



**uniting
church**
in Australia,
Synod of NSW & ACT

Reportable Conduct Policy Synod of NSW & ACT

This policy applies to all Synod entities other than those which require a specific tailored policy. In particular, it is for Ministers, Ministry of Pastor, Lay Leaders, Employees, Volunteers and Members of Councils in a Congregation, Parish Mission or Presbytery of the Uniting Church, Synod of NSW and the ACT.

Title:	Reportable Conduct Policy
Creation Date:	20 July 2020
Version	2
Last Revised	December 2020
Approved by:	Synod Standing Committee 143/20SC
Approval date:	4 December 2020
Approved by:	Synod Board SB/22-2/30
Approval date:	15 March 2022

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Reportable Conduct Policy Synod of NSW and the ACT

1. Introduction

- 1.1 We keep children safe first and foremost because of our understanding of God's will for love and justice. The protection of children and young people is the responsibility of everyone who is employed or engaged by the Uniting Church in Australia Synod of NSW and the ACT to provide services, including its staff, officers, ministers, religious leaders, contractors and volunteers. We all share responsibility for promoting the wellbeing and safety of children, and we will do whatever is in our power to safeguard children from all forms of abuse.
- 1.2 Keeping children safe is a priority for the Uniting Church. The implementation and adoption of policy is a practical response to a range of safeguarding standards and regulations. This includes the *Children's Guardian Act 2019 (NSW)* which has established a Reportable Conduct Scheme administered by the Office of the Children's Guardian in NSW and the *Ombudsman Act 1989* administered by the Ombudsman of the ACT.
- 1.3 The Reportable Conduct Schemes in NSW and the ACT are allegation-based schemes that provide a framework for the oversight of how to respond to reportable allegations against 'employees' of the Uniting church. The definition of 'employee' for the purpose of reportable conduct is provided in the NSW and the ACT Guidelines, but at least includes all people who work with children whether in paid or unpaid roles.
- 1.4 Various Synod Bodies are required to have their own specific tailored child protection policies and systems and operate under those. This policy applies to all other Synod entities.

2. Purpose

- 2.1 The purpose of this policy is to ensure that the Uniting Church complies with its obligations under the Reportable Conduct Schemes in NSW and the ACT.
- 2.2 The General Secretary, as head of entity, is responsible for ensuring compliance by the Uniting Church with its obligations under the Reportable Conduct Schemes in both NSW and the ACT.
- 2.3 Everyone involved in the Uniting Church has a role to play to ensure children are safe and protected and are expected to appropriately disclose allegations of reportable conduct to the General Secretary.

3. Reportable Conduct and Related Policies

- 3.1 The Uniting Church has policies and practices that take a preventative approach to keeping children safe, and for the early identification and response to reportable conduct and any other form of mistreatment of children. Such policies and practices include the:
 - National Child Safe Policy Framework
 - Synod Child Safe Policy
 - Person of Concern Policy and Guideline
 - Synod Mandatory Reporting Policy and Guidelines
 - Working with Children Check/Working with Vulnerable People Check Guidelines
 - Synod Background Check Policy
 - Codes of Conduct for Ministers and Laypeople
 - Synod Volunteer Policy.

4. Reportable Conduct Guidelines for NSW and the ACT

- 4.1 Legislation, definitions and procedures differ across the Synod depending on whether the reportable conduct occurs in NSW or the ACT. Synod guidelines for each state/territory are provided to assist in the effective application of the laws in NSW or the ACT.

Both guidelines can be found on the Synod website at <https://nswact.uca.org.au/safe-church-unit/reportable-conduct/>

5. Procedures for Notifying a Reportable Allegation

- 5.1 Although the legislation in NSW and the ACT differs, in each case the notification process for reportable conduct is via the Synod. Any person who becomes aware of a reportable allegation or conviction must report such information to the General Secretary.
- 5.2 Reportable conduct matters are to be kept strictly confidential and only reported according to the Synod Process. The matter is only to be raised with the employee by the General Secretary or their delegate.
- 5.3 The Synod strongly encourages anyone with concerns about the conduct of an employee or church worker or any concern relating to the safety or security to children to make a report.

This can occur by:

- Directly contacting the General Secretary Synod of NSW and the ACT: generalsecretary@nswact.uca.org.au or via mail: Addressed as “Confidential” to:

General Secretary,
Uniting Church Synod of NSW and the ACT,
PO Box A2178,
Sydney South NSW 1235.
 - For members of our church community who are unable to report directly to the General Secretary, should make a report using Speak Out, which is the Synod’s independent reporting system. The reporting through Speak Out is confidential and can be anonymous. Only those who need information to investigate and resolve a matter have access to the report. Call the Speak Out hotline 1800 951 145 or complete the [Speak Out Form](#) on the Synod website.
- 5.5 If the person has information of a reportable allegation involving the General Secretary of the Uniting Church, the person may directly notify the Moderator:
- In writing addressed to the Moderator in a sealed envelope marked Private and Confidential - Reportable Conduct at:

Uniting Church Synod of NSW and the ACT
PO Box A2178
Sydney South NSW 1235

6. Head of Entity’s Response to a Reportable Allegation

The General Secretary will:

- Appropriately report all reportable allegations and convictions for the jurisdiction

- Plan and initiate an investigation of the matter. The investigation will be conducted according to the principles of natural justice. Employees will be advised of the allegation where this is deemed not to compromise the investigation, and in line with the requirements of the jurisdiction
- Document a risk assessment to minimise any risk to:
 1. the child(ren) who are the subject of the allegation, and any other children
 2. the employee against whom the allegation has been made
 3. the church and congregation
 4. other people involved
 5. the proper investigation of the allegation
 6. Other investigations (e.g. Police).

The risk assessment will be reviewed as needed, and particularly at the end of the investigation.

The employment implications for the employee who is subject to an allegation will be determined in the risk assessment. This includes measures during the investigation, and after a finding is made. The measures will be considered so that all parties are protected, while taking the least interventionist approach to fully managing the risks.

7. Support for those involved in a Reportable Conduct Allegation

The Synod has services in place to support:

- employees who have had allegations made against them
- children involved in an investigation
- parents who have complained about an employee or whose child is involved in the investigation
- staff who have been involved in the investigative process.

Contact the safe church Unit for more information at: safechurch@nswact.uca.org.au or the Synod EAP provider Benestar listed on [the Synod website](#).

8. Relevant Legislation

[Children's Guardian Act 2019](#) (NSW)

[Children and Young People Act 2008](#) (ACT)

9. Related Synod Documents

Reportable Conduct Guideline for NSW

Reportable Conduct Guideline for the ACT

Mandatory Reporting Guideline for NSW

Mandatory Reporting Guideline for the ACT

Guideline - Working with Children Check in NSW

Guideline - Working with Vulnerable People in the ACT

10. Policy Review

This policy is to be reviewed annually by Synod Risk & Compliance and amendments approved by the Synod Governance Oversight Committee (SGOC).