



Response to Abuse or Harm Complaints Procedures

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Introduction

According to its Constitution, the Australian Lasallian (Asia/Pacific) Foundation Ltd, more commonly known as the Lasallian Foundation, “is a mission of the Roman Catholic Church. It is established for the purpose of delivering overseas aid activities through the provision of direct relief and assistance to persons in necessitous circumstances in developing countries.” The Foundation exists to fund, sponsor and implement projects.

This Response to Abuse or Harm Complaints Procedures document is built on the foundation of Lasallian Values, our faith traditions, the requirements of the National Catholic Safeguarding Standards (NCSS) and the social justice teaching of the Catholic Church.

The Lasallian Foundation is committed to the safeguarding of children, young people and adults at risk. Safeguarding is a matter for all; however, the Lasallian Foundation acknowledges the specific needs of Aboriginal and Torres Strait Island People, the elderly, those living with disability, and/or suffering from illness, individuals from culturally and linguistically diverse (CALD) backgrounds, children in out of home care, those who are homeless, and children and adults of diverse sexuality. The Lasallian Foundation will work with its partners and stakeholders to raise awareness of the dignity and rights of all children and adults.

The *Report of the Royal Commission into Institutional Responses to Child Sexual Abuse (2017)* demanded both clarity and consistency in the way allegations of abuse are responded to and investigated. In response the *National Response Protocol (NRP) for Catholic Church Authorities* in responding to concerns and allegations of abuse, mandates both principles and procedures for processing a complaint received by a Religious Institute.

It is acknowledged that each allegation requires a response and possible further workplace and/or disciplinary action which can be quite different. These procedures have been compiled to advise how investigations, specifically internal workplace proceedings, may be conducted by the Church Authority of the De La Salle Brothers. They are guidelines only and in applying them one should always bear in mind the primary objectives of related legislation in the relevant jurisdiction.

1.0 Nature of allegations to which this procedure applies

This procedure applies to anyone engaged with the Lasallian Foundation for whom allegations of the following nature have been made:

- Complaints of abuse: sexual abuse (including child sexual abuse); physical and emotional abuse as defined by the *National Response Protocol*¹.
- Serious breaches of professional behaviour – including violations of Integrity in Ministry²: and allegations which are subject to reporting obligations under relevant State legislation involving children and/or adults at risk.

2.0 Receipt of and clarification of the allegation

Allegation/s may be received from the Lasallian Foundation, the District of Australia, New Zealand, Pakistan and Papua New Guinea and/or via third parties such as: The National Redress Scheme (NRS), police (criminal matters), solicitors (civil claims), victims personally or through support persons, and/or the Professional Standards Office of the Catholic Church.

It is the responsibility of the Professional Standards Officer for the District to advise the Brother Visitor of each matter.

Where redress schemes are in place, the legislative requirements of the schemes are to be adhered to.

The *National Response Protocol* enunciates principles that are to apply in all cases to any concern or complaint³. The same document establishes six stages in the ongoing process for any response⁴. The Lasallian Foundation, an entity of the District of Australia, New Zealand, Pakistan and Papua New Guinea, adopts these principles and the accompanying commentary as the framework for its response to abuse and harm complaints.

It is the role of Police and Statutory Authorities to investigate criminal allegations of child abuse. If an allegation relates to criminal conduct and has been reported to police, the Church Authority or Lasallian Foundation must **not** start their own investigation until police have advised they can proceed⁵.

The District Professional Standards Officer will accept all or any concerns or allegations related to child and/or person at risk abuse. None are to be prematurely dismissed⁶.

The Professional Standards Officer is to obtain as much detail about the allegation/s as possible, including:

- the name of the alleged victim and contact details,
- the name of the person who is the subject of the allegation,
- brief details and circumstances of the allegation/s e.g. the nature of alleged abuse/serious misconduct, where and when it occurred,

¹ National Response Protocol for Catholic Church Authorities in responding to concerns and allegations of abuse – Principles for Response (ACBC/CRA Implementation Advisory Group) 2022 pp 5,6

² Refer *Integrity in Ministry* – a document of Principles and Standards for Catholic Clergy & Religious in Australia 2004 and *Integrity in Ministry* – a resource document of Principles and Standards for Lay Workers in the Catholic Church in Australia 2011.

³ Cfr National Response Protocol (NRP) op.cit p.7

⁴ ibid

⁵ National Response Protocol – Procedures op. cit p 5

⁶ op.cit p.9

- in criminal investigations: the name of the investigating police officer/location and telephone number,
- clarification of the process under which the allegation will be managed and/or investigated e.g. criminal, National Response Protocol, the National Redress Scheme or internal workplace investigation, and
- whether or not counselling and/or support mechanisms are required to be put in place for the alleged victim.

The Professional Standards Officer will acknowledge the child or adult raising the concern as soon as possible and from the outset, will document and keep secure all information.

The Professional Standards Officer will:

- immediately follow all internal and external reporting procedures to inform relevant authorities
- determine the immediate course of action required, which will include a risk assessment
- determine when to inform a parent or carer where the concern or allegation has not been made known to them
- determine when to inform the respondent, i.e. the person against whom the concern or allegation has been made

In every case, circumstance or situation the overarching characteristics identified in the *National Response Protocol* will be embedded. 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-keeping⁷.

In addition, receipt and response of complaints/concerns needs to recognise the power imbalance and conflict of interest that exists and ensure that care and attention is given to ensuring effective management thereof.

3.0 Risk Assessment and Response

Any complaints or allegations against personnel employed by, or engaged in activities with, the Lasallian Foundation will follow the risk assessment and response procedures detailed in the *Response to Abuse or Harm Complaints Procedures* document of the District of Australia, New Zealand, Pakistan and Papua New Guinea and cooperate fully with the Professional Standards Officer in any investigation.

4.0 Confidentiality

The Brother Visitor, the Professional Standards Officer, members of the Safeguarding Committee and each person conducting a workplace investigation must maintain confidentiality throughout any investigation process and take steps to ensure that all parties are advised of the need for confidentiality during the investigation.

⁷ De La Salle Brothers Australia New Zealand Pakistan and Papua New Guinea (ANZPPNG) Disclosure of Abuse or Harm Policy (2023) ANZPPNG District Section 4 Responding

5.0 Associated Documents:

There are a wide range of requirements regarding complaints procedures in District policies and external documents with which the Lasallian Foundation must comply. Such policies and procedures include, but are not limited to:

- Abuse or Harm Complaints Management Policy
- Code of Conduct
- Complaint or Matter of Concern Form
- Safeguarding Committee Charter
- Risk Assessment Framework
- Catholic Professional Safeguarding Standards
- National Response Protocol

6.0 Response to Abuse or Harm Complaints Procedures Status and Review

This Response to Abuse or Harm Complaints Procedures will be reviewed every two years by the Lasallian Foundation Board.

(Print Name)

(Signature)

(Date)