

DISCLOSURE OF ABUSE OR HARM POLICY

De La Salle District of Australia, New Zealand,
Pakistan and Papua New Guinea (ANZPPNG)

Issue Date: 24 July 2020
Review Date: July 2021

1.0 INTRODUCTION

Children, young people and adults at risk have a fundamental right to be respected, nurtured and safeguarded by all. As such all Lasallians are committed to ensuring that all children, young people and any person at risk are afforded the highest levels of care and protection.

The Catholic Church in Australia has developed the National Response Protocol that specifies the essential principles to be observed and procedures to be followed, following the disclosure of any concern or allegation of abuse and/or harm to a child or an adult at risk.

The De La Salle Institute ensures that all their Ministries and all involved in them fully comply with the National Response Protocol that prescribes the entire range of steps to be taken with respect to all relevant parties in the event of such disclosure. This policy forms the practice of the Institute.

2.0 POLICY PURPOSE

The policy:

- Informs how those making allegations and those against whom allegations are made are supported and dealt with during the conduct of an investigation;
- Commits the District of ANZPPNG to the governance of the five Principles of the National Protocol that:
 - prioritise the safety of children and adults at risk
 - provide a just and compassionate response for all who are involved

- act in compliance with law and authority
 - work and communicate effectively with all relevant authorities, agencies and persons involved
 - drive a consistent example of “whole” Church committed leadership, governance and culture
- Provides a framework for the conduct of investigation including roles and responsibilities; and
 - Affirms and recognises the changed conditions imposed by the “National Redress Scheme” (Australia) 1 July 2018.

This policy applies to all persons working in Lasallian Ministries throughout the District of ANZPPNG.

3.0 RECEIVING COMPLAINTS

All complaints or matters of concern will be dealt with compassionately and promptly. The National Protocol provides the key actions and considerations at each stage of the procedure in responding to concerns and allegations regarding the abuse of children and / or adults at risk by Church personnel.

Complaints or matters of concern should be directed to the Professional Standards Officer in the first instance. Upon receiving a complaint of a matter of concern or allegation the Professional Standards Officer will acknowledge the concern or allegation and determine the appropriate course of action. (NRP Stages 1 & 2).

The Professional Standards Officer is responsible for advising the Brother Visitor.

The Professional Standards Office takes responsibility for maintaining a register of Statutory Bodies that relate to the works of the District.

4.0 RESPONDING

This District Policy embraces the overarching characteristics identified in the National Response Protocol that inform all responses called for in every case. They are that:

- The response is person-focused, trauma informed and supportive
- Identifies and mitigates all risk of harm to children
- Engages in critical reporting and information-sharing; and,
- Is accompanied by secure and thorough record-keeping.

In matters that are directly reported by the complainant key details will be obtained i.e. name, address, date of birth, contact details, particulars of the allegation and whom it is against.

If the complaint relates to sexual abuse, other criminal behaviour and/or child protection issues individuals will be informed that the matter will be referred to the relevant authorities including the Police or any other Statutory Child Protection Authority and the relevant employer of the individual of whom the allegation is made.

Where there is an existing Catholic Church protocol in place i.e. State Office for Professional Standards of the Catholic Church in Australia then those protocols must be adhered to.

External specialist support i.e. counselling is to be made available to individuals, and in the case of children, the child and his/her family.

5.0 RISK ASSESSMENT

An internal risk assessment will be completed by the Professional Standards Officer as a priority and will be reviewed by the Safeguarding Committee at the next scheduled meeting.

Actions as a result of the risk analysis are to be implemented as soon as possible, including the undertaking of an independent investigation.

Where the allegation relates to sexual abuse, other serious issues of professional misconduct and/or child protection issues, action will be taken to immediately stand down the individual from Ministry.

Specialist support is to be provided to the subject of the complaint and to the person the subject of the complaint (NRP Procedures 4A).

6.0 INVESTIGATION

The De La Salle Institute is committed to ensuring that all investigations are undertaken transparently and honestly.

All complaints or matters of concern will be independently investigated, unless the matter is being investigated by the Police, Statutory Child Protection Authority or Professional Standards Office of the Catholic Church.

Where a Police or Statutory Child Protection Authority investigation is underway, no other investigation will commence until that process is completed and/or clearance is given to proceed from such authorities. Full co-operation with investigation processes will always be extended.

The statutory limitations on investigation, privacy and anonymity imposed by the National Redress Scheme for Institutional Child Sexual Abuse Act (2018) will be observed.

Investigations will be undertaken in accordance with (NRP Procedures 4A – F) that underpin the requirements of confidentiality and information-sharing protocols and in a manner which maintains full compliance with relevant Privacy Standards.

Independent investigators will be engaged by the Professional Standards Officer and all relevant information is to be disclosed to the Investigator. The investigation report is to be provided to the Professional Standards Officer who will in turn table it for review by the Safeguarding Committee.

Following review by the Safeguarding Committee a finding will be submitted for independent judicial review. The Professional Standards Officer will present the report of the independent Judicial Review Panel to the Safeguarding Committee. In considering the investigator's report the Judicial Review Panel will have regard to the provisions of NRP Procedures 4G.

The Professional Standards Officer will be the point of contact for all parties and is responsible for keeping the Brother Visitor informed.

7.0 OUTCOMES

At the completion of the judicial review process a full report will be completed by the Professional Standards Officer and presented to the Safeguarding Committee and Brother Visitor.

The Brother Visitor as the Church Authority is required to observe and ensure that the procedures set out in *Procedures for responding to concerns and allegations relating to child abuse* (NRP Stage 5) (April 2020) are enacted.

These will include provisions for:

- All individuals directly involved to be informed in writing of the decision of the Church Authority
- An independent review of the decision requested by either victim or respondent
- Ongoing therapeutic support for those involved

8.0 CONTACT

Any matters related to this Policy, Safeguarding or complaint are to be referred to:

Professional Standards Officer, De La Salle Brothers
PO Box 3485, Bankstown NSW 2200
Telephone: 02 9795 6400

9.0 ASSOCIATED DOCUMENTS

In support of Disclosure of Abuse or Harm Policy the District has a wide range of policies of which individuals and Lasallian Ministries must also ensure compliance with. All policies developed at the District level will be socialised across the District. In addition to District policies there are also a number of external documents which outline compliance requirements.

Such policies and procedures include, but are not limited to:

- National Response Protocol ACBC April 2020 Principles
- National Response Protocol ACBC April 2020 Procedures
- Risk Assessment Framework Form
- Safeguarding Committee Charter
- District of ANZPPNG Responses to Allegations Procedures June 2020

10.0 STATUS

This policy is approved by the Brother Visitor and is to be considered a mandatory document for all Lasallian Ministries in the District. This policy will be reviewed on an annual basis.

Date:

Signed: