

KOOYOORA LTD

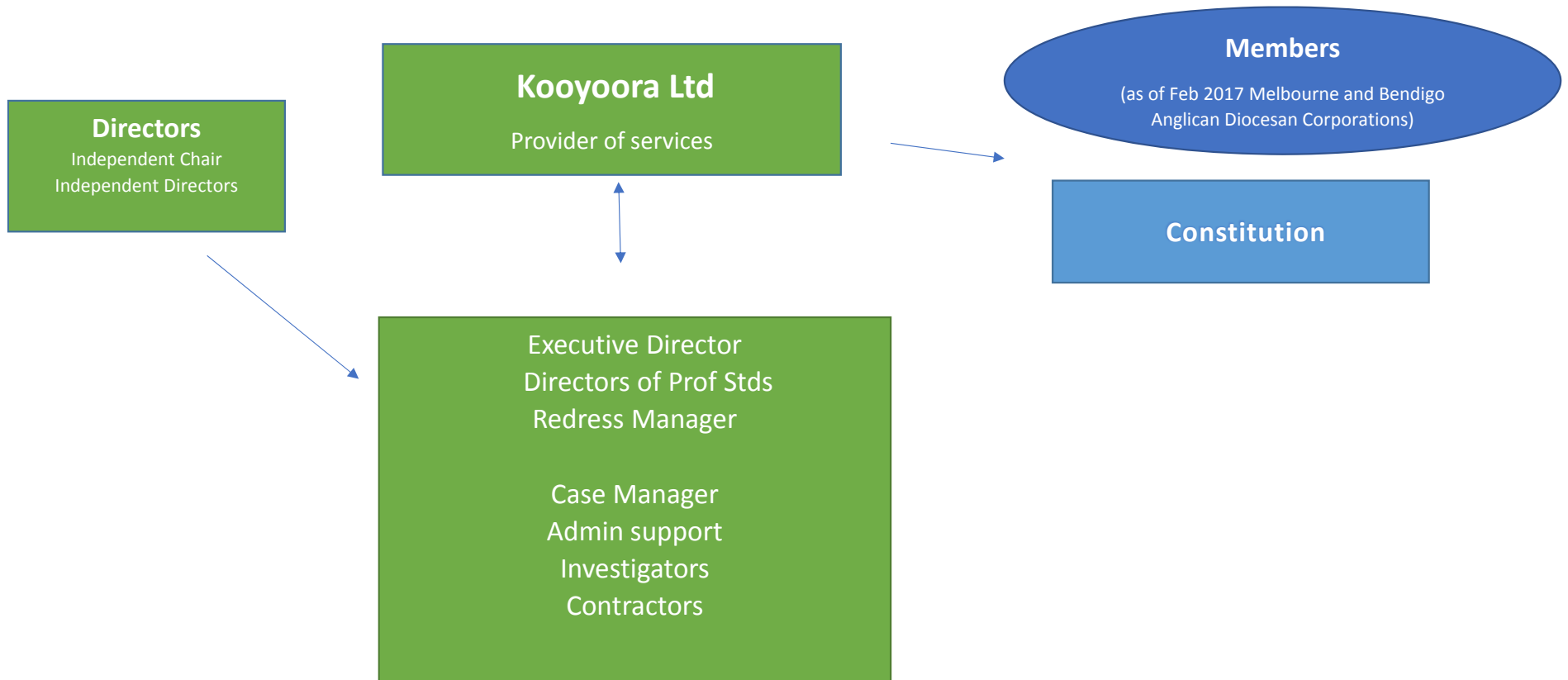
Michael Shand QC 5 December 2017

- Kooyoora Ltd was incorporated on 12 January 2017.
- *'Kooyoora' means 'Mountain of Light' in the Djadja Wurrung language of Central Victoria*
- It is an independent not for profit company limited by guarantee, initial members the Melbourne and Bendigo Diocesan Corporations.
- It is formed to provide professional standards and other services to charities, including charities that are Anglican dioceses, entities, colleges and schools, to enable them more effectively to fulfil their charitable objects.

Kooyoora services

- Complaints handling including reporting
- Screening of office holders and volunteers
- Handling applications for redress for abuse
- Training and education

GOVERNANCE STRUCTURE



COMPLAINTS HANDLING

- Kooyoora Ltd retained by each of Melbourne and Bendigo dioceses to operate a common Office of Professional Standards
- Uniform Rules - [*Professional Standards Uniform Act 2016*](#) (each passed by Melbourne and Bendigo dioceses and [Protocol](#))
- Complaints can be made against Church workers ie clergy and lay people including volunteers (part 3.1 of the Act)
- Kooyoora appoints all the staff of the Office, the Professional Standards Committee, the members of the Board and Review Board panels and the Ombudsman
- Each diocese sets its own codes of conduct (Part 1.5)

COMPLAINTS HANDLING – The Director

A Director of Professional Standards receives the complaint and–

- communicates with the complainant and respondent
- appoints support persons for each
- may arrange investigation
- reports to the Professional Standards Committee

Parts 3.3 – 3.4 of the Act

COMPLAINTS HANDLING

The Professional Standards Committee

A Professional Standards Committee oversees the management of the complaint

- may arrange investigation or may dismiss if frivolous or on other grounds, giving reasons (Part 3.2 of the Act)
- refers a question of fitness of the respondent for the role office or position to the Professional Standards Board for determination (Part 5.1)
- In urgent cases, may itself recommend suspension or stand down to the Church authority, otherwise refers that question to the Board (Part 3.5)
- must notify complainant and respondent of referral of a matter

COMPLAINTS HANDLING

The Professional Standards Board

A Professional Standards Board adjudicates questions of fitness—

- one or more members appointed from a panel
- determines facts and makes recommendations or directions (Part 5.3)
- must accord procedural fairness (Part 5.5)
- may hold a hearing
- may adopt special procedures for children and vulnerable witnesses
- must publish reasons and give them to the complainant, the respondent and the Committee, must anonymize public reasons

COMPLAINTS HANDLING

The Professional Standards Review Board

A Professional Standards Review Board determines an application by either the respondent or the Committee for review of a decision of the Board—

- one or more members appointed from a panel
- must accord procedural fairness (Part 5.5)
- not obliged to hold a hearing except in special circumstances
- may affirm or amend or set aside the decision of the Board (Part 5.4)
- must publish reasons and give them to the complainant, the respondent and the Committee, must anonymize public reasons

COMPLAINTS HANDLING

The Church authority

The Church authority in a complaint is the office holder responsible for appointing the person against whom the complaint is made

- for clergy the Archbishop
- for employees the Diocesan Corporation
- for parish volunteers, often the Vicar or Senior Minister of the parish

(Part 7.9)

The Church authority is bound to give substantial effect to the recommendation of the Board or Review Board (Part 6.1)

The Church authority must make public the action taken

Screening Clearance for ministry or for service

All clergy must have a clearance for ministry. Particular lay office holders must have a clearance for service. In each case, issued by the Kooyoora Office.

If clearance is refused, must not continue in ministry or service

Managed by the Director in similar fashion to complaints, using the Committee, the Board and Review Board

Clearance involves—

- working with children card, police check,
- Anglican National Register check

The Kooyoora Office is bound to give effect to the direction of the Board or Review Board as to a clearance.

Grievance procedure

A grievance about the operation of the Act or protocol must in the first instance be addressed in writing to the Executive Director who must deal with the matter and report to the complainant and the Directors.

If the person remains so after receiving the response from the Executive Director, that person may address their grievance in writing to the Professional Standards Ombudsman.

Part 8.4 of the *Act*

PROFESSIONAL STANDARDS UNIFORM SCHEME

Members
(as of Feb 2017 Melbourne and Bendigo Anglican Diocesan Corporations)

Synod or Diocesan Bishop in Council

Constitution

Directors
Independent Chair
Independent Directors

Kooyoora Ltd
Scheme Corporation

Terms of Reference
Legislation
Regulations
Redress Terms
Codes of Conduct

Independent Office Holders
PS Committees
PS Board President and Dep President
PS Board Panel Members

PS Review Board President and Deputy President
PS Review Board Panel Members

Ombudsman

Operating Protocols

Operations of Company
Executive Director
Directors of Prof Stds
Redress Manager

Case Manager
Admin support
Investigators
Contractors

Clients
Anglican Dioceses/Entities,
Other Churches & NFP
Organisations, Individuals

Complainants
Individuals