

FROM THE CHIEF EXECUTIVE OFFICER



RECEIVED  
- 7 MAY 2014  
BY: *h*

5 May 2014

The Most Reverend Roger Herft AM  
Archbishop of Perth  
Anglican Diocese of Perth  
GPO Box W2067  
PERTH WA 6846

Dear Archbishop

### **Letter of Understanding**

I refer to our discussions regarding the protocols, policies and procedures of The Anglican Schools Commission (Inc) (ASC) and the schools in its ownership and control for the prevention and response to allegations of child abuse, as that term is defined in the Professional Standards Statute 2003.

The ASC is an independently incorporated association operating a number of co-educational, low-fee Anglican schools within the Diocese of Perth and further afield. The ASC and its schools are subject to various state and federal statutory requirements for the clearance of staff and volunteers, and for the identification, reporting and response to child abuse, including abuse by chaplains, staff or volunteers of the ASC or its schools.

The ASC understands the need to ensure that it, and all of its schools, have mandatory, clear and consistent processes for responding to any current or future allegations of abuse of ASC students by clergy, chaplains or staff of an ASC school or any volunteers.

The ASC also recognises the potential for the Diocese to suffer reputational risk and damage from any allegations of child abuse made against the ASC or any of its schools, or due to a failure to investigate such a complaint using a transparent and consistent process.

Further, the Diocese must also recognize the potential for the ASC and its schools to suffer reputational risk and damage from any allegations of child abuse made against the Diocese, or due to a failure to investigate such a complaint using a transparent and consistent process.

### **ASC Policies and Procedures**

At head office level, the ASC has implemented organisation-wide policies and procedures for identifying and responding to allegations of child abuse and for the training of staff and others in the provision of child safe environments. I have recently provided the Diocese with up-to-date copies of all such Policies and Procedures (Policies and Procedures).

5 WOLLASTON ROAD, MT CLAREMONT WA

POSTAL ADDRESS: PO BOX 2520 MT CLAREMONT WA 6010

PHONE: (08) 9286 0290 FAX: (08) 9384 5023 WEB: [www.asc.wa.edu.au](http://www.asc.wa.edu.au)

THE ANGLICAN SCHOOLS COMMISSION (INC) ABN 85 336 233 269

In particular, section 5 of the ASC's Child Protection Policy (October 2013), requires:

- (a) ASC Principals to inform the CEO of the ASC when a mandatory report in relation to child sexual abuse is made to the Department of Child Protection and Family Support (section 5.1.1);
- (b) ASC Principals to refer to the Professional Standards Unit (PSU) any disclosures or strong concerns relating to the behaviour of staff members (section 5.7.2); and
- (c) the Chair of an ASC school board to inform the CEO of the ASC and the PSU should any allegations of child sexual abuse be made against a Principal (section 5.3.11).

The Child Protection Policy is mandatory for each of the ASC schools in Western Australia as well as Victoria.

As Chief Executive Officer of the ASC, I will ensure that each school Principal and Chair of each school board understands his or her obligations to report any allegations of child sexual abuse to me in a timely manner and adheres to the ASC's Child Protection Policy in relation to the investigation process.

The ASC will inform the Diocese if there are any changes to the organisation-wide Policies and Procedures and provide the Diocese with the relevant documents, as soon as practicable.

### **Complaint to the ASC**

As soon as practicable after I receive a report including any direct disclosure by an individual or an allegation or concern by a complainant or third party that child abuse has occurred (**Report**), I will inform the PSU of the general particulars of the Report and notify the ASC insurers, as appropriate.

If the Report involves an allegation of criminal behavior or a criminal charge, the ASC will assist the Police in all appropriate ways in their investigation and co-operate with the civic authorities responsible for the welfare of the persons involved.

If the Report does not involve an allegation of criminal behavior or a criminal charge, I will refer the matter to the PSU for investigation.

If the complainant objects to the PSU conducting the investigation, the matter will be referred to an independent third party acceptable to the ASC and the Archbishop/Visitor. The ASC will ensure that the independent third party keeps both the ASC and the Archbishop/Visitor informed of the progress and outcome of proceedings.

If there are fees to be incurred by the PSU or any independent third party, which are proposed to be on-charged to the ASC, the ASC must give prior permission for such charges to be incurred. Permission must be given before an investigation commences.

It is ASC policy to seek a recommendation from the PSU after they have conducted their investigation. Usually the ASC will accept the recommendation of the PSU or third party investigator; however, the ASC is not bound to do so, unless prior agreement to do so has been reached between the ASC and PSU or the ASC and the relevant third party. Each case will be considered on its merits.

### Complaint made to the Diocese

I confirm that the Diocese has agreed to notify the ASC of any Report made directly to the Diocese concerning the ASC. The complaint will be handled on the same basis as if the complaint had been made to the ASC.

The Diocese has agreed to ensure that the PSU conducts the investigations in accordance with the Professional Standards Statute 2003 and relevant protocols and guidelines (**Statute**) and keeps the ASC informed of the progress and outcome of proceedings.

### Pastoral Care Initiative

In all cases, the ASC will provide the complainant with information in relation to the Pastoral Care Initiative of the Diocese of Perth. The Pastoral Care Initiative is intended to provide for the pastoral support of complainants, whether or not their complaint or allegation leads to a formal investigation of any kind.

As part of that Initiative, the ASC will consult with the Archbishop/Visitor on the pastoral care and support for any person affected by the Report and, if appropriate, any apology to be provided by the Archbishop/Visitor on behalf of the Diocese or the ASC.

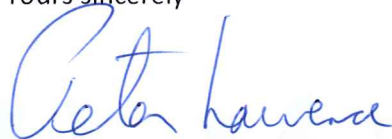
### Confidentiality

The ASC acknowledges the statutory requirements of confidentiality in respect of allegations of child abuse. The ASC (or the relevant school Principal or Chair of the school board) will request the consent of the relevant parties to disclose the particulars of the Report to the PSU, the independent third party and the ASC's insurer as may be relevant.

This Letter of Understanding takes effect on signing and may be amended by agreement in writing.

Kindly countersign a copy of this letter where indicated below to acknowledge the Diocese's agreement to the arrangements set out above and return the signed copy to the ASC.

Yours sincerely



Peter Laurence (Revd)  
CHIEF EXECUTIVE OFFICER



Archbishop, on behalf of the Diocese of Perth



Date