions permitting the restricted use of social media included
18 Apr 2017	6	Information on Wrongs Act Included
	8	Revised Part 8 replaced previous part and minor related changes
	10	Attachments included
17 Oct 2017	Various	Information on 'Reportable Conduct Scheme' included
3 March 2020	Whole	Review of Entire Policy



PART 1 - INTERPRETATION

"Act"	The <i>Children, Youth And Families Act 2005</i> as amended and/or subsequent legislation.
Actual/perceived conflict of interest	<p>"--- arises when a person's private interests:</p> <ul style="list-style-type: none"> o [actual]: improperly influences the performance of that person's professional duties and responsibilities. It is based on actual things done"; or o [perceived]: could be perceived as improperly influencing the performance of that person's professional duties and responsibilities, regardless of whether or not that has occurred." <p>The private interests "can include but [are] not limited to, 'personal, emotional, conscientious, sexual, familial, social, cultural, religious, spiritual, financial, business, political, professional or organisational factors'."¹</p>
Applicable law	In Victoria various legislation impacts on child protection/safeguarding - a summary is in <i>Attachment 1 - Outline of applicable law</i> .
Best interests	<p>For the purposes of the "Act", these include:</p> <p>(1) [the] best interests of the child must always be paramount.</p> <p>(2) When determining whether a decision or action is in the best interests of the child:</p> <ul style="list-style-type: none"> • the need to protect the child from harm; to protect his or her rights: • and to promote his or her development (taking into account his or her age and stage of development) must always be considered.² •
Betrayal of trust	A failure by person in authority to protect a child from sexual offence; section 49C <i>Crimes Act</i> : See <i>Attachment 1 - Outline of applicable law</i>
CCYP	Commission for Children and Young People - responsible for the Reportable Conduct Scheme: See <i>Part 5</i>

¹ Australian Association of Social Workers Code of Ethics 2010

² Section 10, *Children Youth and Families Act 2005*

Child abuse	<p>Child abuse, as defined in the <i>Child Wellbeing And Safety Act 2005</i>, includes:</p> <ol style="list-style-type: none"> a. any act committed against a child involving— <ol style="list-style-type: none"> i. a sexual offence; or ii. an offence under section 49B(2) of the <i>Crimes Act 1958</i> [grooming a child under the age of 16 years for sexual conduct]; and b. the infliction, on a child, of— <ol style="list-style-type: none"> i. physical violence; or ii. serious emotional or psychological harm; and c. the serious neglect of a child; <p>A comprehensive description is in <i>Attachment 1 - Outline of applicable law</i>.</p>
Child protection	An activity or initiative to protect children from any form of harm, particularly arising from child abuse or neglect.
Child Protection Officers ("CPOs")	CPOs are appointed to have specific responsibility for the initial response to any child abuse allegations or complaints - see Part 3 for broader description.
Child Safe Standards	The statutory standards to be applied by organisation providing services to children: <i>See Part 2 - "Policy and Principles"</i> .
Child/Children	An individual or individuals below the age of eighteen years. However, there are some age variations in the different schemes - see table in Part 4.
Children accessing Crossway Group activities	<p>Children who are:</p> <ul style="list-style-type: none"> • participants of a program or service offered by the Crossway Group; or • in the care of an adult at the time when the adult is accessing a service offered by the Crossway Group.
Crossway Group	<p>All legally constituted or other entities within the Crossway Baptist Church Inc. Group - referred to in this Policy as the Group or Crossway Group. Includes but is not limited to Crossway LifeCare Ltd, Crossway Creative Arts Ltd</p>
Crossway LifeCare	A legal entity in the Crossway Group which includes counselling services.
Employees:	Employees are paid personnel of the Crossway Group



Group Associate/non-Group associate	"Group Associate" and "non-Group associate" are described in the <i>Section 2 - "Scope"</i> . These terms apply to all Group entities.
Group Executive Team	The Group Executive Team consists of the Senior Pastor, the Executive Pastor and the Director of Strategic Projects and Finance (or their Delegates).
Manager	A manager includes employees who have responsibility for managing key ministry areas or entities.
Neurodivergent	A person whose neurological development and state are atypical.
Person of concern	<p>A person of concern includes the following:</p> <ul style="list-style-type: none"> ○ having been charged with, pleaded guilty to, been convicted of, or admitting to a sexual criminal offence; ○ having been found to have sexually offended through screening; ○ the subject of an allegation of a sexual offence: <ul style="list-style-type: none"> ▪ which was not appropriately investigated; or ▪ is currently under investigation; <p>been found and/or deemed to be a risk to the safety of children having received an adverse risk assessment arising from sexual misconduct, including grooming.³</p>
Reasonable belief	A belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed.
Reportable Conduct Scheme	The Scheme requires the head of an organisation to report certain conduct to the Commission for Children and Young People ("CCYP") and to later provide further details of the allegations and any investigations: <i>See Part 5 for an overview of the Scheme.</i>
Safeguarding	Any responsibility, measure or activity undertaken to protect children from abuse and other forms of harm.
Serious and imminent risk	<p>A serious AND imminent threat to a child's health, safety or welfare - it consists of two aspects, both of which must be met - it must be:</p> <ul style="list-style-type: none"> • serious - harm has occurred and/or there is risk of significant harm to the child; and • imminent - if no action was taken there is high potential of harm to the child
Sexual misconduct	For the purpose of the Reportable Conduct Scheme:

³ Adapted from the Australian Baptist Ministries "Individual Accountability & Safety Agreements" brochure.



and sexual offence	<ul style="list-style-type: none"> o "sexual misconduct" includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism; while a "sexual offence" means an offence referred to in clause 1 of Schedule 1 to the <i>Sentencing Act 1991</i>.
Supervisor:	Group employees who have responsibility for supervision of persons reporting directly to them in accordance with their position description.
Team Crossway	This term, when used, applies to both Group employees and those volunteers having a role and/or undertaking duties within ministry areas or Group entities.
This Policy	This term, when used, applies to this Policy.
Volunteers	Volunteers are unpaid personnel who undertake activities/serve within a ministry area or in any of the Group entities.
Working with children	<p>Working in a position as:</p> <ul style="list-style-type: none"> o An Employee involves regular contact with children, either as part of the person's position description or due to the context of the work that brings the person into regular contact with children. o A Volunteer involves either regular or occasional contact with children as required by the person's position within a ministry.
Working With Children Check (WWCC)	The Working with Children Check is a screening process for assessing or re-assessing people who work with or care for children in Victoria. A detailed check is made of the criminal history and relevant professional conduct findings of applicants to ensure children are protected from sexual or physical harm.

Part 2 - POLICY AND PRINCIPLES

PREAMBLE

Crossway Baptist Church Inc. and its related entities ("the Group") in accordance with the United Nations Convention on the Rights of the Child and legislative requirements, recognises that all children have a right to:

- o be, and to feel, safe;
- o be provided with protection; and
- o the opportunity to flourish emotionally, socially, economically, educationally and spiritually.

This policy is primarily concerned with the safety and protection of children. It is not, however, limited merely to statutory obligations and practices, but also considers child safety within a broader context to ensure child protection is a paramount requirement across the activities of the Group.

LEGISLATION:

In Victoria the primary legislation covering child protection is the *Children, Youth And Families Act 2005 (the "Act")*. This legislation provides two related systems for reporting on the concerns or harm to children:

- o "**Responding to suspected child abuse**" - the procedures to be followed when there are reports or suspicions of child or sexual abuse (*see Part 4*); and the
- o "**Reportable Conduct Scheme**" - the procedures to be followed by the Chief Executive of an organisation in reporting to the Commission for Children and Young People (*see Part 5*).

Other legislation is also relevant - an outline is given in *Attachment 1 - "Outline of applicable law"*.

CHILD SAFE STANDARDS

The Act provides the authority for the **Child Safe Standards** - the compulsory minimum standards for all organisations that provide services to children. The Standards provide a framework to identify gaps and improve policy and practices around child safety within organisations:

- Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
- Standard 2:** A child safe policy or statement of commitment to child safety.
- Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children.
- Standard 4:** Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- Standard 5:** Processes for responding to and reporting suspected child abuse.
- Standard 6:** Strategies to identify and reduce or remove risks of child abuse.

Standard 7: Strategies to promote the participation and empowerment of children.

AIMS OF THIS POLICY

Consistent with the Child Safe Standards, the principal aims of this Policy are to:

- o promote an organisational culture in the Group that prioritises the best interests of a child;
- o ensure all "Group Associates" (see *description in Part 2*) understand their responsibilities and obligations on safeguarding children, including preventing abuse and reporting suspicions of abuse;
- o ensure the safety and protection of children in the delivery of the Group's programs; and to
- o provide, as the basis for implementation: definitions; general principles; an overview of some applicable law; guidelines; descriptions of roles; and the responsibilities of those covered by this Policy.

PRINCIPLES UNDERLYING THIS POLICY

The Group:

- o will promote a culture where a child's best interests will be considered paramount and commits to prioritising the best interests of all children participating or interacting with Group programs and services;
- o recognises:
 - its legal and moral responsibilities to promote best practice, protect and safeguard children from harm, abuse and neglect;
 - all children, irrespective of race, gender, sexual orientation, religious belief and abilities – have the right to protection from all types of harm or abuse;
 - those children who are additionally vulnerable:
 - because of the impact of previous experience(s);
 - level of dependency;
 - communication needs or other issues;will need additional tailored approaches to safeguard them from harm, abuse and neglect and to ensure they have equitable access to reporting any suspected abuse - this includes, but is not limited to, children:
 - with a disability;
 - for whom English is not their first language;
 - of an indigenous background; or
 - who are neurodivergent;
- o has a zero tolerance of all forms of child abuse and will advocate that a child's best interests are upheld, both within our organisation and in other settings;

- will ensure that any incidents of suspected child abuse are dealt with promptly and appropriately in accordance with the Act and other relevant legislation;
- will ensure all children will be treated with the utmost respect and commits to:
 - creating an inclusive environment where children from all cultures, religions and of all abilities, feel welcome and safe;
 - engaging with children and families through inviting feedback and general reflections about their experiences with Group entities and individuals representing the Group; and
 - engaging with external community supports and Government bodies in decision-making, where this will enhance our capacity to foster child safe practices.

PART 3 – SCOPE AND RESPONSIBILITIES

SCOPE

Current and future legal entities:

This Policy applies to all legally constituted and other entities within the Group (including but not limited to Crossway Baptist Church Inc. (CBC), Crossway LifeCare Ltd (CLL) and Crossway Creative Arts Ltd (CCAL)). Any further legal entities established by the Group Board will automatically come within, and be subject to, the terms of this Policy.

Application to Group Associates/non-Group associates:

- **Group Associate:** refers to those who attend or participate in Group services, programs and/or activities – it includes employees, Church members and volunteers
- **Non-Group associate:** a person who does not come within the above categories - this may include, but is not limited to, contractors who are working with and/or at Group activities or premises.

RESPONSIBILITIES

Group Associates (or non-Group associates who may have intentional, or the potential, for contact with children) shall be subject to, and must comply with this Policy. Promoting a child safe culture is a shared responsibility and all Group Associates are expected reasonably to:

- facilitate an organisational environment that is supportive of a child's wellbeing and safety, abstaining from all conduct that would not be in the best interests of a child;
- familiarise themselves and comply with the applicable law, the relevant parts of this Policy and the Child Protection Code of Conduct; and
- report reasonable suspicions of child abuse as noted in *Parts 4 and 5*.
-

WORKING WITH CHILDREN CHECK:

A current Working with Children Check ("WWCC") - noting it is for work at Crossway - must be held: by all employees and volunteers - this includes those who will not have intentional, or potential for, contact with children in undertaking their role(s).

Contractors who undertake work at a Crossway campus or property must have a WWCC or be escorted or monitored at all times while they undertake their activities.

Renewal: The WWCC card is valid for five years unless surrendered or revoked. The Group is notified of cards that are due to expire and are noted for work at Crossway. Action must be taken as soon as possible by the cardholder to renew the card. A person who no longer holds a valid card and has not taken action to renew the card within 30 days will not be permitted to undertake any activities that may involve intentional, or the potential for, contact with children.

Exemption: As noted above, it is obligatory for employees, volunteers to hold a current WWCC. However, a majority of the members of the Executive Team may resolve to grant an exemption from gaining a WWCC - such exemptions are not to be seen as commonplace and will only be granted in most extraordinary circumstances.

Where a person applies for an exemption, the Executive Team must determine what criteria shall be applied in the particular situation. However, the following must be taken into account in making a decision.

A Group Associate seeking an exemption:

- must make an application in writing to the Senior Pastor, noting the reasons for seeking an exemption;
- must not be a "person of concern" (see *Part 1 - "Interpretation"*);
- must have valid reasons for not seeking a WWCC - non-contact with children, in undertaking activities at, or as part of, the Crossway community is not, by itself, sufficient reason for obtaining an exemption;
- must submit to any term(s) the Executive Team may impose; and
- must satisfy the Executive Team that they will have **absolutely** no contact (physical or online/digital) with children in undertaking any activities within, or as part of, the Crossway community and sign an agreement to this effect together with any terms imposed by the Executive Team;

Where the Executive Team, following an application for an exemption and consideration of all the relevant issues, makes a decision to either grant or to refuse an exemption:

- The decision, together with:
 - the reasons for seeking the exemption,
 - the reasons which formed the basis for granting or refusing the exemptionmust be in writing (either hard or soft copy).
- The name of the applicant must not to be de-identified.
- A copy of the decision and reasons must be tabled at the next meeting of the Board - as the Board is ultimately accountable for decisions made in relation to the WWCC practices, the tabling of the decision will permit knowledge and oversight of such matters.
- The Board, consistent with its responsibilities, has the power to veto a decision of the Executive Team on an application for an exemption; it must:
 - give careful consideration, especially where a decision has been made to grant an exemption;

- examine all the information considered by the Executive Team and may obtain further information considered by a majority of the Board to be essential in making an appropriate decision; and
- the Board's decision must must:
 - be consistent with the principles outlined in Part 2,
 - be based on valid grounds; and
 - provide reasons for either affirming or vetoing the Executive team's decision;
- All documentation must be held in a secure and confidential container for a period of 50 years;
- All matters relating to exemptions must remain confidential, except between the applicant, Executive Team, the Board and any other person the Executive Team and/or Board considers should be advised of the decision; and
- Any breach of this confidentiality, not permitted, or required by law by Executive Team members and/or by Board members and any persons advised of the decision shall be a breach of the Code of Conduct.

ROLE RESPONSIBILITIES

Board Members:

The Church Constitution notes "[t]he business of the Church must be managed or under the direction of a Board".⁴ Consistent with this rule, the Church Board has the ultimate responsibility for promotion of a "top down" culture in relation to child protection and ensuring:

- a child's best interests will be considered paramount and commits to prioritising the best interests of all children participating or interacting with Group programs and services;
- the effective management of all matters relating to safeguarding children - including that reports from the Executive Team are presented to the Board in a timely manner, as required by this policy - for example: reports of allegations and related action, for applications seeking an exemption from having a WWCC;
- Group entities have appropriate:
 - policies and practices in place to minimise the risk of child abuse occurring within the organisation; and
 - strategies consistent with this policy to respond to all suspicions and allegations of child abuse;
- all matters required by the policy are undertaken and, where applicable, within the statutory guidelines and timeframes;

⁴ *Rule 35 notes: The business of the Church must be managed or under the direction of a Board. In recognising the church is to be managed by the Board, the members of the Church, therefore delegate the entire management and control of the business of the Church to the Board as it governing body.*

The Board is required to understand and act consistently with this Policy, and Child Protection Code of Conduct.

Senior Pastor:

The Senior Pastor is primarily accountable to the Church Board for ensuring that appropriate policies and practices are implemented, monitored and reported on, and evaluated in a timely and diligent manner.

This includes the review and understanding of this Policy, Group Code of Conduct, the reporting of any suspected child abuse (internal or external by the Group entities) to a Child Protection Officer or the relevant state child protection authority, Victoria Police, the BUV and/or the Board.

Furthermore, the Senior Pastor is required to:

- ensure:
 - reviews of organisational culture and attitudes towards child protection are performed; and
 - all Group Associates are aware of the zero tolerance approach taken to abuse of children;
- promote and implement strategies that will safeguard children accessing services;
- promptly responding to any changes to child-related legislation other statutory requirements, bringing these to the attention of the Board and ensuring any necessary response;
- provide or facilitate support to Group Associates as they undertake their safeguarding responsibilities, ensuring that access to training and development and emotional support is provided; and
- ensure all Group Associates are aware of their obligation to report suspected abuse of a child, in accordance with this Policy.

The Senior Pastor:

- may delegate any of the above responsibilities and duties to the to the Executive Pastor or other member of the Executive Team; but
 - retains responsibility for the activities; and
 - must ensure that delegated duties are actioned appropriately.

All delegations of the above duties by the Senior Pastor must be in writing.

The Senior Pastor, as head of the organisation, is responsible for the "**Reportable Conduct Scheme**" and must meet the requirements of section 16K of the *Child Wellbeing and Safety Act 2005*. There are specific delegations for the Scheme and these are outlined in Part 5.

Managers and supervisors:

All managers and supervisors must:

- understand, promote and act in line with this Policy and the relevant Code of Conduct;



- promote the best interests of a child/children at all times;
- be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct;
- provide or facilitate education, training and support to their employees and volunteers regarding child safety and wellbeing; and
- seek consultation from the relevant Child Protection Officer where required.

Child Protection Officers (CPO's):

CPOs are appointed to have specific responsibility for children or parents/Group Associates to raise any child safety concerns, and to handle the initial response to any allegations or complaints made. They are responsible to the Executive Team and may, under direction, handle the management of allegations. The names of all CPOs should be publicised in the various ministry areas of the Group.

The Group CPO's are:

- all members of the Executive Team;
- the Ministries Director and Central Services Director
- Generational Consultant; and
- the LifeCare Director.

The appointments are to persons holding the above the positions or, in the absence of the person who normally undertakes the duties of the position, the CPO role will pass to the person acting in, or undertaking the duties of the role during the period of the absence.

In the event that the governance structure changes or expands the Executive Team must ensure that there are sufficient CPOs appointed across all ministry areas and entities.

The Senior Pastor, or a person undertaking his duties, has authority, at his discretion, to appoint another employee to a CPO position:

- this may be in addition to the current CPOs; or
- during an absence or instead of a designated CPO.

All appointments as a CPO and any delegations must be in writing.

CPO's are required to:

- understand, promote and act in line with this Policy and the relevant Code of Conduct;
- make themselves available for consultation with any Group Associate or client relating to matters of child safety and wellbeing;
- provide advice and support regarding application and implementation of this Policy to any Group Associate;
- be proactive in raising any concern of this Policy in responding to child protection; and
- attend appropriate child protection training, at least annually.



CPOs are responsible, and must report directly, to the Senior Pastor or his delegate (the Senior Pastor reports directly to the Chairperson of the Board).

Employees and Volunteers:

Employees and volunteers must, as appropriate to their role:

- be familiar with, understand and act consistently with this Policy and the applicable Code of Conduct;
- attend appropriate training and development on child protection issues, as required;
- proactively seek assistance and advice affecting from managers, supervisors, CPOs and/or Executive Team members on the safeguarding of children; and
- where supervision is a role requirement, to ensure that team members attend training and understand child protection issues.

Parents/Guardians/Carers and family members over 18 years

Parents, guardian, carers and family members over 18 years accessing Group programs, services and activities are:

- to be advised of this Policy;
- on request, to provided with a summary of the Policy; and/or
- have access or, on request, be provided with this Policy statement, and the applicable Code of Conduct, including the process of reporting any suspected child abuse.
-

GENERAL RESPONSIBILITIES:

Supervision requirements:

- There must always be two adults present, even if only one child is in the room/ministry area; and
- children will remain in the ministry area under the supervision of an adult until such time they are checked out by their parent or guardian.

Crossway aligns itself to the recommended ratios are stipulated by the Baptist Union of Victoria⁵ as follows:

⁵ <https://www.buv.com.au/resources/safe-church-resources>



The recommended adult/child ratio is:

- 0 - 2 years old = 1:3
- 2 - 3 years old = 1:4
- 3 – 5 years old = 1:8
- 5 – 12 years old (primary school) = 1:8
- 12 – 18 years old (high school) = 1:15

Minimum requirement: Have at least 2 adults with children to allow for an emergency – one with suitable experience and at least one person 18 years and over.

Parents may choose to stay within the ministry area with their child/children during any Crossway program/activity/service; during this time the parent and their child/children will not be included as part of the adult/child ratio. Parents are only to care for their child/children; they must not care for any other child/children.

Taking and/or use of photographs/video/other electronic images of children:

a. Photographs/video/other electronic images

Employees, volunteers and other Group Associates must not take photographs, videos or other forms of electronic image unless:

- it is explicitly permitted for the Group Associates in undertaking their role; and
- is legally permitted; and
- consent:
 - is/has been obtained from parents/carers/guardians and, where appropriate, the child; or
 - can be implied from notices or advice given at an event or location; or
 - has otherwise been obtained for specific activities or events and the appropriate consent and release forms have been completed.

b Use of media and technology:

As a general principle, any communication (regardless of form) with a child external to the program or service that he/she is accessing shall be made through her/his parent(s) or guardian(s). Further, and except to the extent, they are not contrary to the general principle:

- Group Associates must comply with ministry or program-specific guidelines which govern contact with children, both in-person and by other means; and
- except, as provided below under "**Exceptions**", Group Associates must not communicate with any child or children accessing Group programs or services by using social media platforms or e-mail.



Exceptions:

(i) **Express permission:** E-mail correspondence, text messages and telephone conversations with a child may be allowed on a **case-by-case** basis, where expressly permitted by a Group entity's written guidelines or with the approval of the Ministries Director

(ii) **Generational ministries:**

Interpretation: In this part (ii.) **ONLY**, the following words shall mean:

- Children:** children in year 7, or the equivalent, and above, involved in programs in the ministry area.
- Social media:** includes, but shall not be limited to Facebook, Instagram, Twitter, Messenger and any other means of electronic communication, including e-mail.
- Ministry area:** ministry within Children & Families and Youth to children in year 7, or the equivalent, and above.

It is acknowledged that the use of social media can be a significant and important means of communication with children involved in programs in the ministry area.

Consistent with this acknowledgement, the Generational Consultant may authorise adult leaders in the ministry area to use social media for communication with children.

The authorisation shall:

- be in writing, either an individual notice and/or a list to be held within the ministry area, of each person so authorised and may be for all, or part of, a calendar year;
- only be given to persons who, as a part of their role, are required to undertake communication with, and/or pastoral care of, children in the ministry area;
- not be given to any person who:
 - has not undertaken appropriate child protection training; and
 - is not able to demonstrate an understanding of the limitations on the use of social media consistent with the expressed intention and spirit of this policy.

Communications must only be sent to all participants within a small group. Should a child initiate a 1-to-1 communication, the leader should immediately advise his/her supervisor or the General Consultant and ensure the details and nature of the communication (whether once off or ongoing) is documented appropriately.

At the start of each calendar year the Generational Consultant must review the authorisation for leaders previously authorised. The Generational Consultant may renew the authorisation provided t

PART 4 – RESPONDING TO SUSPECTED CHILD ABUSE

GROUP REPORTING PRACTICES⁶

The Group has a zero tolerance of child abuse, in any form and, in carrying out the following procedures, the **best interests of the child** are to be placed above **any other** interest.

Who must/can report?

It is Group policy and practice that allegations of child abuse, based on a "reasonable belief",⁷ must be reported to the appropriate investigating authority. In addition, it is noted that:

- pastors/ministers, following a change in the law in September 2019, will be legally mandated to report on proclamation of the amendments or by 1 September 2020;⁸
- certain professional persons within the Group are legally mandated to report under the *Children, Youth And Families Act 2005* to report any situations where it is considered that abuse may have occurred; and
- any person who has a reasonable belief can make a report to the Police.

Reporters in good faith are protected from legal and other civil or administrative action.

Processes:

There are two processes that must be followed where there has been a report of suspected child abuse:

- this Part - the investigation and response to instances of suspected child abuse; and
- Part 5 - "Reportable Conduct Scheme".

An Overview:

This chart⁹ provides a general overview of the reporting action this Part and the "Reportable Conduct Scheme" - it will be noted that there are different ages for the various actions:

Scheme	Who must report	What must be reported	Report to	Age of child
Mandatory reporting	Mandatory reporters	Child physical and sexual abuse, actual or likely, parents have not protected or are unlikely to protect	Child protection (Department of Health and Human Services)	Under 17
Reportable conduct	Head of organisation	Child abuse or neglect by a worker or volunteer	Commission for Children and Young People	Under 18

⁶ See also Part 3 - "Scope"

⁷ See Part a Interpretation for a definition of this term

⁸ See Attachment 1 - Outline of Applicable Law

⁹ Prepared by the Department of Health and Human Services.



Failure to protect	Head of organisation	Risk of sexual abuse by an adult associated with the organisation	Police	Under 16
Failure to disclose	All adults	Child abuse by an adult	Police	Under 16

THIS PART:

This Part outlines the two processes for responding to concerns about a child’s safety or wellbeing -:

- o where the child is a part of the Crossway community and the allegation involves:
 - a Group Associate, or
 - a non-Group associate and the allegation relates to an incident that occurred on property/campus and
- o where the child may or may not be a part of the Crossway community and the allegation:
 - has been reported to a Group Associate and
 - involve a person who is not part of the Crossway community.

Attachment 2 - "Responding to suspected child abuse" is a flowchart of the processes to be followed.

Section 1: Child part of the Crossway community/allegation relates to a Group Associate and/or Group campus.

The processes outlined in this Section refer to one or more of the following - a child who is a part of the Crossway community and the allegation relates:

- o to a Group Associate on Crossway property/campus; or
- o to a Group Associate while undertaking a ministry function either on, or away from, Crossway property/campus;
- o a non-Group associate and occurred while that person was present on Crossway property/campus or undertaking a function relating to the Group.

Responsibility for action:

The Executive Team has responsibility the management of concerns or complaints - this may involve taking direct action or overseeing the actions of a CPO.¹⁰

¹⁰ Group CPOs are:

- all members of the Executive Team;
- the Ministries;
- the campus pastors for Burwood, South East and the Asian languages; and
- the LifeCare Director.



Process:

Not all investigations will be the same, however, the table below provides an overview of the process that should be followed and some important considerations.

Action	Important considerations
<p>Reporting Concerns and Complaints</p> <p>Any person who has a concern or concerns about the abuse/potential abuse of a child or children shall be encouraged to speak with a Group employee.</p> <p>On receiving the complaint or concern, the Group employee must urgently report the matter to a CPO or member of the Executive Team.</p> <p>Where it is not possible to make this contact and/or action has been taken due to the child being at imminent risk, then the information must be reported to a CPO or member of the Executive team as soon as possible.</p>	<p>→ Has there been an offence?:</p> <p>Where an offence has occurred and/or it is considered there is a serious and imminent risk to the child,¹¹ the matter should be reported to the Police without delay and a CPO or member of the Executive Team notified.</p> <p>All concerns and complaints must be treated with the utmost respect, and reporting concerns shall not affect the capacity of the individual, who is the victim of the abuse and/or the person reporting, to receive services and supports from the Group.</p>
<p>Gaining information:</p> <p>In talking to a child about possible abuse, no pressure should be placed on the child to provide information beyond what they feel comfortable communicating. The focus should be on ensuring the child:</p> <ul style="list-style-type: none">○ feels heard and affirmed;○ he/she is being taken seriously; and○ where appropriate, she/he is advised of what will be done with the disclosure and information. <p>Regardless of whether a concern/complaint is made by a child or by an adult (regarding harm to a child), the Group Associate should ensure they are not asking leading questions (that is, questions which suggest or imply what the response should be) when attempting to capture the nature of the complaint/concern.</p>	<p>→ Talking to a child:</p> <p>Some children will need a tailored approach to ensure they have equitable access for reporting any suspected abuse - this includes, but is not limited to children:</p> <ul style="list-style-type: none">○ with a disability;○ for whom English is not their first language;○ of an indigenous background; and/or○ are neurodivergent. <p>Children may have "gut" instincts and responses to persons and situations which they are unable to clearly articulate/substantiate with evidence - these feelings shall be taken seriously in talking to a child.</p>

¹¹ See Part 1 - "Interpretation" for a definition of this term.



Does a reasonable belief exist

In assessing whether a reasonable belief that abuse or harm to a child exists, the Executive Team member managing the complaint will discuss and may do any or all of the following:

- o consult with an external service such as the 'Baptist Union of Victoria', 'ChildWise' and/or 'Child First';
- o consult with a reporting body such as Child Protection or Victoria Police; and/or
- o gather further information to better inform their consultation and assessment, however, not to the extent that they are conducting an investigation or seeking to determine plausibility of the complaint/ concern.

→ What is "reasonable belief

A belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed.¹²

Taking appropriate action

Where a reasonable belief of abuse is found to exist, the Executive Team member must immediately report this to an external body for further investigation (for example, the Police).

In addition to contacting any external services for investigation, the provision of necessary support services (for example, counselling) should be arranged.

→ Advising parents/caregivers

A child's parent/guardian/carer must be made aware of the complaint/concern and the action(s) to be taken. The Executive Team will manage the complaint and decide on the timing of the advice. However, it is expected that this occur as soon as possible and (where necessary/applicable) with the permission of the external investigators.

Documenting a concern/complaint

Any Group Associate receiving information regarding a concern and/or complaint (where the alleged perpetrator is another Group Associate) must document the specific details regarding the alleged incident.

→ "Suspected Child Abuse Report"

If the Suspected Child Abuse Report (see Attachment 3) has not been completed it should, preferably, be completed by the Group Associate to whom the disclosure was made or has a concern for a child.

Where an investigation is being undertaken

Where an investigation occurs (internally or externally), the Group Associate who is the subject of the complaint/concern, must have no contact (direct or indirect) with children

→ Suspension/Support

Group employees may be suspended (with pay) until the outcome of the investigation is known. A Group Associate who is the subject of an investigation of a complaint/concern, and

¹² See Attachment 1 for an expanded description of "reasonable belief."



accessing Group programs, activities and services.

their family, will be provided with access to supports they may require (for example, counselling).

Co-operation with an external investigation

If the external body (for example, Police or regulatory body) decides to conduct an investigation, all Group Associates must co-operate fully with the investigation.

Complaint/concern not abuse related

Where the complaint/concern is considered not to be child abuse related, but may indicate a breach of Policy or Code of Conduct, an internal investigation shall be undertaken (as outlined below).

→ Should there be an internal investigation?

At the completion of an external investigation or where an external body decides not to investigate, the Executive Team must determine whether an internal investigation is needed.

Internal investigations

a. Determining if it is appropriate to conduct an internal investigation

Where it is appropriate and necessary to undertake urgent action and, regardless of whether the external body/Police decide to conduct an investigation, the Executive Team must determine whether an internal investigation is appropriate.

If there is an external body, such as the Police or a regulatory body involved in the matter, the Executive Team member managing the complaint shall seek advice from the investigating body how as to how the Group should proceed, before any internal investigation is undertaken.

Assistance may, for example, be required from the Group in investigating aspects of the complaint (for example, any employment-related misconduct).

The Group may be advised not to take any action internally until an external investigation is completed. The Executive Team member managing the complaint must liaise with external bodies to ensure children and families impacted by this complaint have access to supports they may require, such as counselling and medical assistance.

Where it is permitted and appropriate to do so, the Executive Team member managing the complaint will liaise directly with the child and family to explore specific support needs.

b. Conducting an internal investigation

When the Executive Team determines an internal investigation is warranted an appropriate investigator will be appointed. Given the serious criminal nature of child abuse and the necessity for transparency, the Executive Team member managing the complaint will engage the services of a suitably qualified and independent investigator who is not

connected in any way with the Group (excluding any previous engagement(s) as an investigator) to lead this process.

Irrespective of the outcome of any external investigation, should an internal investigation find that a breach of policy/procedure/code has occurred, disciplinary action may be taken appropriate to the situation, including dismissal.

For consequences of a breach of policy, see **section 6**.

The Group will make every effort to keep any such investigation confidential. However, from time to time external agencies or other Group Associates may need to be consulted in conjunction with the investigation.

i. Collecting all relevant information:

All parties to the internal investigating of a complaint must be afforded procedural fairness, otherwise the findings of the investigation may not be deemed objective or reasonable.

To ensure procedural fairness, the Group Associate must be made aware, in sufficient detail, of the allegations made against them and must be allowed a reasonable opportunity to respond to each of the allegations. This action shall not be undertaken without the express permission of any external investigators and shall only be facilitated by an independent investigator.

The Group Associate under investigation has the right to:

- request that an observer be present in any meetings they are required to attend; and
- will have the opportunity to respond to complaints verbally within a meeting or/and via written submission after the meeting.

The investigator may also seek to interview any witnesses and collate all relevant documents. The investigator must:

- not compel any witness to provide information; and
- must have express consent to gain any information from witnesses or other persons; and
- prepare a signed witness statement for each participant to record their version of events.

ii Produce a comprehensive report:

Based on the information collected as part of the investigation, the investigator shall prepare a comprehensive report setting out his/her findings on the balance of probabilities, as well as their reasoning for the findings.

All information collated as part of the investigation should be attached to the investigation report and stored in a locked filing cabinet, in a secure location to

maintain confidentiality.

Regardless of the outcome of any investigations, report/s will also be filed within a Group employee's personnel file.

Reportable Conduct Scheme:

The preceding processes do not include, nor preclude, the action required of the Senior Pastor (or delegate) in reporting to the Commission for Children and Young People (see *Part 5*).

Reporting to the Board

At each meeting the Board is to be advised of:

- o all allegations and the action being undertaken;
- o current matters under investigation - both external and internal;
- o the result of investigations - both external and internal; and/or
- o any matters in which the Child Protection Code of Conduct has been invoked.

If the Executive Team consider there are sound and justifiable reasons for withholding the identities of the alleged perpetrator and any children who are a party to the complaint the report to the Board may be de-identified.

Regardless of whether the information provided is de-identified, the information provided to the Board must remain confidential. Any breach of this confidentiality not permitted or required by the law, by members of the Board shall be a breach of the Code of Conduct.

Section 2: Allegations involving a person, NOT part of the Crossway community/child may or may not be a part of the Crossway community.

When a Group Associate suspects or is made aware of a suspicion that a child is being abused by their parents, carers, guardians or any other adult (not a Group associate), the Group Associate should document the facts he/she observed gained using the "Suspected Child Abuse Report".

The Group Associate may (but is not required to) consult with the relevant Group CPO to decide if their belief is reasonable.

a. Group Associate should report their reasonable belief to their Manager or supervisor and/or the Police:

- Where the concern relates to a serious and imminent risk of harm¹³ to a child or a reasonable belief that a child under the age of 16 is at risk of experiencing, or has experienced sexual abuse the Group Associate should contact '000' directly to advise of concern and inform a CPO, manager, supervisor or Executive Team member of the decision/action, as soon as possible.

¹³ See definition in "Part 1 Interpretation"

- The CPO, manager, supervisor or Executive Team member, if consulted prior to a decision being made, must provide advice to the Group Associate with regard to what action, may be required. This advice should include, in particular, whether information needs to be reported to an external agency for investigation and how and when this should occur.
- The Group Associate will report his/her reasonable belief to an Executive Team member, instead of their supervisor or manager when:
 - the Group Associate does not have a supervisor or manager, or
 - the supervisor or manager is not available, or
 - after consultation with their supervisor or manager, the Group Associate does not agree with the supervisor or manager's assessment.

b. Group Associate shall take action in accordance with the direction provided by CPO, manager, Executive Team member or supervisor:

Actions may include, but will not be limited to:

- contacting Child First
- contacting Child Protection
- contacting the Police if not already informed
- referring Parent/Carer/Guardian and/or Child to additional support services.

c. Group Associate to document outcome of consultation and actions taken:

This should be on the "Suspected Child Abuse Report" and should be submitted to a CPO or member of the Executive Team for safe record keeping.

d. Advising children and parents/carers/guardians of concerns and actions taken or to be taken:

Wherever safe and appropriate to do so, children and their parent/carer/guardian should be informed of concerns developed and actions taken/to be taken to safeguard a child.

The Group reserves the right to not disclose when a Group Associate makes a report to Child Protection, Police or Child First, especially where doing so might further jeopardise the safety of a child.

STORAGE AND RETENTION OF "SUSPECTED CHILD ABUSE REPORT FORMS"

The "Suspected Child Abuse Report" forms referred to above are, on the completion of the action by the Group and/or external investigating agencies, to be stored confidentially by the designated CPO or Executive Team member in the following situations:

- o if it is considered by the CPO or Executive Team member that there is no basis on reasonable grounds to refer the matter for external investigation and/or to undertake an internal investigation;

- where there has been no referral for an external investigation, but an internal investigation has been undertaken;
- where the matter has been referred to an appropriate external investigating agency for action and, if required, an internal investigation has been undertaken

for a period of not less than 50 years

This action is to be taken so that the Group will be able to show, in the event of any subsequent historical enquiries, the nature of the complaints received and the action to protect the interests of the child.

a. Procedure:

Group entities, other than Crossway LifeCare:

The original form (if not required by any investigating body or otherwise a clear copy of the form) and any related material created or obtained as a consequence of any external and/or internal investigation must be retained by the designated CPO/Executive Team member once all the appropriate places on the form has been completed and it is signed off by the designated CPO/Executive Team member.

Crossway LifeCare:

Retention of the form and any related material must be on the same basis as other areas of the Group. A copy of the form may also be kept on the relevant client file.

PART 5 – REPORTABLE CONDUCT SCHEME (“THE SCHEME”)

BACKGROUND:

Following amendment to *Child Wellbeing and Safety Act 2005*, the Scheme has applied to the Group since 1 January 2018. The Scheme's purpose is to oversee how organisations prevent and respond to allegations of child abuse - it is distinct from the structure of responding to suspected child abuse.

HOW DOES THE SCHEME WORK?

The Scheme requires the head of an organisation (for the Group it is the Senior Pastor) to report certain conduct to the Commission for Children and Young People ("CCYP") and to later provide further details of the allegations and any investigations.

What if the Senior Pastor is not available? For the purpose of "Reportable Conduct Scheme" the following delegations will apply:

In the absence of	Delegated to
The Senior Pastor	The Executive Pastor
BOTH the Senior and Executive Pastors	Another CPO

Delegations for the Scheme shall be prepared, in writing, as soon as possible after the acceptance of this policy and in the event of changes with the nominated staff. Where delegation is to "another CPO", this will be the most senior staff member.

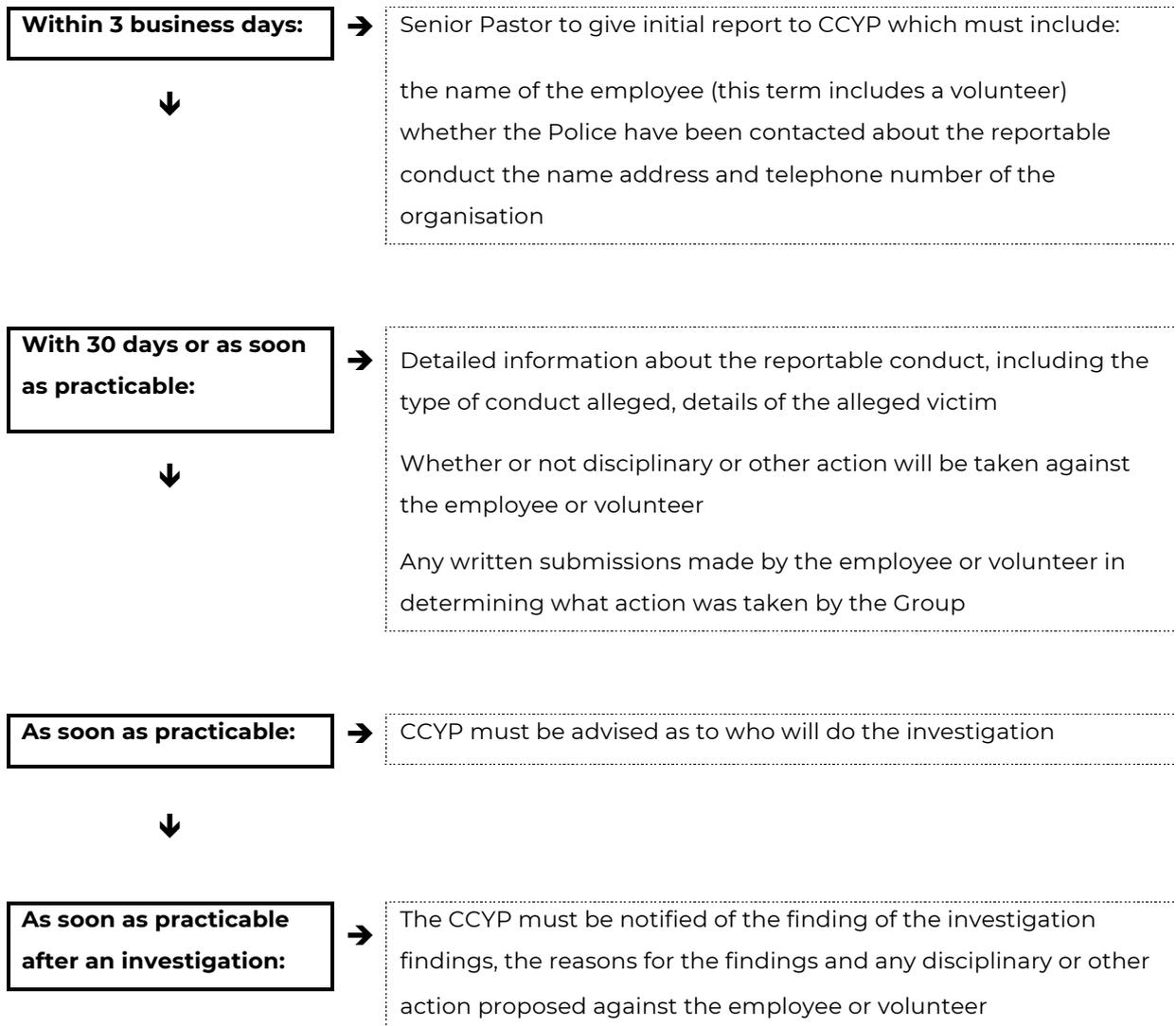
WHAT IS REPORTABLE CONDUCT?

Reportable conduct is:

- a. a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or
- b. sexual misconduct committed against, with or in the presence of, a child; or
- c. physical violence committed against, with or in the presence of, a child; or
- d. any behaviour that causes significant emotional or psychological harm to a child; or
- e. significant neglect of a child.

WHAT IS THE PROCESS FOR REPORTING?

The Scheme requires allegations of suspected criminal conduct to be reported to, and investigated by, the Police as the first priority. The reporting time frames are:



OTHER INFORMATION:

The Senior Pastor and delegates each have a Handbook providing comprehensive information to guide the decision-making and the process of reporting required by the Scheme. This has not been included with this Policy as may be subject to change - any such changes to the Handbook will be approved by the Executive team and advice provided to the Board as soon as possible.

PART 6 –CROSSWAY APPOINTMENT, TRAINING AND OTHER MATTERS

To facilitate the development of an environment where children are prioritised and protected, all entities of the Group must undertake rigorous recruitment/appointment practices supported by induction/orientation and ongoing training in child protection.

It is considered that the appointment of Team Crossway Associates (*see Part 1 for the description of this term*) must:

- o have a high awareness of the need to safeguard children;
- o have a sensitivity to, and understanding of child protection issues which may confront them carrying out their duties as a member of Team Crossway; and
- o undertake regular training in child-safe practices.

Recruitment and Screening

The Group commits to following a thorough and clearly documented recruitment and screening process for all employees and volunteers which will involve:

- o **Pre-interview:**
 - Ensuring all:
 - advertised positions; and
 - where necessary, Position Description provided to applicantsinclude a statement regarding Group's commitment to a child safe culture
 - Submission of:
 - **employees:**
 - a resume and staff application form;
 - where required by the Group, completion and submission of a Safe Ministry form prior to the interview of potential employees; and
 - **volunteers:**
 - a program specific application form.
- o **Interviews:**
 - **Staff members:**
 - Interviews for staff members must be in accordance with the procedures in the HR Manual and specific entity requirements.
 - **Volunteers:**
 - depending on the nature of the position, the employee with supervisory responsibility for the volunteer(s) may interview alone or with one or more persons; and
 - for CLL (and, as determined, other entities), by a panel of two employees one of

whom shall be a supervisor

- **Pre-appointment:**
 - Obtain at least two, or as otherwise required by an entity's guidelines, verbal reference checks - this must include at least one referee who can speak to an individual's suitability to work with children directly or incidentally as the position may require.
 - Complete a psychological test where this is required by an entity's guidelines, if working alone in a private setting with children accessing services.
 - Gather additional information where concerns or uncertainties arise in the recruitment process, for example, conducting a "Google" or "Linked In" search of an applicant's name that may help uncover inconsistencies or concerns relating to an applicant's history.
 - Where required by HR policy, obtain a Police check.
 - Verify that a person is in possession of a current Working with Children's Check specifically for the Group
 - Obtain a signed acknowledgement of commitment to the Child Protection Policy and Code of Conduct
 - Each Group entity must ensure their respective recruitment/ appointment processes include an assessment of the extent to which an individual can demonstrate they:
 - understand the importance of, and are committed to, appropriate boundaries when working with children; and
 - have an understanding of, and commitment to, child protection principles.

Child protection training

All employees joining the Group who are likely to have direct or occasional contact with children within the context of their role are expected to have undertaken training in child protection or have a good knowledge of child protection issues. Prior to, or as soon as possible after commencement in their role, the employee shall be provided with a copy of this Policy and child protection training.

All Crossway employees must undertake ongoing child protection training. The Executive Team must determine the timing, extent and frequency of the training for Crossway employees and volunteers respectively.

Ongoing supervision of employees and volunteers

All Crossway employees and volunteers who have contact with children within the context of their role shall engage in ongoing supervision with their relevant manager or supervisor. This supervision should include:

- supporting Crossway employees and volunteers within the context of their role and to ensure they have access to all resources required to provide quality support to children accessing services;

- affirming a commitment to a culture of accountability and transparency;
- providing ongoing discussion and reflection regarding a child's best interests; and
- ensuring ongoing compliance with this Policy and the Code of Conduct.

Managing conflicts of Interest

The Group recognises that:

- perceived or actual conflicts of interest (*see description in Part 1 - Interpretation*) involving Group Associates are a reality when working in any organisation and this includes within the Church and related community; and
- when such conflicts are not appropriately managed decision-making may result in outcomes which are not in the best interests of a child - for example conflicts of interest have arisen:
 - in cases of historical abuse there have been occasions when decision makers have put the interest of an organisation over the best interests of the child; and
 - where those involved in investigating allegations of child abuse allow their personal interests to affect or influence a particular outcome.

It is important to note that less evident conflicts of interest may arise and potentially have an impact on matters involving the best interests of children - for example:

- recruiting and supervision of employees/volunteers - where a candidate has a personal connection to an intended interviewer/assessor or with other persons employed by the Group (*see "Closely related persons employment policy"*); and/or
- where Group Associates hold two roles within the Group for example:
 - employees and volunteer or employee and employee.

When a Group Associate becomes aware that he/she may be in a situation in which conflicts of interest may arise, the relevant manager or Executive Team team member must be advised. In the event that the potential conflict may involve the manager or Executive Team team member then another manager or Executive Team team member must be advised.

The manager or Executive Team team member, in undertaking an assessment on the potential conflict of interest shall consult with all appropriate persons, where it is appropriate and safe to do so, and may consult with any relevant external associations (for example, ChildWise, Australian Association of Social Workers, Australian Psychological Society).

The Group places the interests of the child above any organisational well-being. However, in the event that a conflict on interest may arise which may be contrary to the best interests of a child or children, then the Team Crossway member shall not be permitted to engage in work in that setting.

Provision of this Policy

All Crossway employees and volunteers-and other Group Associates within the scope of this Policy must:

- be provided with, or have ready access to, a copy of this Policy;
- be briefed on the Policy as part of their orientation or induction; and
- be required to understand and follow the requirements of this Policy

Acknowledgement and compliance of the Policy and Code

All Crossway employees and volunteers-and other Group Associates within the scope of this Policy must:

- be provided with and sign (or electronically acknowledge) and agree to comply with the Child Protection Code of Conduct and other applicable Code of Conduct;
- comply with all applicable laws relating to working with children; and
- comply with the standards of conduct and behaviour established in this policy and Codes of Conduct.

Consequences For Breach Of This Policy/Code of Conduct

A breach of failure to comply with the Policy and/or the Code of Conduct may give rise to the following measures:

- Meeting with the relevant manager or Executive Team team member to discuss breach or lack of compliance.
- An internal investigation occurring facilitated by an independent investigator (not affiliated with the Group).
- Formal warning being issued.
- Report being made to external agencies, i.e. Professional Associations and/or Police.
- Close monitoring and live supervision.
- Further education being required before recommencing in role.
- Immediate suspension.
- Immediate termination of membership.
- Immediate termination.
- Any other performance management strategy deemed appropriate.

These measures may apply regardless of any criminal investigation or prosecution. Any actual/suspected breaches will be documented and stored on a employee's personnel file.