

## Religious activities in Government schools

### 1. Curriculum studies

The design and delivery of curriculum, including studies about religion, is the responsibility of the teacher. All curriculum should be consistent with the South Australian Curriculum Standards and Accountability Framework (SACSA) and inclusive of all students within the learning group.

The aim of curriculum studies about religion is to enable students to develop a sensitive understanding of the presence and influence of religion in life and society and of the variety of beliefs by which people live: religious, non-religious and traditional. It is not the purpose of religion studies to bring about commitment to any set of beliefs. Through religion studies, students should gain a greater respect and empathy with the beliefs of others as well as a capacity to develop their understanding of what they themselves believe.

### 2. Religious seminars

Regulations under the Education Act allow for religious seminars to be held for one half day per school term. Regulation 82 (2) relates to students attending the function appropriate to their faith or denomination in respect to any seminar or gathering. The Regulations can be viewed at <http://www.parliament.sa.gov.au/Catalog/legislation/Regulations/e/E/1997.190.un.htm>

Governing councils must endorse the conduct of a religious seminar. Participation in religious seminars is voluntary and requires the informed consent of parents. This means principals must ensure parents/guardians are fully informed about the nature and content of seminars and agree to their child's participation.

Teachers retain over-riding duty of care for students during religious seminars and must be present to ensure the safe supervision of students.

The principal can form a Religious Education Committee, in line with the Regulations, to advise decisions about the nature and content of religious seminars.

In relation to the Christian content of any seminar, the South Australian Heads of Christian Churches advises that the consulting body is the local ecumenical Christian clergy group (Ministers' Association - previously sometimes known as Ministers Fraternal). The Association can nominate Christian members to be part of a school Religious Education Committee, as per the Regulations. The Association might delegate this consulting role to the local Inter Church Council and/or ecumenical group.

### 3. Students clubs or groups

The principal can give permission for a student club or group to be held at school during non-instructional time. Clubs can be organised by staff and volunteers. The volunteer might be part of local religious or faith-based group. The activity might be recreational and inclusive and have no religious content, or it might be an explicit faith-based group.

Governing councils should be aware and supportive of student clubs and activities. Participation in such clubs is voluntary and requires the written, informed consent of parents.

In the case of Christian clubs, the South Australian Heads of Christian Churches has advised that the consulting body is the local Ministers' Association (or delegates) and that they or their delegates should be consulted by the principal to ensure any Christian activities are representative and inclusive of Christian perspectives.

Teachers retain over-riding duty of care for students during all school-based activities and must ensure the safe supervision of students.

#### **4. Faith group volunteers: The Christian Pastoral Support Worker (CPSW) Program**

##### **4.1 Introduction**

This section relates specifically to the Christian Pastoral Support Worker (CPSW) Program (formerly called the Chaplaincy Program). This section is included because the Minister for Education and Children's Services has a contract with the Heads of Churches State Schools Ministry Coordinating Group Inc (SMG) regarding coordination of the CPSW Program in government schools. This contract relates to CPSW Program compliance with DECS policies, including child protection requirements.

The formal agreement between the Minister and the SMG does not preclude a similar program or agreement being developed with any other faith group that is seeking to offer a volunteer service in schools. Any such program would be expected to follow the guidelines outlined below in relation to compliance with DECS legislative and policy requirements. This includes the obligation of all volunteers to operate at all times under the direction of the principal and the obligation of all people on a school site to refrain from proselytising.

The CPSW Program is auspiced by the Christian Heads of Churches and overseen and coordinated by the SMG. These guidelines separate the role of Christian Pastoral Support Workers (CPSWs) from guidelines about religion and religious studies in schools. This is because CPSWs do not teach and their role in schools does not include religious education. The guidelines also describe the scope of activities in which CPSWs can become involved in government schools.

The SMG provides Christian employing groups with a pack of information to assist them in complying with legal, industrial and policy requirements

in relation to the CPSW Program. Principals should ask the local employing group for access to a copy of these guidelines to assist them in their supervision of CPSWs and in their working relationship with the employing group and the local Christian community.

#### **4.2 Terminology: Christian Pastoral Support Worker and Christian Pastoral Support Worker Program**

Under the Minister's contract with the SMG, there is an agreement that, while legally the people operating under the program are members of the Christian faith acting as volunteers in schools – and hence Christian volunteers – they would be known as Christian Pastoral Support Workers (CPSWs) for the purposes of their public role description and title for everyday usage. Hence the program will be referred to in program documentation as the Christian Pastoral Support Workers Program.

The contract further requires that the term 'chaplain' is not used to describe the role of CPSWs in schools, nor can any other terminology be used that could be considered by members of the school community to indicate that a CPSW has any formal training or professional status within the school.

#### **4.3 Roles and responsibilities**

##### **The principal**

Christian Pastoral Support Workers (CPSWs) are employed by and accountable to their local Christian community employing group. Responsibility for the operation of CPSW Program in each school rests with the principal. The principal works in partnership with the local employing group to negotiate and monitor the school-based activities of the CPSW and to ensure the program complies with departmental and SMG guidelines. This means the principal:

- is the point of contact for any request by local Christian churches to place a CPSW within the school community
- ensures, in consultation with the SMG and the local Ministers' Association, that any such approach is made on behalf of a genuinely ecumenical local Christian group (sometimes called an InterChurch Council), which invites and allows for the participation of all local Christian churches
- ensures the employing group has access to relevant departmental guidelines
- seeks a nominee from the employing group with whom to liaise in the negotiations about the proposed program within their school
- manages a consultation process that ensures the school community is informed about and supports the program within the school
- seeks, with evidence of the support of the school community, the approval of the school governing council for the establishment of a CPSW Program within the school

- ensures any person volunteering within the program is a 'fit and proper person' for the role. This means the principal should ask to see a copy of the Police Certificate or letter from the screening agent (such as the Department) verifying that the person has no record of criminal history that could indicate a risk to the school community
- ensures the appointment and activities of the person working within the school's CPSW Program meet departmental requirements, including those related to the documented employment requirements of the SMG
- ensures completion of a Volunteer Agreement, as required under the Department's volunteer policy, and detailing the negotiated activities to undertaken by the Christian Volunteer in school settings and activities
- consults routinely with the governing council about the program, as informed by feedback from the Program Review process, and reports to the governing council on an annual basis the outcomes of the program
- liaises routinely with the employing group about the program
- monitors the activities of the CPSW in line with the policies and protocols of the program.

**Local employing group**

CPSWs are employed and funded by the local Christian Ministers' Association, local InterChurch Council or other ecumenical Christian group. In these guidelines, the term "local employing group" or "employing group" is used to describe any of these local Christian community structures that employs a CPSW to work in a government school community. Principals can check with the SMG if they are unsure about whether an employing group is appropriately representative of the local Christian community. If the principal and/or the SMG remains unsure about this, the matter can be referred to the South Australian Heads of Christian Churches.

**The employing group:**

- initiates and manages the employment of the person they want to work in the CPSW Program
- consults with the principal about activities undertaken in the school's CPSW Program. Although the CPSW is paid by the employing group for their school-based activities, they must operate within the school in the same way as other visiting volunteer services (see role statement below), thus ensuring that teachers continue to meet their duty of care to students, and parents/guardians are informed about and supportive of their child's involvement with the program.
- supports the principal in ensuring adherence to the *Administrative Instructions and Guidelines*

- directs all non-school activities undertaken by the person they have employed, for example organising youth clubs and activities within the wider community. The principal should be informed about these activities if they impact in any way on the CPSWs work within the school-based program.

### **Heads of Churches State Schools Ministry Coordinating Group Inc (SMG)**

The SMG represents the South Australian Heads of Christian Churches. SMG representatives work with departmental officers to provide state-wide guidelines for the program and coordination of state-wide program requirements, for example information and induction programs for CPSWs and adherence to child protection requirements. The SMG:

- provides advice to the principal and employing groups about SMG
- operational requirements in relation to the establishment and conduct of the CPSW Program
- works with and supports employing groups to enable them to meet these operational requirements
- informs and supports departmental policy and protocols relating to state-wide operation of the program
- maintains a register of CPSWs working in the Program, their location, nature and extent of their volunteer work within the schooling sector and induction and training records. This register is provided to the Minister under the requirements of the SMG contract.
- coordinates participation by the CPSWs in an induction program within one school term of their appointment
- ensures the CPSWs have met and maintain all departmental induction requirements
- coordinates the annual departmental training/information update program and any other training requirements mutually agreed with the department
- ensures screening of CPSWs to determine they are 'fit and proper persons' for the role
- advises the department of any emerging risks, concerns or opportunities associated with the program.

### **Christian Pastoral Support Worker (CPSW)**

CPSWs are employed and funded by a local Christian group (see "Local Employing Group" above) and operate in schools with the legal status of a volunteer and under the direction of the principal. The principal consults with the employing group and ensures the approved CPSW activities comply with departmental and SMG requirements and locally agreed priorities.

**Christian Pastoral Support Workers in a government school have two main roles:**

**(a) To support the school in its aim to be a safe and supportive learning environment.**

This means the CPSW will:

- **Contribute to a supportive, inclusive and caring learning environment within the school**

This will typically mean the CPSW participates in a wide range of school community activities, supporting teachers to create a safe, inclusive learning environment for all students.

- **Support individuals**

This support can comprise initial provision of information or support to students, staff and other community members – or longer-term assistance. Students must have written informed parental consent before obtaining on-going individual, personal assistance from a CPSW. This can be through a routine annual consent process or as part of a special program of support planned with teachers and the family for a student with particular needs.

- **Enable teachers to meet their duty of care**

This means teachers retain over-riding duty of care and must be informed about any urgent and/or on-going support provided to an individual student.

It also means that students must be aware of the scope and limits of privacy and confidentiality to be adhered to in any conversation at which a teacher is not present.

- **Be a mandated notifier.**

**(b) To link families to community resources and services.**

This means the CPSW can:

- provide factual and impartial information about the support and services provided through community groups, including church groups, in the broader community. This information would be the same as that routinely available through school staff.
- act as a volunteer worker on camps, excursions and in school clubs or groups
- assist the principal to liaise with their employing group, local clergy and the school for the provision of optional 'Religious Seminars' in school time, as described under the Education Act Regulations

- provide a reference point for Christian social, religious or spiritual issues.

**The role of a CPSW explicitly excludes:**

- proselytising i.e. promoting any particular religious ideology or doctrine
- advertising any particular religious group/activity, to the exclusion of others
- involvement in or setting up of any school activities that may discriminate on the grounds of religious ideology or doctrine.

**CPSWs must:**

- provide a satisfactory Statement of Offender History (National Police Certificate or DECS Consent to Obtain Personal Information – National Criminal History Record Check application to ascertain suitability) and complete mandatory notification training before commencing their role
- participate in the SMG induction program within one school term of their appointment to the role
- participate in the annual information and training program as agreed by the SMG and the department. This program encompasses an update on relevant departmental policies.

#### **4.4 Funding**

CPSWs are employed and paid by the local employing group.

Government schools are not permitted to use their global funding to employ, or contribute to the salary of, a Christian Pastoral Support Worker. The governing council may, with the support of the school community, decide to make a contribution to the local Christian employing group or to inform parents of a request from the Christian community for donations to support the work of a CPSW. If any donation is made through the school to the local Christian community, it is important that the donation is made to support the general provision of volunteer services – and could not be construed as being used to fund the employment of a worker. Parents who contributed to funds used for any such donation must be informed about and have agreed to the funds being used in this way.

#### **4.5 Grievance procedures**

Local employing groups, the SMG and the Department have a shared obligation and commitment to resolve grievances at the local worksite and community level.

In the event of a significant dispute between parties, the following steps will be taken:

- Confidential negotiations between the parties directly involved will be conducted. The principal or delegate must be represented in any such negotiation. The principal or delegate should, as a matter of priority, inform the employing group whenever a situation arises where there is concern about the behaviour, wellbeing or safety of the CPSW or in relation to the activities of the CPSW. The only exception is where there is a legal imperative to act otherwise, for example in relation to mandatory notification.
- If, following the parties' best efforts, a local dispute remains unresolved, either party may refer the matter for review in confidence to the relevant manager i.e. the district director or the SMG CPSW Program Coordinator.
- Should the matter not be satisfactorily resolved within two weeks it will be referred in confidence to the Program Management Group, which comprises representation from the SMG and departmental delegates.