

## ANGLICAN DIOCESE OF BUNBURY

### POLICY: SCREENINGS (SAFE MINISTRY CHECKS)

Approved: BIC14Nov19

Updated: 8Sept20

30July21

18Nov21

#### Preamble:

The Royal Commission into Institutional Responses to Child Sexual Abuse made a recommendation to the Anglican Church of Australia that there needed to be a consistent approach to safe ministry across the 23 dioceses. At Synod in 2017, the Diocese adopted the Safe Ministry to Children Canon (the Canon) which outlines the required screenings and safe ministry practices for Church workers and any person who will provide pastoral ministry involving direct, regular and not incidental contact with children. This includes serving members of Boards, Councils, and Committees that have the responsibility of making decisions regarding safe ministry to children. It also includes people who are in leadership positions who may have to step into such situations at short notice due to the absence of the normal position holder normally the Clergy person, such as wardens, Oversight Committee Members and Licensed Lay Ministers.

In addition, we have a responsibility to try and ensure all people, together with the Diocesan assets and finances, are protected and understanding there is sometimes a need for screenings to be undertaken outside the scope of the Canon.

#### SCOPE

This policy applies to all Church workers (including all Clergy, seeking a licence in the diocese as a ministry or PTO, Licensed Lay Ministers, Lay Ministry workers, Parish Office Bearers and Church Volunteers and paid employees), members of the Diocesan Bishop-in-Council, Trustees, and their associated committees, entities and working parties.

#### POLICY

All those involved in volunteering or working in the Anglican Diocese of Bunbury and for the Anglican Church generally are required to complete a Volunteer Form or one of the Approved Forms listed in meeting the requirements of the Safe Ministry to Children Canon 2017. All those volunteering or working are required to have a current (less than 3 years old) Volunteer Police Clearance Certificate, or if employed or a licensed clergy person, have a personal National Police Clearance Certificate that meets the requirements of role.

In addition, particular roles and activities also require the individual to have a current Working With Children Check and individuals also have to maintain their current Diocese of Bunbury Safe Church Training every three years; the content and currency of this training is determined by the Anglican Diocese of Bunbury from time to time. From time to time, these requirements are updated to maintain appropriate safety for all concerned.

**If any of these compliance obligations is not in place the person is stood aside until compliance is achieved. These must be in place before commencing work or volunteering. There are no exemptions. In some instances, the Licence to work or hold office is temporarily or permanently withdrawn.**

#### FORMS

The following forms need to be completed in keeping with the Canon:

1. Form 1 – Safe Ministry Check Form – Ordained Clergy, Formation Students, Ordinands, Authorised Lay Members of the Church, Licensed Lay Ministers, Employees
2. Form 2 – Safe Ministry Check Form – Adult Volunteer – Any person who undertakes pastoral ministry involving direct (being responsible for), regular and not incidental contact with children (including the supervision of young people who volunteer); those supporting playgroups when parents are present; and those who are members of a support group for people with Worshipping Agreements
3. Form 3 – Safe Ministry Check Form – Volunteer aged between 13 and 18 years who will undertake pastoral ministry involving direct, regular and not incidental contact with children
4. Form 4 – Safe Ministry Check Form – Reference Check – For persons who are required to complete Form 1.

The following forms need to be completed in keeping with our commitment to protecting all people, Diocesan finances and assets:

5. Form 5 – Volunteer Form from the Diocese for all adult volunteers who are not subject to the requirement of the Canon.
6. Form 6 – Volunteer Form from the Diocese for all volunteers aged between 13-18 years old
7. Form 7 – the Volunteer Police Clearance Certificate Form – for all volunteers who are working in ministries in the parishes, communities and dioceses.
8. Working With Children Check Form – for all licensed leaders (clergy and Laity) who work in children and youth ministries regularly or who are involved in leadership of such ministries for the parish or diocese or who may, through their leadership role find themselves stepping in to cover emergencies. These are completed with the authorisation of the Diocesan Office.
9. The Diocese completes a check with the National Register held by the Anglican Church of Australia for all leaders, staff and other laity who volunteer in identified authorised church roles.

## **PRACTICES**

### **1. Bishop-in-Council**

Bishop-in-Council is the representative body acting for and on behalf of Synod in all matters pertaining to the temporal affairs of the Church.

Members should be fit and proper persons to manage these affairs and demonstrate to be of good character and repute as appropriate to be senior representatives of the Diocese.

Members must have a current Police Check and complete the appropriate Safe Ministry Form and be up to date with their Safe Ministry training.

The fitness for office of a member of Diocesan Council with a criminal record shall be determined by the Chancellor.

### **2. Trustees**

The Diocesan Trustees is a constituted body of trustees having the power to hold lands and other property in trust, and to make rules for the conduct of all business coming before them.

Members should be fit and proper persons to manage these affairs and demonstrate they are of good character and repute for the role of Trustee.

Members must have a current Police Check and complete the appropriate Safe Ministry Form and be up to date with their Safe Ministry Training.

Members must have their names checked against the National Personal Insolvency Index.

The fitness for office of a Trustee with a criminal record or record of insolvency shall be determined by the Chancellor.

### **3. Employees**

Any person over the age of 18 years who is employed by The Bunbury Diocesan Trustees will provide a National Police Clearance that is no more than 12 months old at the time of appointment.

Police checks will be renewed every three years and a copy is placed in the individual's personnel file.

Any person in 'child-related' work must provide a current Working With Children Check Card and a copy is placed in the individual's personnel file (less than 3 years old).

Any person commencing child-related work in the Diocese who does not already hold a Working With Children Care will need to apply for one **before commencing work**, pursuant to the *Working with Children (Criminal Record Checking) Act 2004 (WA) (the 'Act')*.

Forms for the application and / or renewal of an employee's Working With Children Card must be counter-signed by the Diocesan Secretary or Registrar.

### **4. Clergy**

Before any new appointment is made or a licence including a PTO (Permission To Officiate) licence is issued, all clergy in the Diocese of Bunbury will provide a National Police Clearance not more than 12 months old and a copy is placed on their personnel file.

The Working With Children (Criminal Record Checking) Act 2004 requires 'Ministers of Religion' to hold a current WWC card. A WWCC or the receipt issued by Australia Post must be provided by an applicant before any Licence is issued. WWC applicants must have their application endorsed by the Diocesan Secretary or Registrar, or if applying on line, must nominate the Diocesan Secretary or Registrar or Diocesan Safe Ministry Authority Chairperson as the authorised person who can confirm their child related work. If a member of Clergy fails to lodge their application and their WWCC expires, they cannot engage in any child related activity until such time as a renewal is received. All clergy seeking a Bishop's licence in the Bunbury Diocese to work in a parish who are applying from outside the Diocese, must provide a copy of their medical and psychological assessments from the date this Policy is approved. If they do not have one, this must be provided prior to any appointment and licensing. The Diocese will advise the applicant of the preferred psychologist and the cost will be shared with the parish as part of the recruitment costs.

All Clergy must renew their National Police Clearance every three years.

Clergy who are currently in the Diocese of Bunbury and seeking to be relicensed will be subject to the Professional Standards and National Register checks which will be actioned by the Diocesan Secretary or the Diocesan Safe Ministry Authority (DSMA) Chairperson with the Director of Professional Standards as required.

All clergy must also read and sign to abide by 'Faithfulness in Service'.

**Preaching in another Diocese.** All Clergy who are officiating in another Diocese at a wedding or funeral must seek permission to do so by the Bishop of that Diocese and ensure the compliance checks for that Diocese are in place and approved.

**Any clergy who are invited to preach or give a presentation in another Diocese** will be subject to a Professional Standards Check by the Director and Letter of Good Standing from the Bishop of the Diocese in which they hold a licence, i.e., the Diocese of Bunbury.

**If the Clergy are regular visitors to the Bunbury Diocese from another Diocese** and are seeking a PTO licence, they are subject to a full Safe Church check, required to complete Form 1, have a satisfactory National Police Clearance, current WWCC and completed their Safe Church training before being issued with the Bishop's licence.

**Applicants within the Province of Western Australia** who apply for a Bishop's licence within the Diocese of Bunbury will provide a current WWCC, satisfactory, current national Police Clearance and complete the Safe Ministry training as determined by the Diocese and will complete Form 1. A National Register Check, reference checks and Professional Standards Check will be undertaken by the Diocesan Secretary or delegated to the DSMA Chairperson and a letter of Good Standing will be obtained from the Diocesan Bishop in which they currently hold a licence. All clergy seeking a Bishop's licence in the Bunbury Diocese who were discerned in this Diocese to work in a parish must, wherever possible, provide a copy of their medical and psychological assessments. This requirement is not applied retrospectively; but will be required from the date of approval of this policy by Bishop-in-Council; or if already in the diocese prior to this policy being implemented.

**Applicants from outside Western Australia** who are seeking a Bishop's licence must provide a National Police Clearance and will be subject to the Professional Standards and National Register Check undertaken by the Diocesan Secretary or DSMA Chairperson. A letter of Good Standing will be obtained from their Diocesan Bishop. They must also complete all the Safe Ministry Checks including – Form 1 with the Reference Checks completed, Safe Ministry Training, WWCC. An application for a WWCC must be submitted and received prior to commencement of any child related work in the Diocese. All clergy seeking a Bishop's licence in the Bunbury Diocese from outside the Diocese to work in a parish must provide a copy of their medical and psychological assessments. If they do not have one, this must be done and provided prior to any appointment and licensing by the Bishop. The Diocese will advise the applicant of the preferred psychologist and the cost will be covered by the parish as part of the recruitment costs.

**Applicants from outside the Diocese who wish to preach, officiate at a funeral, wedding or other event in this Diocese** must provide a National Police Clearance and will be subject to a Professional Standards and National Register check by the Diocesan Secretary or DSMA Chairperson and a letter of Good Standing will be obtained from their Diocesan Bishop.

**All Church workers invited to be keynote speakers or to facilitate seminars in the Bunbury Diocese** must be subject to a Professional Standards check by the Diocesan Secretary or DSMA Chairperson to make certain they are safe and not currently subject of an historical or current complaint.

## Overseas Applicants

Any overseas candidate for ministry and as part of the selection process for Overseas Clergy, the following will apply after the initial interviews with the Bishop:

- A letter of Good Standing from their current Diocesan Bishop
- Police clearance or equivalent from the country of residence that is less than 12 months' old
- Completion of the Safe Ministry Check Form 1 with reference checking to the nominated referees and any other necessary reference and reputation checks carried out
- Professional Standards Check to the equivalent in the country of residence. If after undertaking this check, the Diocesan Secretary or Diocesan Safe Ministry Authority Chairperson is concerned the person may not be safe, the Bishop will be provided with all relevant information. The final determination as to whether the applicant is successful will be made by the Bishop.
- All overseas applicants must apply for a WWCC on arrival in Western Australia and cannot commence in Diocesan, Parish or School ministry until the check is received.
- All clergy seeking a Bishop's licence in the Bunbury Diocese to work in a parish must provide a copy of their medical and psychological assessments. If they do not have one, this must be done and provided and the expense will be covered by the parish.

**School Chaplains.** Any school or college within the Diocese who wishes to employ an Anglican Chaplain must provide their details to the Diocesan Safe Church Team for a Safe Ministry check before any offer of employment or appointment is made.

**Safe Ministry for any Occasional Visitor to the Diocese** also requires such visitors to have a Working With Children Check prior to any activity or work being undertaken, the Safe Church Training completed and Form 2 completed and returned to the Diocesan Safe Church Team.

## 5. Volunteers

In keeping with the guidelines of the Canon and, to manage the risk effectively, any person who volunteers in the Diocese is required to provide a National or Volunteer Police Clearance **before** commencing in a role.

This includes all members of a Parish Council.

The Safe Church Contact Person who holds a Bishop's License as a Licensed Lay Minister is responsible with the Oversight Committee for compliance by all members of the relevant Parish committees, council, and working parties.

The Bishop as Chairperson of Trustees and Bishop-in-Council together with the DSMA Chairperson is responsible for compliance by all members on the relevant Diocesan boards, council, commissions, or committees and Standing Committees. A Police Clearance will identify whether a person has a criminal conviction and presents a risk to children, vulnerable persons or parish assets. This will enable known sex offenders and persons of concern to be identified and managed appropriately.

A system for Volunteer Police Checks is in place to facilitate cheaper clearances for volunteers. Information and forms are available on the Diocesan website or at the Parish office.

Volunteer Police Checks are renewed every three years.

If a Volunteer has a National Police Clearance for employment purposes and the person is volunteering in the Diocese, the individual is not required to apply for a Volunteer Police Clearance and a copy of the National Police Clearance must be provided to the Diocesan Safe Ministry Team.

Any Volunteer in the Diocese involved in what could be deemed 'child-related work' under the Act and, in keeping with the Canon will provide a Working With Children Check, a copy of which will be kept in the Diocesan Office.

WWCC applications must be counter-signed by the Diocese.

**All Licenced Lay Ministers** are required to have a WWCC, have a National Register Check and a Police Clearance and abide by the Diocesan Code of Conduct approved by Bishop-in-Council in November 2020 together with the relevant Sections of the Faithfulness in Service Code, S. 3 and 5.

If a volunteer fails to lodge their application and their WWCC expires they cannot engage in any child related activity until such time a renewal is received.

The costs associated with screenings will be borne by the relevant Board, Council, Commission, Committee or Parish.

All volunteers who provide pastoral ministry to children will complete either:

- Form 1 – Licensed Lay Minister or
- Form 3 – Volunteer aged between 13 and 18 years.

When completed the form must be forwarded to the Diocesan Safe Ministry Team to follow up with references and other checks.

All Parishioners including non-church going community members involved in volunteering in ministry and pastoral activities established and run by the Anglican Church and parish council but not with children must complete:

- Form 5 and Form 6

A reference check is always done in these circumstances by the Safe Church Contact Person in the parish.

## **6. Child Volunteers (Police Clearances and WWCC)**

The following applies to children:

National Police Clearance – no age limit applies

Volunteer Police Clearance – volunteers aged over 16 years can apply

Working With Children Check – Volunteers under 18 years old are exempt

Working With Children Check – All individuals under 18 years who are engaged in paid work in the Diocese must have a WWCC

## **7. Formation Students**

All formation students and ordinands must provide the Diocesan Secretary or DSMA Chairperson with a completed Form 1 and have completed their Referee checks, have a

current WWCC, National Register Check and National Police Clearance and be up to date with their Safe Church Training.

In addition all Formation Students must have completed a medical check and a psychological and psychosexual test prior to discernment as an applicant is approved.

## **8. Known Sex Offenders**

All known sex offenders must provide a copy of either of the following and apply for a Volunteer Police Clearance;

- Certificate of Final Outcome
- Sentencing Remarks to the Director of Professional Standards

## **9. Adverse Screenings – Clergy and Employees**

If an adverse finding is identified on a Police Clearance, the Diocesan Secretary or DSMA Chairperson must be notified and the appropriate action taken as advised by the Diocesan Secretary or DSMA Chairperson.

## **10. Adverse Screenings – Volunteers**

If an adverse finding is returned on a Volunteer Police Clearance and, the finding is considered to be serious and may place people at risk, the DSMA Chairperson will contact the individual and advise that the Parish Priest and possible other parish leaders must be informed if the individual wishes to volunteer; and will ask for a full disclosure to be made. If the information in the disclosure identifies the person is not safe or is a known sex offender, the DSMA Chairperson will assess the risk and manage the risk appropriately.

Please refer to the Policy on Persons of Concern and Those Convicted of Child Sexual Abuse for details of Worshipping Agreements and the process of implementation, management and safety.

## **11. Adverse Screenings – Working With Children Check**

If the WWCC Screening Unit's assessment or re-assessment of an applicant's eligibility to hold a WWCC Card indicates an unacceptable risk to children the applicant is issued with an interim or final Negative Notice. Both these notices immediately cancel a current WWCC. The Diocese will be given a copy of the Negative Notice by the Department.

The individual will be stood aside immediately from their role while an investigation is carried out, the issue is reported to the police and the Professional Standards Director is advised. While holding a Negative Notice:

- It is an offence to engage in paid, voluntary or unpaid child-related work in WA
- Anyone who holds a WWCC must return it to the WWCC Screening Unit if it is cancelled or an interim or final negative notice is issued
- The negative notice remains in effect until it is cancelled under the WWC Act; and
- If a final negative notice is issued, it identifies there is an unacceptable risk to children and the person cannot work with children and the individual is stood aside. If the person is a clergy person in the Diocese of Bunbury, they are immediately stood aside and are not able to continue in their role as a licensed clergy person. The Licence as a clergy person is immediately suspended. Please refer to The Licensing Statute 2017-2020 which provides details of the process and actions taken in these circumstances.

## **12. National Register Checks**

In keeping with the requirements of the Canon, any person in the Diocese who actively works with children will be subject to a National Register check undertaken by the DSMA Chairperson.

## **13. Church Safe training requirements**

Those listed must maintain and update every three years their Church Safe Ministry training or as required by the Diocese of Bunbury:

- Licensed Clergy
- Licensed Lay Ministers
- PTO Licence Holders
- Ordination Candidates
- Trustees
- Bishop-in-Council members
- Musical directors, leaders, children's choir leaders and assistants
- Youth and Children's ministry leaders and workers
- Sunday school teachers or children's activity leaders
- Camp leaders and Co-ordinators
- Those monitoring and support known sex offenders
- Wardens
- Parish Councillors (incl. treasurer and secretary if members of the parish council)
- Paid employees
- Synod representatives and Alternates
- Prayer group leaders
- Bible study group leaders
- Ministry team leaders and supervisors
- Liturgical assistants working in the Sanctuary
- Readers
- Catering organisers, team leaders, roster leaders
- Co-ordinators of volunteer teams, e.g., Op Shop roster leaders, managers
- Welcomers or greeters to church
- Support and Monitoring Group Members

This list is updated as required.

We acknowledge there is a range of safe ministry training available by a range of groups and Dioceses. The Diocese of Bunbury requires all people involved in working and volunteering in the parishes and Diocese and Anglican Communities to undertake the Anglican Diocese of Bunbury's specific training that is made available when applying.