

Update to Adelaide Response Annexure 8

Anglican Church of Australia

Professional Standards Commission

Statement of Principles for the Sharing of Information between the Directors of Professional Standards

Introduction

The Church has a duty of care to provide for the safety and protection of the public and its members. This duty will include the disclosure of information relevant to an appointment, a risk management process or an investigation.

The Model Professional Standards Ordinance appears not to authorise the disclosure of information relevant to an investigation in another diocese and is silent on disclosure in relation to risk management processes and appointments. The professional standards ordinance of a particular diocese should be checked as to the scope of the authorised disclosure of information. The National Register Canon 2007 requires information to be entered on the National Register relating only to sexual misconduct and child abuse.

There is a tension for Directors of Professional Standards between:

- sharing between themselves information that is not required to be on the National Register but which may be relevant to an appointment, a risk management process or an investigation, and
- fairness for the respondent/applicant.

Principles for the Sharing of Information between the Directors of Professional Standards

There are occasions where, in course of an appointment, a risk management process or an investigation a Director of Professional Standards will request the other Directors to disclose to them information that is not required to be on the National Register but which may be relevant to the appointment, risk management process or investigation.

In these circumstances the Directors of Professional Standards should disclose information according to the following principles.

1. Information should be disclosed upon request from another Director for any information relating to the appointment, risk management process or investigation of or for a named respondent/applicant, or where the Director considers the information may be relevant to the appointment, risk management process or investigation.
2. The information disclosed should be an accurate statement of information held by the Director, and where the information provided includes the Director's opinion on any matter, the information should clearly delineate which parts of the information are objective facts, which parts are opinions or assumptions, and the basis of any such opinions or assumptions.
3. The disclosure should specify:

- a. whether the respondent/applicant is aware of the information;
 - b. whether there is any reason, and if so what, as to why the information should not be disclosed to the respondent/applicant;
 - c. whether the information has been investigated, and if so was substantiated, unsubstantiated or false.
4. A record should be kept of any such disclosure.

6 April 2016

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[Approved by SC2016/1/31 - Standing
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