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# Developing a Safety Agreement with a Person of Concern PRO-0007

## Purpose

To provide a process for developing a Safety Agreement between a Person of Concern (POC), congregation, Presbytery and Synod.

## Scope

The process must be applied in the event a Congregation and/or minister becomes aware that a POC is present or wishes to join the congregation. The POC must not participate in Church activity until a Safety Agreement has been established and implemented. In the event that a person other than the minister of the congregation (including officials of presbytery and synod) become aware of a POC, they must notify the minister of the congregation who will implement the process described below.

Where a POC wishes to be involved in an activity of the Uniting Church not connected to their local congregation a safety agreement is to be entered into with the relevant council, using the following process as closely as possible.

## Process

1. When the Minister of the congregation becomes aware that a POC has been worshipping and/or involved in the life of the congregation or wishes to worship and/or become involved, in the life of the Congregation, without in anyway making accusations of guilt and in demonstrating genuine compassion and justice, steps must be taken to protect the whole church community and the POC.
2. The minister of the congregation must immediately notify the Synod and the presbytery of the presence of the POC.
3. If the POC holds a leadership position within the congregation the minister is to consult with the Chairperson of Church Council, the Presbytery Minister and any other relevant person within the congregation, to consider the appropriateness of the POC temporarily standing aside from any leadership position they may hold.
4. During the period of time before and/or during the forming of a Safety Agreement, the POC should be instructed to refrain from their involvement with any Uniting Church activity. Arrangements for the POC's pastoral care should be made for the period before and after the Safety Agreement is instituted.
5. The Church Council of the congregation to assess the nature of the risk the POC presents to the congregation. Where the Church Council determines that the risk may be managed, the Church Council may invite the POC to enter into a Safety Agreement. The Presbytery and Synod will be informed of this decision, by the minister of the congregation.



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6. Should it be determined that the risk cannot be managed satisfactorily, or the Church Council decides not to offer a safety agreement the Presbytery and Synod will be notified. This decision must be communicated in writing to the POC clearly stating the decision and the consequences of the decision. The written notification must include a date by which the POC's involvement with the congregation must end and will be signed by representatives of the Congregation, Presbytery and Synod.
7. The POC may decide not to enter into the agreement and must give written notification to the Church Council. The Church Council will notify the Presbytery and Synod of the POC's decision. Should the POC exercise this right, the Church Council must inform the POC that the consequence of their decision is that they must not be involved in the life of the congregation.
8. The Church Council must include the Presbytery and Synod in the development of the Safety Agreement. The Safety Agreement must address the conditions by which the POC may participate in the life of congregation, including matters such as
  - a. Worship services and activities which the POC can and cannot attend
  - b. Presence on church property
  - c. Use and/or possession of technology
  - d. Interaction with specific individuals and/or identified types (eg children)
  - e. Any restrictions on the holding of leadership positions
  - f. The appointment of monitors.
9. Where it is considered necessary to appoint monitors, the Church Council is responsible for choosing suitable people and ensuring they are aware of the requirements of their role. The role of the monitor is to ensure the conditions of the Safety Agreement are followed. The following people may not be appointed as monitors:
  - a. The POC's spouse, own adult children (or step-children) or other relatives
  - b. The POC's co-defendant or co-accused
  - c. Anyone new to the Congregation or the Christian faith.
  - d. Consideration should also be given to the appropriateness of a monitor's gender, or if the person is from a family with young children, as they may not be suitable due to the nature of the POC's behaviour.
10. Using the sample Safety Agreement template, the Minister of the congregation, the Church Council chairperson (or delegate) and representatives of the Presbytery will consult together with the POC on the church's conditions to be included in a Safety Agreement. The POC may bring a support person to this meeting.
11. The Safety Agreement is signed by the POC and Minister, Church Council chairperson and representatives Presbytery and Synod and a copy kept securely by each.
12. A decision is to be made about the need to share information within and beyond the congregation, in keeping with the risk profile of the POC. If it is decided to share information, consideration must be given to how this information is shared. Before any communication is made the POC is to be consulted. In deciding how and when to Consideration should be given to:
  - a. Whether or not the information is in the public domain;
  - b. Concerns expressed within the congregation about the POC's ongoing involvement in the Congregation, and how knowledge of a Safety Agreement is helpful in addressing concerns;
  - c. The effect publicising information about the need for a safety agreement and the safety agreement itself, will have on members of the congregation and in particular children in the congregation;
  - d. The circle of influence of the POC.
13. Any proposed amendment to the Safety Agreement must be agreed to by each of the parties to the agreement.
14. In a transition of role/s, it is the responsibility of the incumbent office bearer/s to ensure that their knowledge of the Safety Agreement, the roles of the others within the Congregation who are supporting them in carrying out the Agreement and a copy of the Safety Agreement are forwarded to the new person taking the role. The new office holder should prioritise contact with the POC to inform them of their knowledge of the agreement.
15. If the POC changes congregation to join another Uniting Church congregation, the Congregation Minister is responsible to communicate the nature of the individual being a POC to the congregation



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minister of the receiving congregation. The congregation Ministers of both Congregations must notify the Church Council Chair, Presbytery and Synod of the movement of the POC.

16. If the POC ceases their involvement in the Congregation and the Minister is unaware of the POC's new Congregation involvement, they are to notify the Presbytery and Synod accordingly.
17. The new Congregation must assess the nature of the risk the POC presents to the Congregation and institute the processes described above from step 2.
18. If the POC changes denomination, the Safety Agreement with the Uniting Church ceases, and the POC has no further interaction with the Church. The Congregation Minister must notify the General Secretary of the Synod immediately. The General Secretary must communicate with the receiving denominational head as soon as the POC's new denomination is known.
19. The Church may decide to withdraw from a Safety Agreement following a breach of the agreement by the POC; in the event that the Congregation is no longer able to fulfil its obligations under the agreement; or a change in the circumstances of the Congregation indicate that the level of risk can no longer be managed by a safety agreement.
20. The POC may choose at any time to withdraw from the Safety Agreement. It must be made known to them that as a consequence of their decision they are not able to engage in any further Congregation, Presbytery or Synod related activities.
21. The capacity of the congregation to manage the risk the Safety Agreement will be reviewed annually.

## Dictionary

Term	Meaning
<b>Congregation</b>	Means a congregation or faith community within the bounds of the Uniting Church in Australia, Queensland Synod.
Ministry Agent	A ministry agent is any person who is determined within the Uniting Church in Australia Regulations (2.2) definition of specified ministries: ministers (of the word and deacons); pastors; lay pastors; lay preachers; youth workers and community ministers. The ministries of Lay Pastor, Youth worker and community minister were closed for entry by Assembly some years ago. Anyone still operating in one of those now closed ministries is a ministry agent.
<b>Person of Concern</b>	Means a person who is currently facing charges or has been convicted of a criminal offence of a sexual nature or has been released into the community after a period of imprisonment for a criminal offence of a sexual nature and wishes to establish, maintain or foster any relationship with any activity of the Uniting Church in Australia, Queensland Synod; a person who has been issued a negative Blue Card notice, been refused a positive Blue Card notice or has had their Blue Card suspended and has not subsequently received a positive Blue Card notice or had any negative Blue Card notice revoked. Despite not being included in this definition, an individual may voluntarily request to be treated as a POC for their own safety.
<b>Safety Agreement</b>	An agreement between a POC, Congregation, Presbytery and Synod establishing the terms and conditions for the POC to participate in the life of the Congregation.
Congregation Minister	Means the person inducted or commissioned by the Presbytery to serve in the role recognised as the minister of a congregation, whether the person is a Minister of the Word, Deacon, Pastor or in no specified ministry. In the absence of such an individual, either long term, or short term, the Chair of the church council will be considered to fill this role for the purpose of this process.
<b>Church</b>	Means the Uniting Church in Australia, Queensland Synod.
<b>Criminal offence of a sexual nature</b>	Any offence of a sexual nature, including criminal offences involving rape, sexual assault or indecent assault, sexual offences against children, including the criminal offence of child grooming and those related child pornography and the possession and distribution of indecent images. For the purposes of this policy, this term shall not include the offence of unlawful prostitution.

## References & Related Documents

Safe Ministry with Children policy

Persons of concern policy

Privacy Policy



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## Revisions & Reviews

#	Date	Reason	Author / Reviewer	Approved
1.0	11.09.17	New process to support new policy	D Fender, Associate General Secretary	A/General Secretary
2.0	22.02.18	Change to step 12	D Fender, Associate General Secretary	D Fender, Associate General Secretary