

Upholding the rights of children and young people: Policies for the Protection and Safety of Children and Young People

Children are the most precious treasure a community can possess, for in them are the promise and guarantee of the future. They bear the seeds of the character of future society which is largely shaped by what the adults constituting the community do or fail to do with respect to children. They are a trust no community can neglect with impunity.¹

... the principle of the oneness of mankind is described in the Bahá'í Writings as the pivot round which all the Teachings of Baha'u'llah revolve. It has widespread implications which affect and remould all dimensions of human activity. It calls for a fundamental change in the manner in which people relate to each other, and the eradication of those age-old practices which deny the intrinsic human right of every individual to be treated with consideration and respect.

...the Bahá'í institutions must be uncompromising and vigilant in their commitment to the protection of the children entrusted to their care, and must not allow either threats or appeals to expediency to divert them from their duty.²

If a Bahá'í has intimate knowledge of the abuse of a child, either within or outside the Bahá'í community, she has a moral and possibly a legal obligation to report the matter to civil authorities.³

TABLE OF CONTENTS

INTRODUCTION	2
PART A- CHILD PROTECTION POLICY	2
Policy Statement & Scope	2
Definitions	2
Basic Screening and Training Requirements for Working with Children and Young People	3
Service on Bahá'í Institutions and Agencies	4
Reporting Procedures.....	4
PART B - CHILD SAFE ENVIRONMENT POLICY	6
Policy Statement & Scope	6
Participation of Children and Young People	6
Engagement and Support of Individuals Working with Children and Young People.....	6
Reporting child abuse and neglect	6
Bullying, Discrimination and Harassment	7
Risk Management	7
Communication of Policy	7
Related Policies and Documents.....	7
Annex A: Supervision of children and young people and accreditation of facilitators and organisers at activities and events under the aegis of a Bahá'í institution or agency.....	9

¹ Letter from the international governing body, the Universal House of Justice, to the Bahá'ís of the World, Ridván 2000

² Letter written on behalf of the Universal House of Justice to an individual, 24 January 1993

³ Letter on behalf of the Universal House of Justice to an individual believer, dated 5 October 1992

INTRODUCTION

“Regard man as a mine rich in gems of inestimable value. Education can, alone, cause it to reveal its treasures, and enable mankind to benefit therefrom.”— Bahá’u’lláh

Bahá’ís see children as the most precious treasure a community can possess. In children are the promise and guarantee of the future. For this promise to be realised, the moral and spiritual education of children assumes vital importance.

Across Australia, growing numbers of educational and community building activities for children and young people are being initiated by Bahá’ís and their friends in neighbourhoods, at the community level, and in some State schools, with the goal of children reaching a stage where they take charge of their own spiritual development and contribute to the well being of society. Young people, in their teens, emerging from these educational activities, often take on the responsibility to likewise act as teachers and mentors of the emerging generation. It is important that environments created within the context of these educational activities are conducive to the wellbeing, safety and flourishing of children and young people.

The protection of children from abuse within the Bahá’í community is also given paramount importance.

The principles of the Bahá’í Faith and the best interests of the child guide the following two policies, the Child Protection Policy and the Child Safe Environment Policy, which articulate the strong commitment of the Australian Bahá’í community to create safe environments for children and young people.

PART A- CHILD PROTECTION POLICY

Policy Statement & Scope

The Australian Bahá’í Community is committed to creating safe environments for children and young people serving at and participating within any of its activities and events.

The Child Protection Policy aims to reduce the risk of abuse occurring, and to ensure a caring and appropriate response is taken should a disclosure of abuse occur.

The Child Protection Policy applies to all activities and events, endorsed by an Australian Bahá’í institution or one of its agencies, and to all those organising and participating in those activities and events.

Definitions

A *child* or *young person* is a person under 18 years of age.

Abuse: Includes but is not limited to:

- Sexual abuse:** when someone involves a child in or exposes a child to any sort of sexual activity by using their power over them or taking advantage of their trust.
- Physical abuse:** is the non-accidental use of physical force against a child that results in harm to the child.
- Emotional abuse:** behaviour by a person towards a child, which causes intentional and inappropriate mental anguish damaging the child’s emotional and psychological development. This includes exposure to family violence.
- **Neglect:** when a person does not meet their obligations and responsibilities to keep a child safe or meet a child’s basic necessities of life, and the child’s health and development are significantly affected.

Bahá'í institutions and agencies: The national and local Bahá'í governing bodies, i.e. the *National Spiritual Assembly* and the *Local Spiritual Assemblies*, and the *Regional Bahá'í Councils* are Bahá'í institutions referred to in this policy. These institutions are elected annually and often have a number of appointed agencies. For example, agencies of the Regional Bahá'í Council include Regional Institute Boards and institute coordinators, responsible for the training of teachers of children's classes and animators of junior youth groups. All elected Bahá'í institutions function as a body and make decisions through consultation. There is no clergy or priesthood in the Bahá'í Faith.

Work with children and young people: includes all situations in which an individual is engaged by a Bahá'í institution or designated agency to teach, care for, or supervise children and young people. Examples include but are not limited to:

- Serving as a teacher or co-teacher of Bahá'í Children's Classes
- Serving as an animator or co-animator of Junior Youth Groups
- Serving as a tutor or co-tutor of Study Circles with unaccompanied participants under 18
- Supervising children and young people at overnight camps, excursions or summer schools
- Accompanying and supporting youth under 18 to serve
- Facilitating youth groups or gatherings with under 18s
- Formally caring for children at Nineteen Day Feasts or other events
- Serving in some supportive roles (refer to Annexure A)

Basic Screening and Training Requirements for Working with Children and Young People

The Australian Bahá'í community is committed to reducing the potential risk of abuse of children and young people at activities and events.

Any person from 15 years of age engaged to *work with children and young people* at any activity or event under the aegis of any Bahá'í institution or agency must (subject to exceptions specified in Annexure B) :

1. fulfil ALL legal requirements for working with children, including as required a working with children related check or registration and submit the relevant documentation to the State Child Protection Administrator appointed under this Policy (These requirements vary from State to State and may differ for volunteers and paid employees. Where a working with children check or registration cannot be obtained, the Bahá'í institutions may undertake screening in other forms, such as seeking a declaration.); and
2. undertake training and regular refresher trainings in recognising the signs of abuse and the reporting procedures of this Policy; and
3. be verified by the National Spiritual Assembly and receive notification of their accreditation under this Policy.

Accreditation under this Policy is recorded on the national database, 'Encompass', by the State/Territory Child Protection Administrator. Both the validity and currency of the individual's accreditation on Encompass and the State/Territory working with children related check or registration must be checked by the endorsing Bahá'í institution or agency.

Note: For overseas Bahá'ís in Australia, on temporary visas, for less than six months, in addition to the above, clearance should be sought from their overseas National Spiritual Assembly to work with children, and a temporary accreditation letter will be issued by the Child Protection Administrator for the maximum period of six months.

A Bahá'í institution and members of the Auxiliary Board may in exceptional circumstances and on a case by case basis, engage an individual to temporarily work with children where all the State/Territory legal requirements have been fulfilled but the individual is awaiting to undertake training or to be notified of their accreditation.

Working with children and young people is a privilege. It is within the discretion of the endorsing institution to withhold the privilege of serving children and young people at Bahá'í-endorsed activities and it is within the absolute discretion of the National Spiritual Assembly to revoke accreditation under this Policy.

Annex B provides a flowchart which clarifies the responsibilities regarding supervision, articulates who needs accreditation at Bahá'í activities and events, and lists some exceptions with regard to the latter.

Service on Bahá'í Institutions and Agencies

Service on the institutions and agencies of the Bahá'í Faith is a tremendous privilege, but not one that is sought by the individual. It is a duty and responsibility to which a person may be called at any given time. Those serving on a Bahá'í institution or agency are strongly encouraged to be accredited under this Policy during their period of service and are not exempt from the basic requirements listed above.

Those serving on Bahá'í institutions or agencies are additionally required to be accredited when delegated the specific duty on behalf of the institution or agency of:

- visiting or directly contacting (including by phone, or electronic means) a child or young person. (It is understood that this may not always be practicable in a once-off unplanned situation, for example in an emergency.) Example: Secretary of an Assembly corresponding with community members including youth aged 15-17
- representing the Local Spiritual Assembly at a public or community gathering, where children and young people are present
- attending an activity directed to children and/or young people or mainly attended by children and/or young people.
- directly accompanying and supporting those working with children and young people, such as animators, teachers and tutors.

Reporting Procedures

Child protection is everyone's responsibility. The reporting procedures below are a guide for all members of the Bahá'í community and apply specifically to any person accredited under this Policy to work with children and to Bahá'í institutions and agencies.

A report should be made where a person or a Bahá'í institution has reasonable grounds to suspect or believe that a child, who is a member of the Bahá'í community or participating in its activities, has been abused or is at risk of abuse.

The suspicion or belief of abuse may be based on a number of child protection concerns that form 'reasonable grounds'. For example: observation of a child's behaviour or injuries, disclosure by a child or allegations reported by a third party.

Reporting involves a 2-step process:

- (a) immediately make a report by telephone or in person to the appropriate government agency (or police if the child is in immediate danger or has been significantly harmed); and
- (b) immediately, within a 12 hour period, report the matter to the Local Spiritual Assembly or Auxiliary Board member for Protection or directly to the National Spiritual Assembly.

The appropriate government agency should be contacted for advice if there is any doubt about whether a report should be made.

Guidelines provided in the training of this policy should be followed on how to respond to a disclosure of child abuse.

Responsibility of Bahá'í Institutions in Responding to Allegations of Abuse

Principles

Every individual has a right to consult with the institutions of the Faith regarding abuse issues. Allegations of abuse should be regarded seriously, and handled promptly and with special sensitivity.

Responses to allegations of child abuse should be compassionate, even at a time when it is not yet certain that the allegations are accurate. At the outset, alleged victims should be assured that abuse is abhorrent to the Teachings of the Faith. Careful consideration, in consultation with the alleged victim, needs to be given to what can be done to ensure their immediate safety and wellbeing, including support in accessing medical or counselling services. When the allegation of abuse concerns an Aboriginal child, culturally and/or linguistically diverse child or child with a disability, consideration needs to be given to whether particular support measures are needed; such as a support person from the same cultural community, the need for an accredited interpreter or specialised support services. These responses do not pass judgement on or prejudice the rights of the alleged perpetrator, but convey an appropriate response to the alleged victim.

Measures taken as an interim step while allegations are being assessed are a protective measure for the safety of the community that should not be taken to be a presumption of guilt. The institutions of the Faith should handle such cases with a high regard for confidentiality and with due consideration for the reputation of the alleged perpetrator, while also balancing the safety of the community.

Procedures

Where the Bahá'í institution determines reasonable grounds exist, the Bahá'í institution should ensure:

- (a) the allegation has been/is reported to the appropriate government authority*; and
- (b) appropriate interim actions (including temporary revocation of the alleged offender's accreditation and requiring that he/she stands aside from 'working with children' roles during investigations) are taken to ensure the safety of the victim and of other children and young people; and
- (c) the matter is reported to the National Assembly.

Where the allegations have been reported to the appropriate government agency and criminal investigations are ongoing, it is recommended that the Assembly consult with the relevant government agency about the steps it will take to protect the community, in order to avoid inadvertently taking any action that could be seen as interfering with the criminal investigations.

The National Assembly should be contacted for further guidance on the processes for Bahá'í institutions to follow when responding to allegations of abuse and reportable conduct. These are to be outlined in training materials for Bahá'í institutions and agencies.

**It should be noted that in the ACT and in Victoria, the Secretary of the Local Spiritual Assembly may be required in certain cases to also notify the ACT Ombudsman or Victorian Commission for Children and Young People of the alleged abuse, under the ACT and Victorian Reportable Conduct Scheme, within 3 business days of the initial notification for Victoria or as soon as possible, and no later than 30 business days, for the ACT. The Local Spiritual Assembly should notify the National Spiritual Assembly at the time of making this report.*

PART B - CHILD SAFE ENVIRONMENT POLICY

Policy Statement & Scope

The Australian Bahá'í Community is committed to providing a safe environment for all children and young people serving or participating within its activities and events.

The aim of this policy is to create a safe, open and aware environment where concerns for the safety and wellbeing of a child can be raised and managed in a fair and just manner in accordance with the principles of the Bahá'í Faith, which protects the rights of all.

The Child Safe Environment Policy applies to all activities and events, endorsed by an Australian Bahá'í institution or one of its agencies.

Participation of Children and Young People

The Australian Bahá'í community is committed to support the active participation of children and young people in the community. That is to listen to and value their views and to give them an opportunity to participate in consultation about issues and decisions that will directly affect them.

We value diversity, and are welcoming to people from all backgrounds.

Engagement and Support of Individuals Working with Children and Young People

The Australian Bahá'í community welcomes individuals from all backgrounds to take part in an ongoing educational process that develops the individual's capacity to serve the neighbourhood and community. The process involves study, discussion and practice and includes ongoing training and support. One of the first acts of service developed is teaching a simple class of spiritual and moral education, open to all, to a small group of children, with the support of their parents. As part of this educational process, individuals are required to apply for accreditation under the Child Protection Policy. The accreditation requirements include an application, training and screening process. The screening process includes fulfilling any legal requirements such as a working with children check. Any individual who is not accredited under the Policy is encouraged to serve their community only in areas not involving work with children and young people.

Beyond the educational process described above, prior to appointing or supporting an individual to work with children and young people on behalf of the Bahá'í community, their accreditation, their suitability for the role and their training and support needs should be assessed and monitored by the endorsing Bahá'í institution or their designated agency.

A Code of Conduct, titled 'Standards of Conduct', has been developed to provide clear standards of behaviour to those working with children and young people. All those accredited under this Policy are made aware of the Standards and the need to abide by them. The Standards of Conduct are complemented by 'Guidelines for Working with Children and Young People', a document that is regularly reviewed.

Reporting child abuse and neglect

Procedures to respond to and report any suspicions of child abuse and neglect are outlined in the Child Protection Policy.

Any other child safety concerns should be raised with the responsible persons or organisers of the activity/event or the Local Spiritual Assembly and strive to be managed in a fair, unbiased and supportive manner. Unacceptable behaviour as outlined in the Standards of Conduct should also be reported to the National Spiritual Assembly.

Bullying, Discrimination and Harassment

Bullying, discrimination and harassment are entirely contrary to the Bahá'í teachings. It is the intrinsic human right of every individual to be treated with consideration and respect. The spiritual qualities of justice and compassion and an appreciation of the diversity of the human family are integral to any program directed to children.

If anyone believes that they or another person has been, or is being, harassed, discriminated against or bullied, they are encouraged to raise their concerns with the responsible persons or organisers of the activity/event or the Local Spiritual Assembly. Such concerns will be taken seriously.

Risk Management

In addition to general health and safety risks, organisers of activities and events under the aegis of any Bahá'í institution or agency, are encouraged to identify, assess and take steps to minimise the potential risk of harm to children. The formality of the risk assessment undertaken increases as the risks and scope of the activity or event increases.

Communication of Policy

A Child Safety Officer is appointed at the national level and in each State or Territory to promote awareness of this Policy, Guidelines for Working with Children and Young People and other strategies to minimise the risk of harm to children. The Officer also gathers feedback from the community.

REVIEW OF POLICIES

These Policies will be reviewed at least every three years. The review will incorporate where possible comments and suggestions from children and young people, parents, staff, volunteers, diverse local cultural communities, regional and local Bahá'í institutions and agencies.

Any failure to adhere to these Policies should be reported to the National Spiritual Assembly at secretariat@bnc.bahai.org.au.

Related Policies and Documents

- Supervision of children and young people and accreditation of facilitators and organisers (Annex A)
- Standards of Conduct and Guidelines for Working with Children and Young People

Version History

Description of Change	Effective from
First release.	Nov 2003
Revised	Dec 2005
Revised	Apr 2006
Revised	Jul 2010
Revised	Jan 2012
Revised	Jul 2012
Revised	Jul 2015
Revised	Sep 2016
Revised	May 2018
Latest version	Nov 2019

Relevant Legislation

ACT: Working with Vulnerable People (Background Checking) Act 2011

NSW: Child Protection (Working with Children) Act 2012

NT: Care and Protection of Children Act 2007

QLD: Working with Children (Risk Management and Screening) Act 2000

SA: Child Safety (Prohibited Persons) Act 2016 (the Prohibited Persons Act)

TAS: Registration to Work with Vulnerable People Act 2013

VIC: Working With Children Act 2005 (Vic.); Child Wellbeing and Safety Act 2005

WA: Working with Children (Criminal Record Checking) Act 2004

Annex A: Supervision of children and young people and accreditation of facilitators and organisers at activities and events under the aegis of a Bahá'í institution or agency

Note: All activities and events for children, junior youth or youth under 18 years of age will be under the supervision of a Local Spiritual Assembly, the Regional Bahá'í Council or the National Spiritual Assembly, which is responsible for ensuring that the provisions of the Child Protection Policy are adhered to. Whilst there are a wide range of situations in which the National Spiritual Assembly has mandated that the requirements of this Policy are to be enforced, parents should not assume that, just because the function - be it a Feast, meeting, or social occasion - is organised by the Bahá'ís, that the parents' responsibility for their child's behaviour and safety has been relinquished. Parents have responsibility for their children at all times, and even more so when there is no formal supervised program in place.

...with participants of mixed ages, under and over 18

e.g. community events, youth conference, summer school, Feast, deepening, study circle

- Each child or young person (“child”) would need to be supervised by an accredited person or by the parent(s) or guardian(s) of the child.
- Parent(s)/guardian(s) should be aware of their duty to supervise and care for their child at all times.
- Non-accredited persons may undertake supportive roles such as hosting, cooking, cleaning and activity preparation that are not for the exclusive benefit of children and can attend the event as participants.
- All those residing in a home, offering billeting to youth under 18, should verify whether they need a working with children check, under current legislation, as it is different for each jurisdiction.
- Those directly involved in teaching, caring for, or supervising children at a sub-event at which the parent(s)/ guardian(s) would not be expected to attend, need child protection accreditation, for example, those caring for children at Feast. This includes any assistants or parents acting as assistants. See exceptions below.

Note: For *youth conferences*, all members of the organising committee should ideally have child protection accreditation, but as a minimum at least one member of the committee will be the responsible accredited person. Indemnity forms signed by parents/carers have been used for youth conferences with youth aged 15-17 attending without their parents/carers

Note: For overnight events, State/Territory laws would also need to be checked and complied with.

...with participants who are all under 18

e.g. children's classes, junior youth group, youth 15 to 17 exclusive activity

- Those directly involved in teaching, caring for, or supervising children need child protection accreditation. This includes any assistants or parents acting as assistants. See exceptions below.
- Non-accredited persons may undertake supportive roles not requiring direct contact with children, such as hosting, cooking, cleaning and activity preparation; but should ensure any direct contact with children is in the presence of a responsible accredited person.
- Formally transporting children and young people without an accredited supervisor present requires a working with children check/clearance.
- Residents at venues (including residential homes) where overnight Bahá'í activities take place and persons offering significant support for overnight activities (e.g. present most of the camp to assist with cooking) should have a working with children clearance OR ensure they do not have direct contact with the children and are not in the immediate vicinity of children. Note: in Tasmania, this may apply to residents of a residential premise where child-related activity is conducted, whether taking place during the day or overnight.

Note: State/Territory laws would also need to be checked and complied with.

Exceptions (subject to State/Territory laws):

1. Playgroups where parent(s)/guardian(s) attend and care for their own child, i.e. no child is present without parent/guardian do not require an accredited person to be present.
2. A parent of a child participating in the activity/event need not be accredited if attending as an observer or temporary volunteer (other than an organised overnight event for children such as a junior youth camp or if requiring close personal contact with other children such as taking other children to the toilet etc.) as long as they are always in the presence of an accredited responsible individual. If they take on the role of acting as a regular assistant, however, they need child protection accreditation. This exemption may not be applicable in the ACT, NT (parents are exempt in some circumstances but not in connection with religious organisations) and TAS.
3. A volunteer assisting short-term (no more than 3 days in any 4 week period and 5 days in any calendar year), for example an ad-hoc presenter, need not have accreditation if directly supervised at all times when children are present (other than an overnight camp for children). Note: This exemption may not be applicable in the NT, QLD (volunteer 18 years and over may only observe (not assist) for no more than two sessions before requiring a blue card in QLD) and VIC.

