**Process for handling allegations of sexual abuse, including complying with mandatory reporting obligations**

(Instructions for use:

This template should be reviewed and adapted to your church situation.

Information in *italics* is optional.

You may wish to add more details to this document, such as diagrams or separate procedures, additional topics or information.

Please ensure you change the title <Sample Baptist Church> to the name of your church.

Instructional text in red should be removed prior to finalising the document.)

**Policy:**

<church name here> seeks to protect all people from experiencing sexual abuse.

**Purpose:**

We strive to ensure that leaders and programs are safe. This policy provides information regarding the expectations and processes for all <Sample Baptist Church> leaders in responding to and handling allegations of sexual abuse.

Our Expectations:

All cases of suspected sexual abuse and ministry misconduct are to be handled in a consistent, unbiased and thorough manner. All complaints are to be taken seriously and responded to promptly.

Staff, leaders and volunteers must comply with the Code of Conduct, church screening procedures and this policy regarding the handling of allegations of sexual abuse and mandatory reporting.

We require our leaders to comply with State and Federal laws regarding mandatory reporting and other reporting obligations. Additionally, we proactively encourage and support all adults in our church community to comply with State and Federal reporting obligations.

We comply with not only the minimum requirements of the Law but also BUV recommendations.

What we will provide:

We will provide leaders with training about indicators of abuse, in order to be able to recognise abuse of both adults and children within their communities.

We will also provide training in Code of Conduct and reporting procedures so our leaders can recognise where behaviour or incidents breach our policies. This enables prompt follow up to occur.

Our approach:

*We recognise the importance of a risk management approach to minimising the potential for sexual abuse to occur, especially by an adult associated with our church, and use this to inform our policy, procedures and activity planning. In addition to general occupational health and safety risks, we proactively manage risks of sexual abuse occurring to children and vulnerable adults involved in our ministries.*

*Anyone who has experienced abuse at any stage may be considered a vulnerable person. <Sample Baptist Church> is willing to provide pastoral care to any leader or attendee of any of its programs, regardless of the circumstances of how the abuse occurred or whether it has been officially reported.*

**Procedure:**

For a brief overview, see the **Sample Flowchart Reporting Process**.

All leaders will report disclosures or suspicions of sexual abuse (towards any child or vulnerable adult) to the appropriate statutory authorities, as soon as possible and in accordance with legislative requirements. In addition to statutory authorities, concerns of abuse should also be reported to the appropriate church leader such as the Safe Church Concerns Person or Senior Pastor. A leader may be legally and/or ethically required to report to more than one authority.

*<See* ***Molestation Insurance Explanatory Notes****, section titled “Reporting and handling allegations of sexual abuse”>*.

*“Any person in a position of leadership and authority (paid or unpaid) or any person working with children or young people in any capacity who may suspect that a child is at risk of harm MUST report these concerns to the appropriate statutory authorities”.* (BUV Ethical Safe Church Statement; Safe Church Awareness Workbook, 2019, page 52)

Action is required if:

\*a child says they are being abused, and/or

\*observations or indicators of a child and their behaviour raise concern of abuse, and/or

\*another person tells you a child is being abused.

If there is doubt or confusion whether a certain situation constitutes abuse, whether the concern is significant enough to report, or to whom it should be reported, contact the church Safe Church Concerns Person as soon as possible. If further expertise or clarification is required, contact the Professional Standards Consultant, BUV. If you cannot contact the Safe Church Concerns Person (or there is no such role in Sample Baptist Church at that time) call police or Child Protection and they will advise you how to proceed.

A person making a report is not required to have all the facts or to be certain abuse has occurred. They are simply required to pass on their concern. Leaders will not be disciplined if you initially contacting the ‘wrong’ authority. Leaders may be disciplined for failing to act in accordance with this policy, or failing to respond at all.

**Who should you call?**

When to contact Child Protection:

If you have a concern about significant harm from abuse or neglect of a child (from birth to age 17, plus during pregnancy), call [Child Protection](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fservices.dhhs.vic.gov.au%2Fchild-protection-contacts&data=02%7C01%7Cvicky.dyer%40buv.com.au%7C262386790abd42806ee508d77d0225f1%7Cd9cb005d0f804e64b0b31e0673c206b5%7C0%7C0%7C637115320485230507&sdata=pIWNuapjFphFGXfJmYg%2FZycqJF7c3BXgJDFX7KhmnlY%3D&reserved=0). To report concerns about the immediate safety of a child anywhere in Victoria after hours, call **13 12 78**. If calling during business hours, please call the relevant regional office <*add your local region and phone number here*>. Religious leaders (along with police, teachers, doctors, nurses, school counsellors and youth justice workers) are legally required to report child physical and sexual abuse to Child Protection. However, all forms of abuse and neglect may be reported by any person.

When to contact Commission for Children and Young People (CCYP):

The Head of Organisation, *the church secretary,* <*Confirm if this is the correct person/role for your church*>, is legally required to report to CCYP allegations of child abuse (and other child-related misconduct) made against their workers, volunteers and contractors, within 3 business days of becoming aware (assuming the worker, volunteers and contractor is over 18).  CCYP will then provide guidance regarding how to proceed.

When to contact police:

If there is immediate danger to any person, call 000.

Every adult in Victoria who becomes aware of child sexual abuse by an adult is legally obliged to report this to Police (Failure to Disclose legislation). Do not inform the child’s parents unless police advise you to do so. You should not inform the alleged perpetrator.

If the victim or perpetrator is connected to <your church name>, leaders must also advise the Safe Church Concerns Person for further advice.

When to contact the Safe Church Concerns Person:

Any member of the congregation or any community member, may pass on a concern of any type of abuse of any person, including adults and children, to <*edit role/title> the Safe Church Concerns Person*. Leaders are required to do this.

The Safe Church Concerns Person will then record the concern on the **Sample Safe Church Concerns Template** form and forward the information to the appropriate organisation as soon as possible.

When to contact the BUV Professional Standards Consultant:

You should contact the BUV Professional Standards Consultant in the following situations:

\* an allegation of ministry misconduct against a <Sample Baptist Church> leader.

\* an allegation of a criminal action, including any type of abuse, against any pastoral leader

\* an allegation of sexual abuse against any Sample Baptist Church leader

\* any leader or participant attending your church or ministry is undergoing investigation for perpetrating sexual abuse or has a history of sexual offending (also known as a known offender)

Where the allegation is against an accredited ministry leader the **BUV** **Complaint procedure for allegation of misconduct by pastoral leadership** will be followed. This is available on the BUV website, or contact the Professional Standards Consultant to discuss.

Where an allegation is against any leader in your church the BUV Professional Standards Consultant will provide guidance regarding how to proceed, including whether to report to a statutory agency.

Abuse of an adult:

There is no legal requirement to report sexual abuse in the following circumstances:

* Adult sexual abuse - Where an adult victim discloses they have been sexually abuse and are over the age of 18 years at the time of the abuse;
* Historical sexual abuse - the victim was under 18 at the time of the abuse, but at the time of disclosure is an adult.

In these circumstances a victim can be encouraged and supported to report to police at any time if they choose, or a report can be made on their behalf with prior consent. If consent is not given but the leader has concerns about the current safety of any children involved, the leader themselves or others involved in <Sample Baptist Church> the leader may need to break confidentiality and pass on their concern. In this situation seek guidance from the Safe Church Concerns Person or Professional Standards Consultant prior to taking action.

If the abuse took place within the Baptist Church context, a report can be made to the Professional Standards Consultant to be followed up.

Please note: Survivors of child sexual abuse may be able to apply for redress through the National Redress Scheme.

**What do you do after the initial concern is reported?**

\* The person making the report (not the victim of the alleged abuse) **must not** tell anyone else about the concern at this stage, unless directed to do so by Police or BUV.

\* The Safe Church Concerns Person and/or the Senior Pastor are to ensure that appropriate pastoral care are available/provided to all persons impacted by the situation.

\* Safe Church Concerns Person to ensure all records related to concerns and reports of abuse are stored confidentially and kept for a minimum of 45 years. These include:

• **Church Safety Policy** (dated versions)

• **Policies and Procedures** (dated versions)

• **Safe Church Concerns Forms**

• **Leader Screening Forms**

• **Codes of Conduct** (signed and dated)

*• Contemporaneous notes, where required (including notes regarding consideration of potentially reportable matters even where a report was not made)*

\* Where the complaint is against a current leader, a leader will be asked to step aside from their duties as well as ensure they have no contact with children while a complaint is being considered by statutory authorities, the local church or BUV.

\* No person involved with the investigation or disciplinary process is to make any statement to the media about any alleged abuse or to the alleged perpetrator without permission from the Senior Pastor (or from the BUV Professional Standard Consultant in the event the concern is about the Senior Pastor).

**Glossary**

The following definitions are applied within this document:

“Leaders” will be used interchangeably with “staff, leaders and volunteers”. Leaders have signed a Code of Conduct, whereas attendees and wider community members have not. Thus, leaders are required to comply with this policy and procedure and all other adults in the church or community are strongly encouraged to comply.

“Statutory authority" includes: Child Protection (Department of Health and Human Services), Police, Commission for Children and Youth People (CCYP).

“Perpetrator” means a person who does a harmful or illegal act, such as sexual abuse. “Victim” means a person who has been harmed by another person.

“Sexual Abuse” means any non-consenting sexual acts, sexual activity when unable to give informed consent and/or being pressured into consenting.