

Church of St. Mark - Lutheran

## ABUSE PREVENTION POLICY

(October 24, 2017)

*...answering God's call  
to faithfully serve  
all those that are vulnerable...*

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# **Church of St. Mark - Lutheran**

## **Abuse Prevention Policy**

### **1. Introduction and Statement of Policy**

The Church of St. Mark will not tolerate abuse. We will also take all steps deemed necessary to minimize the possibility of abuse occurring to the vulnerable that are ministered to by our church. Further, we will establish guidelines for behaviour, monitoring, training and reporting policies and procedures to minimize the likelihood of false accusations. Specifically, our goals are to work within the church to:

- Create and maintain a safe environment by preventing harm to those in our care.
- Maintain a policy of zero tolerance for abuse or neglect.
- Prevent abuse of children
- Prevent abuse of other vulnerable persons
- Protect employees and volunteers from any false allegations
- Promote justice for accuser & accused should an allegation of abuse be made
- Ensure that our ministry is enhanced – and not limited – by our policies.

The Church of St. Mark is abundantly blessed with employees and volunteers who offer their talents in answer to God's call, and we could not operate without the work of many individuals throughout the church who exercise a variety of ministries both within the church community, and beyond.

We believe it is critical to ensure that those we place in positions of power and trust be selected, trained and supported so that their ministry may be a blessing to those we are called to serve.

We also believe that any such policy and procedures must be feasible and workable, without hampering the work of church ministry.

This policy document is intended as a reference and guide for training, implementation, monitoring, and policy direction. While anyone associated with our church is to have access to it, only those responsible for implementation must know it in detail. A summary version of the policy is in Appendix 3. All employees and volunteers must have working knowledge of the summary version.

## **2. Application & Scope**

The policy was first effected on February 2, 2005. It applies to all lay and ordained people, both employees and volunteers, under the jurisdiction of the Council of the Church of St. Mark ('Council'), serving in any position involving work with children, youth or vulnerable adults.

This policy must be implemented in all ministries, committees, groups, congregations or other organisations which:

1. Function on behalf of the church (whether on or off our premises);
2. Operate on church premises;
3. Involve work with children, youth or vulnerable adults.

### **2.1 Effective Date**

This updated policy is effective as of November 1, 2017.

New employees or volunteers - It is intended that any new employees or volunteers be subject to the policy as quickly as is practical, as this is judged to be the area of greatest risk. For all ministry areas, any new staff or volunteers are subject to the complete process as of November 1, 2017, including police checks, the approvals outlined in this document, and all other provisions. For the purposes of this requirement, any employee or volunteer is considered 'new' if they begin serving in a new role (as defined in positions outlined in Section 6 of this document) within the church (even if they were currently or previously serving in some other role subject to 'grandfather' provision below), and will be treated as other new employees and volunteers. Where considered necessary by Pastor and the applicable Ministry chair, volunteers new to St. Mark's Church will undergo a six-month waiting period prior to eligibility.

This process began to be implemented to the draft policy as of September 1, 2017 and will be fully completed by June 1, 2018.

The many existing staff and volunteers will be 'grandfathered' to allow them to continue to serve as the policy and processes are put in place and new staff is screened. Council will encourage all areas of ministry to implement the policy even for existing staff as quickly as is practical. In all cases and in all areas of ministry, all existing staff and high risk volunteers must have completed police checks and all other aspects of the policy must be fully implemented by June 1, 2018.

Council may require earlier implementation dates and other implementation milestones as part of the implementation process.

### 3. Definitions<sup>1</sup>

**‘Child’** or **‘Youth’** means an unmarried person under the age of 18.

**‘Infant’** or **‘Toddler’** means a person three years of age or younger.

**‘Vulnerable Person’** includes people typically recognized as vulnerable, such as children, youth, some of the elderly, hospital patients, the mentally and physically challenged, and also those otherwise healthy adults who become vulnerable because of personal circumstances. Such circumstances might include, but are not limited to, those grieving the death of a loved one, those experiencing job loss or career difficulties, those facing illness in themselves or others, and those facing other uncertainties.

**‘Church Premises’** includes all property owned, leased or rented by the church for public church activities. Property primarily for the private use of employees, such as the church manse, is not considered church premises, and is treated as any other private residence.

**‘Counselling’** means a series of planned meetings, typically one-on-one, where there is one-way support or guidance being provided from the counsellor to the counselee.

**‘Function on Behalf of the Church’** means an activity conducted under church auspices or which uses St. Mark’s name, including every group or ministry which reports to any member of our Church Council. This includes Bible studies, meetings, youth group activities, and other activities, regardless of whether they are on church premises, in a private residence, or at any other location.

**‘Member’** means someone that meets the definition and requirements of membership in the congregation as defined by the Constitution of the church.

**‘Ministry Year’** means the period when new programs are normally set up and new staff normally begin to serve. For most programs, this is the beginning of September. However, groups that operate on another basis, such as Vacation Bible School, may choose to have a different ministry year where this is communicated to their Council representative and all training requirements for the beginning of a ministry year are met.

**‘Physical Abuse’** is defined as any non-accidental human act that results in physical pain or injury to a child – whether or not it leaves a cut or wound, or a mark or a bruise.

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<sup>1</sup> Note that wherever listed terms appear in this document, they have the specific meanings as described in this section, whether or not the specific occurrence of any term is capitalized.

**‘Regular Attender’** is someone who may or may not be a formal member of the congregation, but who is a regular, frequent participant in a St. Mark's activity such as worship service, Bible study, or similar organized formal activity. It is intended that all volunteers in leadership positions (for example Sunday School teachers) have a substantial and ongoing link with the church in addition to their area of service (for example, worship or attend Bible studies regularly).

**‘Sexual Abuse’** is defined as the exploitation of a child or other person, or any sexual intimacy forced on a child or other person, for the sexual stimulation or gratification of the abuser, and includes inappropriate touching.

**‘Sexual Harassment’** is legally defined in Ontario as (1) A course of vexatious comment or conduct that is known or ought reasonably to have been known to be unwelcome, including repeated sexual remarks or physical contact that is degrading; (2) A sexual advance or solicitation made by a person who is in a position to grant or deny a benefit to another; (3) The threat of or an actual reprisal by a person in authority against a person who has rejected a sexual advance from that person in authority.

**‘Emotional Abuse’** is defined as but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual targeting, and /or blaming.

**‘Neglect’** is defined as but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and/or refusing or withdrawing physical or emotional support.

**‘Harassment’** is defined as but not limited to any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, and/or offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome.

#### **4. Responsibilities & Approvals**

The Council of the Church of St. Mark has the responsibility for implementing and monitoring our abuse prevention plan. The Council will:

- Take the steps necessary to implement and maintain the policies herein.
- Annually review this policy in light of how its policies are being carried out in the church, and recommend any changes for the following church year.
- Provide a plan that assures that all staff and volunteers ministering to children, youth and other vulnerable people are trained in the contents of this policy, and review its contents at least once per year at the beginning of each ministry year.

- Provide ready and public access to the policy for all persons regularly attending any activity at the church, and ensure that parents or caregivers of vulnerable persons are aware of the policy.

Council may elect to delegate various tasks related to these responsibilities to a Human Resources Committee, Abuse Prevention Team, the heads of various ministries, or others. However, the responsibility for ensuring that the policies are implemented and observed remains with Council and may not be delegated. Each member of Council is responsible for ensuring the ministries they represent have implemented it, and Council as a whole is responsible for all ministries of the church (through the Vice-Chair, responsible for the Human Resources Committee and APP implementation.)

Where written approvals are required by this policy, the approval will be given after a careful review of the relevant written documentation by the Council member responsible for the ministry, plus either the pastor or the Chair of Council or a Council designee. Where written approval is required, it must be by two unrelated persons.

It is recommended that as Council reviews and updates this policy in the future, that the material in the Appendices is also reviewed so it remains an up-to-date resource for training and implementation. However, the material in the appendices does not form part of our abuse prevention policy and is provided for general information, education and guidance only.

## **5. Identifying & Mandatory Reporting of Legal Abuse**

There are many behaviours that are sinful and wrong, and that harm individuals and the church. The Church of St. Mark does not condone any sinful behaviour, and we recognize the need for Christ to change hearts and lives so that we may live in right relationships with God and with each other.

However, we recognize that there is specific behaviour which is not only sinful, but is sufficiently damaging to the victim that it is legally defined under Ontario law as 'abuse'. This policy addresses only behaviour that is legally defined as abuse, and the provisions and procedures apply only in cases where actual or suspected illegal abuse has occurred.

Where other sinful behaviour occurs that causes hurt or harm within the church that is not legally defined as abuse under Ontario law, this policy does not apply. However, we do not accept other sinful behaviour, even though such behaviour may not be illegal. We recognize the sin and potential harm from emotional, verbal and other kinds of abuse. We encourage any such hurtful or harmful behaviour to be handled in the appropriate scriptural ways through contact with the pastor, elders, members of Council, or the District visitor or other authority as appropriate. We intend to create and maintain a culture where sinful behaviour of all kinds is addressed in a timely and healthy way.

### **5.1 Legal Duty to Report Abuse**

There are two legal duties to report under the Child and Family Services Act of Ontario. These duties apply to every person in Ontario, including of course all church members, employees and volunteers.

1. The duty to report situations where a person believes that a Child is or may be in need of protection;
2. The duty to report situations where a person has reasonable grounds to suspect that a Child may have suffered abuse.

Abuse, for the purposes of legal requirement to report, includes physical abuse, sexual abuse, emotional abuse, neglect, failure to protect a Child from abuse, and failure to obtain medical treatment for a Child.

Every person in Ontario has an obligation to contact either the police or the Children's Aid Society should they have reasonable grounds to suspect either of the above situations. This legal duty is automatic and is above and beyond any requirements of this policy. Nothing in this policy should be interpreted as lessening the obligation each of us has as citizens to make an immediate and direct report to the appropriate authorities. In case of uncertainty about a duty to report, church representatives can consult with the Children's Aid Society by phone, on a confidential basis.



## **5.2 Other Reporting**

Beyond the specific legal responsibilities outlined in the section Legal Duty to Report Abuse, the church has its own responsibility to prevent abuse and deal appropriately with abusers, those who have been abused, alleged abusers, and alleged victims of abuse. Whatever measures are taken or not taken by legal authorities, the church can and will provide pastoral care, support for a child in need and the families involved, and take appropriate disciplinary actions.

## **5.3 Signs of Abuse**

Everyone should know the indicators of abuse. However, the Church of St. Mark requires that all those working directly with children and vulnerable persons are familiar with the signs of potential abuse, and that all employees and volunteers are aware of any signs of abuse in anyone they come into contact with in the course of their ministry on behalf of the church.

A list of possible indicators of abuse is included in Appendix 4.

## **6. Screening of Staff & Volunteers**

Screening of candidates for work with children, youth and vulnerable people is our first step in minimizing the potential for abuse.

Our screening program is designed to focus the most attention on the positions where the risks are highest. We consider the risk of harm for each position, then do what we can to minimize that risk. Once the risk is minimized as much as is practicable, each position is assessed to be high, medium or low risk, and all candidates for the position are screened according to the risk level.

It is recommended that the following process be used to set up screening.

Step 1: List all ministry positions

Step 2: List the duties and responsibilities for each ministry position

Step 3: Assess the risk for potential harm

Step 4: Reduce the risk for potential harm

Step 5: Assign appropriate screening standards for each ministry position

Step 6: Finalize the ministry descriptions

Step 7: Establish appropriate training and supervision

Step 8: Apply the screening standards (Volunteer Annual Abuse Prevention Policy Review Forms, i.e., Volunteer Annual APP Review forms)

Step 9: Make a selection decision based on the screening information

Step 10: Evaluate and enforce the screening standards

### **6.1 List all ministry positions**

Each Council member shall make a list of all positions associated with their areas of ministry.

### **6.2 List duties and responsibilities for each position**

List the tasks, duties and responsibilities for each ministry positions listed above. These lists will be used to assess the risks of each ministry activity and to establish proper screening standards.

### **6.3 Assess risk for potential harm**

Determine the risk level for each position and assign a low, medium or high rating. A Risk Assessment Checklist (Appendix 5) will be provided as part of the implementation process to provide a more thorough worksheet to help assess the level of risk of a position.

Note that a ministry can shift from medium to high risk depending on the specific setting, activity and leadership arrangement of a particular event. The highest risk activity within a given ministry will determine its risk rating.

- Low Risk Ministries

Ministry duties and responsibilities that do not permit a person to be alone with a child or vulnerable adult, or do not permit access to financial resources or confidential information. Such ministries do not require a significant level of authority or trust.

- Medium Risk Ministries

Ministry duties and responsibilities that permit few chances for a person to be alone with a child or vulnerable adult or permit some access to moderate amounts of financial resources or confidential information. People in these ministries are in a position of authority or trust.

- High Risk Ministries

Ministry duties and responsibilities that permit opportunities for a person to be alone with a child or vulnerable adult or permit access to significant amounts of financial resources or sensitive and confidential information. These ministries are positions of authority or the positions that allow a person to establish long-term relationships of trust. All overnight or off-premises ministries for children or vulnerable adults are always ranked high risk.

It is recommended that each position be individually assessed. Where positions are not individually assessed, the following may be used as a guide for determining the risk level associated with a particular position. Where there is any doubt as to the appropriate category, the higher level of risk must be used.

The following table shows some sample titles and the examples of the likely associated risk level. However, it is recommended that positions be assessed on an individual basis, and the table is provided as a general guide for illustrative purposes only.

High Risk Positions	Medium Risk Positions	Low Risk Positions
Pastors Elders Youth group sponsors Children's club leaders Nursery helpers Youth mentors Junior church leaders Vacation Bible School teachers Sunday School teachers Office Administrator	Sunday School superintendent Vacation Bible School directors Christian Education committee members Music directors for children's programming Church custodian VBS helpers	Coffee fellowship Audio-visual controller Bulletin folder Flower arranger Greeter Reader

It is a requirement that all volunteers for high-risk and medium-risk adult positions are Regular Attenders. For positions that are filled with non-adults, such as teenagers assisting with VBS, Sunday School or a nursery, volunteers who are not Regular Attenders can serve as assistants with a minimum of paperwork, since they serve in the presence of a supervisor who is a Regular Attender. Also, written parent permission is required and one reference is recommended, but not mandatory.

#### **6.4 Reduce the risk for potential harm**

Whenever possible, the risk associated with any ministry should be lessened or eliminated. This can be accomplished by, for example only, changing the size of a group being ministered to, the number of leaders required, the location and visibility of the ministry, the level of supervision or the degree of authority associated with the position. It is much easier, and ultimately safer, to reduce the risks associated with any ministry than to apply a higher level of screening.

#### **6.5 Assign appropriate screening standards for each position**

For all positions for which Volunteer Annual Contract Forms are required, the Volunteer Annual Contract Form\_(created by the ministry APP administrator as part of the implementation) is to be used for each person being screened.

#### **Low Risk Ministries**

It is recommended that all people in these ministries:

1. Fill out an Application Form that does not require a list of references.
2. Receive a Ministry Description of the position.
3. Be trained for the ministry.

4. Meet regularly with a supervisor who will provide support, feedback, mentoring and information about the nature and duties of the ministry.

### **Medium Risk Ministries**

It is required that all adult volunteers in these ministries:

1. Be a Regular Attender, or alternatively provide a good reference from another church known to St. Mark's, before they are assigned to the ministry. (This may not be an appropriate requirement for paid employees, and may be overridden by a vote of Council.)
2. Fill out an Application Form that requires two references except for volunteers under 18 years of age and/or VBS and Sunday School helpers.
3. Receive a Ministry Description for the position.
4. Meet with the senior person responsible for the ministry to discern suitability. The discussion should include a review of the ministry description, the norms of the faith community and expected behaviour and attitudes required for the position.
5. Be trained for the ministry.
6. Complete and document appropriate training at the beginning of the ministry and annually thereafter.
7. Receive a copy of guidelines appropriate for their type of ministry.
8. Meet regularly with a Lead Contact who will provide support, feedback and mentoring.

### **High Risk Ministries**

It is required that all adult volunteers in these ministries:

1. Be a Regular Attender, or alternatively provide a good reference from another church known to St. Mark's, before they are assigned to the ministry. (This may not be an appropriate requirement for paid employees, and may be overridden by a vote of Council.)
2. Fill out an Application Form and provide a list of two references. The Lead Contact and/or Council Contact responsible for the ministry will ensure the reference checks are completed. Reference questions will be provided by the Abuse Prevention Team.
3. Receive a Ministry Description of the position.
4. Meet with the Lead Contact and/or Council Contact responsible for the ministry to discern suitability. The discussion should include a review of the ministry description, the norms of the faith community and expected behaviour and attitudes required for the position.
5. Be trained for the ministry.
6. Complete and document appropriate training at the beginning of the ministry and annually thereafter.
7. Receive a copy of guidelines appropriate for their type of ministry.
8. Document all one-on-one visits or meetings that occur with children or vulnerable adults. This documentation must be accessible to at least one other person, normally the pastor, Lead Contact or Council Contact responsible for the ministry.

The documentation may be informal provided it is written and permanently recorded, for example an e-mail record of visits made by an elder sent to the pastor or the head elder. The requirement for confidentiality of some visits is recognised, though at least one other person should be advised in some written form of each such contact.

9. All off-site activities involving children or youth shall require a written parental consent form signed by parents or legal guardians.
10. Meet regularly with a Lead Contact who will provide support, feedback and mentoring.
11. Arrange for a current background check from their local police department as outlined in Section 6.12, police record checks.

### **6.6 Finalize Ministry Descriptions**

A ministry description must be completed for all medium and high risk ministries. The ministry descriptions will include the title, length of term, responsibilities, skills required, reporting relationship, and screening requirements. Where ministry descriptions are not completed, position is to be treated as a high-risk position.

### **6.7 Screening Checklists**

A Volunteer Application Form with a record of any reference checks and a Volunteer Annual APP Review Form must be created for each position where one is required. The form must include each individual item that is required as part of the check, for example references and a criminal record check, such that it would be clear from a completed copy of the form that each required individual step had been performed. A copy of the form must be completed for each person serving in the position.

### **6.8 Establish Appropriate Training and Supervision.**

Clear lines of supervision must be established for all ministry positions. All individuals ministering in positions of authority should have regularly scheduled meetings with a Lead Contact in order to discuss the ministry, ensure that their actions remain appropriate, and that participants are benefiting from the ministry. When an individual is in doubt about appropriate or inappropriate courses of action, or is in doubt about the vulnerability of a particular group or individual, or when he or she believes a boundary may have been crossed in the course of ministry, he or she must report the situation to the Lead Contact and seek advice on how to proceed. If the Lead Contact is unable, unwilling or unavailable to assist, advice should be sought from the Council Contact or Pastor. All individuals ministering in medium and high risk positions, because of their responsibilities for children or vulnerable adults, shall receive appropriate training at the beginning of their ministry and annually thereafter.

### **6.9 Use the Screening Checklists**

All screening standards must be applied equitably and consistently. Do not lower the standards and do not skip steps. It is the nature of the position not the nature of the person holding the position that determines the standard. It is the responsibility of the organisational leadership (pastor and Council) to ensure that screening standards are

implemented in the church and throughout all affiliated organisations covered by this policy.

### **6.10 Make selection decisions based on screening information**

To make the selection decision:

1. Review the documented material.
2. List the screening standards and where concerns were raised, if any.
3. Obtain more information, if needed, e.g. a second interview.
4. Assess the information based on the nature of the ministry, services and activities provided; the degree of vulnerability of the participant; the relevant ethical and spiritual principles associated with the ministry and the potential risk for harm.
5. Assess the information objectively and consistently.

If the information obtained through the screening procedures does not raise any concerns then the applicant can be accepted into the ministry position. If a decision is made not to accept the person for a position, they must be informed.

For Medium and High Risk positions, the screening process will be implemented by the Lead Contact for that Ministry. The Council Contact for the ministry will be informed and the final selection authorized by the Pastor or Council Chair. If there are concerns raised in the screening process, then the Pastor should be consulted.

Until the Pastor or Council Chair authorizes the selection the individual will not be informed of his/her selection. The individual upon accepting his/her selection will then complete the training required and complete their Volunteer APP Review Form.

Please refer to Section 6.14, *Elected Positions within the Church* for all volunteers nominated for elected positions..

### **6.11 Evaluate and enforce the screening standards.**

The screening process does not stop when the individual is accepted for a ministry. Ongoing training, supervision and evaluation will be required. This policy is designed to assist Council members to implement a screening program appropriate to their context.

### **6.12 Police Records Checks**

The police records checks are only required for high-risk and medium-risk adult positions where the level of risk cannot be reduced through other methods. It is considered a prudent measure and is widely used by most volunteer agencies serving children and vulnerable adults. The police records check only provides limited information and so it must never be the most relied upon screening standard. Police records checks are not required for volunteers under 18 years of age. The police check required is the Police Vulnerable Sector Check (PVSC) for volunteer over 25 years of age, and the Police Information Check (PIC) for those 18-25 years of age.

A records check is required for all ordained ministry and normally for paid employee positions where there is a level of trust inherent in these positions of ministry/work and a

lack of daily, structured supervision. For new adult volunteers, a records check, no older than one (1) year, is required at the beginning of the position that a person fills. Further, a records check must be on file for all persons filling such positions. If a volunteer has already had a records check for another position, a new records check is not required. Once a police records check has been obtained, it may be updated annually by a signed offense declaration that there have been no convictions for offenses.

All information from police checks is considered highly confidential, and must be stored and retained as described in Section 9. All information associated with this process will be handled in a confidential manner. The only information to be released from the record check is whether or not the individual is permitted to serve in a position ranked as High Risk.

Convictions involving violence or sexual abuse will automatically preclude an individual from filling a ministry position of trust with children or vulnerable adults. For other positions, the existence of an official pardon may be taken into consideration. An individual with a criminal history may be accepted into a ministry position so long as the convictions are not related to the tasks of that position and both the Chair of Council and Pastor agree.

### ***6.13 Individuals holding multiple positions***

Individuals who hold more than one position are to be screened in a manner consistent with the position that holds the highest level of risk and has the most stringent screening requirements.

### ***6.14 Elected positions within the church***

There are a number of elected positions within the church, including those on Council. These positions are subject to the same screening procedures as all other positions. It should be made clear to both the elected individual and to the church at large that following the election the individual will have to meet the requirements of the screening process before serving in the elected position. When possible, screening requirements should be addressed with nominees, prior to election in order to avoid potential confusion and/or embarrassment.

### **Individuals functioning on behalf of the Church**

It is recommended that the individual functioning on behalf of the church, as defined earlier, who is not part of a specific ministry, inform the Pastor of their intentions with an individual, a family, a specific task etc... The Pastor will be responsible to review risk factors and communicate those to the individuals. It will be at the Pastor's discretion whether to utilize the screening and training tools that are available. A record of their intentions should be kept on file.



### **6.15 Special Exceptions**

The following are exceptions to the normal requirements stated elsewhere in this policy. Exceptions should occur infrequently and be short-term.

Candidates who are not members of this church, but who are members of another local Christian church, and are involved in one of the ministries of our church, may also be approved by the Pastor, Chair of Council, or their written authorized designate by reviewing their personnel form and by conducting an interview with the candidate. In this case, the person who is inviting them to ministry in our church program, along with another person, may conduct the interview only for medium- or low-risk positions. Parents of children in a ministry may assist in child care or other ministry activities with the children without being screened if there is at least one screened adult present. People who have attended our church for less than six months are not eligible to serve as Children or Teen Ministries Staff or Volunteers, except in unusual situations. Exceptions may be made only by two of the following: Pastor, Chair of Council, Council Contact (ministry Chair), any designated HR committee member or Abuse Prevention Team member. If an exception is made to this rule, the reasons should be documented with the approval, and the interview, and background check should be rigorously performed.

## **7. Guidelines**

### **7.1 Two-Adult Guideline**

An important dimension of abuse prevention for the children and teens to whom we minister, and an important deterrent to false accusation of abuse, is the presence of more than one approved adult in the rooms where children and teen ministries are taking place. For these reasons, all ministries shall implement that policy to the maximum extent practical for their ministry.

To the maximum extent possible, there should always be more than one approved adult in rooms where children's or youth ministries are taking place, unless the doors have glass windows permitting observation from outside. Where it is not practical to have two approved adults present, the teacher/leader should avoid being in the room with only one child present, if feasible. If only one child is present (such as the first one in and the last one out), the door must be open wide enough for the teacher/leader and student to be observed by a passer-by. All classroom doors shall have windows in them. Existing classroom doors without windows shall be modified to add a window as soon as it is practical to do so in the normal course of building renovation & maintenance.

### **7.2 Nursery / Toddler Procedures**

Those working with infants and toddlers aged three and under must wear name tags that indicate they are nursery attendants, toddler teachers, or helpers. Infants and toddlers must be signed in and out at the entrance to the nursery/classroom, and be released only into the custody of parents or other known adults by prior consent. A nursery attendant is encouraged not to perform diaper changes, but to get a message to the parent/guardian of the child that a change is required. With a strong relationship with the family, an adult attendant, with logged written permission, may, in the clear view of another attendant or a nursery helper, perform diaper changing authorized by the infant's parents.

### **7.3 Restroom Guidelines**

Parents of children utilizing the nursery or toddler class are required to assure that the children have used the restroom prior to entering the nursery/classroom. If a young child needs to use the restroom, he/she should do so by him/herself if possible. If assistance is necessary (for opening the door or for helping with clothing), an adult (not a teen helper) may assist. The assistant should stand outside the restroom, prop the door open while the child is in the restroom, and, if the child requests assistance within the stall, the assistant should keep the door propped open, keep the stall open, and be there no longer than reasonably necessary. Unless such assistance is needed, youth ministry staff and volunteers must avoid being in the restroom with children and teens. Staying outside the restroom provides the best protection.

#### **7.4 Proper Display of Affection**

The ministry of touch is understood to be a valuable – sometimes even necessary – element of ministry to children, youth and the vulnerable. However, it must be in a context that is clearly understood to be appropriate and comfortable.

The following guidelines outline what is – and is not – considered acceptable behaviour in the context of our church family. In the same way that we want our church to be free from abuse, we also want our church to be free from any fear that expressions of genuine Christian love, friendliness and concern could be misinterpreted.

- Keep everything public. A hug in the context of a group as a sign of support is very different from a hug “behind closed doors” which may be an intrusion into personal space.
- Touch should be related to the recipient’s needs, not the provider’s.
- Touch should be age-appropriate and generally initiated by the child or vulnerable person rather than the worker.
- Avoid any physical activity that is, or could be, construed as sexually stimulating to the worker or the vulnerable person.
- Children or the vulnerable we are serving are entitled to determine the degree of physical contact with others except in exceptional circumstances, i.e. when they need medical attention.
- Team members should take responsibility for monitoring one another in the area of physical contact. They should be free to challenge constructively a colleague if necessary.

Examples of inappropriate or unacceptable behaviour:

- Touching any area normally covered by a bathing suit, except in an emergency. Any such emergency need must be disclosed to another adult and the child’s parent(s) at the earliest possible opportunity.
- Prolonged tickling, hugging or wrestling.
- Any touch or contact that is unwelcome or unwanted by the recipient.
- Any contact that the recipient has already said ‘no’ to.

Examples of appropriate and acceptable behaviour:

- Handshake.
- Patting briefly on the head, or a brief hand on the shoulder.
- Brief hugging, between adults only.

- Brief hugging of a child by an adult, only when the child is distressed and only in the presence of another adult or in an emergency situation, and only when the contact is communicated after the fact to the child's parents.

### **7.5 Procedures for one-on-one meetings with youth**

Mentoring relationships between adults and youth are understood to be of great value. Teens often need to talk about sensitive issues in safe environments that generally dictate a one-on-one situation. Opportunities for youth to benefit from the care and experience of adults are a priority for this church. However, they are also areas of vulnerability. The following guidelines are given for one-on-one meetings between leaders/teachers and the teens to whom they minister:

- A. It is recommended that such meetings be in public places, such as a restaurant or a mall. Where the meeting is to be in another location, another responsible adult such as the pastor, youth leader, senior elder must be informed, and a note that the meeting occurred must be maintained, such as by e-mail or diary.
- B. Transportation to and from the meeting for the teen, if needed, must be provided by someone other than the leader or teacher, unless prior parental permission is obtained, or unless a third person is in the vehicle.
- C. Any one-on-one meeting with a child or youth under the age of sixteen must occur with the knowledge and approval of the child's or youth's parents, unless the person involved explicitly or implicitly requests a private counselling meeting. In such cases, the counsellor will seek consent to involve the parents as soon as feasible.

### **7.6 Application of discipline**

When a child or teen is displaying inappropriate behaviour, the following guidelines must be followed:

- A. Do not use physical force or corporal punishment in discipline. An exception: if the child's behaviour is harmful to the class or activity, and the child disobeys correction, the teacher/leader may physically escort the child out of the situation with reasonable force, such as by taking the child firmly by the shoulder. If this exception occurs, the parent(s) of the child must be notified immediately.
- B. Do not discipline in anger. If anger is present, request help from another adult.
- C. Do not shout or otherwise verbally abuse the child.
- D. Involve the parents regarding any difficulties with a child as soon as possible.
- E. If inappropriate behaviour is a recurring problem, report it to the ministry staff. Do not wait to involve others.

### **7.7 Off-Site and Transportation Guidelines**

Youth ministry often includes activities away from church, sometimes including overnight stays. The family, or the teen, should provide transportation between home and church if possible; however, transportation between home and church and to and

from the event may be provided by the leader/teacher/volunteer if there are at least three people in the vehicle, or with the permission of the parents of the youth or child involved. Due to the isolation of a vehicle, a leader/teacher should avoid being in a vehicle with one teen.

For all same-day events off-site, and for overnight activities away from church, a parental permission slip must be obtained for every event before the youth may participate.

For overnight activities with same gender participants, there must be at least one leader and two youth in each sleeping area, and there must be at least two leaders in supervision of the activity. For mixed gender situations, separate sleeping accommodations must be maintained for the two genders, and any common space must be supervised by at least two leaders.

### **7.8 Pastoral care guidelines**

Pastoral care refers to the ministry of Christian care done by the pastor, other staff specifically called to do so, elders, and other designated volunteers.

1. The pastor and any associates will engage in pastoral care as part of the regular work of a pastor. This will usually take place in the context of a regular scheduled work week. Outside of normal pastoral visits or private social functions, the pastor(s) may meet privately with church members.
2. Specific counselling (a single meeting or a series of meetings) will usually take place in the pastor(s) office in the church. Counselling with members of the opposite sex or youth of the same sex may occur only when another church staff person is on duty. Should circumstances not permit this on an occasional basis, the counselee, and in the case of a youth, the counselee's parents will be advised in advance and an opportunity to reschedule the counselling will be offered, unless the person involved explicitly or implicitly requests a private counselling meeting.
3. Elders and other designated volunteers will engage in regular visitations of those under their care. Elders should keep records of such visits and if extended counselling (more than one meeting) occurs the Pastor or Council Chair shall be notified.

### **Further Considerations: Child Neglect and Care**

We will:

Address health, safety and sanitation issues to prevent child neglect.

Avoid activities that could lead to allegations of abuse or harassment, such as unsupervised internet access, individual photography of children and vehicle transportation by a worker alone with unrelated minors.

Implement controlled access and parental sign-in/sign-out for nursery facilities.

Implement parental sign-in/sign-out for children's programs (under Grade 1).

Provide adequate lighting where children's/youth activities take place.

## **8. Responding to Allegations of Abuse**

All allegations of sexual abuse or harassment will be taken seriously. Every allegation will be received, investigated and acted upon in accordance with the terms of this policy. The accused person is always presumed innocent until proven guilty (but may be removed from active ministry while the investigation is ongoing). In the context of this policy, no adverse finding will be made against an accused until a full investigation is completed and it has been determined that the complaint has been substantiated on a balance of probabilities.

The protection of children and youth is a priority. In accordance with the law, any allegation of abuse of a Child will be reported to the child protection agency (Family and Children's Services) and Police immediately.

The pastor or Chair of Council shall inform a person who is alleging they have been sexually harassed of their right to seek the assistance of, and take their complaint to, the Provincial Human Rights Commission.

### **8.1 *Obligation To Disclose***

1. When anyone associated with the church becomes aware of abuse or has reasonable grounds to suspect that a person (Child or adult) is being, or has been, abused, they are to report such information immediately to the pastor, or the Chair of Council. If the only knowledge of the abuse is from an alleged victim, then this may only be done with the explicit permission of the alleged victim.
2. When the pastor becomes aware, he shall also notify the Chair. If another member of Council finds out first, they shall notify the pastor and/or the Chair of any information that comes to them in regards to the case.
3. If the alleged abuser is serving on Council, the alleged victim or a representative shall notify another member of Council not implicated by the alleged victim, and the pastor or Chair will meet independently with other members of Council.
4. The pastor and/or the Chair of Council shall verify that the proper authorities have been informed and take up the matter Council, not disclosing the identification of any persons involved. As events unfold, the pastor and Chair will keep separate records. In case of a pastoral vacancy, the Council will appoint another designated individual to fulfil the pastor's role, and the designate and the Chair will keep separate records.
5. If the disclosure of abuse has been made known to a member of Council or the pastor by the perpetrator, then the perpetrator shall be encouraged to self-disclose to the proper authorities (Children's Aid or the police) immediately. The Chair or the pastor will offer to accompany him or her on such a visit. This does not override any statutory responsibility for the chair, pastor or other individual to report of the abuse of a Child.
6. Actions taken in the matter shall be reported to Council. The identity of all persons involved shall not be disclosed.
7. Council is to maintain confidentiality as to all matters discussed and persons involved and to ensure that the abuse policy and guidelines are followed.

8. The pastor or the Chair of Council shall file a report with authorities. Allegations of abuse can be brought directly to the local Children's' Aid society or to the police. Note that others may also have a legal obligation to report abuse where it concerns a child, as elsewhere described. The pastor's or Chair's report does not take the place of any other legal reporting obligation.
9. The pastor or his designate, or in the event the pastor is not available to appoint a designate, the Chair of Council or their designate, will be the only spokesperson to media in the event that such an issue arises, and all others will be informed of the requirement to refer inquiries to him.
10. The Pastor or Chair of Council shall consult a lawyer and inform the liability carrier (insurance company) if the alleged abuser is a church volunteer / staff person.
11. If after a proper investigation an allegation of abuse is found to be reasonably likely by the pastor or Chair of Council, then the pastor or the Chair of Council will keep a confidential record of each person who is considered then to be a confirmed abuser for reference purposes for filling future ministry positions. Any written suspicion or documentation of abuses by a church leader, volunteer, or staff person should be compiled and placed in a locked file in the church office. The source of all allegations must be documented in writing, and no unsubstantiated, un-investigated or anonymous allegations may be allowed to form a permanent part of any employee's or volunteer's record.
12. The Pastor or the Chair of council will review all nominations for church volunteer positions. Accessibility to this file is strictly limited to the Pastor or the Chair of Council, or exceptionally any others designated on a temporary basis by Council to interact with police officials and the Children's' Aid society. Permission may also be granted by the Council for access by a church appointed attorney or insurance carrier representing the church, where there is a reasonable belief that such party has an acceptable method of maintaining confidentiality. All others who gain access to this material will be considered to have breached confidentiality.

## **8.2 Meeting with the alleged child victim**

Following the disclosure of an abuse allegation, only the Children's' Aid society or the police will meet with a child victim under usual circumstances where a duty to report under the child welfare legislation exists and during an investigation.

When the abuse allegation has been reported to the Children's' Aid society or the police, the Pastor and / or Chair of Council shall consider the appropriateness of offering two qualified persons who are accountable to the Council to jointly meet with the alleged child victim and / or the alleged victim's parents to offer pastoral care (support and resources if necessary). The Pastor and / or Chair shall ensure that one of the appointees be a therapist (preferably Christian) trained in the confrontation and treatment of abuse cases. Proper records must be kept by all persons involved in the case. The purpose of the initial meeting is:

1. To bring safety and promote healing.
2. To offer pastoral care (support / resources if necessary) as well as to outline and inform the alleged child victim and / or the alleged victim's parents of our church's policy and procedures in handling such cases.



3. To encourage initiation of therapeutic intervention. (The alleged victim and alleged perpetrator should not have overlapping support systems, i.e. one therapist cannot counsel and treat both the alleged victim and the alleged abuser.) Therapeutic intervention should be conducted by a person specifically trained and with expertise in abuse (with alleged victims and alleged perpetrators).
4. Pastoral care of the alleged victim and / or the alleged victim's parents must follow through in consecutive weeks / months / maybe even years.

### **8.3 Meeting with the alleged adult victim**

The Pastor and / or Chair shall appoint two qualified persons, who are accountable to Council, to jointly meet with the alleged adult victim. The Pastor and / or the Chair shall consider the option of having one of the appointees be a therapist (preferably Christian) trained in the confrontation and treatment of abuse cases. Proper records must be kept by all persons involved in the case. The purpose of the initial meeting is:

1. To bring safety and promote healing.
2. To offer pastoral care (support / resources if necessary) as well as to outline and inform the alleged victim of our church's policy and procedures in handling such cases.
3. To encourage initiation of therapeutic intervention. Therapeutic intervention should be conducted by a person specifically trained and with expertise in abuse (with victims and perpetrators).

### **8.4 Meeting with the alleged perpetrator**

The Pastor, and / or Chair shall appoint two qualified persons, who are accountable to Council, to jointly meet with the alleged perpetrator. The Pastor and / or Chair shall consider the option of having one of the appointees be a therapist (preferably Christian) trained in the confrontation and treatment of abuse cases. Proper records must be kept by all persons involved in the case. The purpose of the initial meeting is:

1. To make the alleged perpetrator aware of the abuse allegation.
2. To make the alleged perpetrator aware that the Council takes responsibility for supervising a member our church who is in need of admonition and discipline. (If the allegation turns out to be true, it is understood that the perpetrator has a spiritual problem which has to be addressed through spiritual means. If the allegation turns out to be false, then to support the alleged perpetrator for purposes of minimizing any damage done to his or her reputation.)
3. To offer pastoral care (support / resources if necessary) as well as to outline and inform the perpetrator of our church's policy and:
  - a) that there has been an offer to visit, or a visit with the alleged victim has occurred;
  - b) What, if any, other procedures in handling the cases are to be followed.
4. On verification of allegation, to insist upon the initiation of therapeutic intervention by a person trained in the confrontation and treatment of abuse cases. (The alleged victim and alleged perpetrator should not have overlapping support systems.)

### **8.5 Meeting with families who are at risk of abuse by a confirmed perpetrator**

The Pastor, and / or Chair shall appoint two qualified persons, who are accountable to Council, to jointly meet with families who are at risk of abuse. The Pastor, Chair shall consider the option of having one of the appointees be a therapist (preferably Christian) trained in the confrontation and treatment of abuse cases. Proper records must be kept by all persons involved in the case. The purpose of the initial meeting is:

1. To make them aware of allegations if guilt has been admitted by the perpetrator or if council is aware the allegations appear after investigation reasonably likely to be true.
2. To offer pastoral care (support / resources if necessary). Council recognizes its responsibility to protect the families in its congregation and the position of trust that our church has with the community in which God has placed us.

### **8.6 Meeting with enablers**

Enablers could include spouses, family members, other members of the congregation, who knew about the abuse but did nothing.

The Pastor, and / or the Chair shall appoint two qualified persons, who are accountable to Council, to jointly meet with enablers. The Pastor, Chair shall consider the option of having one of the appointees be a therapist (preferably Christian) trained in the confrontation and treatment of abuse cases. Proper records must be kept by all persons involved in the case. The purpose of the initial meeting is:

1. To bring safety and promote healing of the victim;
2. To offer pastoral care (support / resources if necessary);
3. To call them to repentance, or counselling if necessary.

### **8.7 Disclosure to the congregation**

On confirmation of the abuse allegation of a church leader (paid or volunteer) who was in a position of trust in the ministry of the church, with the victim's consent, (or in the case of a child victim, the parent's or legal guardian's consent), the Council shall, without mentioning names, take up the matter with the congregation in order that prayer in the worship services be offered, and so that the congregation may be encouraged to pray for healing.

### **8.8 Persons in positions of authority and trust**

1. A confirmed abuser shall not be placed in a position of trust in regards to the care of infants, children, adolescents, minors elderly, infirm, or the mentally challenged.
2. Upon disclosure of an allegation of abuse and pending the outcome of an investigation, the alleged abuser, if otherwise holding ecclesiastical office or a position of trust, can be suspended from his or her duties at the discretion of the Council.
3. A person holding ecclesiastical office, on the confirmation of an abuse allegation, shall be requested immediately resign or, in accordance with the Church discipline

process and applicable employment or contract law, be suspended or removed from such office or position of trust.

## 9. Files & Records

Personnel files will be kept for all volunteers and staff. The files will be kept with access limited to those individuals who make decisions about placing applicants in available positions.

Personnel files may not be altered or destroyed. Personnel files of individuals who have left the position or the church are to remain intact.

Only verifiable information will be placed in a personnel file, abuse prevention file, or any other paper or electronic file record of the church. If information obtained is unsubstantiated, it must be labelled as such. Any supporting documentation of any charge or allegation of wrongdoing must clearly identify the source. Unsubstantiated allegations where the source cannot be clearly identified must not be retained as part of any church file.

In addition to any other personnel records that are maintained, records related to screening, abuse investigations, police record checks and similar items must be maintained at an even higher level of confidentiality, protection and limited access than may the case for personnel records.

The records related to abuse prevention shall include at a minimum:

1. A copy of the Screening Checklist for all ministry positions ranked as High Risk.
2. The police background records check for those in positions ranked as High Risk.

All abuse prevention documents including the police background records check must be stored in a locked filing cabinet in the church for an indefinite period of time. Access to the filing cabinet shall be limited to the Pastor and the Chair of Council.

Those who have access to the files have a moral obligation to do everything within their power to maintain confidentiality. The location of the locked filing cabinet may or may not be within the church building. However, if it is not in the church building, it must be in a location mutually agreed upon by those who have access to the files.

Files must never be left out in the open or in a readily accessible location. People being screened should know who has access to their file. Only documentation that is necessary to the screening process should be kept on file.

In cases of suspected or alleged abuse:

1. We will immediately complete an incident reporting form.
2. We will fulfill statutory reporting obligations to child protective agencies or police authorities.

3. Without admitting legal liability or making public statements prior to obtaining legal counsel, we will assure a compassionate response to the alleged victim and their family.
4. We will maintain confidentiality for the alleged victim and alleged perpetrator.
5. We will immediately suspend the alleged perpetrator pending outcome of investigation.
6. We will consult a lawyer and will report the incident to our insurance company.

## **Appendix 1      Reference Sources**

The material in this policy has been drawn from a number of Christian organisations with the desire that the Church of St. Mark can benefit from the experience and best practices of our brothers and sisters in other churches. The sources are included for reference only. None of the material used is believed to be subject to any copyright, however, none of the providers of source documents accepts any responsibility or liability for our use of their material.

Anglican Diocese of Toronto, Ontario, 'Screening in Faith' (developed in conjunction with Volunteer Canada under the sponsorship of the federal Attorney General)

Ann Arbor Christian Reformed Church, Michigan, 'Abuse Prevention Policy – Revision Two'

Community Christian Reformed Church, Ontario, 'Abuse Prevention Policy'

Lincoln Road Chapel, Ontario, 'Abuse Prevention Policy'

Maple Ridge Christian Reformed Church, British Columbia, 'Abuse Prevention Policy'

Newburgh Friends Church, Oregon, 'Abuse Prevention Policy'

## **Appendix 2 Ontario's Child & Family Services Act Information**

### **Introduction**

Ontario's Child and Family Services Act (CFSA) provides for a broad range of services for families and children, including children who are or may be victims of child abuse or neglect.

The paramount purpose of the Act is to promote the best interests, protection and well being of children.

The information in this appendix has been drawn directly from an electronic brochure available from the Ontario government. The information was as of July 2004, but the legislation should be checked for any changes that may affect you or the church.  
<http://www.gov.on.ca/CSS/page/brochure/repchildab.html>

The Act recognizes that each of us has a responsibility for the welfare of children. It states clearly that members of the public, including professionals who work with children, have an obligation to report promptly to a children's aid society if they suspect that a child is or may be in need of protection.

The Act defines the term "child in need of protection" and sets out what must be reported to a children's aid society. This definition (CFSA s.72 (1)) is set out in detail on the following pages. It includes physical, sexual and emotional abuse, neglect and risk of harm.

This brochure summarizes reporting responsibilities under Ontario's Child and Family Services Act. It is not meant to give specific legal advice. If you have questions about a given situation, you should consult a lawyer or the children's aid society.

### **Responsibility to report a child in need of protection CFS s.72 (1)**

If a person has reasonable grounds to suspect that a child is or may be in need of protection, the person must promptly report the suspicion and the information upon which it is based to a children's aid society.

The situations that must be reported are listed in detail below.

### **Child and Family Services Act CFSA s.72 (1)**

Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,

- i. failure to adequately care for, provide for, supervise or protect the child, or
  - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i. failure to adequately care for, provide for, supervise or protect the child, or
  - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
6. The child has suffered emotional harm, demonstrated by serious,
  - i. anxiety,
  - ii. depression,
  - iii. withdrawal,
  - iv. self-destructive or aggressive behaviour, or
  - v. delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.



10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.
11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.
12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.
13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

### **Ongoing duty to report CFSA s.72(2)**

The duty to report is an ongoing obligation. If a person has made a previous report about a child, and has additional reasonable grounds to suspect that a child is or may be in need of protection, that person must make a further report to a children's aid society.

### **Persons must report directly CFSA s.72(3)**

The person who has the reasonable grounds to suspect that a child is or may be in need of protection must make the report directly to a children's aid society. The person must not rely on anyone else to report on his or her behalf.

### **What are "reasonable grounds to suspect"?**

You do not need to be sure that a child is or may be in need of protection to make a report to a children's aid society. "Reasonable grounds" are what an average person, given his or her training, background and experience, exercising normal and honest judgement, would suspect.

### **Special responsibilities of professionals and officials, and penalty for failure to report CFSA s.72(4), (6.2)**

Professional persons and officials have the same duty as any member of the public to report a suspicion that a child is in need of protection. The Act recognizes, however, that persons working closely with children have a special awareness of the signs of child abuse and neglect, and a particular responsibility to report their suspicions, and so makes it an offence to fail to report.

Any professional or official who fails to report a suspicion that a child is or may be in need of protection, where the information on which that suspicion is based was obtained in the course of his or her professional or official duties, is liable on conviction to a fine of up to \$1,000.

### **Professionals affected CFSA s.72(5)**

Persons who perform professional or official duties with respect to children include the following:

- health care professionals, including physicians, nurses, dentists, pharmacists and psychologists;
- teachers, and school principals;
- social workers and family counsellors;
- priests, rabbis and other members of the clergy;
- operators or employees of day nurseries;
- youth and recreation workers (not volunteers);
- peace officers and coroners;
- solicitors;
- service providers and employees of service providers; and
- any other person who performs professional or official duties with respect to a child.

This list sets out examples only. If your work involves children but is not listed above, you may still be considered to be a professional for purposes of the duty to report. If you are not sure whether you may be considered to be a professional for purposes of the duty to report, you should contact your local children's aid society, professional association or regulatory body.

### **Professional confidentiality CFSA s.72(7),(8)**

The professional's duty to report overrides the provisions of any other provincial statute, specifically, those provisions that would otherwise prohibit disclosure by the professional or official.

That is, the professional must report that a child is or may be in need of protection even when the information is supposed to be confidential or privileged. (The only exception for "privileged" information is in the relationship between a solicitor and a client.)

### **Protection from liability CFSA s. 72(7)**

If a civil action is brought against a person who made a report, that person will be protected unless he or she acted maliciously or without reasonable grounds for his or her suspicion.

### **What will the children's aid society do?**

Children's aid society workers have the responsibility and the authority to investigate allegations and to provide services to protect children. A children's aid society worker may, as part of the investigation and plan to protect the child, involve the police and other community agencies.

### **How to contact a children's aid society**

Check the telephone directory for the office closest to you. In some communities, the children's aid society is known as "family and children's services". The emergency pages in most Ontario telephone directories have the number to call to report to a children's aid society. All the children's aid societies/family and children's services have emergency service 24 hours a day, so that you can call anytime.

### **For more information**

Contact your local children's aid society or family and children's services. If you suspect that a child is or may be in need of protection, contact a children's aid society immediately. Your co-operation is vital to making Ontario's child protection system work.

## **Appendix 3      Summary**

**Church of Saint Mark – Lutheran  
130 Mineola Rd. E., Mississauga, Ontario L5G 2E5**

**Abuse Prevention Policy Summary for Volunteers**  
*...answering God's call to faithfully serve all those that are vulnerable...*

We have a fundamental obligation to look after the welfare of those in our church and all those we serve, especially those who are vulnerable. The vulnerable include not only children, youth, some of the elderly, hospital patients, the mentally and physically challenged – but also those otherwise healthy adults who become vulnerable because of personal circumstances such as bereavement. This is a sacred trust that we must manage responsibly and safely.

The Church of Saint Mark will not tolerate abuse of the vulnerable we are called to serve. We focus on preventing abuse as well as detecting and stopping abuse. Our goals are:

- Create and maintain a safe environment by preventing harm to those in our care.
- Maintain a policy of zero tolerance for abuse and neglect.
- Prevent abuse of children and youth under 18 years
- Prevent abuse of other vulnerable persons
- Protect employees and volunteers from any false allegations
- Promote justice for accuser and accused should an allegation of abuse be made
- Ensure that our ministry is enhanced – and not limited- by our policies.

Our Abuse Prevention Policy covers every employee and volunteer, and every activity and group sponsored by our church.

### **Who is responsible?**

You are. Everyone in our church is individually responsible for helping to prevent abuse, and stopping it if it occurs. Our church Council is responsible for implementing and maintaining the plan to help us all prevent abuse. This summary includes the most important points of our policy that everyone should know, and it must be reviewed annually at the beginning of each ministry year (e.g. June for appointed positions, July for VBS). For more information, you should talk to the member of Council that is responsible for the ministry area you are serving in. You may also wish to refer to the full policy and related materials.

## **What is abuse?**

There is a specific behaviour which is not only sinful, but is sufficiently damaging to the victim that it is legally defined under Ontario law as “abuse”. Every person in Ontario has a legal obligation to report legal abuse where it involves someone under 18 years.

Physical Abuse ranges from slapping, kicking and biting to choking, beating, burning, stabbing and shooting. Physical abuse is any intentional means of inflicting pain or injury to another person.

Sexual Abuse is taking advantage of a child or vulnerable person who is not capable of understanding sexual acts, or resisting coercion, such as threats or offers of gifts. It may not involve physical contact. Examples of non-physical sexual abuse include people exposing themselves, displaying pornographic material, and requests to engage in sexual activity (even where no physical contact occurs). Examples of sexual abuse involving physical contact include inappropriate touching, fondling of body parts such as breasts, crotch, buttocks, or sexual organs, as well as intercourse and other sexual acts.

Emotional Abuse is defined as but not limited to a chronic attack on an individual’s self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual targeting, and /or blaming.

Neglect is defined as but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and/or refusing or withdrawing physical or emotional support.

Harassment is defined as but not limited to any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, and/or offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome.

Our policy deals primarily with legal abuse. However, other if you are aware of someone ‘hurting’ or ‘suffering’ you should discuss it with your Lead Contact or Council Contact or the Pastor. They are committed to taking your concerns seriously.

## **How can I recognize abuse?**

There are several commonly recognized danger signs. The isolated presence of only one or two signs does not necessarily indicate abuse, but where a number of signs are present you must consider the possibility of abuse.

If you are uncertain, there are many sources of help available. Your first action should be a discussion with your Lead Contact or your Council Contact (who can access the full policy and members of the Abuse Prevention Policy Committee) or the Pastor. Also, information can be obtained through the Children’s Aid Society and the Police. In your

initial discussions you have the option of asking for the discussion to be confidential with respect to the victim's name or with whom the information may be shared. Remember, it may be possible that the person you approach is party to other incidents the victim may have encountered so it may very well be helpful to share the specific victim name.

Possible indicators of Physical Abuse: unexplained bruises, burns, cuts or scrapes; unbelievable explanations of injuries or claiming no knowledge of the source of the injury; disordered sucking, biting or eating habits; fear of adults or of going home; shrinking away from touch; overly aggressive or withdrawn; lags in emotional development.

Possible indicators of Emotional Abuse/Neglect: speech problems; slow mental or emotional growth; anti-social or destructive behavior; dramatic emotional swings; habit of sucking, biting, or rocking; long-term depression; loss of appetite.

Possible Indicators of Sexual Abuse: difficulty in walking or sitting; unusual knowledge of or interest in private parts; bed-wetting; depression or withdrawn behavior; poor relationships with other children; acting out adult sexual behaviours; indirect hints that allude to problems; pain or itching around private parts; reluctance to go to the bathroom.

A more comprehensive description of indicators of all different forms of abuse/neglect are available in our policy and training materials, as well as the Children's Aid Society and government agencies.

### **What should I do if I think there may have been abuse?**

The most important thing is not to ignore your conscience. The protection of a child or other vulnerable person rests may depend on you alone.

It is not up to you to investigate the case or confirm your suspicions.

If the person has told you something, **do take their allegation seriously**, assure them that you will do your best to get help, that they did the right thing by telling you, and that you will not abandon them. **DO NOT promise that you will not tell anyone else** (in the case of someone under 18 years).

Where you have a reasonable belief that a person under 18 years may have suffered abuse, you are legally obliged in Ontario to report it immediately to either the local Children's Aid Society, or to the Police. You do not have a choice of not reporting it, depending on someone else to report it indirectly on your behalf, or reporting it only within the church. The Children's Aid Society or the Police will assist you in making your report. Your Lead Contact or Council Contact may be happy to sit in on your call if you wish the support. At this point in time, an Abuse Reporting Form will be completed for the Church file.

PEEL CAS (Children's Aid Society) – 905-363-6131 (24/7) – see also [http://www.peel.cas.org/protecting\\_children.asp?](http://www.peel.cas.org/protecting_children.asp?)

PEEL REGIONAL POLICE – Non emergency # 905-453-3311

Where your concern does not involve a child, you should report your concern to the Lead Contact, Council Contact or Pastor. If the victim considers it appropriate, you or the victim may also choose to contact police.

Should the situation arise where you believe it cannot be reported to the Pastor or anyone on Council, you need to report it directly to the Police.

### **What do I need to do after I have made a report?**

Please complete an Abuse Reporting Form upon calling the Children's Aid or Police and forward to your Church Contact for filing, if this was not done already.

You do not have any further responsibilities except to maintain absolute confidentiality with respect to the alleged victim and alleged abuser; to co-operate with the Children's Aid, Police or Church Investigations; and to pray for all those involved. It is crucial to avoid further damage to an actual victim or alternatively to avoid destruction of reputations in the event of a false allegation that you respect your obligation to maintain confidentiality.

### **How can I help avoid abuse, and false allegations of abuse?**

Our church has established guidelines to limit the possibility of abuse, and to protect employees and volunteers from the possibility of false allegations. More information on each of these guidelines is available from your Council Contact, and in our full abuse prevention policy.

Two-adult guideline – To the maximum extent possible, there should always be more than one approved adult in rooms where children's or youth ministries are taking place, unless the doors have glass windows permitting observation from outside. Where it is not practical to have two approved adults present, the teacher/leader should avoid being in the room with only one child present, if feasible. If only one child is present (such as the first one in and last one out), the door must be open wide enough for the teacher/leader and student to be observed by a passer-by.

Keep it public- Ministry should occur only in rooms where there are others present, or windows in the doors, or the door is left open. As part of ongoing renovations, all doors to rooms used for ministry (including meetings) will be equipped with windows, and until then you should specifically avoid being in any room with a vulnerable person where you cannot be readily observed by others.

Nursery procedures- Those working with infants and toddlers ages three and under must wear name tags that indicate they are nursery attendants, toddler teachers, or helpers. Infants and toddlers must be signed in and out at the entrance to the nursery/classroom, and be released only into the custody of parents or other known adults by prior consent. A nursery attendant is encouraged not to perform diaper changes, but to get a message to the parent/guardian of the child that a change is required. With a strong relationship with the family, an adult attendant, with logged written permission, may in clear view of another attendant or a nursery helper, perform diaper changing authorized by the infant's parents.

Restroom guidelines- A child is to use the restroom by himself or herself if possible. An adult may provide assistance if required, but should stand the restroom, propping the door open if assistance is required within the stall only for as long as absolutely necessary. Staying outside the restroom unless assistance is absolutely required provides the best protection.

Display of support & affection – Touching is valuable, sometimes even necessary, when ministering to children and the vulnerable. **DO** keep everything public, ensure touching is age appropriate and generally initiated by the child or vulnerable person, avoid any physical activity that could be construed as sexually stimulating; challenge your co-workers constructively if you feel touching may be either inappropriate to the child or vulnerable person, or dangerous to your co-worker. **DO** feel free to express support and affection within our church family. Examples of behavior that are appropriate and acceptable in our church include a warm handshake, patting briefly on the head or shoulder, brief hugging between adults, and brief hugging of a child by an adult where the child is distressed and the contact is communicated as soon as possible to the child's parents. **DON'T** touch any area normally covered by a bathing suit except in an emergency (and where you report the emergency as soon as possible), don't engage in prolonged tickling, hugging or wrestling; make any contact that the recipient verbally or non-verbally indicated that is unwelcome or that they have already said 'no' to.

One-on-One meetings with youth –

- A. It is recommended that such meetings be in public places, such as a restaurant or a mall. Where the meeting is to be in another location, another responsible adult such as the pastor, youth leader, senior elder must be informed, and a note that the meeting occurred must be maintained, such as by e-mail or diary.
- B. Transportation to and from the meeting for the teen, if needed, must be provided by someone other than the leader or teacher, unless prior parental permission is obtained, or unless a third person is in the vehicle.
- C. Any one-on-one meeting with a child or youth under the age of sixteen must occur with the knowledge and approval of the child's or youth's parents, unless the person involved explicitly or implicitly requests a private counselling meeting. In such cases, the counsellor will seek consent to involve the parents as soon as feasible.

Discipline of children and youth – **DO NOT** use physical force other than to prevent immediate harm, and then only with a hand firmly on the shoulder to escort the child out of the situation, and when followed by advising the child's parents. **DO NOT** discipline in anger, if anger is present get another adult. **DO NOT** shout or verbally abuse a child. **DO** involve the child's parents with resolving any difficulty as soon as possible. **DO** report any recurring problem with behavior to your Lead Contact, Pastor or Council Lead – don't wait to involve others.



### Off-site meetings and transportation –

Youth ministry often includes activities away from church, sometimes including overnight stays. The family, or the teen, should provide transportation between home and church if possible; however, transportation between home and church and to and from the event may be provided by the leader/teacher/volunteer if there are at least three people in the vehicle, or with the permission of the parents of the youth or child involved. Due to the isolation of a vehicle, a leader/teacher should avoid being in a vehicle with one teen.

For all same-day events off-site, and for overnight activities away from church, a parental permission slip must be obtained for every event before the youth may participate.

For overnight activities with same gender participants, there must be at least one leader and two youth in each sleeping area, and there must be at least two leaders in supervision of the activity. For mixed gender situations, separate sleeping accommodations must be maintained for the two genders, and any common space must be supervised by at least two leaders.

Pastoral care guidelines – Special requirements apply to counselling and other pastoral care such as home visits by elders. If your ministry involves such activity, you must be aware of the requirements in the detailed policy and have received training. Pastoral care, counselling and home visits on behalf of the church are otherwise prohibited.

## Appendix 4

### Possible Indicators of Abuse

The following lists include general characteristics of abused children. Any one indicator does not necessarily mean that abuse has occurred. They may also indicate stress or anxiety in a young child. However, if a number of indicators are present, it is wise to consider the possibility of abuse.

#### 1. Possible Indicators of Physical Abuse:

- Unexplained bruises or welts (bruises in various stages of healing - different colors, old and new scars together).
- Unexplained burns (cigarette, etc.).
- Unexplained broken bones.
- Unexplained cuts or scrapes.
- Unexplained stomach injuries.
- Unbelievable explanations of injuries or claiming no knowledge of the source of injury.
- Exhibits habit disorders (sucking, biting, eating disorders).
- Fears adults; shrinks away from touch.
- Afraid to go home.
- Bald spots and scalp bruises (caused by hair pulling).
- Human bite marks.
- Fears parent(s) or care giver.
- Overly aggressive or withdrawn.
- Seeks more than average amounts of affection from other adults.
- Lags in emotional and intellectual development.

#### 2. Possible Indicators of Neglect

- Under-fed or constantly hungry.
- Constantly unclean/poor hygiene.
- Unattended medical needs.
- Growth rate below normal.
- Begging or stealing food.
- Lack of supervision.
- Constantly fatigued or listless.

#### 3. Possible Indicators of Emotional Abuse/Neglect:

- Speech problems.
- Slow mental or emotional growth.
- Anti-social or destructive behaviour.
- Dramatic emotional swings.
- Low self-esteem.
- Slow physical growth.
- Habit of sucking, biting, or rocking.
- Long-term depression.
- Loss of appetite.

#### **4. Possible Indicators of Sexual Abuse**

- Difficulty in walking or sitting.
- Unusual knowledge of or interest in private parts.
- Bed-wetting.
- Depression or withdrawn behaviour.
- Poor relationships with other children.
- Acting out adult sexual behaviours.
- Indirect hints that allude to problems
- Pain or itching around private parts.
- Stomach-aches.
- Sleep problems.
- Sudden behaviour changes.
- Reluctance to go to the bathroom.
- Anxiety, irritability, constant inattentiveness.

## Appendix 5 Risk Assessment Checklist

<b>Council Contact</b>	<b>High Risk</b>	<b>Medium Risk</b>	<b>Low Risk</b>
<b>Pastor</b>	Council Chair Head Elder	Music Directors	LYNC Committee LYNC Fest Volunteers Music Members/Choir Acolytes Greeters Readers Audio Visual Controller
<b>Council Chair</b>	Pastor Office Administrator Vice Chair (AP Team) Treasurer Recording Secretary Deposit Crew	Remaining Council Members Organist	
<b>Head Elder</b>	Elders		Altar Guild
<b>Council Vice Chair</b>		Abuse Prevention Team (AP Team) Human Resource Committee	
<b>Chair- Christian Education</b>	Bible Study Leaders Sunday School Teachers/Leaders Youth Group Teachers/Leaders VBS Teachers/Leaders	Sunday School Helpers Youth Group Helpers VBS Helpers	Library Volunteers
<b>Chair- Outreach</b>	Nursery Leader Nursery Volunteer	Event Leaders	Coffee Volunteers Event Volunteers Fellowship Activities
<b>Chair- Welfare</b>	Christmas Baskets Lead	Christmas Baskets Volunteers (Delivery)	Christmas Basket Volunteers
<b>Trustee</b>			Garden / Yard Crew Repairs and Maintenance Crew

	<b>High Risk</b>	<b>Medium Risk</b>	<b>Low Risk</b>
Duties May:	<ul style="list-style-type: none"> <li>- involve permitted opportunities for a person to be alone with a child or vulnerable adult</li> <li>- may have access to significant amount of financial resources or confidential information</li> <li>- have position of authority and trust</li> <li>- performs overnight or off premises ministry which require parental consent</li> <li>- regular attendee or reference from other congregation or special exception rule</li> <li>- document all one/one meetings that occur with children or vul.adult to Lead Contact then to Council Contact</li> </ul>	<ul style="list-style-type: none"> <li>- limited opportunity for a person to be alone with a child or vulnerable adult</li> <li>- access to moderate amount of financial resources or confidential information</li> <li>- have position of authority and trust</li> <li>- regular attender or reference from other congregation or special exception rule</li> </ul>	<ul style="list-style-type: none"> <li>- not permitted to be alone with a child or vulnerable adult</li> <li>- no access to financial resources or confidential information.</li> <li>- Limited authority, must refer inquiries to one with the appropriate authority</li> </ul>
Application Required	YES if new to position	YES if new to position	YES if new
Vulnerable Sector Check Required (Starting with Police Consent Form)	YES	YES Not if under 18	NO
Pre-Contract Meeting	YES	YES – appropriate to role	If deemed necessary by Lead Contact
Reference Required	YES if new to position	Not if attender or 16 yrs. and under	If deemed necessary by Lead Contact
Contract Annually / APP Review	YES	YES	YES - to ensure accurate info.

Council Member to ensure completion of documents at beginning of term or ensure review of risk and copy is given to APP Contact for filing (email APP Contact or Vice Chair with any revisions, additions)