

ELC ABUSE PREVENTION POLICY

The Scriptures often speak of the love that Christians are to have for all people, and especially for one another; and yet in this sinful world we see a far different reality, as far too many examples of lovelessness are evident, and that one of the worst examples of this lovelessness comes in the abuse that is perpetuated against children and others in our society. We, as a church, do not condone these evils in any way and will, in fact, do everything within our power to protect every individual, whom we recognize is precious and special to our God, and who should be treated with the same dignity, care and respect as God Himself would show to that individual. This congregation has adopted and implemented the following protocol and guidelines for responding to incidents of alleged abuse or harassment, including fulfilment of statutory reporting obligations to child protective agencies or police authorities, so that we may exercise the best possible care for one another in a spirit of Christian love.

As the baptized children of God we are called to fear, love, and trust in Him above all things (First Commandment). Therefore we confess that His Word establishes how we should live a holy life pleasing to Him (Exodus 20). Since all are created in His image, we confess that God calls us to love one another as He has loved us (1 John 4:11). We therefore condemn all forms of abuse as being contrary to the will of God and will not be tolerated in our life together as a congregation by any of our volunteers or employees. (Gal. 6:10) We are committed to providing a safe environment by preventing harm to those in our care. We are committed to protecting our volunteers and employees from false allegations. Christ's instruction in Matthew 18 shall direct our conduct with each other under this policy.

God has established the parental office and other authorities to support and provide for the bodily necessities of children and to raise them up to the praise and honour of God. God has not given us children to gratify our wantonness by abusing them physically or sexually (Large Catechism, Fourth Commandment). Those in authority are in obligation to God to discharge their office earnestly and faithfully according to His command to love one another.

God does not permit the use of physical violence in any form against our neighbour (e.g., striking in anger, improper discipline, or inappropriate restraint). God has given parents the authority to discipline their children physically (Proverbs 13:24). We confess, however, that discipline that is used to abuse or degrade or cause permanent severe physical harm is contrary to the fifth commandment. God calls us not to use our tongue to verbally abuse, harass, threaten, taunt, intimidate, or degrade those whom he has created in his own image. Therefore, unsolicited and unwelcome verbal or physical conduct based on race, colour, place of origin, gender, mental or physical ability, ancestry, economic status, age, or political association is contrary to the fifth commandment. Preaching, teaching, pastoral admonition and the exercise of church discipline is neither abusive nor degrading but leads us to flee to the grace and mercy of God in Christ Jesus.

God created sexuality as an expression of love between husband and wife. All acts of a sexual nature outside of marriage are adulterous and condemned by God. Any inappropriate conduct such as gestures, caressing, or touching of a sexual nature with children, youth, or vulnerable adults is contrary to the

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sixth commandment. This commandment condemns any unwelcome, unwarranted, unsolicited, or offensive sexual comments or conduct towards anyone.

God calls us to defend our neighbour and speak up for him. Therefore to belittle, defame, humiliate, call him names or in any other way emotionally abuse our neighbour is forbidden by the eighth commandment. False accusations and allegations or any lies about abuse are not tolerated according to this commandment, rather we must speak truthfully to our neighbour (Ephesians 4:25). God forbids us to hurt our neighbour's reputation by lies and falsehood. When the physical welfare of our neighbour demands it, wrongdoing must be reported to the proper authorities, and evidence presented (Large Catechism, Eighth Commandment).

CALLED CHURCH WORKERS, VOLUNTEERS AND EMPLOYEES

1. Screening

- a. The screening of called church workers and candidates for the pastoral office in this congregation is entrusted to the appropriate synodical or district authority.
- b. The screening of volunteers and employees in the congregation will be entrusted to the Pastor with the help of the Elders.
- c. All members of this congregation wishing to serve as a volunteer or employee for any position involving work with children, youth, or vulnerable adults will be personally interviewed by the pastor, provide a police background check [renewable every 3 years], and provide the names of two people who could provide a background check.

2. Instruction

All called church workers, volunteers, and employees will be provided with a copy of this policy. They will be instructed in appropriate and inappropriate touching, affection and discipline in the classroom, and in washroom assistance. The instruction will discourage them from non-sponsored, off-premises contact with children and activities that could easily lead to allegations of abuse or harassment. A signed acknowledgement will also be required, indicating that each called church worker, volunteer, and employee have read, understood and agreed to this Abuse Prevention Policy. There will be a probationary period of 6 months before any individual is allowed to work unsupervised. For all events there should be a ratio of 1 adult supervisor for every 5 children or youth.

3. Parental Involvement

Called church workers, volunteers, and employees will ensure that parents and guardians:

- a. know when activities conclude;

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- b. know that controlled access is maintained to young children and that called church workers, volunteers and employees will keep children in that controlled area until parents pick up their children. Parents will ensure that permission is given, if it is necessary, for a known designate to pick up children after activities;
- c. give written consent for sponsored off-premises or overnight activities and field trips (see sample form)
- d. are aware of disciplinary problems.

FACILITIES

- 1. All children and youth activities will occur in an 'open door' environment.
- 2. Adequate lighting, inside and outside of building(s) will be maintained where all children and youth activities take place. The property will be maintained to assure the health and safety of all.

COMPLAINT PROCEDURES

A. General Considerations

- 1. All allegations of abuse will be treated seriously, compassionately, and confidentially ensuring the privacy of both victim and perpetrator.
- 2. All allegations of abuse will be reported to the appropriate civil authority, as required by law.
- 3. All allegations of abuse will be reported to and investigated by the Board of Elders or by those appointed by the Board of Elders (i.e. Abuse Prevention Team)
- 4. When an allegation is made, the individual involved will be suspended from office until such time as the incident is resolved. The matter shall be reported to the insurer; to the congregation's lawyer and representatives. In no circumstance will liability be admitted.

B. Allegations Against a Pastor or Deacon

Allegations against a pastor or deacon shall be dealt with in accordance with the Lutheran Church–Canada's "Policy Regarding Misconduct by Professional Church Workers". (See Appendix #1)

C. Reporting

If you have been abused, or suspect that someone in your congregation is being abused, it is essential that this be reported. Abuse thrives when it goes unnoticed or unreported. It will not stop on its own. Remember that the goal for reporting abuse is four-fold:

- a) to stop the abuse and prevent further incidents;
- b) to begin the healing process for the victim;
- c) to allow the perpetrator (if the allegations are true) to be brought to repentance and reconciliation;

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d) to allow for the process of justice if the charges are of a criminal nature.

SCENARIOS

If the Complainant is an Adult

Step 1

Any congregational entity or member which/who believes that he/she or another adult has been the subject of abuse is encouraged, where possible, to make it clear to the abuser that such behaviour is unwelcome, and should ask that the abuse stop. If you feel threatened or frightened in any way, do not take this step.

Step 2

If resolving the concerns under Step 1 is inappropriate or fails, the complainant may speak to or make a written complaint to any of the members of the Board of Elders. If desired, you may have the Pastor or a trusted friend assist you with this step.

Step 3

The Board of Elders may attempt to informally resolve the situation without the need for a formal investigation. The Board of Elders should report the incident in question to congregational legal counsel.

Step 4

Where a formal investigation is required, the Board of Elders will require the complainant to produce to it any record of incidents of abuse, including dates, times, locations, possible witnesses, details of the abuse and the complainant's response to that abuse.

Step 5

The Board of Elders will:

- a) Make arrangements for a thorough and unbiased investigation to be conducted in as timely and confidential a manner as possible and in accordance with internal policies and procedures;
- b) Request a written response from the alleged abuser, and show that response to the complainant;
- c) Interview the complainant as well as any witnesses to the behaviour, if necessary;
- d) Interview the alleged abuser;
- e) Keep the parties to the complaint informed of the steps being taken during the investigative process;

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f) If it deems it necessary, prepare a written report outlining the allegations of the complainant, the alleged abuser's response, the evidence of any witnesses interviewed, and the conclusions reached by the Board of Elders;

g) If necessary, and with the victim's knowledge, report anything of a criminal nature to police.

h) Arrive at an appropriate recommended corrective/disciplinary action in the event that the complainant's allegations are established.

It is the obligation of every congregation affiliate to cooperate fully with the Board of Elders in the investigations of any alleged complaints of abuse.

If Complainant is a Child (Minor):

Step 1

Any congregational entity or member which/who believes that a child has been the subject of verbal abuse is encouraged to find a way, where possible, to make it clear to the alleged abuser that such behaviour is unwelcome, and should ask that the abuse stop. If the abuse is in the form of inappropriate discipline such as harsh words or voice tones that demean the child or elicit feelings of shame or condemnation, it is advisable to discuss the problem either with the person (i.e. teacher) involved or the supervisor of the program in an effort to stop the behaviour. If no resolution is reached, the process of informal or formal investigation (as outlined above) may be followed.

Step 2

In the case of sexual or physical abuse, it is essential to make a report to the appropriate agency. The victim should be removed from the situation and have no contact with the alleged abuser until the matter has been resolved. You may also choose to report it immediately to the Board of Elders, the Pastor or a trusted friend who can be with you when you make the report. Call the local police and ask for an intake screener or follow the prompts to speak to someone directly. The following information will be necessary:

- Give your name and location, or you may remain anonymous
- State that you are making a report of a child in need of protection or that you wish to consult
- State your relationship to the child and family
- Indicate what you heard from the child and/or what you observed (you may want to keep some written notes)
- Offer any facts such as dates, descriptions of the child and identifying information about the family
- Share knowledge of other agency or community involvement if known

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- Provide any relevant background information

Gather the following information if you can before calling:

If you are a professional working with children, know the full name of the child, date of birth, parent(s) name, sibling(s) name and date of birth, address, telephone number, work number of parent(s), etc. Be prepared to describe in detail any visible injuries (e.g. bruises—location size, and colour?) Keep notes on what you saw and heard. Share relevant background information such as language, culture, etc.

DO NOT inform the alleged abusive parent or alleged offender about the report

When speaking with the provincial agency:

- Record the first and last name of the intake worker for your records
- Ask if there are any steps you should take at this time (who will contact the parents?)
- Ask if you should inform the child of any plan at this time
- You may request that the agency contact you when they have a plan of action (however depending on confidentiality, they may or may not be able to share this information with you)
- Ask if it is safe to send the child home at lunch or the end of the day
- Police are contacted when sexual/physical abuse is being investigated

Step 3

All allegations/reports are to be taken seriously. Situations must be handled directly with respect for people's privacy and confidentiality. Allegations should be reported to congregational legal counsel.

Adequate care must be shown for the well being of victims. In no way should the victim be made to feel that they are to blame for the abuse.

Pending the investigation, the alleged abuser should have no contact with the complainant/victim.

AFTERCARE

When an incident of abuse has occurred, there are many factors to consider in beginning healing in the church.

The victim and their family require a great amount of care and support. They should be made aware that the congregation does not blame them for what has happened and that their church family will assist them in bearing the burdens created.

In the case of a child, a great deal of counseling and support can be provided through the local child protection agency. They will also have other resources for the family to access counseling and any

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other assistance needed. Often a person's health insurance carrier will have psychological and emotional counsel available.

For adults, the church, community information centre or hospital may have a directory of local counseling agencies. Many Christian agencies provide counseling services on an "ability to pay" basis. It is important to encourage the victim and their family to talk about what happened with a trusted professional so they can begin the healing process.

Within the congregation, information should be given honestly and shared on a need to know basis.

There will be a great deal of shock, denial and anger, which must be dealt with in a loving and understanding manner. Professional assistance may be required to assist the members to understand and accept what was happened, to care for the victim and even to acknowledge the sin and work towards the repentance and forgiveness of the abuser.

If the abuse has been of a criminal nature, the abuser will be dealt with first by legal authorities. No matter what the charge, it is important to remember that the goal within the church should be to bring the perpetrator to repentance. The abuser should not be abandoned by his or her Christian family, (even as God does not abandon them) even if they can no longer attend the church.

Remember that even allegations of abuse come at a cost emotionally and spiritually to the alleged abuser and alleged victim. When allegations are proven false some of the same resources should be sought to begin healing processes.

The health and well being of the congregation will depend a great deal on the handling of the situation. Prayer for God's guidance, loving concern from the staff and leaders of the church, and professional assistance will help facilitate this healing process.