



Uniting Church in Australia
ASSEMBLY
Assembly Standing Committee

10-12 November 2023

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Title	Repositioned NSCU and deliverables
Type of Paper (Information/Decision)	For decision
Assembly or ASC Minute	
Consultation	NSCU Governance Committees General Secretaries
Purpose	To seek endorsement for matters related to repositioning the NSCU and its deliverables
Rationale & Findings Summary	
Attachments	
Proposal/s	<p>That the Assembly Standing Committee:</p> <ol style="list-style-type: none">Notes that following consultation between National Safe Church Unit (NSCU) and all General Secretaries (Synod and Assembly) a consensus position was reached among all participants <p>As a consequence, the Standing Committee endorses</p> <ul style="list-style-type: none">The changes to the NSCU Charter as shown in AppendixTransition to the adoption of National Standards as per Appendices 2-4Continuation of the cost sharing model which underpins the NSCU staffing model of three FTEThe discipline of semi-annual review and reporting of the national Safeguarding work.
Submitted by	John Cox Director, National Safe Church Unit johnc@safechurch.uca.org.au

Repositioned National Safe Church Unit (NSCU) and Deliverables

31 August 2023

Proposal:

That the Standing Committee:

Notes that following consultation between National Safe Church Unit (NSCU) and all General Secretaries (Synod and Assembly) a consensus position was reached among all participants

As a consequence, the Standing Committee endorses

- **The changes to the NSCU Charter as shown in Appendix 1**
- **Transition to the adoption of National Standards as per Appendices 2-4**
- **Continuation of the cost sharing model which underpins the NSCU staffing model of three FTE**
- **The discipline of semi-annual review and reporting of the national Safeguarding work.**

The NSCU and its Review Background

The scheduled year three review of the National Safe Church Unit (NSCU) took place in 2022. The review engaged feedback from General Secretaries, Safe Church leads, ecumenical colleagues, community sector colleagues and the National Office for Child Safety. Broadly, the findings engaged by the Governance Committee endorsed the work to date while articulating a desire from the Church for an expanded scope, and some changes to key NSCU work foci. Consultation within the review process indicated a need to change the NSCU's focus from principle-based policies and resource development which is limited in scope to children under 18 years of age; into national standards underpinned by systems of assurance to meet compliance and sustainability factors effecting the church, with an expanded scope of people experiencing vulnerability.

These findings were explored by the Governance Committee and a further range of key issues were canvassed in a workshop with Stakeholders. The results of the workshop led to further refinement and further engagement with General Secretaries to determine how the unit could offer greatest value moving forward.

The need for change/the way forward

The revised scope, function and responsibilities of the National Safe Church Unit (NSCU) are outlined in appendix 1. The changes represent an evolution of the NSCU's ability to support the Church's growth in creating/being a safe place for all people. The unit will focus on systems of safeguarding and assurance, to ensure that requirements of past royal commissions, continued parliamentary inquiries and emerging regulatory reform, underpin our collective work.

This will be achieved through the delivery of National standards that define the common baseline and systemic requirements for effective safeguarding. National Standards will reflect (regulatory) practice, with opportunities for continuous improvement. The standards will include key measures that support Synods and NSCU to determine the effectiveness of our practices, identify emerging trends or issues and evidence the maturity in oversight, governance and assurance to a level that meets increasing expectations of insurers, regulators, and our broader community. The NSCU will retain its key leadership role in driving a safe church culture and national consistency, reporting to Standing Committees on the work, providing a key advocacy and engagement function with the Federal Government, highlighting best practice developments, and advising the Church of upcoming change.

For complete clarity, the changes:

- Broaden the NSCU scope to include safeguarding of vulnerable adults
- Give priority to the work of National Standards
- Broaden the collaborative stakeholder groups to resource the expanded work and meet the expanding needs of assurance
- Continues to authorise the NSCU Governance Committee to have governance responsibility for the delivery of the work of the NSCU
- Recognise that Synods remain accountable for implementation of national policies and standards

Increased Value and Benefits of the revised model

The benefits expected from this revised approach include qualitative outcomes such as improved practice, culture and compliance, reduced risk and liability through to quantitative outcomes such as resource efficiency. These benefits will be delivered while maintaining the current FTE and resourcing levels of the National Safe Church Unit.

Some of these benefits will be quickly evident with others demonstrated through continued reporting to General Secretaries, Assembly and Synod Standing Committees and external stakeholders such as regulators, insurers and the National Office for Child Safety. A more comprehensive (whilst not exhaustive) list of potential benefits are identified in Appendix 3.

From Here: Practical transition (Overview and Next Steps)

In Appendix 4 we have provided a transition overview, identifying the key markers of the NSCU transition to a broadened scope and renewed delivery focus. Progress will be reported against in the NSCU's twice yearly reporting to General Secretaries and standing committees.

Conclusion

The recalibrated NSCU scope and function exemplifies the Uniting Church in Australia's unwavering commitment to fostering an environment of safety, inclusivity, and accountability. By embracing national standards, continuing to develop assurance systems, and broadening stakeholder engagement, we demonstrate the UCA's ongoing commitment to be a safe church for all people.

Appendix 1- Old Vs New function and Scope

The scheduled year three review of the unit took place in 2022. The findings of the review were explored by the Governance Committee. A further range of key issues were canvassed with General Secretaries to determine how the unit could offer greatest value in the coming two to three years. This consultation identified opportunities to provide unique support, expertise and assurance of safety for children and vulnerable adults. It should also be noted that stakeholders have informed how the church can best meet its ongoing commitments to the royal commission and that of the National Office for Child Safety.

The proposed revised scope, function and responsibilities of the National Safe Church Unit is identified below. In summary, the changes are intended to enable consistent implementation of safe church practices and extend the commonalities to keep children, young people and now vulnerable adults safe. The NSCU will also transition from the creation of foundational policy towards baseline standards that underpin regulatory practice and offer opportunities for continuous improvement. This transition will enable national consistency and systemic assurance required by compliance while still allowing synods to determine how they best embed practice at a local level.

The Governance Committee’s oversight and duties will not change other than to reflect the units extended scope and deliverables.

Revised Approach	Current (approved) Approach
<p>Scope Safeguarding of Children, young people and vulnerable adults (all people)</p>	<p>Scope Safeguarding for Children, Young People</p>
<p>Purpose The purpose of the National Safe Church Unit is to ensure a collaborative approach by the Assembly and the Synods of the Uniting Church in Australia (UCA) to embed a nationally consistent and robust safe church culture, standards and safe church practices. The unit fosters assurance in alignment with the shared principles of safeguarding within agencies. The NSCU scope of work includes the safeguarding and wellbeing of vulnerable people (as per proposed definition). This scope might be expanded or refined by agreement of the stakeholder Standing Committees.</p>	<p>Purpose The purpose of the National Safe Church Unit is to ensure a national collaborative approach by the Assembly and the Synods of the UCA to embed a consistent and robust safe church culture and safe church practices across the Church and its agencies. Initially, the work of the National Safe Church Unit will be limited to Child Safety in the life of the Church. However, this is only a subset of having a safe church and further aspects of providing a safe church may be identified and tasked to this unit.</p>
<p>Function The National Safe Church Unit will remain the mechanism through which the Uniting Church in Australia resources, develops, and channels national safe church practices. It is positioned to:</p>	<p>Function The National Safe Church Unit will be the mechanism through which Church resources may be channelled for the Unit’s purpose. It is anticipated that it will facilitate:</p> <ul style="list-style-type: none"> a) better administration of a uniform and nationally consistent approach;

<ul style="list-style-type: none"> a) Provide expertise and strategic leadership to the Church to improve national safeguarding outcomes and reduce risk and liability; b) Support and collaborate to improve systems of governance and oversight that underpin national consistency; c) Design and support the adoption of national standards that appropriately address compliance and best practice; d) Foster the church's safe church culture and delivery of commitments made to past Royal Commissions, future parliamentary enquiries, as well as the Australian Community, Victims/Survivors and members across the church; e) Provide nationally consistent messaging; f) Support and advise church leaders in the effective management of critical safeguarding matters and delivery of safeguarding assurance, drawing from shared resources and expertise; g) Attract and foster appropriate governance skills and expertise to support the NSCU Committee and the church's national safeguarding governance; h) Define and drive national consistency in safeguarding and assurance including the collection of data, analysis and reporting to determine impact across the church. <p><i>NB: Due to resource constraints, NSCU functions do not currently include WHS, building safety or other extensions.</i></p>	<ul style="list-style-type: none"> b) consistent policy and process; c) consistent messaging; d) attraction of appropriate skills and experience to its governance in a dedicated way; e) consistent collection of data and reporting.
<p>Responsibilities</p> <p>The National Safe Church Unit will have responsibility to:</p> <ul style="list-style-type: none"> a) Undertake research and provide strategic advice as to governance and system needs that address current safeguarding regulation, emerging trends and 	<p>Responsibilities</p> <p>The National Safe Church Unit will have responsibility for the development and implementation of nationally consistent policy and practices to ensure the church and its agencies are safe for children. Its role will include:</p>

<p>increasing expectations from continuing inquiries and royal commissions.</p> <ul style="list-style-type: none"> b) Maintain and leverage the Church’s safeguarding commitments within the National Policy Framework to direct continuous improvement and foster the wellbeing and safety of all people c) In collaboration with the Synods, develop national standards to underpin our compliance and safeguarding assurance framework. Leverage findings to prioritise and resource emerging risks and challenges required to achieve continued systemic maturity d) Provide a best practice resource function to support the Church’s continued safeguarding journey, working to foster and embed a safety-embracing culture across the Church. e) Lead initiatives that respond to the increasing compliance and changing legislative landscape, to ensure greater internal consistency in safeguarding policy and practice. f) Operate as the national lead in which collaboration and sharing of resources, data, research, learnings and insights support the Church to better target and direct resources to ensure safe environments, avoid duplication and improve safety through the timely identification and sharing of best practices. g) Maintain currency of the national curriculum requirements and provide guidance for quality (synod) training. h) Provide regular reports to church leaders and governing bodies outlining assurance findings and emerging trends. i) Provide support and advice on synod specific opportunities and successes achieved through the safeguarding (assurance) program. j) Represent the UCA in advocacy and engagement with Government, including the submission of annual and related reporting. Liaise with UC Redress Limited to build on learnings from the Church’s National Redress Scheme response 	<ul style="list-style-type: none"> a) Working with government and others to provide input in relation to the proposed national child safety standards for institutions; b) In collaboration with the synods, the preparation of and oversight of the implementation of nationally consistent policy and procedures including a national compliance framework to ensure compliance with the proposed national standards and appropriate reporting processes; c) Continuing to work to improve child safe policies and procedures across the Church and its institutions to ensure that children with whom it has contact are safe from abuse; d) Working to embed a safety embracing culture across the Church; e) Leading work, in collaboration with the synods, particularly in light of legislative variations, to ensure greater internal consistency in policy and practice related to child safety enabling Synods to focus on implementation rather than policy development; f) Working to ensure greater collaboration including resource sharing, data sharing, research, learning and development to allow Synods and agencies to better target direct resources to ensuring safe environments, avoid duplication and improve safety through the timely identification and sharing of best practices; g) Preparation of policy and practice to ensure the provision of consistent, quality training material and educators as a foundational point from which Synods or Agencies or schools may focus on providing training which specifically addresses state legislation or service specific requirements; h) Liaison with UC Redress Limited to build on learnings from the Church’s National Redress Scheme response.
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Appendix 2 – Transition Process

Practical Transition Process

Revised Function

1. The revised scope, functions and responsibilities will be reflected in the updated NSCU Charter. Our continued 3FTE resourcing agreement will be developed in consultation with Synods and the Assembly through engagement with General Secretaries. Assurance findings will inform the prioritisation of work and agreed resources to support vulnerable individuals as identified below;

Vulnerable People

As per the Australian Government Department of Social Services, a 'vulnerable person' is:

- A child or children; or
- An individual aged 18 years or above who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

NB: We acknowledge that not all people in vulnerable groups, will self-identify as vulnerable; not all people will be vulnerable all the time; and that all people will be vulnerable at some point in their life. This definition of vulnerability identifies vulnerability as having fewer resources or reduced ability to protect themselves from harm or exploitation.

Transition of Governance Resources and Operations

Subject to receiving Standing Committee endorsements, the following activities will underpin the units planning and transition; (NB. The below is not intended to be a linear process):

1. The expanded scope will be reflected in revised resources and unit operations in recognition of national safeguarding for all people, including the;
 - a. Revision of governing documents to ensure that charters, policy frameworks and safeguarding models align and embed safe church principles for all
 - b. Exploration of broader metrics and assurance reporting outcomes underpinned by our national safe church standards
 - c. Refinement of change management education standards and communication strategies that foster a safe church culture
 - d. Renewal of the unit's collaboration strategy to reflect expanded stakeholders, consultation methods and decision-making practices that support best practice.
2. Determine the skills required to deliver the above work and recruit/contract accordingly against the budgeted three FTE allocation.
3. Revision of the current work plan to reflect expanded scope, prioritisation of national standards and deliverables from 2024 in accordance with agreed timeframes:
 - a. Include proposed national standards in workplan with agreed resourcing
 - b. Activate agreed stakeholder groups and ratify first national standard priority.

- c. Nominate indicative approach including sequence of national standards (Governance Committee)
- d. Schedule regular reporting for General Secretaries and Councils. Reporting to include content supporting the General Secretaries to fulfil their duties and commitment to mutual accountability and transparency.

Resourcing

The NSCU will remain a small team of three FTE, with a similar resourcing request of the Church to that it has made across the previous four years of operation. The renewed scope and focus of the NSCU will see the Unit leverage existing work and expertise to efficiently deliver on a broader scope. Enabling this transition without increased cost or resources will consequently refine unit focus on Safeguarding and assurance across the Church.

The following tasks will be undertaken within three months of the determination of Standing Committees:

- Draft a budget for the NSCU, including establishing a resourcing agreement for engagement with Synods and Assembly through the General Secretaries

Resourcing agreement to include:

- Core funding to resource the work restricted to three FTE staff
- Year on year incremental increases pinned to AWOTE and Inflation
- A mechanism to review the resourcing agreement which can be activated by any stakeholder.
- The joint stakeholders corporately make the decision regarding any potential change in the resourcing agreement.

Governance Committee

In addition to providing governance oversight of the NSCU and its broadened functions, the following operational tasks will be commenced within three months of final council endorsement, in accordance with the Governance Committee's ongoing responsibilities;

- Update governance and onboarding materials to reflect the revised NSCU charter, unit deliverables and Committee membership requirements
- Commence vacancy recruitment against the current governance committee structure (five members: two appointed by Synods; one appointed as a representative of the Assembly General Secretary; two appointed by the Governance Committee). Appointments to be made reflecting the need to broaden the base of skills/experience to respond to the modified NSCU mandate.

Appendix 3: Added Value and Potential Benefits

Operational and Resourcing Efficiencies

- NSCU's expanded scope increases value without additional cost via a systemic approach to safeguard all people (also reflective of most synod resourcing approaches)
- Our revised function reduces duplicative effort and waste by units focus on strategic safeguarding (governance, systems, standards) and synods retention over practice implementation. This also enables the unit to be responsive to changing need via its focus on emerging issues and trends.
- Our continued collaborative approach, consultation and engagement leverages systemic safeguarding consistency (rather than standardisation), while leveraging scale, expertise and efficiencies. It's our consistent approach to safeguarding that will foster a safe church culture with practical change management activities.

Congregational and Community Outcomes

- Improves outcomes for vulnerable people, congregation members, ministry agents and their councils are expected through targeted continuous improvement that reflects our theological foundations using both trauma-informed and best practice approaches.

Compliance, Liability and Insurability

- The pivot to national standards acknowledges the increasingly harmonized state and federal safeguarding regulation, simplifies safeguarding requirements while leveraging the systemic commonality, quality and rigour of church operations.
- Transition from having a system (policy) to verifying its performance (standards and assurance) in now the expected level of maturity from organisations engaging with the community. In 2023, evidence of robust assurance has been directly sought from insurers and regulators to demonstrate we meet our ethical, financial and compliance obligations.
- National standards will add additional value through the wholistic and integrated supports required to safeguard the church and its people as a target for grooming and also remediate secondary liabilities such as workplace and vicarious trauma claims and civil vicarious liability.

Advocacy, Leadership Support and Good Governance

- Renewed function and responsibilities better position the NSCU as a sponsor and advisor to specialists, leaders and councils and be an advocate with external stakeholders to demonstrate how national systems and practices make structured efforts to eliminate unsafe practices and reduce likelihood of harm.
- Assurance (dashboard) reporting better supports church leaders and governing committees to oversee incidents, explore trends and support evidenced-based decision-making (in accordance with their fiduciary and regulatory obligations)

Financial Savings

- Targeted financial savings are expected through quality systems that take a balanced risk approach to reduce the likelihood of harm via early identification and prevention plus reduced severity through individual remedial action and systemic level improvements that meet the changing safeguarding needs of vulnerable people
- Inadvertent costs saving are forecast through the direct request of insurers to demonstrate national standards and safeguarding assurance in order to achieve or retain coverage. The delivery of this integrated program will potentially deliver insurance premium savings and alternate risk transference costs for synods pivoting to self-insurance or captive investment programs to ensure sustainability
- Minimisation of costs is also expected in remediating previously poor assurance evidence of duty

of care and the reverse onus of proof in legal claims. Financial, regulatory and compliance benefits are realised through systemic standards. Mitigation against potential for regulatory fines and penalties, legal claims and/or payments no longer covered by insurance.

Appendix 4: National Standards and NSCU Priorities

Standards provide the systemic rigour, defined governance and evidenced-based performance outcomes expected in effective safeguarding. As we progressively analyse our assurance findings in context to our internal risks and shifting external/regulatory requirements, the areas requiring targeted system-based standards will be ratified. Notwithstanding this, our scenario-based national standards will bring together requirements as outlined below, in the approved safeguarding model.

Safeguarding Framework



Given national standards focus on systems of management, it is expected that several elements will be addressed within a single standard. The following provides an indicative approach to our national standard planning but should be taken as illustrative rather than prescriptive.

Examples of National Standards

Intended Scope	Purpose	Sample Measures
Incident and Allegation Management	-determine baseline approach to identify, monitor and manage high risk matters inc incidents, allegations or concerns for vulnerable people. -connect interrelated requirements inc investigations and reporting	No of Incidents No of allegations No resulting in: -internal investigation -external mandatory reporting

Working with vulnerable people and communities	-define how trauma informed practice should underpin our work with vulnerable individuals and communities -explore safe ministry with vulnerable people -preventing vicarious trauma in our community	-No of people working with Children/vulnerable adults -no activities with children/vulnerable adults -trauma informed training
Safeguarding Our People	-baseline people screening, appointment, supervision, trained requirements -Prevention of vicarious trauma	-No. screening cancelations/ declines -No. claims
Proactive Safeguarding & Risk Management	-define safety and risk management standards, - connect related audit/insurance/legal actions -expand person to behaviours of concern -determine baseline safeguarding inc individual, place-based and community prevention standards	-No. of activities requiring risk assessment -No assessments completed -No.injuries/near miss -No. of community, placed based and individual prevention activities

Roadmap: National Standards to Assurance

Like policies, national standards are not a ‘set and forget’ activity. National standards will be both developed and reviewed collaboratively with all relevant stakeholders. Post approval, the focus progressively turns toward synod implementation. At both synod and national levels, we then oversee and measure new baseline activity against the broader assurance framework. Findings help to celebrate successes, determine how to best prevent critical failures, identify trends and direct continuous improvement. Summary findings will be reported to church leaders and councils to underpin their own planning and decision-making.

Importantly, this integrated approach is considered foundational for ministry governance, by insurers and regulators alike. Given increasing compliance expectations over time, the unit will lead the revision of standards and refine measures to meet the progressive needs of the church and our regulators. Minimum standards will seek to leverage commonality and safeguarding synergies to meet the needs of all vulnerable people.

Periodic review of the assurance system itself, will determine how effectively it is providing the safeguarding insights and outcomes expected. This will be set against the increasing levels of governance and assurance expected in regulation. This approach better positions the NSCU to support the church and its leaders to make informed decisions, evidence positive outcomes and target remediation towards greatest value, impact or cost benefit.

Background and Definitions:

What is a National Standard?

A ‘National Standard’ describes a baseline standard to be met and the approach or system of management for certain matters/common events. Such standards define baseline requirements at an over-arching system level (rather than a prescriptive practice) to accommodate the multifaceted way that this occurs. These resources are scenario based and therefore provide practical value, bringing together requirements spread across multiple policies and procedures.

Purpose of National Standards

The purpose of a national standard is to ensure that, every time an agreed event or process is performed, the same information, methods, and checkpoints are consistently used. Standards define

and integrate the common elements of a system to enable shared terminology, understanding and meaningful measurement of outcomes across functions (measuring apples with apples). National standards not only summarise how this system works, but a mechanism to be assured whether the system is achieving its intended outcomes (keeping people safe).

National Standards and Assurance

Increasing compliance has highlighted regulator expectations, not just to have a robust system in place, but to be assured over its effectiveness and performance. National standards create the common baseline our systems share and resulting performance measures we require. National assurance is how we demonstrate 'due process' and 'risk/governance maturity' sought from regulators, insurers and the like.