

BREAKING
BREAKING
THE SILENCE



CODE OF CONDUCT
2015 EDITION

FOR MORE INFORMATION
OR ASSISTANCE ABOUT ANYTHING
WITHIN THIS BROCHURE PLEASE
CONTACT:

Conduct Protocol Unit

Presbyterian Social Services

PO Box 2196 Strawberry Hills NSW 2012 (W) 02 9690 9324

(M) 0427 421 467 E: emcclean@pcnsw.org.au

INFORMATION & ASSISTANCE

National

Kids Help Line 1800 55 1800

Lifeline 13 11 14

Australian Capital Territory

Office for Children, Youth and Family Support 1300 556 729

New South Wales

Child Protection Hotline 132 111

Community Services Mandatory Reporters 133 627

Northern Territory

Department of Children and Families 1800 700 250

South Australia

Families SA 131 478

Tasmania

Child Protection Services 1300 737 639

Western Australia

Department for Child Protection 1800 622 258



Breaking the Silence applies to all persons holding a position of authority within the Presbyterian Church of Australia in those States or Territories where **Breaking the Silence** has been formally adopted by the appropriate State General Assembly.

Those in a **position of authority** within the church include all ministers, home missionaries, deaconesses, licentiates, elders, paid employees, church workers whether paid or volunteers and all those working with **children and young people**.

This document is a summary only. As a guideline it should not be solely relied upon for advice. Those in a position of authority within the church, should consult *Breaking the Silence* 2015 Edition and obtain professional advice in each situation and every individual case. Remember, you are not on your own in these matters.

A COMPANION DOCUMENT TO *BREAKING THE SILENCE* 2015 EDITION
BREAKING THE SILENCE: CODE OF CONDUCT BROCHURE 2015 EDITION
ISSUE 1 © CONDUCT PROTOCOL UNIT PRESBYTERIAN SOCIAL SERVICES
PRESBYTERIAN CHURCH OF NEW SOUTH WALES.

NOTE: Breaking the Silence is not limited to **child abuse**. As a church we are concerned for all people, regardless of age, who may be abused. **Breaking the Silence** covers:

- **child abuse**
- **risk of significant harm,**
- **reportable conduct,**
- **sexual misconduct,**
and/or
- conduct that breaches the **Breaking the Silence Code of Conduct**.

It does not extend to other forms of abuse and does not cover any other forms of grievance or personal injury. Words in bold have a specific meaning as defined in **Breaking the Silence**.

BREAKING THE SILENCE

1. As a person in a **position of authority within the church** you must always be concerned about the integrity of your position, likely perceptions of **the church** and the wider community, and the need to acknowledge the real or perceived power given to you as a result of holding this position. You should avoid situations where you are vulnerable to temptation or where your conduct may be construed to be a breach of this Code of Conduct. You will make yourself familiar with the provisions of **Breaking the Silence**.

2. You must not fail take action to prevent to the best of your ability and report as required and of the following:

- **child abuse,**
- a **child or young person at risk of significant harm,**
- **reportable conduct,**
- **sexual misconduct,** and/or
- conduct that breaches the **Breaking the Silence** Code of Conduct.

3. Sexualised behaviour is any behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time by the person to whom it is directed. **Sexualised behaviour** is only permitted as set out in the Word of God. Except with one's own marriage partner, all **sexualised behaviour** is forbidden. If you are not married you must abstain from all sexual or **sexualised behaviour**.

4. You must not engage in or condone any behaviour that could be considered to be:

- **child abuse,**
- putting a **child or young person at risk of significant harm,**
- **reportable conduct,** and/or
- conduct that breaches this **Breaking the Silence** Code of Conduct.

5. You must not engage in or condone any behaviour that could be considered to be **sexual misconduct**, understanding that **sexual misconduct** is contact or invitation, via any means, of a sexual nature which is inconsistent with the integrity of a person in a **position of authority within the church**. **Sexual misconduct** includes any behaviour that could be reasonably considered to be sexual assault, **sexual exploitation, sexual harassment, coercion** or **grooming** of an **adult** or a **child or young person**.

6. Sexual exploitation refers to any form of **sexualised behaviour** with an **adult, child or young person**, whether or not there is consent and regardless of who initiated the behaviour, where that behaviour is contrary to the Word of God. Therefore, you will not among other things engage in or condone any of the following:

- behaviour or a pattern of behaviour aimed at the involvement of others in sexual acts, including but not limited to **coercion** or **grooming behaviour**,
- **sexualised behaviour** with a person below the age of consent,
- sexualised behaviour with a person with whom there is a supervisory, **pastoral care**, or counselling relationship,
- the production, distribution, possession of or accessing of pornographic material of any kind,
- taking advantage of the conscious or unconscious use of sexually provocative behaviour that some victims of abuse display,
- engaging the services of a prostitute, or soliciting or providing such services,
- visiting, without legitimate reason, a brothel or any place maintained for the abuse-of-sex industry,
- viewing or reading, in print or otherwise, material of a sexually explicit nature, except for a legitimate purpose,
- participating in sexually explicit conversation via social media, chat rooms, gaming or any other means, and
- asking, without legitimate reason, any questions about the intimate details of a person's sexual life or providing details of your own sexual life.

7. Sexual harassment means unwelcome **sexualised behaviour**, whether intended or not, in relation to an **adult, child** or **young person** where that person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. Therefore, you will not, among other things engage in or condone:

- implicit or explicit demands or suggestions for sexual activities,
- making any gesture, action or comment of a sexual nature to a person or about a person in their presence,
- making jokes containing sexual references or innuendo using any form of communication,
- exposure to any form of sexually explicit or suggestive material, including but not limited to pornography of any kind,
- physical contact that is inappropriate to the situation or uncomfortable or confusing for the receiver, including kissing, hugging, touching, pinching, patting or aggressive physical conduct,
- touching any sexual part of the body, including the "only kidding" or accidental occasions of sexual touch,
- generating or participating in inappropriate personal correspondence (including electronic communication) in respect of sexual or romantic feelings or in breach of the Code of Conduct,
- inappropriate giving of gifts, including those of a sexual, suggestive or romantic nature that is in breach of the Code of Conduct,

- inappropriate or unnecessary discussion of, or inquiry about, personal matters of a sexual nature,
- inappropriate intrusion of personal space or physical privacy, including being alone in a bedroom or bathroom or allowing inappropriate exposure during activities that require dressing or changing clothes,
- voyeurism, and
- persistent following or stalking.

8. Coercion or grooming behaviour refers to physical or psychological actions intrinsic to initiating or hiding abusive behaviour, which involved the manipulative cultivation of relationships with vulnerable **adults, children and/or young people**, their carers and others in authority. You will not exhibit any behaviour that could be considered to be **coercion or grooming behaviour**.

9. With regard to children and young people:

- You will not visit a **child or young person** in their own home unless a parent is present or you visit with another person in a **position of authority within the church** with parental permission.
- You will not conduct a camp or other activity involving overnight accommodation without appropriate "camp parents" (ideally a married couple over the age of 25 years, of known maturity and Christian commitment) approved by the **supervising body**.
- You will not provide any form of accommodation for any reason where there is not strict segregation by sex, with the exception of married couples and families. Supervision of **children and/or young people** must be provided by a person of the same sex.
- You will ensure that any activity involving **children and/or young people** is open to observation by parents and other adults with a legitimate interest

10. With regard to adults, children and young people:

- You will not condone or participate in **bullying** behaviour, where **bullying** is the repeated seeking out or targeting of an **adult, child or young person** to cause them distress and humiliation or to exploit them, including exclusion from a peer group, intimidation and extortion.
- You will not condone or participate in **domestic or family violence**, which involves violent, abusive or intimidating behaviour carried out by a partner, carer or family member to control, dominate or instil fear. This includes physical, emotional, psychological, sexual, financial or other types of abuse.
- You will not participate in or allow nude swimming or other such activities.
- You will not participate in or allow initiations and secret ceremonies.

THE FOLLOWING CONSTITUTES **THE CHURCH'S** CODE OF CONDUCT FOR BEHAVIOUR FOR A PERSON IN A **POSITION OF AUTHORITY WITHIN THE CHURCH:**

11. With regard to **adults, children and young people**, either the Presbytery or Session may make temporary variations in respect to the details of the following. These temporary variations will be formally recorded by the Presbytery or Session and will be made on a restricted basis for individuals in specific circumstances for a specific period of time. Where no temporary variation is formally recorded, the following will apply without change:

- You will take care to ensure an appropriate balance of transparency and confidentiality so that the private concerns of others are not disclosed or revealed improperly.
- In ordinary circumstances, when you are providing **pastoral care** to, or working with members of the opposite sex, you will strive to do so in an environment that allows visual surveillance and, where reasonable, have other people within hearing distance.
- You will not allow a **child** to sleep in close proximity to an **adult**, other than a parent or guardian, unless there is a significant separation, and privacy of all parties is respected.
- You will not allow an **adult** to share accommodation with one child or young person only unless they are a parent or guardian of that **child or young person**.
- You will not drive a **child or young person** unaccompanied.

Where specified provisions cannot be followed in an emergency, the circumstances of the emergency and the actions taken should be reported to and approved by the **supervising body**. Where the actions taken are not approved they will be considered to be a breach of the Code of Conduct.

Any breaches of this Code of Conduct for any reason will be reported to the appropriate **supervising body** as soon as possible. The **supervising body** will then report the matter to the CPU.

THE FOLLOWING CHANGES HAVE BEEN APPROVED BY YOUR SUPERVISING BODY:

Person:

Activity:

Conditions:

Valid until (date):

ANY BREACH OF THIS CODE OF CONDUCT FOR ANY REASON WILL BE REPORTED TO:

Name:

Contact Number:

or to the Conduct Protocol Unit on (02) 9690 9324.