



POLICY STATEMENT

*Institute of Sisters of Mercy of
Australia and Papua New Guinea*

Tab 2

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Professional Standards Policy
for
Institute of Sisters of Mercy of Australia and Papua New Guinea

ACT JUSTLY, LOVE TENDERLY, WALK HUMBLLY

INTRODUCTION

God's Word, living and active, compels us

*to act justly
to love tenderly and
to walk humbly with your God.
(Micah 6:8)*

and our founder, Venerable Catherine McAuley, constantly reminds us that

*mercy is the principal path
pointed out by Jesus Christ to
those who are desirous of following him.*

This Professional Standards Policy (the Policy) expresses our commitment, as Sisters of Mercy, to live and work in accordance with the Gospel ideals and the values and principles as articulated in the *Constitutions of the Institute of Sisters of Mercy of Australia and Papua New Guinea* (the Institute), together with the documents, *Integrity in Ministry* (IM) ¹, *Towards Healing* (TH) ² and *Protocol for Right Relationships in Ministry* (PRRM) ³.

The Policy comprises three sections:

1. Underlying Principles
2. Purpose and Scope
3. Implementation.



1. UNDERLYING PRINCIPLES OF THE POLICY

We appreciate the formative influence of the documents mentioned above as they guide us towards integrity in our private, public and professional lives. At the same time, we accept that the principles and procedures of *TH* and *PRRM* provide the basis for responding with justice to persons who may have a complaint against us⁴.

In context of this Policy, the justice we desire is restorative. That is to say, it is primarily about restoring right relationships between the Institute and those whom its members, employees or volunteers may have harmed by conduct which has them caused pain and suffering.

Restorative justice asks that the experiences and needs of all concerned be voiced and heard, that lasting reconciliation be sought and that appropriate restitution be made. At its best, it give expression to the ideal that “out of love we desire the deepest well being of one another” and honours our pledge to “commit ourselves to relationships that embody respect, love and service”⁵.

For us as Sisters of Mercy, restorative justice reflects the truth that justice is constitutive of Mercy. As Pope John Paul II teaches:

*True Mercy
 is the
 most profound source of justice.
 It is
 an indispensable element
 for shaping
 mutual relationships,
 in a spirit of deepest respect
 for what is human.
 It has the power
 to confer on justice
 a new content,
 which is expressed
 most simply and fully in
 forgiveness.⁶*

¹ *Integrity in Ministry* – A Document of Principles and Standards for Catholic Clergy and Religious in Australia, National Committee for Professional Standards, 2004 (reprinted 2010.)

² *Towards Healing* – Principles and Procedures in Responding to Complaints of Abuse Against Personnel of the Catholic Church in Australia, Australian Catholic Bishops Conference and Catholic Religious Australia, 2010 and associated documents.

³ *Protocol for Right Relationships in Ministry* – Dealing with Cases of Sexual Abuse Involving Clergy, Religious and Church Personnel in Papua New Guinea (amended 2006).

⁴ In some situations, the Institute may need to collaborate with persons governed by the *Melbourne Response*.

⁵ *IM* p. ix.

⁶ John Paul II, Encyclical Letter, *Dives in Misericordia*, 1980.



2. PURPOSE AND SCOPE OF THE POLICY

This Policy complements the documents *TH*, *IM* and *PRRM* and is intended

- i. to direct the Institute Leader and her Council in addressing issues of complaint which may relate to
 - members of the Institute, living or dead⁷;
 - former novices or members of congregations⁸ which united to become the Institute;
 - employees and volunteers of the Institute;
 - employees and volunteers, living and dead, of congregations which united in December, 2011 to become the Institute;
 - employees and volunteers of the former Institute of Sisters of Mercy of Australia (ISMA)⁹;
- ii to assist each member of the Institute in her personal responsibility to live and minister in harmony with its ideals and values.

3. IMPLEMENTATION OF THE POLICY

The Institute Leader, with her Council, has ultimate responsibility for ensuring that all aspects of professional standards are effectively addressed within and on behalf of the Institute. In that regard, there are three main areas:

- a) Our commitment to professional standards individually and as the Institute.
- b) Response to issues of complaint.
- c) Development of guidelines for the professional conduct of employees and volunteers of the Institute.

a. Our commitment to Professional Standards Individually and as the Institute.

- i. The Institute Leadership will ensure that every sister has opportunities to become familiar with this Policy, together with the principles and standards of *IM* and *PRRM*, and to recognize their application to her and to the Institute as a whole.
- ii. Every sister in active ministry is expected to conduct herself according to the ethics of her profession, for example, teaching, nursing, social work.

⁷ For purposes of this Policy, members of the Institute include all sisters, living and dead, who belonged to congregations that were dissolved in order to form the Institute of Sisters of Mercy of Australia and Papua New Guinea on December 12, 2011.

⁸ Reference to 'congregations' includes the former Autonomous Region of Papua New Guinea

⁹ ISMA was dissolved on December 12, 2011.



- iii. A sister who ministers within an institution, whether Church or secular, is obliged by its guidelines in relation to conduct.
- iv. A sister who is authorized by the Institute Leadership to minister alone, such as in spiritual direction or natural therapies, is responsible for having regular supervision, taking opportunities for professional development and ensuring
- v. that her way of working, and the structural arrangements of her workplace, conform with the standards of *IM* and *PRRM*.
- vi. Where a sister is authorized to minister alone, the Institute Leadership will ensure that
 - She is adequately resourced by the Institute, particularly in relation to provision of a proper workplace and funds for her supervision and professional development;
 - She has an appropriate professional indemnity cover.
- vii. A sister who resides overseas for a time is obliged by this Policy, as well as relevant policies of the diocese in which she lives and ministers.

b. Response to Issues of Complaint.

Receiving Complaints

- i. Every complaint will be forwarded in the first instance to the Institute Leader or her delegate.¹⁰
- ii. Ordinarily, to enable the complaint to be addressed effectively and in good time, the Institute Leader will appoint a suitably experienced sister¹¹ in the local area to liaise with herself, the complainant, the person against whom the complaint is made, the relevant Office for Professional Standards and other bodies, including civil authorities, as necessary.
- iii. If any sister in the Institute receives a complaint, for example, from a caller on the telephone or from someone she meets socially or in the course of her ministry, she will respond according to the guidelines for such instances (see appendix 1).
- iv. Employees and volunteers of the Institute should be instructed about how to respond if they receive a complaint or otherwise become aware of a violation of professional standards on the part of a sister, employee or volunteer of the Institute.
- v. Every sister who is involved in receiving or addressing a complaint is obliged by the demands of confidentiality in relation to the complainant, the alleged offender and any other person or institution named.



Addressing Complaints

- i. The inherent dignity of every complainant and his or her rights to justice and compassion will be respected at all times. Likewise, there should be no assumption or judgment that the person who is the subject of a complaint is guilty of it until the investigation finds otherwise.
- ii. Where appropriate, complainants will be invited to engage with the process of *TH* if the case is in Australia, or with the process of *PRRM* if it is in PNG.
- iii. If the established process is not an appropriate option for a complainant, the Institute Leader, in consultation with the complainant, the liaison sister and other relevant parties, will offer an alternative process based on principles of restorative justice, for example, mediation.
- iv. If it becomes apparent that there are a number of complaints related to the alleged practices at the one institution, it may be wise for the Institute Leadership to design a particular, comprehensive programme of response.
- v. The Institute Leader will ensure that a sister, employee or volunteer who is the subject of a complaint is given sustained support – pastoral, psychological, spiritual and legal.
- vi. When other Church authorities are involved in a complaint, the Institute will collaborate with them in seeking a resolution.
- vii. The Institute Leader will seek to have adequate funds available for all contingencies associated with addressing complaints.

Ongoing Pastoral Supports

- i. When an issue of complaint has been resolved, sisters are encouraged to continue pastoral care of the former complainant if the Institute Leader, in consultation with all concerned, deems this to be appropriate. However, in such instances the sisters offering a pastoral relationship ought not be those who were involved in the processes of resolution.
- ii. Prior to the formation of the Institute, if it had been the practice of a congregation to offer pastoral support to individuals or groups, ordinarily this would continue, preferably involving sisters who are familiar to the former complainants.

Keeping Records

- i. All files relating to issues of complaint, active and closed, will hold only that information, which is prudent or legally necessary to retain. In determining the content of each file and the period for which it should be held, the Institute Leader will seek advice from the Institute's lawyers and the Professional Standards Office.
- ii. All active files concerned with sisters, employees or volunteers, are held by the Institute leader or her delegate.



- iii. Closed files ¹² are kept either by the Institute Leader or her delegate, or are held by another suitable agency, for example, the Institute's lawyers.
- iv. When judged appropriate, certain files may be sent to the Institute archives.
- v. Wherever a file is held, it must be securely protected and access to it must be on a limited and specified basis.

Communication Matters

- i. The Institute Leader will ensure that
 - guidelines for relating to the media on behalf of the Institute are developed and kept current;
 - protocols are developed so that the sisters, employees and volunteers receive accurate and timely information, should an issue of complaint become public.
- ii. If it is likely that an issue of complaint will become public, the Institute Leader will consult her Council, the relevant Church authority and Professional Standards Office, and seek legal advice before determining the nature of any public response from the Institute and by whom it should be made.

c. Guidelines for Professional Conduct for Employees and Volunteers of the Institute.

The Institute Leader will ensure that

- iii. every work, incorporated or unincorporated, which is owned or sponsored by the Institute, has particular guidelines for professional conduct which complement the relevant Church documents ¹³;
- iv. the director ¹⁴ of each ministry will provide regular opportunities for staff and volunteers to familiarise themselves with these guidelines and to understand how they relate to them personally and to the obligations and integrity of the Institute.

¹⁰ The Institute Leader may choose to designate a member of the Council, or another suitably experienced sister, to deal with complaints on behalf of the Institute.

¹¹ The Institute Leader or her delegate will ensure that 'liaison sisters' are properly educated and resourced for their role and will consult with them about its specific tasks as each case will have particular needs.

¹² A closed file is one which contains information about the investigation of an allegation whether substantiated or not substantiated, and whether the subject of the allegation is living or deceased.

¹³ For example, *Integrity in the Service of the Church* – A Resource Document of Principles and Standards for Lay Workers in the Catholic Church in Australia, National Committee for Professional Standards, September 2011.

¹⁴ This is the person immediately responsible for the operation of the work, for example, a school principal or an executive officer.



CONCLUSION

As Sisters of Mercy, we recognize that justice, tender love and humility before God must determine the response of our Institute to any matter of complaint which may be brought against its members, its employees or its volunteers. Our Constitutions inspire us in this regard.

*Whatever work we do,
our song is of mercy and fidelity
justice and peace.
Because of our God,
to whom we sing our song,
we join in the search
for justice and love wherever we are
Working together to create the new earth
which God's love demands.
(Constitutions 4.09)*