

## **WESTCITY CHURCH**

### **POLICY DOCUMENTATION**

# **MANDATORY REPORTING POLICY**

#### **The Goal**

The purpose of the Mandatory Reporting Policy, as part of the broader Westcity Healthy Church Framework, is to ensure that the Westcity community volunteers are empowered in a way that is congruent with Westcity mission and values, whilst adhering to relevant Child Protection Reporting legislation and Churches of Christ WA guidelines.

#### **The Vision**

Westcity Church, within the Healthy Church Framework seeks to be an authentic, healthy church community that supports the work of the Holy Spirit in transforming individuals to become 'More like Jesus'. The Westcity community aspires to be a safe space where individuals in all stages of faith are able to rest, heal, grow, to recognize and practice their God given gifts and talents to the benefit of the wider community.

**Table of Contents.....**

1. Introduction .....	3
2. Definitions .....	3
3. Creating a Safe Learning and Working Environment .....	4
4. When is a Child in Need of Protection?.....	4
5. Mandatory Reporting Obligations – Child Abuse.....	5
6. Investigation .....	6
7. Pastoral Care .....	8
8. Publication and Distribution .....	8
9. Review of Policy .....	8

WESTCITY Church is committed to providing all children and people within the Westcity community with a safe, supportive and caring learning and working environment. The Church expects everyone who is part of the Church community to honour the Church's commitment in this Policy and to work with the Church in achieving a safe learning and working environment. This Policy applies to behaviour, even if it occurs off church premises and outside of church hours where, in the Westcity Board and Lead Pastor's reasonable opinion, there is a connection between one or more of those involved and the Church.

## 1. INTRODUCTION

This policy accords with the Vision, Mission and Values of WESTCITY Church, in particular:

*Vision:* Love God, Love People, Follow Jesus

*Mission:* His Vision, Our Mission.

God has a vision for this world; He always has. That it be good, that creation be free from the ravages of sin and violence that have resulted from our rebellion. That God is working through a people united in Jesus to show the world what it will fully become one day.

## 2. DEFINITIONS

### Child Protection Reporting Obligations

This principle covers **mandatory reporting**, for those professions and roles that are defined by law, and the moral and legal responsibility that all adults have to report all types of known or possible child abuse, where there is a reasonable belief that a physical or sexual offence has occurred or may be committed against a child.

### Reasonable Belief

A person may form a belief on reasonable grounds, through disclosure by the child or a third party or personal observation of indicators that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk.

### Sexual harassment

Occurs if a person makes an unwelcome sexual advance or an unwelcome request for sexual favours or engages in other unwelcome conduct of a sexual nature and a reasonable person in the circumstances would have anticipated that the person harassed would be offended, humiliated or intimidated.

Examples include:

- unwelcome touching or brushing against a person;
- whistling, gesturing or making comments that are sexually explicit and offensive;
- showing material of a sexual nature;
- making comments about a person's sexuality;
- unwelcome conversations of a sexual nature; obscene language of a sexual nature; telling jokes of a sexual nature;
- sexual exhibitionism;
- mature persons expressing sexual feelings for an underage young person;
- underage young person expressing sexual feelings for a mature person; and
- deliberate exposure to sexual behaviour of others.

NB: Mature person refers to person 18 and above; under age person refers to person under 16 years.

### **3. CREATING A SAFE COMMUNITY & WORKING ENVIRONMENT**

The Church must develop strategies to create a safe learning and working environment within the Church. To do this:

1. Staff, volunteers and where possible, church members, must become familiar with these strategies.
2. All allegations of abuse must be taken seriously.
3. The strategies developed by the Church must be monitored continuously and reviewed regularly.
4. The Church must provide professional development to meet the needs of the staff in implementing this Policy.
5. The Executive Leader must promote this Policy within the Church, with particular regard to the professional development needs of staff; and monitor the strategies.
6. Staff must model and promote appropriate behaviour, be aware of the legislative requirements and reporting processes relating to mandatory reporting; and ensure that claims of abuse are speedily and constructively reported and addressed according to this Policy and the strategies developed under it.

### **4. WHEN IS A CHILD IN NEED OF PROTECTION?**

A child or vulnerable person is in need of protection if any of the following grounds exist—

- a. the child has been abandoned by his or her parents;
- b. the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;
- c. the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- d. the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- e. the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- f. the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care;
- g. the child or vulnerable person has suffered, or is likely to suffer, bullying, image-based abuse or similar harm of such a kind that the vulnerable person's emotional or intellectual development is, or is likely to be, significantly damaged;
- h. the vulnerable person has suffered, or is likely to suffer financial abuse or similar harm of such a kind that the vulnerable person's financial position is, or is likely to be, significantly damaged;
- i. the child or vulnerable person has suffered, or is likely to suffer spiritual abuse or similar harm of such a kind that the vulnerable person's emotional or intellectual development is, or is likely to be, significantly damaged.

## 5. MANDATORY REPORTING OBLIGATIONS - CHILD ABUSE

Child abuse, especially sexual abuse of a child must be reported, where a reasonable belief is held that the child concerned has been abused, is being or is likely to be abused. A responsible adult can come to a reasonable belief through:

- Disclosure by a child about abuse to him or herself.
- Disclosure by another child or an adult about abuse to a child, or
- Direct observation of the abuse or evidence of it by the reporting adult.

### 5.1 Abuse of a Child Outside of the Church

If a child attending Westcity Church discloses abuse against them or to another child by a person **outside of the Westcity community**, then the procedures outlined below must be followed. All such disclosures should be written up on a COCWA Incident / Injury Form (see Appendix) and the Executive Leader informed. However, it is the duty of the person to whom the disclosure was made to report the matter to either the Police or Child Protection Services (DHHS), following the Reporting Procedure, in liaison with the Executive Leader. The church leadership may also decide to make a report.

In this context, ***no further investigation by the church is required***. However, all reasonable steps to protect the child from harm should be taken.

### 5.2 Abuse of a Child by a Westcity Employee, Volunteer or Community Member

In the case of an allegation being made against a staff member, volunteer, community member, leader or contractor at Westcity Church, the Executive Leader will follow the Reporting Procedure in the Appendix and notify both the Board and either the Police (if the matter is deemed severe or criminal) or the Department of Child Protection WA (DCP) and follow all government mandatory reporting requirements [Mandatory reporting of Child Sexual Abuse | Western Australian Government \(www.wa.gov.au\)](#).

# MANDATORY REPORTING PROCESS

## Step 1. INCIDENT SUMMARY

Ensure that the details of the allegation are recorded on a church COCWA Incident/Injury Reporting Form, and the Executive Leader is informed. If the victim or mandatory reporter are not willing or able to fill out the Form, the Executive Leader (or other leader) may take notes and fill out the form at a later time. The Executive Leader will share the allegation with the Board. A copy of this Form must be kept by the Executive Leader. The complainant may keep the original. This is an essential record of the event.

Executive Leader to report the matter to the Police, if serious. Any person who believes a child is at immediate risk of abuse should telephone 000. Penalties may be incurred by those named as 'mandatory reporters' if they fail to notify the Child Protection agency if they have reasonable grounds for a belief (not proof) that a child or young person is in need of protection, because they have suffered, or are likely to suffer significant harm, particularly physical or sexual abuse.

If a child is concerned about their own safety or the safety of another person, the child may speak to the Executive Leader. The Executive Leader will meet with the complainant, and hear the story, taking notes and seeking clarification, ensuring that the complainant feels listened to, understood and protected. (Some complaints may be able to be dealt with at this time, where there is misunderstanding, a lack of evidence of any abuse or no reportable act has been committed.)

## Step 2. WITHDRAW STAFF/LEADER

Executive Leader to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

## Step 3. NOTIFY DCP

Notify the DCP in accordance with the Reportable Conduct Scheme guidelines, that is, within three (3) working days. The following information required when making a formal report to either the Police or DCP

- The child's name, age (date of birth is preferable) and address
- The name, age and address of any known siblings
- Your reasons (observations or disclosures) for believing that the child is at risk of abuse, or actually being abused or neglected
- Your assessment of the immediate danger to the child
- Current whereabouts of the child or vulnerable person (if not in the home)
- Your description of injuries or 'sign' behaviours you have observed
- Any other information you may have of relevance to the investigation
- Information link for all States/Territories  
<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

Child Protection Services (Ring 1800 273 889) Contact Details ([dcp.wa.gov.au](http://dcp.wa.gov.au))

[Mandatory reporting of Child Sexual Abuse | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au)

#### **Step 4. TIME SENSITIVITY**

The investigation process should be completed within 30 days of notification, and the report of the investigation, including findings and actions taken (or decision not to act) will be sent to the DCP. In some cases, it may be appropriate to bring in an investigator from outside the church, to avoid conflicts of interest. If the case has been reported to authorities, investigations by Westcity should only be conducted when the authorities have approved this investigation.

#### **Step 5. CONTACT INSURER**

When a report is made, the Board will contact the insurer.

#### **Step 6. INVESTIGATION**

*This section of the Policy applies unless an investigation is being carried out by the Police, Community Services, the Ombudsman or some other state or federal authority.*

The Executive Leader must investigate all reports of abuse, in a way which affords procedural fairness to the person who is the subject of the allegation ("the subject"). This means that, before completing an investigation of an allegation of abuse, the Executive Leader must inform the subject of the substance of the allegation against them and provide them with a reasonable opportunity to put their case forward (if required by the subject, with the assistance of a support person of the subject's choice). Normally, the Executive Leader is to decide the timing and the particular form this will take, ensuring the investigation is not compromised.

It also means that the Executive Leader must:

1. Act fairly and without bias;
2. Conduct an investigation without undue delay;
3. Ensure the case is not investigated or determined by someone with a conflict of interest;
4. Ensure the outcome is supported by evidence;
5. Take steps to maintain confidentiality for the sake of all parties involved in the investigation.

At the conclusion of the investigation, the Executive Leader may:

1. If the breach is minor, resulting from a misunderstanding of how certain words or behaviour were understood, require from the subject:
  - a. an apology;
  - b. and/or a commitment not to repeat the offence
2. If it is more serious, require from the subject:
  - a. an undertaking to attend counselling and/or training;
  - b. and/or a written apology;
  - c. and/or a commitment not to offend again.
3. In the most serious case:
  - a. where the subject is a member of staff, suspend or terminate their employment;
  - b. must advise the victim and the subject in writing of the result of the investigation and the action taken.
  - c. If the victim of the abuse is unhappy with the conduct or result of investigation, they may take their complaint to any relevant authority depending on the circumstances.

### **Step 7. PASTORAL CARE**

The Church must:

1. Where an underage young person is the victim of the alleged abuse, the Executive Leader must as soon as possible advise the young person's parents or caregivers of the nature of the allegations and of the proposed investigation.
2. Make available counsellors to provide counselling and other support as required to those who have been subjected to any form of abuse and, where relevant, their families;
3. Refer people to external agencies able to provide care and support for victims of the particular type of abuse involved;
4. Provide counselling and other support as required to students and staff who have been subjected to allegations of abuse and, where relevant, their families.

### **Step 8. PUBLICATION & DISTRIBUTION**

This Policy must be promoted to the Church community and maintained in the following ways:

1. A summary of the policy will be published in the Church's team member handbook.
2. There will be a full review of the policy one per year at a staff development day.
3. This Policy must also be given to all new staff who must, as part of their contract of employment, agree to its terms.
4. This Policy must be given to all members of the Board.

### **Step 9. REVIEW OF POLICY**

The Executive Leader is to ensure that this policy is regularly monitored and revised in the light of legislative or best practice changes.

In any event, the Board is to review this policy every three years.