



Uniting Church in Australia
SYNOD OF VICTORIA AND TASMANIA



Approved by: Synod Standing Committee,
Synod of Victoria and Tasmania

Date: 13/02/16

Working with Children Check/Registration Policy

Synod of Victoria and Tasmania

The Uniting Church in Australia believes that all people, including children, are made in the image of God. As a Christian community we believe that God reaches out to us in love and acceptance, and that our relationships with each other should express love, care and respect.¹

The Uniting Church in Australia, Synod of Victoria and Tasmania (the Synod) is committed to ensuring that children who participate in Uniting Church activities, programs and events are safe and led by adults who have obtained a positive Working with Children Check (Victoria and NSW) and the Working with Children Registration (Tasmania) as required by legislation.

All entities of the Uniting Church (UnitingCare agencies, schools, camps, programs and congregations) are expected to meet the requirements of the Working with Children legislation. This policy is inclusive of all entities; however it focuses on the particular application of the legislation to congregations. All other entities should refer to the guidance provided in the following websites in developing their own policy.

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

http://www.justice.tas.gov.au/working_with_children

The Synod has developed the Keeping Children Safe policy as an overarching policy for the whole church. This Working with Children Check/Registration policy should be read in conjunction with both the Keeping Children Safe policy and the Safe Church policy.

Details of how to apply for a Working with Children Check/Registration are found on pages 5 and 6 of this policy.

¹ Safe Place Position Statement developed by the UCA Commission on Women and Men in 1997.

1. Purpose of the Working with Children Check/Registration (WWCC/R) policy

The objective of this policy is to ensure that children and young people participating in UCA activities, programs and events are safe. Before any person can work with children or young people, an appropriate screening process must be undertaken. By doing this the church is saying to its members and to the wider community that we are doing all we can to ensure the children in our care are safe. The Working with Children Check/Registration screens people's criminal records and is one way to assist in preventing those who pose an unjustifiable risk to children from working with or caring for them.

Some congregation members and volunteers experience a request to obtain a WWCC/R as a lack of trust in them, which they find confronting. This is especially true when a request is made after years of faithful service to the church. Being asked to obtain a WWCC/R is not a reflection on the person. The position of trust they hold (or are being considered for) is a clear indication that they are seen to be trustworthy. However, community standards have shifted, new laws are in place and the church must ensure it can *demonstrate* that its leaders are able to be trusted.

The Policy also says clearly to any individual who would not receive a positive check/registration that the Uniting Church is very serious about ensuring the safety of children in its care and is consequently vigilant about enacting appropriate screening processes and practices on anyone seeking to be involved in programs, activities or events with children and young people in our church.

Obtaining a WWCC/R is only one part of a system to help keep children safe in our church. This includes appropriate screening and selection procedures when choosing staff and volunteers as well as adopting and implementing Synod Safe Church practices and policies. *See Appendix A- Synod Safe Church policies and practices.*

2. Who needs to have a Working with Children Check/Registration (WWCC/R)?

Ministers, pastors, lay preachers, lay leaders, appointed leaders and volunteers who are **18 years and over** (Victoria & NSW) and **16 years and over** (Tasmania) and who work with children and/or young people as part of a congregation, Presbytery or Synod activity, program or event, whether as a volunteer or in a paid role, must have a WWCC/R. This includes parent helpers who are working with children other than their own.

Legislated WWCC/R requirements apply in Victoria, Tasmania and NSW. While each State's legislation is different, the intention of this policy is to simplify the requirements so they are consistent across the Synod. In some states this may mean that our policy goes beyond the basic minimum requirements as defined in that state's legislation.

In the congregation, the Church Council is responsible for advising those individuals who require a WWCC/R. It must document this decision and the process for monitoring implementation in the Church Council minutes and ensure it is recorded in an appropriate register. Organisers of programs, activities and events outside of a congregation should do the same in their context.

Ministers and Pastors – are all required to have a WWCC/R. This is a legislated requirement in Victoria, NSW and Tasmania. *See Appendix B- Legislative requirements.*

Volunteers, Lay Leaders, Lay Preachers and Employees

While there is some variation in the requirements from state to state, the Synod requires that all who fill particular roles where they have contact with children and young people in programs, events and activities run on behalf of congregations, presbyteries or the Synod have a WWCC/R. This includes, but is not limited to, Lay Preachers, Elders, Church Councillors, worship leaders, anyone commissioned by the Church Council to perform a leadership role, music leaders, organists and Bible study leaders. *See Appendix C - Legislative requirements.*

Congregations and programs are requested to add to this group any other persons involved in activities within their bounds where it is reasonably expected the person might have contact with children as they fulfil their role.

Synod position regarding exemptions

Retired Ministers who are exercising any form of active ministry (including marriages, funerals, supply ministry, pastoral care/visiting or leading worship) must have a current WWCC/R. The only exemption is for a retired minister who never leads worship, never makes a pastoral visit, and never conducts funerals or weddings. Ministers who fit this description should contact the appropriate church office to ensure their name has been removed from the marriage celebrant registrar. *See Appendix D - Retired ministers and their marriage celebrant registration.*

Professional Employment (eg teachers, police officers, lawyers) exemptions vary from state to state. Therefore the Synod requires all volunteers to obtain a WWCC/R regardless of whether they are exempt due to their profession under their own state legislation.

Exemption due to direct supervision – Victoria only

Victoria's legislation exempts persons involved in child-related work who are 'directly supervised' by someone who holds a WWCC from requiring a WWCC themselves. Supervising another person's contact with children must be personal and immediate but can include a brief absence, such as taking a phone call in another room. This sort of supervision could be used for situations of ad hoc leadership, however, it should not be used in any ongoing capacity. When 'direct supervision' is used, it should be documented by the church council or by the organiser of an event, program, activity or camp, including the name of the volunteer/worker, the name of the person in the supervision role, the date and location, the event and the way the person without a WWCC is involved.

3. Failure to obtain or cancellation/suspension of a Working with Children Check/Registration (WWCC/R)

Failure to obtain a WWCC/R is referred to as a Negative Notice (Victoria), Refusal (Tasmania) and being Barred (NSW). A negative notice, refusal or bar may be issued either on initial application or if an individual's WWCC/R has been suspended or cancelled. This will indicate that the person is not suitable for participation in child-related programs, activities or events or in any leadership role. It is paramount that the church council or program, activity or event organisers remove this person from leadership and from having access to children immediately.

It is also very important that if you receive a Negative notice you immediately contact the Synod General Secretary (gensec@victas.uca.org.au or 03 9251 5215). Penalties apply for failure to act immediately. *See Appendix E - Penalties relating to failing to obtain a Working with Children Check/Registration (WWCC/R).*

4. Congregations/Presbyteries/Organising bodies – Registering your Working with Children Check/Registration (WWCC/R) in the Synod’s database

NB. Individuals will need to complete the application process as outlined on pages 5 and 6 prior to being added to the database.

In Tasmania the Presbytery/Synod office is responsible for entering all persons with a WWCC on the Synod’s secure online database.

In Victoria and New South Wales, congregations and organising bodies for events, activities and programs outside the congregation are required to enter their persons with a WWCC on the Synod’s secure online database. Each congregation, presbytery or event should have a Contact Person such as the Church Secretary, Minister or another specified person. This person will be responsible for registering each person from their congregation or event who has a WWCC in the congregation/event’s own secure section of the Synod database.

If your congregation does not have access to the database, please contact the Synod OHS team in the following way:

Email wwcc@victas.uca.org.au with the name of the congregation or event, the Contact Person, their position and email address (which should be secure and not one that any member of the congregation can access).

An instruction sheet will be sent to the Contact Person with directions for connecting to the database and setting up the congregation’s/event’s own secure page.

Any questions should be referred to John Bridge – OHS Manager on (03) 9251 5225, or email – wwcc@victas.uca.org.au

Each congregation, event, program or activity must identify all people requiring a WWCC/R within their structure and keep an appropriate register indicating whether and when checks/registrations have been received for each person.

5. To apply for a Working with Children Check/Registration (WWCC/R)

VICTORIA

For Victoria the relevant legislation that informs this policy is
The Working with Children Act (2005) as amended 2014

In Victoria you must complete the on-line application form at
<https://online.justice.vic.gov.au/wwccu/onlineapplication.doj>

*If you do not have a computer or internet access please contact your minister,
employer, event/program organiser or presbytery or visit your local library.*

Organisation details:

When prompted to enter the details of the organisations you are involved in please list **both**:

1. Uniting Church in Australia, [your local body], 130 Little Collins St, Melbourne VIC 3000.
2. [your local congregation/program/camp/employing body] and their address details.

Further information can be found on the WWCC website
<http://www.workingwithchildren.vic.gov.au/utility/home/>

TASMANIA

For Tasmania the relevant legislation that informs this policy is
The Registration to Work with Vulnerable People Act 2013

In Tasmania, you must complete the on-line application form at
http://www.justice.tas.gov.au/working_with_children/application

NOTE: Volunteers who are **16 years or over** are required to get a
WWCR if they work or volunteer with children.

*If you do not have a computer or internet access, please contact the Presbytery office
or visit a library for free internet or telephone 1300 13 55 13 for further help.*

Employer or volunteer body details:

When prompted to enter the details of your employer or volunteer body please list both:

1. Uniting Church in Australia, [your local body], 130 Little Collins St, Melbourne VIC 3000.
2. [your local congregation/program/camp/employing body] and their address details.

Please also send a copy of your WWCR card or its details to the Presbytery office, 96 Margaret St, Launceston,
7250, tas.office@victas.uca.org.au to be added to the WWCC database.

NEW SOUTH WALES

For New South Wales the relevant legislation that informs this policy is

The Child Protection (Working with Children) Act 2012

In New South Wales you must complete the online application form at:

<http://www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/apply>

*If you do not have access to the internet,
please contact your Presbytery Minister or telephone (02) 9286 7219 for assistance.*

All individuals seeking to engage in child-related work must provide a clearance number issued by the NSW Office of the Children's Guardian to an organisation before they can be permitted to engage in such work; and organisations must verify every individual's clearance number online with the NSW Office of the Children's Guardian before they permit an individual to engage in child-related work with their organisation.

Individuals

Once you have your clearance number from the Office of the Children's Guardian you must provide a copy to each organisation where you will be working/volunteering in child-related services.

Please provide this information to:

- the congregation/program/camp/employing body, and
- the Synod of Victoria and Tasmania, Working with Children Checks, 130 Little Collins St, Melbourne, 3000 or email to wwcc@victas.uca.org.au or phone 03 9251 5225.

Congregations/programs/events/activities

Any organisation in NSW requiring employees or volunteers to get a WWCC will need to complete the steps found at <http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check/child-related-employers>

This will include but is not limited to:

- registering by filling in an online form
- verifying workers/volunteers WWCC numbers
- Keeping records for each worker/volunteer

For further information regarding Working with Children Checks/Registration:

Please contact the Department of Justice in your state jurisdiction

For further information or assistance with this policy:

Please contact the Synod Culture of Safety Unit by email at Josh.Woollett@victas.uca.org.au or phone 03 9340 8810.

6. Appendices

APPENDIX A - Synod Safe Church policies and practices

- Keeping Children Safe Policy (2015) – **Synod of Victoria and Tasmania** and policy templates (see - www.victas.uca.org.au/keepingchildrensafe)
 - 1. Our Statement of Commitment
 - 2. Code of Conduct
 - 3. Recruitment, selection and screening
 - 4. Induction and training
 - 5. Assessment of risk
 - 6. How to respond to and report disclosures of abuse
- **Safe Church Policies – Synod of Victoria and Tasmania** (see - www.victas.uca.org.au/safechurchpolicies)
 - Creating a safe environment for children and vulnerable adults in our Church: Vulnerable Adults (see - www.victas.uca.org.au/vulnerableadults)
 - Creating a safe environment for children and vulnerable adults in our Church: Policy and intervention for Persons of Concern (see - www.victas.uca.org.au/personsofconcern)
 - Guide on the prevention of sexual grooming in the Church www.victas.uca.org.au/preventionofsexualgrooming
- Congregational National Criminal History Check Procedures– People and Culture Unit (see - www.victas.uca.org.au/Nat-crim-checkprocedures)
- Congregational Recruitment and Selection Policy Template – People and Culture Unit (see - www.victas.uca.org.au/cong-rec-select-template)
- UCA Code of Conduct for lay people – UCA Assembly (1 April 2016)

Code of Ethics and Ministry Practice – UCA Assembly (January 2010)

https://assembly.uca.org.au/images/stories/Regulations/2012/A5_-Code_of_Ethics-2010-UPDATED-and- CORRECTED-2012.pdf

APPENDIX B – Legislative requirements

Noting that the legislated WWCC/R requirements for Victoria, Tasmania and NSW all vary, that this policy is intended to simplify the requirements so they are consistent across the Synod and that this means that our policy goes beyond the basic minimum requirements as defined in some state's legislation, the following legislative requirements are offered for your information.

Ministers of Religion

- In Victoria, all ministers of religion (anyone ordained or the recognised religious leader) are required to get a WWCC if they have contact with children unless it is only occasional and incidental. This includes having children present in congregations as well as supervised contact.
- In NSW, all ordained ministers and individuals engaged as religious leaders or spiritual officers are required to hold a Working with Children Check regardless of whether they engage in child-related work.

- In Tasmania anyone involved in leading a child -related religious activity is required to have Working with Children Registration. Child -related religious activities include worship where the congregation includes children; or an activity or service provided for children which is conducted by or for the purposes of a religious organisation.

APPENDIX C – Legislative requirements

Volunteers, lay leaders, lay preachers

The **Victorian legislation** now includes the category of ‘**appointed leaders** of a local religious congregation’ in the same category as Ministers of Religion and as such they are required to have a WWCC. The definition of ‘appointed leader’ is both broad and non-specific. Appointed leaders are people who are in a position of trust, influence or authority because of their leadership role within the congregation. This would include, but not be limited to, lay preachers, Elders, Church Councillors, worship leaders, anyone involved in children and youth events/programs/activities, anyone commissioned by the Church Council to perform a leadership role, music leaders, organists, Bible study leaders, and ‘home group’ or ‘cell group’ leaders.

The **Tasmanian legislation** requires all religious leaders and those in roles like religious leaders or spiritual officers where the usual duties of these leaders involves contact with children and volunteers for Sunday school, church youth activities, children’s religious story-telling, youth groups, youth camps, teaching children and child care to have a WWCR.

In **New South Wales** anyone who is paid or volunteers to do child -related work in a religious organisation where children form part of a congregation or organisation is required to have a WWCC. This includes youth groups, youth camps, teaching children and child care.

APPENDIX D – Retired ministers and their marriage celebrant registration

A Retired Minister who wishes to maintain marriage celebrant registration must have a WWCC/R.

A Retired Minister who no longer intends to conduct weddings will need to resign his/her marriage celebrant registration.

This can be done by contacting:

- Victorian/NSW Ministers - Robyn Hansen, 130 Little Collins St, Melbourne, 3000
(03) 9251 5215, robyn.hansen@victas.uca.org.au
- Tasmanian Ministers – Presbytery Office , 96 Margaret Street, Launceston, 7250
(03) 6331 9784, tas.office@victas.uca.org.au

APPENDIX E – Penalties relating to failing to obtain a Working with Children Check/Registration (WWCC/R)

The new laws in Victoria, NSW and Tasmania include penalties (fines and/or imprisonment) to the individual, congregation, program and/or Synod for failure to obtain a WWCC/R or failure to immediately report. These are significant and include up to two years imprisonment and monetary fines of up to \$182,000.