

Safe Ministry Ordinance 2005

No 41, 2005

Long Title

An Ordinance to provide for safe ministry practices and procedures to protect children and other vulnerable people.

Preamble

The Synod of the Diocese of Sydney ordains.

1. Name

This Ordinance is the Safe Ministry Ordinance 2005.

2. Amendments to the Church Administration Ordinance 1990

The Church Administration Ordinance 1990 is amended as follows –

(a) insert in alphabetical order the following new definitions in clause 2(1) -

“child” means a person under the age of 18 years and children has a corresponding meaning.

“child abuse” means child abuse as defined in *Faithfulness in Service* adopted as the Diocesan Code for personal behaviour and the practice of pastoral ministry by clergy and church workers as amended from time to time by this Synod.

“children’s ministry position” means any position to which a person is appointed under Part 6, whether paid or unpaid, that primarily involves contact with children where that contact is not directly supervised.

“Director of Professional Standards” means the person appointed as Director under the Church Discipline Ordinance 2002 or any ordinance replacing that ordinance.

“parish office holder” means the minister, another member of the clergy, churchwarden, parish councillor, parish representative for a Synod, parish representative elected or appointed under the Presentation and Exchange Ordinance 1988 or person appointed under Part 6.

“Safe Ministry Board” means the Board constituted under the Safe Ministry Board Ordinance 2001.

“Safe Ministry Training” means training approved by the Safe Ministry Board.

(b) insert a new part 7A as follows –

“Part 7A – Safe Ministry

Safe Ministry Training

47D. (1) A person appointed under Part 6 to a children’s ministry position must have satisfactorily completed safe ministry training within the last 3 years or within 3 months after their appointment and every 3 years thereafter while the appointment continues.

(2) Where a person appointed under Part 6 to a children’s ministry position has not, without just cause, satisfactorily completed safe ministry training within the last 3 years or within 3 months after their appointment and every three years thereafter while the appointment continues, their appointment is revoked.

Safe Ministry Representative

47E. (1) Subject to clause 47E(2) the minister with the concurrence of the parish council must appoint a safe ministry representative.

(2) A safe ministry representative must -

(a) be or above the age of 21 years;

(b) have satisfactorily completed safe ministry training within the last 3 years or within 3 months after their appointment and every 3 years thereafter while the appointment continues.

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(3) Where a person appointed as a safe ministry representative has not, without just cause, satisfactorily completed safe ministry training within the last three years or within 3 months after their appointment and every 3 years thereafter while the appointment continues, their appointment is revoked.

- (4) A safe ministry representative has the following functions -
- (a) ensure compliance by the minister or the minister's delegate with the Child Protection (Prohibited Employment) Act 1998 by persons appointed to a children's ministry position within the parish;
 - (b) maintain records of the date and place of safe ministry training satisfactorily completed by persons appointed to a children's ministry position within the parish;
 - (c) provide a report, at least annually to the parish council, that includes current policies and practices, and any suggested changes, to ensure the safety of children involved in the activities of the parish and such other matters as may be prescribed by the Safe Ministry Board;
 - (d) report to the Director of Professional Standards, and in the case of a parish office holder appointed under Part 6 to the minister and any applicable delegate of the minister, knowledge or reasonable suspicion that a child who attends or has attended any activity of the parish has suffered child abuse or is at the risk of harm of child abuse from a parish office holder.

(5) A person appointed as a Safe Ministry representative is taken to have been appointed for a period of 12 months unless at the time the appointment is made some other period is specified in writing by the minister.

(6) The minister, with the concurrence of the parish council, may, subject to clause 45, revoke the appointment of a person as a safe ministry representative as he thinks fit.

Application to Cathedral

47F. Part 7A applies to the Cathedral Church of St Andrew as if –

- (a) the Cathedral and the lands and property belonging thereto are a parish, and
- (b) the Dean is the minister, and
- (c) the Cathedral Chapter is the parish council, and
- (d) a person appointed to a position in the Cathedral is a parish office holder, and
- (e) a person appointed to a position in the Cathedral, whether paid or unpaid, that primarily involves contact with children where that contact is not directly supervised is a person appointed under Part 6 to a children's ministry position."

(c) delete the word "Nothing" in clause 60 and insert instead the matter "Subject to clause 47F, nothing".

3. Amendments to the Professional Standards Board Ordinance 2001

The Professional Standards Board Ordinance 2001 is amended as follows –

- (a) delete "professional standards" wherever occurring and replace with "safe ministry", and
- (b) add to clause 5 the following matter –
 - "(j) to promote and facilitate the development of an environment within Organisations that is free from the risk of harm to any vulnerable person,
 - (k) to monitor, review and make recommendations in respect of compliance, training, investigatory and management practices and procedures and pastoral care within Organisations in relation to the prevention of and response to harm to any vulnerable person,

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- (l) to provide services, advice, and assistance to Organisations and Office Holders in relation to the prevention of and response to any vulnerable person.”

4. Commencement

- (1) Subject to subclause (2), this ordinance commences on the date of assent.
- (2) Clause 2 commences on 1 April 2006.

I Certify that the ordinance as printed is in accordance with the Ordinance as reported.

PG KELL
Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney 18 October 2005.

R WICKS
C J MORONEY
Secretaries of Synod

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney

21/10/2005