



ALICE SPRINGS BAPTIST CHURCH CHILD PROTECTION POLICIES

SECTION 1: CHILD PROTECTION POLICY

SECTION 2: CHILD PROTECTION PROCEDURES MANUAL

Child Protection Policy

All workers (Pastors, employees and volunteers) of an employer church who are involved in the ministry of that church to children and/or youth are expected to comply with this policy and associated procedures.

These policies primarily relate to “Professional Standards” procedures and processes. For Work Health & Safety Policies refer to the Work Health & Safety document (WHS)



SECTION 1:

CHILD PROTECTION POLICY

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1. Definitions:

- (a) **BUNT** is 'Baptist Union of the Northern Territory'.
- (b) **Child abuse** is any non-accidental conduct by a parent, caregiver, other adult or older adolescents towards a child which is outside the norms of conduct and entails a substantial risk of causing physical, psychological or emotional **harm to a child** or young person. These behaviours may be intentional or unintentional and can include acts of omission and commission.
- a. **Harm to a child** can be caused by the following¹:
- i. Physical, psychological or emotional abuse or neglect of the child;
 - ii. Sexual abuse or other exploitation of the child;
 - iii. Exposure of the child to physical violence.
- (c) **Child** or **children** are persons less than 18 years of age or are apparently less than 18 years of age if the person's age cannot be proved² at the time of the alleged abuse.
- (d) **CPCA** is the *Care and Protection of Children Act (NT)*.
- (e) **Employer church** is a member of *BUNT* which employs the worker and where the context so permits includes *BUNT*.
- (f) **Mandatory reporting** is reporting as required by s26 of the *CPCA*.
- (g) **Member Church** is a church which is a member of *BUNT*.

¹ Refer section 15(2), *CPCA (NT)*.

² Refer section 13, *CPCA (NT)*.

- (h) **Vulnerable adult** is an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.
- (i) **Ministry Agreement** is an acknowledgement by a *worker* that they have read and agree with the ASBC 'Child Protection Policy' and 'Child Protection Manual' and that they are of good character.
- (j) **Reasonable suspicion (and including related phrases)** is a slight opinion based on some credible evidence which is more than speculation, but less than a positive belief.
- (k) **Victim** means a child who is, or is reasonably suspected of being subject to *child abuse* or potentially subject to *child abuse*.
- (l) **Worker(s)** is a pastor, employee of or volunteer of an *employer church* who is involved in the ministry of that church to children.

2. Preamble

The objects of this policy are to protect, as far as possible, *children* and *vulnerable adults* from *child abuse* and to ensure their safety and wellbeing.

3. Protection for children

- (a) The safety and wellbeing of children is to be the paramount consideration insofar as it is within the power of *BUNT* and its *member churches* to promote it.
- (b) *Children* are to be protected from any form of *child abuse*³.
- (c) In dealing with *child abuse*, *BUNT* and its *member churches*, are to put the interests of victims and *children* above those of any church, group or individual.

³ Refer section 1(b) of this Child Protection Policy.

4. Mandatory reporting

Workers are to comply fully with their obligations of mandatory reporting under the CPCA⁴.

5. Other cases of suspected child abuse

(a) Where child abuse is not reportable under the CPCA⁵; and

- i. Is reasonably suspected in the course of the duties of a *worker*; and
- ii. The victim and/or the suspected perpetrator are associated with
 - i. the *worker's* employer church,
 - ii. *BUNT* or another member church, but not the *worker's* employer church,

the *worker*, *BUNT* and its member churches will act in the best interests of the victim and children generally.

(b) In any other case where a *worker* reasonably suspects *child abuse*, that *worker* is to report it under the CPCA and to act in the best interests of the victim and children generally.

6. Involvement of child abusers in church activities

Where *BUNT* or any *member church* knows, believes or reasonably suspects that any person associated with *BUNT* or such *member church*, is or has been a perpetrator of *child abuse*, it will act to protect *children* from abuse by that person.

7. Co-operation with authorities

⁴ Refer sections 26 & 27, CPCA.

⁵ Refer section 20, CPCA – When child is in need of care and protection (not specifically child sexual abuse).

In the event of an investigation into an alleged complaint of child abuse, *BUNT* and all *member churches* and *workers* will responsibly and reasonably co-operate with government law enforcement agencies and child protection agencies.

8. Interim measures pending determination of child abuse allegations.

Where a *worker* is reasonably suspected of *child abuse*, his or her continued employment, whether paid or voluntary, with *BUNT* or the *employer church* during the period taken to make a final determination of whether that *worker* is guilty of any *child abuse*, is to be determined by the 'Interim Measures Committee'⁶.

9. Training

ASBC will provide specialised training⁷ for *workers* in child protection education and related issues.

10. Ministry Agreement

All *workers* who do not have a current written employment contract are to enter into a *ministry agreement*⁸ dealing with their suitability to be *workers* and agreeing to these policies and child protection procedures.

11. Manual of procedures

BUNT will publish a manual containing recommended procedures for implementing these child protection policies.

12. Review of policies

These policies will be subject to ongoing evaluation and review.

⁶ Refer section 6.4.1 of the 'Child Protection Procedures Manual'.

⁷ For *BUNT* and *BCSA* this training is provided by Child Protection Solutions

⁸ Refer section 1(h) of this policy.



SECTION 2:

CHILD PROTECTION PROCEDURES MANUAL

Part 'A' What is Child Abuse?

Part 'B' Child Safety Responsibilities

Part 'C' Miscellaneous

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1. Preamble

This manual sets out recommended procedures to give effect to the Child Protection Policies (CPP) of Baptist Union of the Northern Territory (BUNT) and specifically Alice Springs Baptist Church (ASBC).

2. Definitions

Unless the context otherwise requires:

- (a) **ASBC** is 'Alice Springs Baptist Church'.
- (b) **BUNT** is 'Baptist Union of the Northern Territory'.
- (c) **CIS** is the 'Centralised Intake Service' (Child Abuse Report Line).
- (d) **CPCA** is the *Care and Protection of Children Act (NT)*.
- (e) **Child** or **children** are persons less than 18 years of age or are apparently less than 18 years of age if the person's age cannot be proved⁹.
- (f) **Child abuse** is any non-accidental conduct by a parent, caregiver, other adult or older adolescents towards a child which is outside the norms of conduct and entails a substantial risk of causing physical, psychological or emotional ***harm to a child*** or young person. These behaviours may be intentional or unintentional and can include acts of omission and commission.
 - a. ***Harm to a child*** can be caused by the following¹⁰:
 - i. Physical, psychological or emotional abuse or neglect of the child;
 - ii. Sexual abuse or other exploitation of the child;
 - iii. Exposure of the child to physical violence.

⁹ Refer section 13, CPCA (NT).

¹⁰ Refer section 15(2), CPCA (NT).

- (g) **Child Protection Officer** is a person nominated/elected by the *member church* to oversight the implementation of the Child Protection Policy and Procedures within *ASBC*.
- (h) **Current National Police Check** is a National Police check that has been undertaken within the previous two (2) years.
- (i) **DOM** is the *BUNT* 'Director of Ministries'.
- (j) **DPS** is the *BUNT* 'Director of Professional Standards' or his/her delegate.
- (k) **Employer Church** means a *member church* of *BUNT* which employs the *worker*.
- (l) **IMC** means the 'Interim Measures Committee' set up under paragraph 6.4.1.
- (m) **Member Church** means a church which is a member of *BUNT* and which has adopted the applicable part of this manual. Where the context so permits it, it includes *BUNT*.
- (n) **Pastor** means a person who has been formally appointed or endorsed by a church or denomination to exercise ministry which involves the oversight of the church and appointed ministry team.
- (o) **POC Policy** means the 'Person of Concern Policy'. This policy sets out clear guidelines to churches in relation to the assessment and management of known sex offenders within churches. The objective of this policy is to ensure the highest levels of protection and accountability and the minimisation of risk in line with Baptist Insurance Scheme conditions and requirements.
- (p) **Reasonable suspicion (and including related phrases)** is a slight opinion based on some credible evidence which is more than speculation, but less than a positive belief.
- (q) **Senior Pastor** is the pastor with greatest seniority in a *member church* which has multiple *pastors*, but where a suspected perpetrator of *child abuse* is the senior pastor or someone closely associated with him or her, or where the senior pastor is not readily available, it

means the *DPS* or the *DOM*. (Where a *member church* has only one pastor he or she is the *Senior Pastor* referred to in this definition).

- (r) **Victim** means a child who is, or is reasonably suspected of being subject to *child abuse* or potentially subject to *child abuse*.
- (s) **WHS** is 'Work Health and Safety'.
- (t) **Worker(s)** is a *pastor*, employee of or volunteers, whether paid or unpaid, of an *employer church* who is involved in the ministry of that church with children.
- (u) **WWCCN** is a 'Working With Children Clearance Notice' leading to the issuance of an 'Ochre Card'¹¹.

¹¹ Refer SafeNT Working with children webpage at <http://www.workingwithchildren.nt.gov.au/forms.html>

PART A: WHAT IS CHILD ABUSE?

3. What is child abuse?

3.1 Abuse is a misuse of power by the abuser over the victim. An abuser is usually someone older and more mature than the victim, but an abuser can be another child. While most abusers are in a position of authority over the child, such as a parent, teacher or caregiver or the like, it can be anyone whose actions directly affect the child.

3.2 Abuse can take a variety of forms which include:

3.2.1 **Physical abuse** is the non-accidental use of physical force where victims suffer, or are likely to suffer, harm¹² to their bodies.

3.2.2 **Emotional abuse** which is a chronic attack on the victim's self-esteem including by exposure to a dysfunctional environment including domestic violence.

3.2.3 **Sexual abuse** which is where the abuser's conduct towards the victim, viewed objectively, is for the sexual gratification of the abuser. It can include, but is not limited to:

- Fondling or inappropriate touching;
- Oral sex;
- Vaginal/Anal penetration;
- Digital penetration;
- Exposure/involvement of a child to/in pornographic material;
- Involvement in child prostitution; or
- Child pornography.

3.2.4 **Neglect**, which is the failure of a carer for a child to provide a child with the basic necessities of life which *are accepted within society as being essential for their*

¹² For a clear definition of 'harm', refer section 2(f) of this manual.

*physical and emotional development and wellbeing*¹³. This can occur by deliberate action or inaction, and can stem from an inability to understand and provide basic necessities such as food, clothing, shelter, hygiene, medical treatment and supervision.

4. Where reporting of child abuse to the CIS is required

4.1 This obligation is placed on all *workers* by s26 of the *CPCA*. It is a criminal offence not to comply with this obligation without a lawful excuse. No church can negate or modify this obligation (refer Appendix 'A').

4.2 If, but only if, each of A and B below is satisfied for an incident of suspected *child abuse*, the *worker* suspecting must notify the *CIS* of that suspicion as soon as practicable after he/she forms a *reasonable suspicion* (see paragraph 4.3 below) that:

- A. There is conduct in relation to a child which is:
 - (a) *Sexual abuse* (see paragraph 3.2.3 above); or
 - (b) Other *abuse* or *neglect* which causes, or is likely to cause, physical or emotional injury which is detrimental to the child's wellbeing or which puts the child's physical or psychological development in jeopardy¹⁴; and
- B. Such conduct is *reasonably suspected* by the worker to have occurred, or to be occurring.

¹³ (Studies, 2016) <https://aifs.gov.au/cfca/publications/what-child-abuse-and-neglect>

¹⁴ Refer Appendix 'A' for current Northern Territory Legislation and definitions or go to: <https://dcm.nt.gov.au/nt-legislation-and-publications/current-nt-legislation-database>

4.3 *Reasonable suspicion* is a slight opinion based on some credible evidence which is more than speculation, but less than a positive belief¹⁵. It must be based on some, albeit slight, positive evidence of the conduct and, for other than sexual abuse, of the requisite consequences. However, if a *worker* positively disbelieves what he/she has been told there can be no *reasonable suspicion*. It does not require proof that any *child abuse* has or is to occur.

4.4 Reporting to *CIS* is done by telephoning the '24 hour Centralised Intake Service' on **1800-700-250**.

4.5 Where a report is made under 4.1, but only if the *child* and/or the suspected perpetrator is associated with the *worker's employer church*, the *worker* must immediately inform the *Senior Pastor* of that church of the incident. A written report in the form of **Appendix 'B'** is also to be given by the *worker* to the *Senior Pastor* as soon as practicable.

5. Reporting of other child abuse

If a worker *reasonably suspects* that *child abuse* has occurred involving either a *child* or a suspected perpetrator who is associated with his/her *employer church*, but it does not satisfy all of 4.2 A and B above, he or she as soon as practicable must inform the *Senior Pastor* (and for ASBC, the Senior Pastor will liaise with the *Child Protection Officer*) of that church of it and consult with the *Senior Pastor* (and ASBC *Child Protection Officer*) on whether a voluntary report of it should be made to the *CIS*.

¹⁵ As per definition at section 2(p).

6. General provisions on all child abuse incidents

6.1 The *DPS* (or delegate) is available to provide crisis response and ongoing consultancy, support and direction to *workers* and *member churches* throughout the entire process. After-hours access to the *DPS* can be arranged through a *Senior Pastor* and/or his or her delegate.

6.2 Other than a formal report to *CIS* or police, a *worker* is not to inform anyone else of the suspected *child abuse* without the permission of the *Senior Pastor*. The *Senior Pastor* in consultation with the *DPS* and/or the *DOM* will determine who else should be informed of it. (There is a danger of defamation liability against the *worker* if ultimately the allegation cannot be proved).

6.3 Where a *worker* who *reasonably suspects child abuse* has occurred is under 18 years of age, he or she is to be instructed to report such matters immediately to an adult supervisor in their ministry area who will then assist the *worker* to comply with the necessary procedures.

6.4 Where there has been a complaint of alleged *child abuse* against a *worker* and

- (1) it is a term of the worker's Employment Contract or Ministry Covenant; or
- (2) the parties otherwise so agree

the continued employment of the *worker* by the *employer church* pending the final determination of the allegation of *child abuse* against him or her is to be decided by the 'Interim Measures Committee' (IMC).

6.4.1 The *IMC* is to comprise of three (3) independent persons who are to be professing Christians but not necessarily Baptists and who are to be appointed by the President of *BUNT*, or in the event of his/her unavailability

or being conflicted, by the vice-president or immediate past President of *BUNT*. The *IMC* may include members from outside the Northern Territory.

6.4.2 The functions of the *IMC* are administrative and not judicial.

6.4.3 The *IMC* may for the period until the final determination of the allegation of child abuse:

6.4.3.1 Suspend the *worker* with or without pay;

6.4.3.2 Modify the duties of the *worker*;

6.4.3.3 Impose conditions on any continued employment of the *worker* or on his or her involvement in the activities of the *employer church*;

6.4.3.4 Require that the *worker* not communicate with specified persons;

6.4.3.5 Temporarily suspend the employment of the *worker* while the *IMC* reaches other decisions; and/or

6.4.3.6 Revoke or modify any decision it has made.

6.5 In performing its functions the *IMC*:

6.5.1 Is not bound by the rules of evidence and may inform itself of relevant facts by proper means as it sees fit.

6.5.2 Is to permit the *worker* or his or her agent to address it.

6.5.3 Is to act with all reasonable expedition.

6.5.4 Is not to make conclusions about disputed facts relating to the alleged abuse.

6.5.5 Is as far as practicable to apply the *Child Protection Policy* of *BUNT* and is not to allow the implementation of that Policy to be displaced by any presumption of the innocence of the *worker*.

6.6 *BUNT*, *member churches* and *workers* will responsibly and reasonably cooperate with law enforcement and child protection authorities in their investigation and any prosecution of *child abuse*.

6.7 No *workers* are to make any statement to the media about any *child abuse* encountered in the course of their employment by a *member church* and all inquiries about *child abuse* from the media are to be referred to the *Senior Pastor*, *DOM* or the *DPS* (see paragraph 34, *Media Management*).

6.8 *Workers* are not to make any statements about child abuse encountered in the course of their employment by the *employer church* to any alleged perpetrator or anyone associated with or representing that alleged perpetrator.

6.9 Upon receiving any report about *child abuse* a *Senior Pastor* is to consult immediately with the *DPS* and/or the *DOM* about what steps should be taken in respect of it by the *employer church*.

6.10 The *Senior Pastor* is to ensure that all appropriate pastoral care/professional support is made available to all persons associated with the *employer church* who are impacted by the allegation, but only to the alleged perpetrator where he or she **admits the allegation**.

6.11 *Workers* are to be alert to any indicators of *child abuse* including:

- When a *child* says that he/she has been abused;
- When a *child* or adult says that he/she knows of a child subject to abuse; or
- Observations of a child's behaviour, change in behaviour, emotional state and or injuries.

Indicators in many cases overlap and can interrelate to all forms of abuse and neglect.

An indicator in isolation does not automatically mean that a child is being abused.

Workers should:

- Listen to the child/young person.
- Not ask leading questions.
- Reassure the *child* that you believe him/her.
- Reassure the *child* that what has happened is not his/her fault.
- Reassure the *child* that telling you was the right thing to do.
- Document the *child's* disclosure as soon as possible.
- When documenting the disclosure use the same terminology as the *child*.
- Not make promises which cannot be kept, such as confidentiality.
- Reassure the *child* that there are people who can help to protect them.

A *worker* is not an investigator and does not have to do any detective work. Even if the *child abuse* which is disclosed has ceased, reporting it is still necessary to protect other children from the abuser.

- 6.12 Where a person 18 years or over discloses that he or she was subject to *child abuse* while he or she was a *child* these procedures do not apply, but the person should be encouraged to take appropriate steps about the matter.

7. Managing potential child abusers in churches

- 7.1 Where a person who

7.1.1 is the subject of an unresolved complaint of *child abuse*; or

7.1.2 is *reasonably suspected* by a *member church* of having at any time engaged in *child abuse*, attends at any function controlled by a *member church*, that church must ensure that that person does not have contact with, or communicate with, any *child* at that function without adequate supervision.

- 7.2 A known child abuser is not to be permitted to be present at any premises controlled by a *member church* or to take part in any activity controlled by it except in accordance with the terms of a formal agreement entered into between the

church and that person which ensures the safety and wellbeing of children as per the Person of Concern (POC) Policy as amended from time to time.

- 7.3 If a known child abuser does not comply with the terms of an agreement referred to in 7.2 the church may exclude that person from all premises controlled by the church and/or activities controlled by it.

PART 'B': CHILD SAFETY RESPONSIBILITIES

8. Child Safety Responsibilities

- 8.1 A *member church* and its *workers* are to do everything reasonably available to them to promote the physical, emotional, mental and physical wellbeing and safety of the children who are involved in the life of that church (*'the duty of care'*). What is reasonable in a particular situation depends on its particular circumstances including the nature of the risk of harm to children and the practicability of the steps needed to eliminate it.
- 8.2 No set of detailed rules can be devised, which when applied to a particular situation will clearly show what the applicable 'duty of care' is. Paragraphs 9 to 31 contain some rules which it is always prudent to observe unless there is good reason not to do so. They should only be departed from where a conscious and responsible decision has been made by a *member church* that what is to be done satisfies its 'duty of care'.
- 8.3 While 'Part B' also applies generally to *child abuse* that issue is dealt with specifically in 'Part A'.

9. Role of Workers

Any member in a *member church* working with children must

- Be emotionally and spiritually suited to the role to be undertaken;
- Be properly trained¹⁶;
- Have been selected for their role in work with children after a proper investigation of their suitability for such work;
- Have their performance in such work periodically reviewed.

10. Care and supervision ratios of workers to children

10.1 There is no fixed ratio which will necessarily satisfy the 'duty of care' in all situations.

It will depend on all of the circumstances which will include:

- The age, needs and behavioural history of the children present;
- The skills and experience of the *workers*;
- The environment in which the children are placed;
- The nature of any risks to which the children may be exposed;
- The ready availability of backup if there are difficulties.

10.2 The following table is based on similar tables used in the child care industry and may be used as a rough 'rule of thumb', but even compliance with it may not be sufficient to satisfy the 'duty of care' in all situations. The 'National Quality Standard' for Childcare has been established by the Australian Children's Education and Care Quality Authority (ACECQA) and details the required supervision ratios¹⁷. The following is to be a guide for all activities with children.

¹⁶ Refer Appendix 'C'.

¹⁷ Refer attached ACECQA Information Sheet on educator to child ratios.

- Under 3 years 1 worker for every 5 children.
- Over 3 years to primary school 1 worker for every 11 children.
- Primary school and above 1 worker for every 15 children.

If any lesser ratios are used, it should only be after a conscious and responsible decision by the Member Church that the supervision provided does satisfy its duty of care for the children.

The physical environment should always be such that the safety of children is paramount, e.g. any electrical equipment used is in safe working order; floors are kept free of slippery surfaces; food is handled with the utmost care to, as far as possible, avoid contamination. It is the role and responsibility of individual churches to appoint a Work Health and Safety (WHS) Officer to be responsible for, and oversee all established WHS standards. Relevant, accredited training must be undertaken in order for the appointed officer to carry out his/her duties.

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Officer/Church Office, in writing, without delay. For specific WHS information refer to the ASBC WHS document.

12. Transportation

When a young person is travelling in a vehicle driven by a *worker*, or designated person, the vehicle will be driven carefully, adhering to the legal speed limits and road laws at all times. At no time should there be more passengers in a car than the number of seat belts which are in working order and available for use. Cars must be registered and driven by licensed drivers, holding current licences relevant to the type and class of vehicle driven. In addition, motorcycles may be used by the registered owner, but the carrying of children and youth during official church activities as a pillion passenger without parental consent is prohibited. Hitch hiking is prohibited at all times.

In the event of an accident in which any person is injured, *senior pastors*, staff and parents must be informed as soon as possible. All state/territory legislation regarding the reporting of an accident must be followed.

Negligent driving can have painful emotional and legal consequences. Anyone who cannot/does not drive responsibly must not transport children. In addition, drivers must take children directly to and from arranged venues and not spontaneously detour or make additional arrangements without parental/leadership consent.

If a child is travelling in a vehicle driven by a *worker* who possesses a learners permit or probationary licence, prior written consent must be obtained from a parent/guardian except in the case of a genuine emergency.

Alcohol must not be consumed eight hours prior to providing transportation, and during church, children's or youth activities. The use of illegal drugs is not permitted at any time.

In addition, no driver may provide transport if there is any possibility that he/she may be driving under the influence of illegal drugs or alcohol, or under any condition that would inhibit their ability to safely control a motor vehicle. It is the responsibility of the driver to inform senior or key leaders of any situation that may inhibit their ability to safely be in charge of a motor vehicle.

13.Punctuality

Workers and designated helpers should stick to timetables to the best of their ability. If an activity is running significantly overtime, parents should be notified as soon as possible of the new anticipated time that their child/ren may arrive at the pre-determined point. If the activity is off-site and a delay has occurred, it may be appropriate to telephone one person who could inform all parents of the circumstances.

14.Moral wellbeing

Workers must ensure that any television programmes, videos, music, magazines and/or displays shown or used as part of the group's activities are suitable in content and appropriate to the age group represented, with due regard to Christian values. Whilst official television and movie ratings should be observed, there will be situations where those in leadership will have the responsibility of approving the viewing of certain material.

Every *worker* is expected to maintain a high moral code. Foul, demeaning, bullying, racist or sexist language is not acceptable, and will not to be tolerated by anyone working in ministry.

15. Inappropriate behaviour of a worker

Any person who is concerned about the behaviour of any *worker* must refer the matter to a *pastor* and/or elder of the church for consideration and intervention which is deemed appropriate.

16. Bullying

Bullying is a form of persistent harassment which demeans, threatens, intimidates or humiliates a person. For any person in leadership to act in such a manner is unacceptable, and will not be tolerated.

17. Meetings/Locations

To ensure that safety and integrity is maintained for all concerned, *workers* should always conduct 'one on one' meetings in an area that is private but not isolated. It is not considered wise to meet with an individual *child* in a secluded/blind area. Where possible it is desirable that the room used for such meetings have glass inserts in doors which will maintain confidentiality, whilst eliminating a secluded or blind area. Where there is a perceived risk that a *child* might falsely allege inappropriate behaviour by a *worker*, a third person should be present.

18. Pastoral Care/Support/Counselling

It is the responsibility of individual churches to ensure that all *workers* are made aware of the difference between a qualified “counsellor”, and a person providing “pastoral care” support. The term “counsellor” relates to a suitably qualified person.

Workers should at all times keep their *senior pastor/supervisor* informed of their ministry case load, who they are meeting with, and who they are providing direction or support to via an ongoing process of supervision and support.

Any form of touching in a secluded or blind area must be avoided at all times. *Workers* must not visit children at home without obtaining parental/guardian permission. *Workers* must not visit young people in the home or at isolated locations if no other person is present.

The counselling guidelines in the *BUNT* ‘Code of Ethics Policy’ are applicable to this section.

19. Managing inappropriate behaviours in children

If a young *child* misbehaves within a church program or activity, firm but gentle verbal correction which is respectful and age-appropriate should be the first response. For a younger *child* a short period of “time out” may also be appropriate. A useful guide for determining the amount of time out is one minute for each year of the child’s age. However, it is not appropriate to use a time out strategy for children under three years of age. Parents should be made aware of these practices and procedures when enrolling children into activities/programs.

When a *child* is unresponsive or responds unsatisfactorily to reasonable requests to comply with a standard of behaviour which is respectful to him/her, or other children, and/or those supervising, the child must then be immediately returned to the parent/guardian.

At the discretion of leaders, children may be precluded from activities for a period of time, until an undertaking is given, appropriate to age, to behave within acceptable limits. If this decision is made, the parent is to be informed and where possible included in the negotiations regarding management strategies and restoration to that activity.

At no time is physical punishment or verbal intimidation permissible, even with parental approval.

20. Toileting small children

When a small child needs assistance in toileting, the following procedures should be observed:

Where practicable the parent should be responsible for attending to the child.

- If this is not practicable the child should be encouraged to manage him/herself to the fullest possible extent, according to ability.
- When crèche workers or designated helpers must assist a child, another adult worker should be informed upon leaving the activity and upon returning.
- Where possible, it may be useful to accompany more than one child to the toilet at any given time.
- Leaders are not to assist in the toileting of children of the opposite sex.

- At no time should a *child* be allowed to enter a public toilet alone whilst placed in a 'kids' church/ crèche related activity/program.

21. Crèche/Kids Church activities/programs

The issue of crèche/kids church *workers* with respect to 'Duty of Care' is a vexed one, since so much depends upon volunteers, often on a very casual and perhaps even spontaneous basis. While a basic 'Duty of Care' exists whenever any *worker* undertakes to supervise children (ie: with respect to reasonable foreseeability and proximity), it is highly recommended that there be at least one *worker* who is cognisant of rudimentary 'Duty of Care', WHS and Child Protection requirements somewhere on site, and who could be available as a reference person/supervisor whenever such a program is functioning.

Where young children accompany their parents to Home Groups and other similar functions in private homes, arrangements which are made for the children's care and well-being and the nature of the activities in which they engage should be formally agreed upon and accepted by all the parents concerned, and the church advised in order to ensure that all standards are met. Any person/worker who specifically takes on the responsibility of the care of children should be expected to provide a level of care which fulfils 'Duty of Care' standards, including a National police clearance check. It is the responsibility of churches to establish and promote such procedures.

22. Crèche and Junior Church/programs check in/out procedures

Churches should develop check in and out processes in relation to programs where children are placed into the supervision and care of those running a program, such as crèches, Sunday kids church or similar programs, including midweek activities.

For example: Children in junior programs (under 12 years of age) once checked into an activity must not be permitted to leave that activity or program unless collected by a parent or authorised person. A number of check-in and out systems have been developed and successfully implemented. The DPS can assist with the development and implementation of a range of check in and out procedures.

An example of general medical/information forms is provided at appendix 'D' for member churches to assist with compliance of this manual, WHS and maintaining a sound 'Duty of Care'. These forms should be completed and filed in relation to all children attending the above programs.

23. Worker identification

All *workers* whilst actively carrying out their appointed responsibilities should at all times be issued with and wear identification approved by the ministry. This includes photo identification tags and ministry identification apparel. This not only identifies accredited *workers*, but communicates a clear message of professionalism and accountability. Identification tags must be worn at all times when rostered.

24. Camping/Excursions/Activities

The Church Leadership must approve of and endorse all camps and excursions as an official church activity, and parental consent must be obtained at all times for activities that are conducted off site. All standards previously identified in this document in terms of transportation, child/youth management and ethical standards apply.

Appropriate risk assessment, management and reporting should be undertaken as per the *member church* WHS policy (refer to the *member church* insurer for further detail).

In the case of camps and off site special events, parents/guardians must be supplied (in writing) specific information about the activity, including venue, contact details, all proposed activities as well as transport and sleeping arrangements, emergency/first aid arrangements and the names of designated leader/s. Special event medical/information forms (**Appendix 'E'**) and permission to attend special event form (**Appendix 'F'**) must be supplied to, completed by parents and maintained by the responsible program/ministry leader and *workers*.

Leaders who have the ultimate oversight and responsibility must be appointed and have undergone all relevant training and preparation for such events. All leaders and *workers* must have completed a *BUNT* approved mandatory reporting/child protection awareness training programme as well as undergone a National Police clearance check leading to a WWCCN and clearance notice (Northern Territory Ochre Card).

For camps/overnight activities each person must have separate bedding and provision must be made for private changing and showering facilities.

Leaders and *workers* are not permitted share accommodation with one child/young person, unless they are a parent or guardian.

Other than married couples, leaders and *workers* are not permitted to share a bed together at any time.

Children should not (where possible) be permitted to sleep in close proximity to leaders or *workers*. If unavoidable, or for younger children requiring closer supervision, increased levels of supervision and monitoring procedures must be implemented. No less than two approved leaders should be present at all times. This also applies to children (boys and girls) sleeping in close proximity to each other.

No persons are permitted to shower together at any time.

At no time are leaders or *workers* permitted to provide, allow or consume alcohol or illegal drugs. If leaders are taking prescribed medication that would impair their ability to perform their role effectively, it is their responsibility to advise their designated leader.

In the case of camp fires, the leaders and *workers* in charge must follow all local statutory rules and regulations including total fire bans at all times and ensure that appropriate fire safety precautions are in place.

Activities where a degree of risk is involved, for example pioneering, boating, air activities, abseiling, bushwalking, rock climbing, water activities, including sailing, scuba diving, canoeing etc, such activities must only be undertaken under the direction and supervision of fully qualified persons. All laws, rules and regulations pertaining to these activities must be followed at all times.

Precautions must be taken by leaders and *workers* in relation to swimming/water activities. The safety of the swimming area must be thoroughly examined in relation to depth, currents and obstacles. A leader / *worker* must be appointed to oversee and supervise the activity at all times.

It is desirable to pair swimmers off (“Buddy System”) with each swimmer taking responsibility for keeping the other in view and immediately reporting any mishap or disappearance. At least one person with suitable life-saving and first aid qualifications should be on standby at all times.

Appropriate swimming attire must be worn by all persons at all times.

It is the responsibility of individual Church Leaderships to familiarise themselves with all legislative standards and safety procedures in relation to activities undertaken.

25. Staff/Volunteer screening and selection processes

A major form of prevention relates to appropriate and stringent screening processes. Every *worker* engaged in child related ministries must be interviewed, screened and recommended by the leader who has ultimate oversight or management responsibility for that area of ministry.

An important part of this process will involve:

- A planned and prepared interview process approved by leadership.
- Presentation of references
- The follow up of references
- Agreement to undergo a National Police check
- The completion of a ministry application form
- Agreement by the applicant to meet with *senior pastor*/elders if required

A written recommendation must then be prepared by the person who has management/oversight responsibility and be submitted to the *Senior Pastor* for endorsement/approval. Individual churches may include a panel such as *senior pastor/s*,

elders, professional standards committee members, etc, as a part of an accountable recruitment, selection and appointment team.

Under normal circumstances, no individual should be permitted to work in the areas of children's ministries until attending the church in which they seek to serve for a period of not less than one (1) year. Special circumstances may apply and include intimate knowledge of an applicant by people within the leadership/church, or impeccable references from other churches. Even in these circumstances the applicant should operate under a supervised probationary period of not less than six months, with no key leadership responsibilities. It is recognised that long term and intimate knowledge of a person engaged in this area of ministry, may reduce components of the above screening and interview process.

It is acknowledged that from time to time additional helpers are engaged to provide support in relation to special events/activities. This may include parents or other people within the church who generously volunteer their services in terms of additional transport, or supervision during special events. It is unrealistic to expect those who fall into this category on a random basis to undergo additional training, however where possible, a National Police clearance check should be obtained. (This may alter pending future legislative changes). In these instances an authorised leader/*worker* must be in attendance and accompany an "unauthorised" person at all times. It is a good practice for churches to think ahead and have a pool of "occasional" helpers suitably trained and police checked.

26. Ministry Screening/Police Checks

Current National Police clearance checks leading to a WWCCN (Northern Territory Ochre Card) are essential for all *pastors, workers, elders, board members, governance team members* as well as **ALL** (*workers*) who serve in the area of children's ministry.

It is the responsibility of each church to identify and ensure that the above people undergo a National Police clearance check leading to a WWCCN renewal every two years and maintain appropriate records.

In relation to International Police checks or concerns, contact the DPS.

If offences are identified and depending on the nature of the offence/s, it will remain the discretion of individual churches to permit individuals to serve within the life and ministry of the church. Depending on the nature of other offences, strict conditions may be applied to an individual attending a church and or associated church programs.

Sexual abuse related offences will preclude that person from having any contact with, or responsibilities involving children/youth. In some cases an offender may not be permitted to attend the church, or any associated program under any circumstances. The *DPS* (or delegate) must be contacted and consulted.

If any worker or pending staff member refuses to undergo a National Police clearance check leading to a WWC Clearance Notice (Territory Ochre Card), they must not be appointed to the position that requires them to undergo such a check.

Staff members and *workers*, who for whatever reason have not undergone a National Police check leading to a WWC Clearance Notice, are required to immediately do so.

Any person undertaking a ministry role either full/part time, paid/voluntary, who does not have a written employment contract must complete a *ministry agreement* form (Appendix 'G'). For those with an existing written employment contract the Supplementary Employment Contract (Appendix 'H') should be adopted.

27. Screening processes / Police checks - Tradespeople

All tradespersons engaged to carry out work on church premises must produce a current National Police check certificate/WWCCN (Northern Territory Ochre Card) prior to being engaged/employed.

28. Character Reference Requests

In accordance with the *BUNT* 'Code of Ethics' document, where *pastors*, elders, *workers* or representatives who are seen to be a church representative are asked to provide a character reference for anyone charged with a criminal offence the *DOM/DPS* should be consulted. There can be severe consequences associated with the provision of references.

29. Hiring out of Church facilities to outside groups

Groups privately hiring or using church facilities where children will be a part of that program must provide proof that persons responsible for any program relating to the care and supervision of children, have a current National Police check certificate/WWCCN (Northern Territory Ochre Card).

30. Internet Access

Internet access, email, social media and 'smart-phone' facilities are in most cases available for the purpose of communication, research and business purposes.

Workers hold positions of trust and leadership and are at all times prohibited from: sending, receiving, downloading, displaying, printing or otherwise disseminating material that is sexually explicit, obscene, profane, discriminating, fraudulent, offensive, defamatory or otherwise in any way unlawful.

31. Initiation/secret ceremonies

Initiations and or secret ceremonies are prohibited.

PART 'C': MISCELLANEOUS

32. Privacy

All information concerning children must be kept confidential and only disclosed to authorised persons. Procedures for storage of information concerning children associated with the church should be arranged with the leadership of the *member church*. Refer to the *BUNT* 'Privacy Policy' as amended from time to time.

33. Workers' awareness

Workers should be aware:

- 33.1 A person acting in good faith in complying with a request under *Section 34(2) of the CPCA* is not civilly or criminally liable, or in breach of any professional code of conduct, for complying with the request. In most cases the identity of a notifier to

CIS is not to be disclosed, but by the *Ministry Agreement* this does not prevent some officers of the church being told of it.

Under s26 a person is guilty of an offence if they form a *reasonable belief* that under s26 (1) (i) a child has been or is likely to be a victim of a sexual offence; or s26 (1) (ii) otherwise has suffered or is likely to suffer harm or exploitation, does not, as soon as possible after forming that belief, report (orally or in writing) to the CEO (*CIS*) or police officer.

- 33.2 Apart from a report to the *CIS*, a *worker* who informs another of suspected *child abuse* which cannot ultimately be proved can be liable for civil damages in defamation. Extreme care needs to be taken in making such an allegation to anyone other than the *CIS* and the *senior pastor* of the *employer church*. A *worker* acting as a *worker* for the church in making such an allegation may be covered by church insurance against any damages which may be awarded for defamation.
- 33.3 If a *worker* becomes liable in law to pay damages to any person who has suffered loss from any breach by them of their duties they are likely to be covered for such damages by church insurance.
- 33.4 Other than for damages in defamation, the *Volunteers Protection Act 2001* (Commonwealth legislation) relieves a voluntary worker acting for the church from civil liability for any breach of duty provided they have acted in good faith and without recklessness.

(The above is only a brief outline. If you wish to know more on these topics, you should seek further advice on them.)

34. Media Management

As a part of the *BUNT* commitment to open, accountable and professional responses, the persons authorised to make media comment concerning matters pertaining to alleged breaches of the Child Protection Policy are limited to:

- *Senior Pastors* (who are to seek advice from the *DOM* or *DPS*)
- The *DOM* and/or President of *BUNT*
- The *DPS* or delegate

Appendix 'A'

MANDATORY REPORTING LEGISLATION NORTHERN TERRITORY

(Current at 01.05.2016)

CARE AND PROTECTION OF CHILDREN ACT 2007

Section 15 Harm to child (definition)

- (1) Harm to a child is any significant detrimental effect caused by any act, omission or circumstance on:
 - (a) the physical, psychological or emotional wellbeing of the child; or
 - (b) the physical, psychological or emotional development of the child.
- (2) Without limiting subsection (1), harm can be caused by the following:
 - (a) physical, psychological or emotional abuse or neglect of the child;
 - (b) sexual abuse or other exploitation of the child;
 - (c) exposure of the child to physical violence.

Example: A child witnessing violence between the child's parents at home.

Section 16 Exploitation of child (definition)

- (1) Exploitation of a child includes sexual and any other forms of exploitation of the child.
- (2) Without limiting subsection (1), sexual exploitation of a child includes:
 - (a) sexual abuse of the child; and
 - (b) involving the child as a participant or spectator in any of the following:
 - (i) an act of a sexual nature;
 - (ii) prostitution;
 - (iii) a pornographic performance.

Section 20 When child is in need of care and protection

A child is in need of care and protection (***child is in need of protection***) if:

- (a) the child has suffered or is likely to suffer harm or exploitation because of an act or omission of a parent of the child; or
- (b) the child is abandoned and no family member of the child is willing and able to care for the child; or
- (c) the parents of the child are dead or unable or unwilling to care for the child and no other family member of the child is able and willing to do so; or
- (d) the child is not under the control of any person and is engaged in conduct that causes or is likely to cause harm to the child or other persons.

Section 26 Reporting obligations

- (1) A person is guilty of an offence if the person:
 - (a) believes, on reasonable grounds, any of the following:
 - (i) a child has suffered or is likely to suffer harm or exploitation;
 - (ii) a child aged less than 14 years has been or is likely to be a victim of a sexual offence;
 - (iii) a child has been or is likely to be a victim of an offence against section 128 of the Criminal Code; and
 - (b) does not, as soon as possible after forming that belief, report (orally or in writing) to the CEO or a police officer:
 - (i) that belief; and
 - (ii) any knowledge of the person forming the grounds for that belief; and
 - (iii) any factual circumstances on which that knowledge is based.

Maximum penalty: 200 penalty units.

Section 27 Protection of person making report

- (1) A person acting in good faith in making a report under section 26 is not civilly or criminally liable, or in breach of any professional code of conduct:
 - (a) for making the report; or
 - (b) for disclosing any information in the report.
- (2) In any proceedings before a court, except with the court's leave:
 - (a) the report or evidence of its contents is not admissible; and
 - (b) a person cannot be compelled to give evidence, or to produce a record, about the report or the identity of the maker of the report.
- (3) The leave may be granted only if:
 - (a) the report, evidence or record is of critical importance to the proceedings; and
 - (b) failure to grant the leave would prejudice the proper administration of justice.

24 HOUR CHILD ABUSE REPORT LINE

(Centralised Intake Service)

1800 700 250

Appendix 'B' – Example ONLY Document

“CONFIDENTIAL”

**Baptist Union of the Northern Territory
CHILD ABUSE PRELIMINARY REPORT FORM (EXAMPLE)**

Date: Time:

Church:

Child's name: DOB/Age:

Address:

Has the Centralised Intake Service (CIS) been notified? YES/NO (circle)

CIS officer's name (if known)

Time/Date:

If not, reason?

Name of person reporting:

Any specific allegations made by the child/young persons? (dot point)

-
-
-
-

Name of person suspected?

Age or DOB if known: Church position: (if any)

Address: (if known)

.....
.....

Please provide brief details on the behaviour observed or how the suspicions came to light. Record all details such as when, where, who, how and any other possible witnesses or persons involved or who could be affected. (Attach sheet if necessary)

.....
.....
.....

How did the person making the report become aware of the situation?

.....
.....

Any further details: (attach additional sheets if necessary)

.....
.....

Appendix 'C'

BUNT Child Protection Training requirements

Section 30 of the *Care and Protection of Children Act 2007 (NT)* places certain obligations on persons/organisations in Northern Territory who provide services to *children* to ensure that all such persons providing such services to *children* are aware of their obligations under Section 26 (1) of the act (mandatory notification).

BUNT requires that all *workers* as defined in this policy, undergo the established training/education program (as amended from time to time by the service provider):

- The BUNT specific 7 hour / full day module session,
- The three hour refresher / update session every three years thereafter

BUNT engages an external organisation to deliver this training, but accepts training delivered by other qualified providers approved by BUNT / DPS.

However, BUNT strongly recommends that the BUNT training strategy be undertaken based on the following advantages:

- The BUNT model has been specifically designed for BUNT and includes specialist components that standard packages do not include. Some additional components are particularly relevant to the church;
- Training is presented via the BUNT Office of Professional Standards by experienced (former) child protection investigators and prosecutors coupled with pastoral ministry experience;
- The current BUNT model also offers ongoing “on tap” support and consultancy to individuals and churches in relation to all matters relating to professional standards and child protection; &
- Additional training packages are available to churches from time to time, designed to add to, and build on the above mandatory level of training.

Appendix 'D' – Example ONLY Document

MEDICAL & HEALTH INFORMATION – GENERAL (EXAMPLE)

..... Baptist Church

Name:

.....

.....

(Surname)

(Christian names)

Home Address:

.....

Next of kin for notification of any information:

Name

.....

.....

Relationship

Telephone (Home)..... (Work)

Do you give permission for medical intervention (including ambulance services) in the case of an emergency and you are not able to be contacted immediately? YES / NO

Is your child covered by a private medical benefits fund YES / NO

If yes, the name of the fund

.....

.....

Medicare number

Are there any other conditions which the (Name) Baptist Church should be aware of regarding the health and well-being for your child?
e.g. Asthma, allergies, convulsive seizures, diabetic YES / NO

If so, please indicate (or use a separate sheet, if appropriate).....

.....

Regular doctor's name and phone number

Has your child had a tetanus immunisation? YES / NO

If so, when?

Is your child allergic to any drug/medicine? YES / NO

If so, please give details

.....

Are there major food allergies which we need to know about? YES/ NO

If so, please give details

.....

Any other comments?

.....

.....

.....

(If more space required please add to the back of this form)

Appendix 'E' – Example ONLY Document

MEDICAL & HEALTH INFORMATION – SPECIAL EVENT (EXAMPLE)

..... Baptist Church

Name:

.....
.....
(Surname) (Christian names)

Is your child taking any regular or currently prescribed medication? YES / NO

If so, please name the medication and provide details of dosage and administration.

.....
.....

Your child's leader will administer medication to your child as directed by written instructions from you. Please clearly mark your child's name on all medication along with the dosage and administration procedures.

Is there anything about your child's health which means that s/he should engage in only limited physical activity? YES / NO

If so, please give details

Does your child require a special diet because of health problems? YES / NO

If so, please give details

Is there any other information which may help us care for your child? YES / NO

If so, please give details

For emergency use only

In case of emergency, contact

Phone Number

Name of family doctor

Address of doctor phone

Name and address of any other medical specialist treating your child

Doctor phone

Do you give permission for an ambulance to be called if deemed necessary (any costs being the parent's responsibility)? YES / NO

Signed: date
(parent/caregiver)

Witnessed

Appendix 'F' – Example ONLY Document

PERMISSION TO ATTEND EVENT/CAMP FORM (EXAMPLE)

..... Baptist Church

As a parent/caregiver of:.....

I, give my consent for him/her to take

Part in the (special activity or camp) to be held at the (event site)

from to (or on)
(date) (date) (date)

I have seen the attached copy of the programme for the (event)
and acknowledge that risk of injuries is inherent in physical activities. While I am aware that
staff will take all due care I recognize that accidents may occur.

The staff and supervisors have my authority to take whatever action they think necessary to
ensure the safety, wellbeing and successful conduct of the participants as a group or
individually in the above mentioned activity.

If my child becomes ill or is accidentally injured, I agree that Baptist Church Inc
may obtain on my behalf whatever medical treatment my child requires. I will agree to pay
all such medical expenses.

I have attached information as asked concerning my child's health including any relevant
details of his/her limitations for the planned activity. My child's own local doctor or medical
specialist may be contacted in an emergency.

I also acknowledge that the Baptist Church
and all its representative leaders or other helpers at (event)
can accept no liability for any personal injury or property loss suffered by my child during the
period of theEvent.

Signed:date:
.....

Witnessed:date:.....

Appendix 'G' – Example ONLY Document

MINISTRY AGREEMENT ALICE SPRINGS BAPTIST CHURCH

I, _____, of _____

Declare that except as is stated below¹, I have never:

1. been subject to any investigation in relation to sexual misconduct against any person;
2. been convicted of any sexual offence against a person;
3. have never committed any offence involving criminal deception² of any nature;
4. I have not had my driving license disqualified or suspended in the last five (5) years.

I acknowledge I have read and agree to comply with the 'Child Protection Policy' and 'Child Protection Procedures Manual' of the Alice Springs Baptist Church (ASBC).

I agree I will cooperate with the Director of Ministries (DOM), Baptist Union Northern Territory (BUNT), in any investigation undertaken by the Director of Professional Standards (DPS) in relation to a 'Member Church' (member church of BUNT).

I agree I will attend and successfully complete education courses provided by ASBC to fit for ministry with children.

I acknowledge that by signing this covenant no legal contract is created between myself and my 'Employer Church' or BUNT, but accept that it acts as a consent for the operation of the 'Child Protection Policy' and the 'Child Protection Procedure Manual' and that legal consequences may follow if I have knowingly given false answers to any of the questions above.

Signature: _____ Witness: _____

Name: _____ Name: _____

Address: _____ Address: _____

¹ Please provide details of any circumstances that may affect this agreement:

² Deception means intentional deception by word or conduct as to fact or law and includes a deception as to the present intention of the person using the deception or another person, and; includes deception upon a machine to have it make a response which the machine is not authorised to make.

SUPPLEMENTARY EMPLOYMENT CONTRACT

[Insert Name of Church]

I of

.....

(name of worker)

(address)

1. Agree that this document contains additional terms for my employment by the above church and my continued employment is conditional upon my executing it.

2. Declare that except as is stated below I have never

(1) been guilty of any sexual misconduct against any person;

(2) have never committed any criminal offence involving violence or drugs;

(3) have never committed any offence against road traffic laws (except parking offences);

(4) am of good character and suitable for ministry within a Baptist Church.

(If exceptions to the above give details and if insufficient room place them in an attachment).

3. Acknowledge I have read and agreed to the Child Protection Policies of BUNT and the Child Protection Manual of Procedures.

1. Agree that if any allegation of child abuse is made against me the IMC is to have jurisdiction to determine whether, and on what conditions, my employment should be continued until the allegation is finally determined.

2. Agree I will attend and take part in education courses to fit me for ministry with children.

Signature: Witness:

Full name: Name:

Address: Date: