



Anglican Church of Australia

Policy

for Safe Ministry in a parish where there is a risk of sexual abuse by a Person of Concern

*Helping to ensure the safety of adults and children
where a Person of Concern is currently participating
or wishes to participate in the life of a parish*

© The Anglican Church of Australia Trust Corporation, 2017

This work is copyright. Apart from its use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the General Secretary of the General Synod of the Anglican Church of Australia.

Enquiries should be directed to:

The General Secretary
Anglican Church of Australia
General Synod Office
Suite 4, Level 5
189 Kent Street
Sydney NSW 2000

generalsecretary@anglican.org.au

Contents

1. Introduction	5
2. Key Terms	6
3. Key Features	9
4. Key Roles	11
5. Process	13
<i>STAGE 1 Identify a Person of Concern</i>	<i>13</i>
<i>STAGE 2 Notify the Director of Professional Standards</i>	<i>13</i>
<i>STAGE 3 Develop an Interim Safety Plan</i>	<i>14</i>
<i>STAGE 4 Decide whether to proceed further</i>	<i>15</i>
<i>STAGE 5 Conduct the necessary assessments</i>	<i>17</i>
<i>STAGE 6 Establish the necessary safeguards</i>	<i>20</i>
<i>STAGE 7 Monitor the arrangements made</i>	<i>21</i>
6. Legal Framework	27
Appendix A: Flow Chart of Stages 1-4 of the Process	29
Appendix B: Flow Chart of Stages 5-7 of the Process	30

1. Introduction

The purpose of this policy is to help ensure that, where a *Person of Concern* is currently participating or wishes to *participate in the life of a parish*, people in the parish are not placed at increased risk of being sexually abused.

This policy:

- replaces and updates Guidelines for Parish Safety where there is a Risk of Sexual Abuse by a Person of Concern—guidelines that were recommended by the Standing Committee of the General Synod in October 2009; and
- should be read in conjunction with the associated Checklist for adoption and implementation by a Diocese.

Under legislation requiring mandatory reporting of child abuse, the *Director of Professional Standards*, the *Minister*, a Churchwarden or a member of the *Parish Accountability Group* may have an obligation to report information about a *Person of Concern* to the applicable authority in their jurisdiction. This policy does not remove this obligation.

Key terms are defined in Section 2 and are italicised.

Section 3 sets out key features of a process for safe ministry with *Persons of Concern* and Section 4 summarises the roles of key participants in the process.

Section 5 outlines in detail the process to be followed before a *Person of Concern* can participate or continue to *participate in the life of a parish*. This process consists of seven stages:

- 1 Identify a *Person of Concern*;
- 2 Notify the *Director of Professional Standards*;
- 3 Develop an *Interim Safety Plan*;
- 4 Decide whether to proceed further;
- 5 Conduct the necessary assessments;
- 6 Establish the necessary safeguards; and
- 7 Monitor the arrangements made.

The legal framework within which this policy operates is set out in Section 6.

2. Key Terms

Alternative Ministry includes the identification of:

- a parish in whose life the *Person of Concern* may participate; or
- a member of the clergy who can provide pastoral ministry to the *Person of Concern*.

Bishop means the Bishop of the Diocese or their delegate.

Church means the Anglican Church of Australia.

Diocesan Accountability Panel or **DAP** means a panel of people with appropriate qualifications and experience appointed by the *DPS* to provide training and support and as required to become members of the *Parish Accountability Group*.

Diocesan Advisor is a person or body with appropriate qualifications and experience in the management of the risk of harm to people by *Persons of Concern*. The *Diocesan Advisor* is appointed by the *Bishop*. The Professional Standards Committee of the Diocese may act as the *Diocesan Advisor*.

Director of Professional Standards or **DPS** means the Director of Professional Standards or their delegate.

Expert Assessment of the *Person of Concern* is undertaken by a professional with appropriate qualifications and experience, usually a forensic psychologist or forensic psychiatrist, accredited by the *Bishop*. The Assessment should include identification of factors increasing the likelihood of the *Person of Concern* offending or reoffending, and may take into account information obtained from external sources such as sentencing comments, parole report, etc.

Interim Safety Plan is a document that specifies what is required to protect people in the parish during the *Process of Assessment*. The *Interim Safety Plan* should, as a minimum, state the conditions for participation of the *Person of Concern* in the life of the parish OR direct the *Person of Concern* not to participate in the life of the parish until the *Process of Assessment* is completed.

Minister means the incumbent of the parish by whatever name the person holding the office is called, such as rector, vicar or priest-in-charge.

Parish Accountability Group is appointed by the *Minister* and Churchwardens following consultation with the *Person of Concern* and the *DPS*. The *Parish Accountability Group* will implement the *Safety Agreement* or *Safety Plan* by monitoring the *Person of Concern* while he or she participates in the life of the parish, holding the *Person of Concern* accountable and supporting/helping the *Person of Concern* manage his or her personal risks and behaviour. The function of the *Parish Accountability Group* will vary according to the *Person of Concern's* level of risk, their offending history and the information gathered. It is not the role of the *Parish Accountability Group* to provide pastoral support.

Parish Council means the parish council or representatives of the parish council or the *Minister* and the Churchwardens if there is no separate parish council.

Participate in the life of a parish means attending public worship and/or otherwise participating in activities in a parish.

Person of Concern is a person whose presence constitutes a risk of sexual abuse to people in the parish and may include one or more of the following:

- a person who has pleaded guilty to, has been convicted of, or has admitted to having committed, a sexual criminal offence; or
- a person who is currently charged with a sexual criminal offence; or
- a person who has been disciplined or had other action taken against them under a disciplinary or professional standards process of the *Church* because of *Sexual Misconduct*, or who has been refused ordination, employment or appointment in the *Church* because of an adverse risk assessment arising from *Sexual Misconduct*; or
- a person against whom allegations of *Sexual Misconduct* are currently being dealt with under a disciplinary or professional standards process of the *Church*; or
- a person who has been disciplined by an organisation other than the Anglican Church of Australia for *Sexual Misconduct*; or
- a person who, as a result of *Sexual Misconduct*, has received an adverse risk assessment from a professional with appropriate qualifications and experience in accordance with the requirements of another church or a statutory authority; or
- a person who has received or is receiving treatment for disordered sexual behaviour.

Process of Assessment is the process specified in this policy for assessing whether a *Person of Concern* can *participate in the life of a parish*.

Safety Agreement is a written agreement between the *DPS* on behalf of the Diocese, the *Minister* and Churchwardens on behalf of the parish and the *Person of Concern*, and specifies the terms for the participation of the *Person of Concern* in the life of the parish. The *Safety Agreement* should, as a minimum, state:

- the conditions for participation of the *Person of Concern* in the life of the parish;
- any additional conditions (e.g. an obligation to undertake child protection training);
- the consequences of any breach of the Agreement by the *Person of Concern*; and
- what information should be released to whom.

A *Safety Agreement* must include a process for advising a new *Minister* and new Churchwardens in the parish of the existence and terms of the Agreement.

Safety Plan is a document that specifies the terms for the participation of the *Person of Concern* in the life of the parish if it is impractical to enter into a *Safety Agreement* (such as when a *Person of Concern* has an intellectual disability). The *Safety Plan* should, as a minimum, state:

- the conditions for participation of the *Person of Concern* in the life of the parish;
- any additional conditions (e.g. an obligation to undertake child protection training);
- the consequences of any breach of the Plan by the *Person of Concern*; and
- what information should be released to whom.

A *Safety Plan* must include a process for advising a new *Minister* and new Churchwardens in the parish of the existence and terms of the Plan.

Situational Assessment is an assessment of the parish by the *DPS*.

Sexual Misconduct includes sexual abuse of a child and sexual abuse of an adult as defined in Faithfulness in Service.

3. Key Features

1. The *Church* is committed to the physical, emotional and spiritual wellbeing of all people, including any survivors of sexual abuse (whether known or unknown), who *participate in the life of a parish*.
2. When a *Person of Concern* participates in the life of the parish, the endeavour to meet this commitment raises complex issues which may not be appreciated by the *Person of Concern*, or the parish. It is essential that the Diocese, through the *Director of Professional Standards (DPS)*, is involved in decisions about the participation of a *Person of Concern* in the life of the parish. This will help ensure that people in the parish are protected from the risk of harm.
3. A *Person of Concern* can be invited to *participate in the life of a parish* provided that both the *Person of Concern* and the *Parish Council* are willing to proceed with the *Process of Assessment*, and the *Person of Concern* is willing to meet its requirements. The *DPS* will issue such an invitation only when an *Expert Assessment* of the *Person of Concern* (if necessary) and a *Situational Assessment* of the parish indicate that participation is appropriate and there is either a *Safety Plan* in place or the *Person of Concern* has signed a *Safety Agreement*.
4. The *DPS* must be included in the *Process of Assessment* because of the complexity of the issues. The *DPS* will inform the *Bishop* of:
 - the *Process of Assessment* and its outcome; and
 - the implementation or termination of a *Safety Agreement* or *Safety Plan*.
5. An *Expert Assessment* of a *Person of Concern* must be carried out by an accredited professional with appropriate qualifications and experience.
6. If any ONE or more of the following conditions applies, the *Minister* and Churchwardens, as directed by the *Bishop*, must take whatever steps are necessary to minimise the risk of harm to people in their parish:
 - A *Person of Concern* OR the parish does not wish to proceed with the *Process of Assessment*; or
 - The *Process of Assessment* indicates that it is inappropriate for the *Person of Concern* to participate in the life of the parish; or
 - The *Person of Concern* refuses to sign a *Safety Agreement*; or
 - The *Person of Concern* breaches an *Interim Safety Plan* OR a *Safety Plan* OR a *Safety Agreement*.

The steps to be taken may include directing the *Person of Concern* not to participate in the life of the parish. If such a direction is made, the *Minister* will discuss with the *Bishop* what form of *Alternative Ministry* will be offered to the *Person of Concern*.

7. If a *Person of Concern* is currently participating or seeks to *participate in the life of a parish*, the *Minister* and Churchwardens need to consider what degree of disclosure is appropriate to protect both people in the parish and the *Person of Concern*. This will arise at the following stages in the process under this policy:
 - when the *Interim Safety Plan* allows the *Person of Concern* to participate in the life of the parish (Stage 3 or 7); or
 - when the *DPS* decides that the *Person of Concern* may participate in the life of the parish (Stage 5).

Information should only be disclosed to the extent necessary for the proper implementation of this policy. The *Minister* and Churchwardens should take into account the following:

- the degree of risk of harm to people in the parish;
- the people who are at risk of harm;
- the importance of allowing people to make an informed decision of the extent of their own participation or that of their children in the life of the parish. (This factor will have greater weight when there is a specific risk to particular people, such as when the *Person of Concern* has been found guilty of or has been accused of sexually abusing children of a particular gender and age); and
- the extent to which the identity of, and information about, the *Person of Concern* is known publicly (such as through media reports).

Every disclosure of information should be made in a non-sensational manner and with careful consideration of the words used.

4. Key Roles

In consultation with the *Diocesan Advisor*, the **Director of Professional Standards** exercises major responsibility on behalf of the Diocese in the implementation of this policy. The role of the *DPS* includes, but is not limited to:

- confirming that a specific person is a *Person of Concern*;
- managing the process of obtaining formal assessments of *Persons of Concern* and of parishes in which they do, or wish to, participate and communicating the outcomes of those assessments to the relevant parties;
- deciding, on the basis of those assessments, whether a specific *Person of Concern* can participate in the life of a specific parish;
- assisting *Ministers* and Churchwardens to develop and implement *Interim Safety Plans, Safety Plans and Safety Agreements*;
- ensuring that *Parish Accountability Groups* have the necessary training and support; and
- monitoring the effective implementation of *Interim Safety Plans, Safety Plans and Safety Agreements* and dealing, as required, with any confirmed breaches by *Persons of Concern*.

The **Parish Council** decides whether to proceed with the *Process of Assessment* and, if it does, is kept informed by the *DPS* of the outcome. If it does not agree to proceed with the *Process of Assessment*, the *Parish Council* will in effect prevent a *Person of Concern* being allowed to participate in the life of the parish.

The **Minister** together with the **Churchwardens** is responsible for the implementation of this policy in a parish. When required, the *Minister* consults with the *Bishop* about the appropriate form of *Alternative Ministry* to be offered to a *Person of Concern*.

The **Parish Accountability Group** is appointed by the *Minister* and Churchwardens and monitors the participation of a *Person of Concern* in the life of the parish, including whether the *Person of Concern* continues to meet the conditions of the *Safety Plan* or *Safety Agreement*.

The **Diocesan Accountability Panel** is appointed by the *DPS* and comprises people with appropriate qualifications and experience. Members of the Panel provide training and support to assist implementation of this policy and, when required, may become members of a *Parish Accountability Group*.

The **Diocesan Advisor**, who is a person or body with appropriate qualifications and experience in the management of the risk of harm to people by *Persons of Concern*, is

appointed by the *Bishop* and provides advice to the *DPS* about the implementation of this policy.

The policy requires the ***Person of Concern*** to co-operate with the process for determining and managing their participation in the life of the parish. The *Person of Concern* can terminate their involvement by:

- refusing to proceed with the *Process of Assessment*; or
- refusing to agree with the conditions of any proposed *Safety Plan* or *Safety Agreement*.

The ***Bishop*** receives information about *Persons of Concern* and, when required, provides advice about the form of *Alternative Ministry* to be offered to *Persons of Concern*. When required the *Bishop* will:

- ,decide whether a *Person of Concern* should continue to participate in the life of the parish;
- decide whether a *Safety Agreement* or *Safety Plan* should be terminated; and
- direct the *Minister* and Churchwardens to take whatever steps are necessary to minimise any risk of harm to people in the parish.

5. Process

There are 7 stages in the process:



Each stage is elaborated below.



STAGE 1 IDENTIFY A PERSON OF CONCERN

Minister or a Churchwarden

You may find out about a *Person of Concern* by receiving information from the Diocese, the *Person of Concern*, people in the parish or others.



STAGE 2 NOTIFY THE DIRECTOR OF PROFESSIONAL STANDARDS

Minister or a Churchwarden

As soon as practicable after you suspect or know that a *Person of Concern* is participating or wishes to participate in the life of the parish, notify the *DPS*. If you are unsure whether a person is a *Person of Concern*, consult the *DPS*.

If the person is not a *Person of Concern*, take no further action under this policy. Consider whether ongoing risk management action is required and, if you are unsure what to do, consult the *DPS*.

If at a later stage and because of new information you suspect or know that the same person is a *Person of Concern*, notify the *DPS*.

Director of Professional Standards

Make enquiries to determine whether the person is a *Person of Concern*, and advise the *Minister* and Churchwardens of the outcome of your enquiries.



STAGE 3 DEVELOP AN *INTERIM SAFETY PLAN*

Minister and Churchwardens

If you are advised by the *DPS* that a person is a *Person of Concern*, in consultation with the *DPS*, develop and put in place an *Interim Safety Plan*.

Developing an *Interim Safety Plan* is not an extended process. At a minimum, the *Interim Safety Plan* should be whatever is required to protect people in the parish from the risk of harm. It may include a direction that the *Person of Concern* does not participate in the life of the parish until the *Process of Assessment* is completed.

In consultation with the *DPS*, decide:

- who in the parish needs to be informed of the *Interim Safety Plan*;
- what information should be given; and
- whether that information should include the identity of the *Person of Concern*.

If the *Person of Concern* fails to comply with the *Interim Safety Plan*, inform the *DPS* as soon as practicable. Take whatever steps the *Bishop* directs you to take. This may include directing the *Person of Concern* not to participate in the life of the parish.

Minister

If the *Interim Safety Plan* includes a condition that the *Person of Concern* not participate in the life of the parish until the *Process of Assessment* is completed, inform the *Person of Concern* and, after consulting the *Bishop*, offer *Alternative Ministry* to the *Person of Concern*.

Director of Professional Standards

Assist the *Minister* and Churchwardens to develop and implement an *Interim Safety Plan* and to decide who in the parish should be informed.

If the *Person of Concern* fails to comply with the *Interim Safety Plan*, inform the *Bishop* and recommend what steps should be taken to minimise the risk of harm to people in the parish.

Bishop

If the *Person of Concern* fails to comply with the *Interim Safety Plan*, decide what steps should be taken to minimise the risk of harm to people in the parish and direct the *Minister* and Churchwardens to take those steps.



STAGE 4 DECIDE WHETHER TO PROCEED FURTHER

A *Person of Concern* cannot participate in the life of a parish on an ongoing basis unless he or she agrees to proceed with the *Process of Assessment*. In addition, the *Parish Council* needs to consider whether it has capacity to implement a *Safety Agreement* or *Safety Plan* to enable the *Person of Concern* to participate in the life of the parish.

The procedure for deciding whether to proceed with the *Process of Assessment* has the following components:

Director of Professional Standards

Meet with the *Person of Concern* to explain the *Process of Assessment* and the likely implications for the *Person of Concern* if participation in the life of the parish is approved.

If the *Person of Concern* is willing to proceed with the *Process of Assessment*, meet with the *Parish Council* to explain the *Process of Assessment* and the likely implications for the parish if participation by the *Person of Concern* in its life is approved. Ascertain the view of the *Parish Council* as to whether there should be an *Expert Assessment* of the *Person of Concern*.

If the *Person of Concern* is not willing to proceed with the *Process of Assessment*, inform the *Minister*.

If the *Parish Council* is not willing to proceed with the *Process of Assessment*, inform the *Person of Concern*.

If either the *Person of Concern* or the *Parish Council* is not willing to proceed with the *Process of Assessment*, inform the *Bishop* and recommend what steps should be taken to minimise the risk of harm to people in the parish.

If both the *Person of Concern* and the *Parish Council* are willing to proceed with the *Process of Assessment*, arrange an *Expert Assessment* of the *Person of Concern* (if necessary) and a *Situational Assessment* of the parish.

Minister and Churchwardens

If the *Person of Concern* is willing to proceed with the *Process of Assessment*, arrange for the *DPS* to meet with the *Parish Council* to explain the *Process of Assessment* and the likely implications for the parish if the participation of the *Person of Concern* in its life is approved.

If either the *Person of Concern* or the *Parish Council* is not willing to proceed with the *Process of Assessment*, take whatever steps the *Bishop* directs you to take. This may include directing the *Person of Concern* not to participate in the life of the parish.

Parish Council

Determine your view as to whether an *Expert Assessment* of the *Person of Concern* is required. Decide whether the parish has the capacity to implement and monitor a *Safety Agreement* or *Safety Plan* to enable the *Person of Concern* to participate in the life of the parish.

Minister

If either the *Person of Concern* or the *Parish Council* is not willing to proceed with the *Process of Assessment* and the *Bishop* requires you to direct the *Person of Concern* not to participate in the life of the parish, after consulting the *Bishop*, offer *Alternative Ministry* to the *Person of Concern*.

Bishop

If either the *Person of Concern* or the *Parish Council* is not willing to proceed with the *Process of Assessment*, decide what steps should be taken to minimise the risk of harm to people in the parish and direct the *Minister* and Churchwardens to take those steps.



STAGE 5 CONDUCT THE NECESSARY ASSESSMENTS

Assessment of the Person of Concern

Director of Professional Standards

After consulting the *Diocesan Advisor* and taking into consideration the view of the *Parish Council*, decide whether an *Expert Assessment* of the *Person of Concern* is required. It may not be required, for example, when the *Person of Concern* is perceived to represent a low risk of harm to people in the parish.

If an *Expert Assessment* is required, either obtain one that is current—exercising your judgement on the matter of currency—or arrange for an Assessment to be carried out and forwarded to you.

Assessment of the parish

Director of Professional Standards

Arrange for a *Situational Assessment* of the parish to be carried out.

The Assessment should address the following issues:

- Does the parish have the capacity to manage the *Person of Concern*?
- What safe ministry infrastructure currently exists in the parish?
- Are there suitable people willing to be members of any *Parish Accountability Group*?
- What activities does the *Person of Concern* want to be involved in? Do any of these activities involve children? Do any of these activities take place off site?

- What activities is the parish willing to have the *Person of Concern* involved in?
- Is any person in the parish a known survivor of abuse?
- Is a person in the parish a member of the family of a known survivor of abuse?
- Would the location or layout of the church buildings make monitoring of the *Person of Concern* difficult?
- What forms of support would there be for the *Person of Concern*?
- Are there any special circumstances, for example, the known presence of other *Persons of Concern*?

Outcome of the Assessments

Director of Professional Standards

Discuss the *Expert Assessment* and the *Situational Assessment* with the *Diocesan Advisor*. Then decide whether the *Person of Concern* may participate in the life of the parish and, if you decide they can, under what conditions.

Generally, the *Person of Concern* will not be permitted to participate in a leadership role such as reading the Bible or leading prayers in services, leading any youth or other group, or providing pastoral care. It is important to recognise that if a *Person of Concern* has a leadership role they will be perceived not to pose a risk to the safety of children and vulnerable adults.

You also need to decide:

- whether the *Person of Concern* should be required to sign a *Safety Agreement*, and if they should, the terms of that Agreement;
- whether the parish should devise a *Safety Plan*, and if they should, its terms; and
- whether the parish should form a *Parish Accountability Group*.

Keep a record of your decisions in writing.

If you decide that the *Person of Concern* **may participate** in the life of the parish, inform the *Minister* and Churchwardens and meet with the *Person of Concern* to explain the decision. Then, as arranged by the *Minister* and Churchwardens, explain the decision—and its implications—to the *Parish Council*. Your explanation should address the outcome of the *Expert Assessment*.

If you decide that the *Person of Concern* **may not participate** in the life of the parish, or the *Person of Concern* is not willing to accept the conditions for participation in the life of the parish, inform the *Minister* and Churchwardens. Inform the *Bishop* and recommend what steps should be taken to minimise the risk of harm to people in the parish.

Minister and Churchwardens

If the *DPS* decides that the *Person of Concern* **may participate** in the life of the parish, arrange with the *DPS* to explain the decision—and its implications—to the *Parish Council*. In consultation with the *DPS*, decide:

- who in the parish needs to be informed of the decision;
- what information should be given; and
- whether that information should include the identity of the *Person of Concern*.

If the *DPS* decides that the *Person of Concern* **may not participate** in the life of the parish, or the *Person of Concern* is not willing to accept the conditions for participation in the life of the parish, take whatever steps the *Bishop* directs you to take. This may include directing the *Person of Concern* not to participate in the life of the parish.

Minister

If the *DPS* decides that the *Person of Concern* **may not participate** in the life of the parish, or the *Person of Concern* is not willing to accept the conditions for participation in the life of the parish, after consulting the *Bishop*, offer *Alternative Ministry* to the *Person of Concern*.

Bishop

If the *DPS* decides that the *Person of Concern* **may not participate** in the life of the parish, or the *Person of Concern* is not willing to accept the conditions for participation in the life of the parish, decide what steps should be taken to minimise the risk of harm to people in the parish and direct the *Minister* and Churchwardens to take those steps.

STAGE 6 ESTABLISH THE NECESSARY SAFEGUARDS

Director of Professional Standards

Arrange for the signing of any *Safety Agreement* and provide copies to all parties. Alternatively, explain any *Safety Plan* to the *Minister* and Churchwardens and, if appropriate, to the *Person of Concern*. Let the *Bishop* know when any new *Safety Agreement* or *Safety Plan* is in place.

Provide training and support for the members of any *Parish Accountability Group*. Alternatively, arrange for someone from the *Diocesan Accountability Panel (DAP)* to provide the training and support.

(Note that any *Safety Agreement* or *Safety Plan* must include a process for advising a new *Minister* and new Churchwardens in the parish of the existence and terms of the Agreement or Plan.)

If the *Person of Concern* refuses to sign a *Safety Agreement*, inform the *Bishop* and recommend what steps should be taken to minimise the risk of harm to people in the parish.

Minister and Churchwardens

If a *Parish Accountability Group* is required, consult with the *DPS* and the *Person of Concern* concerning the suitability of potential members before finalising the membership. If a *Parish Accountability Group* is not required, discuss with the *DPS* how you will monitor the *Safety Agreement* or *Safety Plan*.

If the *Person of Concern* refuses to sign a *Safety Agreement*, take whatever steps the *Bishop* directs you to take. This may include directing the *Person of Concern* not to participate in the life of the parish.

Bishop

If the *Person of Concern* refuses to sign a *Safety Agreement*, decide what steps should be taken to minimise the risk of harm to people in the parish and direct the *Minister* and Churchwardens to take those steps.

STAGE 7 MONITOR THE ARRANGEMENTS MADE

Variation of any *Safety Agreement* or *Safety Plan*

Director of Professional Standards

At least once a year, review the operation of the *Safety Agreement* or *Safety Plan*.

If at any time you consider that the *Safety Agreement* or *Safety Plan* is inadequate to protect people in the parish from the risk of harm, or otherwise requires variation, consult with the *Diocesan Advisor*.

If after this consultation you decide that the *Safety Agreement* or *Safety Plan* should be varied, meet with the *Person of Concern*, the *Minister* and Churchwardens—and at their discretion the *Parish Council*—to explain your decision.

Inform the *Bishop* of the proposed changes.

Minister and Churchwardens

Do not vary the terms of the *Safety Agreement* or *Safety Plan* without the prior agreement of the *DPS*.

Make any changes to the *Safety Agreement* or *Safety Plan* that the the *Bishop* directs you to make, explain the changes to the *Person of Concern* and ensure that all parties sign and date the varied Agreement.

If necessary, arrange for the establishment, training and support of any *Parish Accountability Group*.

Bishop

If you are advised by the *DPS* that the *Safety Agreement* or *Safety Plan* needs to be varied, direct the *Minister* and Churchwardens to make the necessary changes.

Director of Professional Standards, Minister and Churchwardens, Bishop

If the *Person of Concern* refuses to sign the new or amended *Safety Agreement*, follow the procedure outlined under Stage 6 above that addresses this situation.

Variation of arrangements for support and accountability

Director of Professional Standards

At least once a year, review the operation of any *Parish Accountability Group*.

If at any time you consider that the *Parish Accountability Group* is not providing support and accountability to the *Person of Concern*, consult with the *Diocesan Advisor*.

If after this consultation you decide that the arrangements for providing support and accountability to the *Person of Concern* should be varied, meet with the *Person of Concern*, the *Parish Accountability Group*, the *Minister* and *Churchwardens*, and if required, the *Parish Council*, to explain your decision.

Inform the *Bishop* of the proposed changes.

Minister and Churchwardens

Make any changes to arrangements that the *Bishop* directs you to make and explain the changes to the *Person of Concern*.

Bishop

If you are advised by the *DPS* that the arrangements for providing support and accountability to the *Person of Concern* need to be varied, direct the *Minister* and *Churchwardens* to make the necessary changes.

Breach of a *Safety Agreement* or *Safety Plan*

Member of the Parish Accountability Group

If you know or reasonably suspect that the *Person of Concern* has breached the *Safety Agreement* or *Safety Plan* you must, as soon as practicable, notify the *Minister* or a *Churchwarden* with details of the breach or suspected breach. If you are unsure whether the *Person of Concern* has breached the

Safety Agreement or *Safety Plan*, then consult with the *Minister* or a Churchwarden.

Director of Professional Standards

If the *Person of Concern* breaches the *Safety Agreement* or *Safety Plan*, consult with the *Diocesan Advisor* and form an opinion as to whether the *Person of Concern*:

- may no longer participate in the life of the parish; or
- may be able to participate in the life of the parish after a further *Process of Assessment* is completed.

Minister and Churchwardens

If you know or reasonably suspect that the *Person of Concern* has breached the *Safety Agreement* or *Safety Plan* you must, as soon as practicable, notify the *DPS* with details of the breach or suspected breach.

Termination of a *Safety Agreement* or *Safety Plan*

Director of Professional Standards

If after consultation with the *Diocesan Advisor* you consider that the *Person of Concern* may no longer participate in the life of the parish because he or she has breached the *Safety Agreement* or *Safety Plan* or for any other reason (such as when the *Parish Accountability Group* is unable to provide support and accountability to the *Person of Concern*), inform the *Bishop* and the *Minister* and Churchwardens. Recommend to the *Bishop* what steps should be taken to minimise the risk of harm to people in the parish. Take whatever action the *Bishop* then directs you to take and inform the *Bishop* and the *Minister* and Churchwardens. Such action may include termination of the *Safety Agreement* or *Safety Plan*.

If the *Person of Concern* breaches the *Safety Agreement* or *Safety Plan* and after consultation with the *Diocesan Advisor* you decide that the *Person of Concern* may be able to participate in the life of the parish after a further *Process of Assessment* is completed and the *Person of Concern* agrees to a further *Process of Assessment*, terminate the *Safety Agreement* or *Safety Plan* and inform the *Bishop* and the *Minister* and Churchwardens. Assist the

Minister and Churchwardens to develop and implement an *Interim Safety Plan* and to decide who in the parish should be informed.

If after consultation with the *Diocesan Advisor* you decide at any time that the *Person of Concern* no longer constitutes a risk of sexual abuse to people in the parish (such as when a person is found to have made false allegations of a sexual criminal offence or *Sexual Misconduct*), terminate the *Safety Agreement* or *Safety Plan* and inform the *Bishop* and the *Minister* and Churchwardens.

Minister and Churchwardens

If a *Safety Agreement* or *Safety Plan* is terminated by the *DPS* at the direction of the *Bishop* because the *Bishop* decides for whatever reason that the *Person of Concern* may no longer participate in the life of the parish, take whatever steps the *Bishop* directs you to take. This may include directing the *Person of Concern* not to participate in the life of the parish.

If a *Safety Agreement* or *Safety Plan* is terminated by the *DPS* and the *DPS* decides that the *Person of Concern* may be able to participate in the life of the parish after a further *Process of Assessment* is completed and the *Person of Concern* agrees to a further *Process of Assessment*, develop and put in place an *Interim Safety Plan*. In consultation with the *DPS*, decide:

- who in the parish needs to be informed of the *Interim Safety Plan*;
- what information should be given; and
- whether that information should include the identity of the *Person of Concern*.

Take whatever steps are necessary to ensure the *Interim Safety Plan* is implemented and complied with (in accordance with the procedures in Stage 3). These steps may include a direction that the *Person of Concern* does not participate in the life of the parish during the *Process of Assessment*.

(Following this, a new *Safety Agreement* or *Safety Plan* may be established in accordance with the procedures in Stages 4, 5 & 6.)

If a *Safety Agreement* or *Safety Plan* is terminated by the *DPS* because the *DPS* decides that the *Person of Concern* no longer constitutes a risk of sexual abuse to people in the parish, take no further action under this policy. Consider

whether ongoing risk management action is required, and if you are unsure what to do, consult the *DPS*.

Minister

After consulting the *Bishop*, offer *Alternative Ministry* to the *Person of Concern* when either:

- the *Bishop* decides the *Person of Concern* may no longer participate in the life of the parish and directs the *DPS* to terminate the *Safety Agreement* or *Safety Plan*; or
- the *DPS* decides that the *Person of Concern* may be able to participate in the life of the parish after a further *Process of Assessment* is completed, terminates the *Safety Agreement* or *Safety Plan* and assists you and the Churchwardens to put in place an *Interim Safety Plan* that does not allow the *Person of Concern* to participate in the life of the parish during the *Process of Assessment*.

Bishop

If you decide that the *Person of Concern* may no longer participate in the life of the parish because he or she has breached the *Safety Agreement* or *Safety Plan*, or for any other reason, direct the *DPS* to terminate the Agreement or the Plan. In addition, decide what steps should be taken to minimise the risk of harm to people in the parish and direct the *Minister* and Churchwardens to take those steps.

Movement of a *Person of Concern* to another parish or denomination

Minister and Churchwardens

If you know or reasonably suspect that the *Person of Concern* has moved or is proposing to move to another parish or denomination, you must, as soon as practicable, notify the *DPS*.

Director of Professional Standards

If you become aware, whether through information received from the *Minister* or a Churchwarden or otherwise, or you reasonably suspect that the *Person of Concern* has moved, or is proposing to move, to another parish or denomination, then you must, as soon as practicable, contact the *Minister* and Churchwardens of the other parish, and their *Bishop*, or the people

responsible for safe ministry in that denomination. Inform them of the material facts relating to the *Person of Concern* and their participation in the life of the parish.

6. Legal Framework

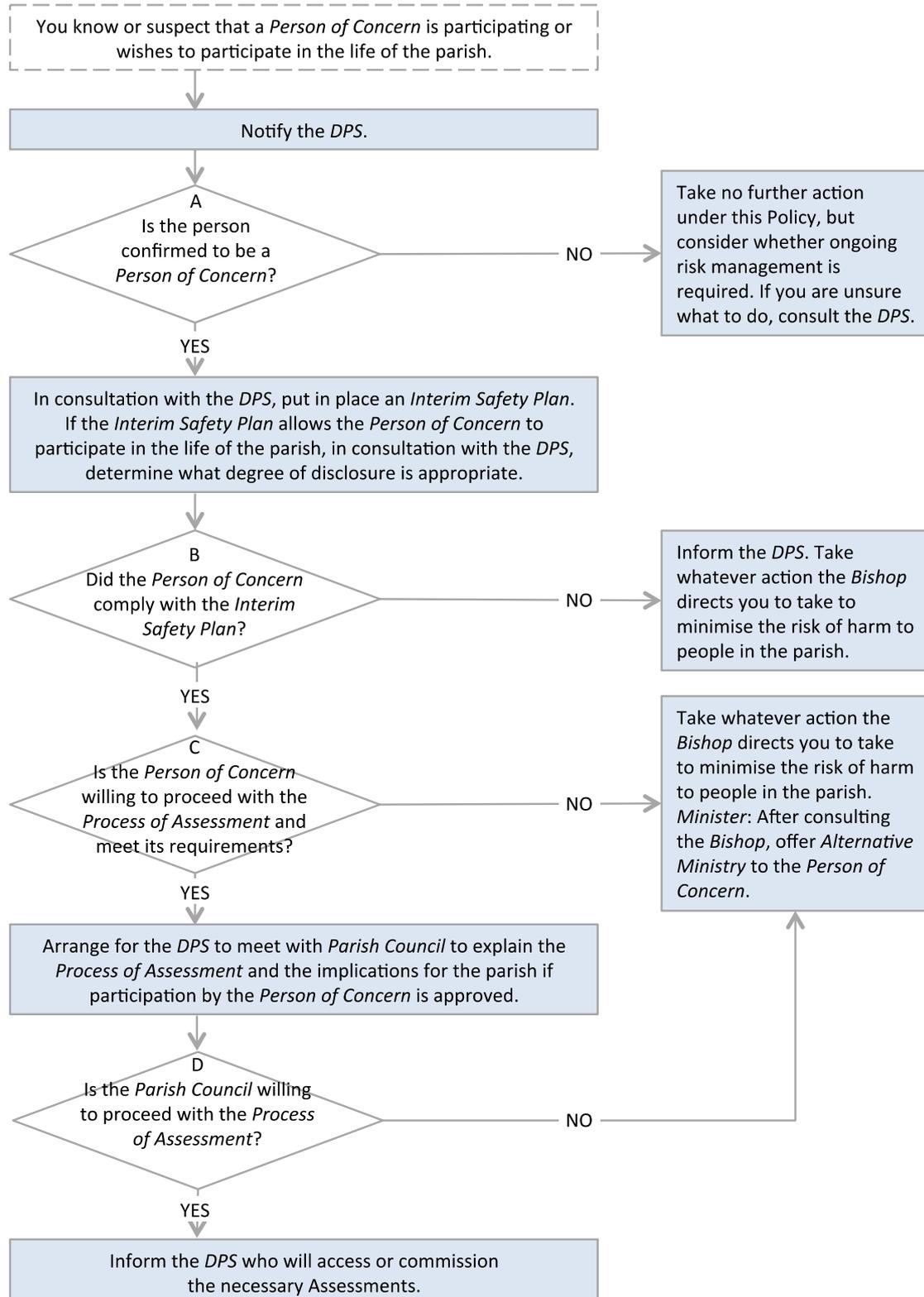
1. A *Person of Concern* may attend public worship and otherwise participate in the activities of a parish as a member of the *Church* or an attendee.
2. The right of a *Person of Concern*, whether as a member of the *Church* or as an attendee, to attend public worship and otherwise participate in the activities of a parish is that of a licensee. Under the law such a licence can be granted on both explicit and/or implicit terms and conditions. These terms and conditions can limit or regulate entry onto property for such public worship and/or activities. The effective implementation of this policy will require that the *Minister* and Churchwardens have power to revoke the licence of a *Person of Concern* to attend public worship and otherwise participate in the activities of a parish.
3. The *Church* has rules which bear upon the right of a *Person of Concern* to attend public worship in a parish and otherwise participate in its activities.
4. Section 6 of the Holy Communion Canon 2001, which is in force in every diocese, provides for the circumstances in which the *Minister* who has the cure of souls may refuse to admit a person to the Holy Communion. These circumstances include when a person has committed a 'grave sin without repentance'. Except in the case of 'grave and immediate scandal' any ordained minister must only refuse to admit a person to Holy Communion at the direction of the *Bishop*.
5. Normally the functions of the Churchwardens in a parish extend to keeping order in the church and grounds. The scope of these functions is set out in an ordinance of the applicable diocesan synod.
6. In the exercise of its powers for the order and good government of the *Church* in the diocese, a diocesan synod may adopt this policy and, to facilitate its implementation, pass an ordinance:
 - (a) conferring powers upon the *Minister* and the Churchwardens to limit the right of a *Person of Concern* to attend public worship and otherwise participate in the activities of a parish and specifying the circumstances in which they may direct a *Person of Concern* not to attend public worship and other activities in a parish;

- (b) vacating any office such as a Churchwarden or member of the *Parish Council* held by a *Person of Concern* and making a *Person of Concern* ineligible to hold any such office; and
- (c) conferring power on the *Bishop* to give directions to the *DPS* and the *Minister* and Churchwardens as provided for in this policy and requiring the *DPS* and the *Minister* and Churchwardens to comply with any such directions.

Appendix A: Flow Chart of Stages 1-4 of the Process

The flow chart below represents a **summary** of the first phase of the process, that is, Stages 1-4, from the point of view of the *Minister* and Churchwardens.

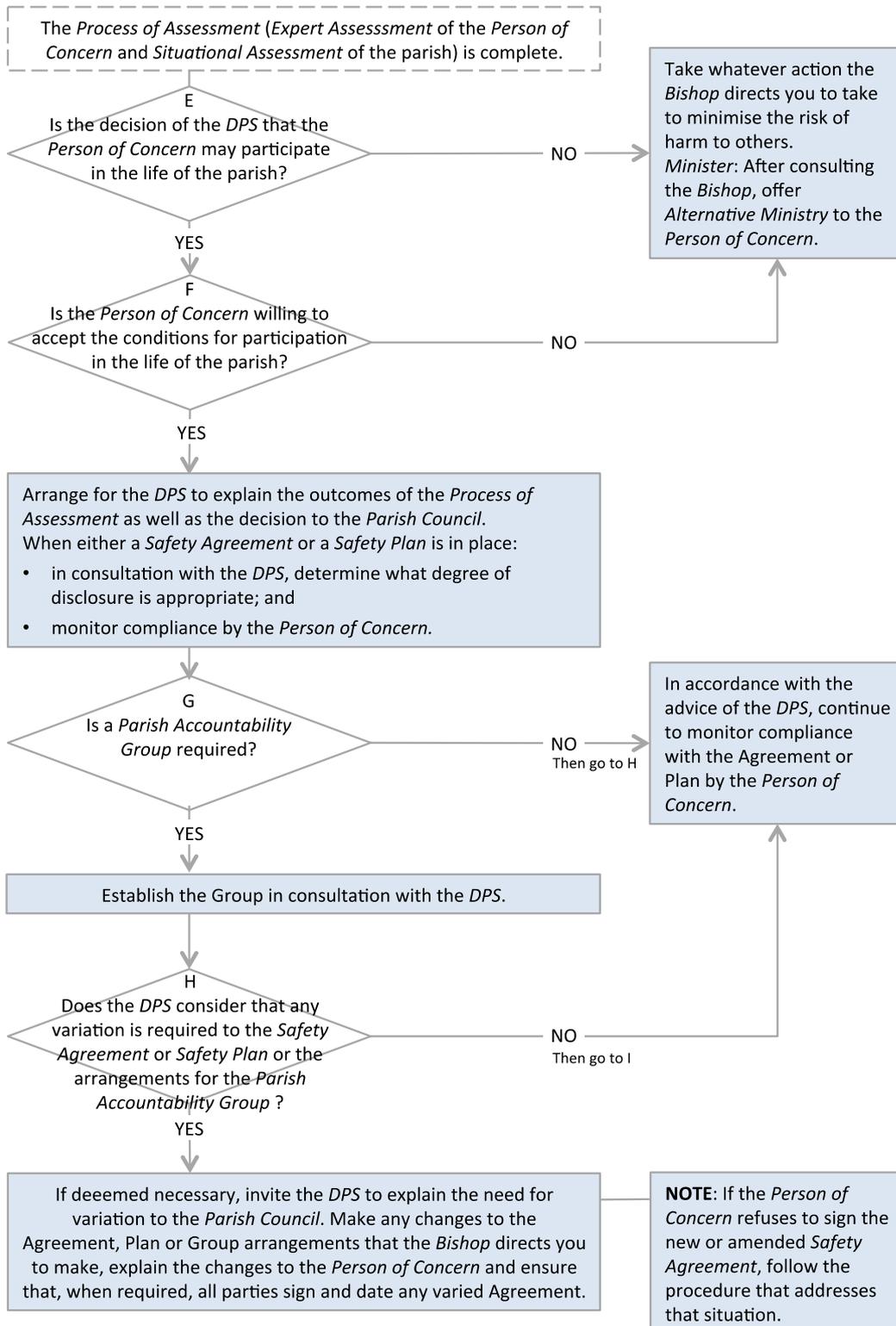
Minister and Churchwardens



Appendix B: Flow Chart of Stages 5-7 of the Process

The flow chart below represents a **summary** of the second phase of the process, that is, Stages 5-7, from the point of view of the *Minister* and Churchwardens.

Minister and Churchwardens



[Continued on the next page]

