

Duty of Care Policy

**LUGAR
BRAE
UNITING
CHURCH**



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Overview:

It is the policy and practice of Lugar Brae Uniting Church, that:

All persons in a Pastoral role within the Church (whether paid or voluntary) who would have or could expect to have contact with children, youth, vulnerable people and elderly obtain the required Screening Checks as part of being authorised by Church Council¹ for the roles of responsibility which they hold.

Individuals in a pastoral capacity are people who are in a position of trust, influence or authority within the Church. This would include, but not be limited to, lay preachers, elders, church councillors, those who lead worship, anyone involved in children and youth events/programs/activities, music leaders, organists, Bible study leaders, and 'home group' or 'cell group' leaders and any other person commissioned by the Church Council to perform a pastoral role

The Duty of Care Policy is to be read in conjunction with;

- Safe Church Commitment Statement
- Persons of Concern Policy
- Background Check Policy & Procedure
- Volunteer Policy
- Persons of Concern Guideline
- Reportable Conduct Guideline
- Mandatory Reporting Policy

An integral part of this process is completing a Screening Application through Lugar Brae Uniting Church, and through verification by the Office of the Children's Guardian. As a minimum a New South Wales Working with Children Check (WWCC) is required. In addition for some designated roles a General Employment Probity Check and/or Police Clearance Check is required.

Church Councils are required to authorise and appoint an individual to be recognised as a Safe Church Ambassador role in the Congregation. This is done by following the Safe Church Leadership Authorisation and Appointment process.

Safe Church Authorisation and Appointment process

Church Councils are required to apply this to leaders who are in a position of trust, influence or authority because of their leadership role within the Church.

Appointed Leaders are people who are in a position of trust, influence or authority because of their leadership role within the Church. This would include, but not be limited to, lay preachers, elders, church councillors, those who lead worship and any other person commissioned by the Church Council to perform a leadership role

Before appointing leaders the Church Council must:

- consider the six month guideline for voluntary leadership roles (i.e. people are only considered for Pastoral duties after they have been part of the congregation for six months)
- confirm and record screening completion
- interview applicants
- request and check references.

It is important that persons who care for children and young people are appropriately selected and adequately trained to work with the age groups for which they have responsibility.

¹ Lugar Brae Uniting Church

Screening Requirements:

1. All appointed persons in a Pastoral capacity will need a Working with Children Check (WWCC);*
2. In addition to WWCC, the following voluntary roles will need a 'General Probity Check'
 - Office holders and members of church council
 - Anyone managing financial responsibilities
 - Driving a vehicle for a church sanctioned activity
 - Working in a Uniting Church Op Shop or café
3. In addition to the WWCC, Volunteers who provide any of the following on behalf of their congregation will need a 'Vulnerable Person Related Employment' check.
 - Being a Designated Pastoral Visitor from the Congregation.
 - Lead or assist with worship services in Aged Care facilities or Hospitals
 - Working with Refugees, migrants
 - Offering social support services (e.g. counselling/ financial support/ soup kitchen)
4. All Ministry Agents as defined in the Code of Ethics and Ministry Practice and who are deemed to be 'inactive service' will require:
 - Working With Children's Check
 - General Employment Probity Check
 - Vulnerable Person Related Employment Check

Ministers who are retired and not deemed to be 'in active service', and Ministers 'on designated leave of absence' do not require a General Employment Probity or Vulnerable Person Related Employment Check.

 - Ministry Agents only need a Disability Check if employed by a Government funded disability organisation.
 - Ministry Agents only need an Aged Care Check if employed by a *Commonwealth Funded Aged Care* facility. (Commonwealth Aged Care Act 1997 and Aged Care Accountability Principles 2014)
5. Employees within Uniting Church Presbyteries and Congregations require:
 - Working With Children Check
 - General Probity Check.
 - A Vulnerable Person Related Employment Check will be required, if any responsibilities include a role as listed above (item 3)
6. Employees of the Uniting Church in Australia, Lugar Brae Uniting Church, require upon employment a General Probity Check. This is then to be renewed as required.
 - If the employee's role is deemed to fulfil the definition of Child Related Work', then a Working with Children Check will be required.
 - If the employee's role is deemed not to fulfil the definition of Child Related Work but the staff member is an Appointed Leader within a congregation, the WWCC is then submitted as a volunteer.
 - If the employee's role includes any responsibilities as listed in (item 3) above, then a Vulnerable Person Related Employment Check will be required.
 - If the employee's role does not include any responsibilities as listed in (item 3) above but the staff member is an Appointed Leader within a congregation, the Vulnerable Person Related check is then submitted as a volunteer.

Record Keeping

Records of an individual's completed screening checks will be kept securely by Lugar Brae Uniting Church. It is expected that the individual will retain the records of completion and will supply details to the relevant Congregation representative with whom they are an appointed leader.

A Current Working with Children Check is required before the individual is appointed to a Pastoral role.

- WWCC are valid for 5 years.
- Vulnerable Persons Related Employment Check is valid for 3 years.
- General Employment Probity Check is not transferable as it is completed for each organisation. (Where a check is conducted through the Uniting Church it is deemed to be valid for 3 years.)

The Applicant is responsible to maintain the currency of their check and to produce evidence of same when requested by the church.

Application through the Congregation.

Screening check requests are facilitated through Lugar Brae Uniting Church.

Information collected from an online application via the Congregations website will initiate a screening check request. The applicant is asked to provide information indicating a description of the roles and which additional screening checks are required. This will initiate the screening check process.

A person appointed in a Pastoral position may hold a WWCC sourced through another organisation. The details of that check will need to be provided to the appropriate leader to enable the WWCC to be associated with the Uniting Church and recorded appropriately.

Responsibility of notification and compliance with Child Safety Prohibited Employment Act 1998.

Lugar Brae Uniting Church is required under the Act to advise the Office of the Children's Guardian Unit if by through the verification process becomes aware of any behaviours or charges that would put into question the Pastoral carer's suitability to continue in their role.

Lugar Brae Uniting Church is also required to ensure that the applicant has a current check and that at least once in every 5 year period, verify, in accordance with the regulations, that

- a Working with Children Check (WWCC) has been conducted in relation to the person within the preceding 5 years; and
- b. the person is not a prohibited person. (Child Safety Prohibited Persons Act 2016)

* As per the Child Protection Working with Children Act 2012, when considering the definition of worker (e) as a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of a religion or other member of a religious organisation.

The Child Safety Prohibited Employment ACT NSW Part 4 defines 'child related employment' as services or activities provided by a religious organisation where a person would have or could be expected to have contact with a child. child-related employment means: (viii) employment in any religious organisation,