

# Loreto Sisters

## Guidance on Responding to a Complainant who is Dissatisfied with how their Allegation of Abuse was Handled.

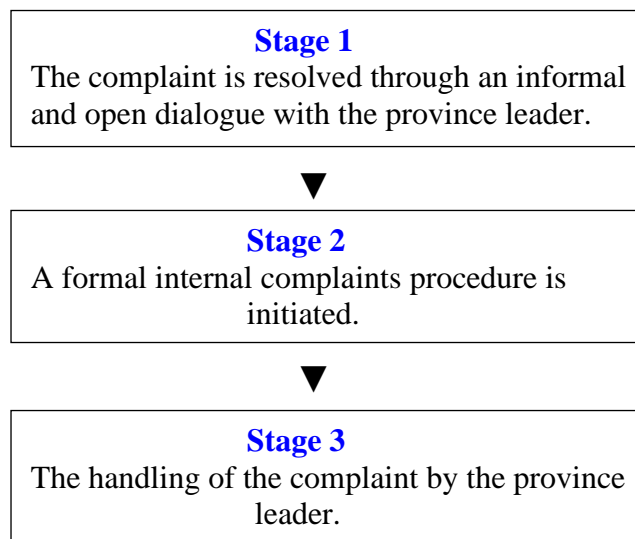
### What is covered by this guidance ?

This guidance is to be followed when a complainant expresses dissatisfaction with how their allegation has been managed by the province leader. If an allegation is made that the province leader acted in a way which intends to interfere with or avoid civil or canonical investigation or if the allegation relates to an act or omission in relation to these investigations a complaint should be made.

### Introduction:

If a complainant is dissatisfied with how their allegation of abuse has been handled by the province leader, it is important that an open and transparent system, akin to an appeals system, is in place to deal with their stated dissatisfaction. Complaints that cannot be satisfactorily resolved by the province leader should be examined objectively by persons not involved with the original decisions or actions. Such examinations should have regard not only for the Loreto child safeguarding policy and procedures but also for considerations of equity and good administrative practice.

This guidance is not a reinvestigation of the allegation, but a method of attempting to resolve a complaint relating to how the allegation was handled by the province leader. This process should have three distinct stages. If the complainant is dissatisfied with the outcome at the completion of a stage, then the next stage is initiated in the ongoing attempt to resolve the complaint.



### Stage 1:

All complaints of this nature should be resolved, if possible, through an open dialogue between Loreto personnel involved and the complainant. Loreto personnel should use their best endeavours to resolve the complaint at this stage. However, if resolution is not achieved or the complainant is not happy with the outcome of discussions, then the Loreto personnel involved should advise the complainant that it is open to them to pursue the complaint, explaining Stage 2 of the complaints process. A written communication for and on behalf of the personnel involved, confirming the availability of Stage 2 of the process, should be sent to the complainant.

If at this point the complainant feels that the handling of their complaint relates to action by the province leader which intends to interfere with or avoid civil or canonical investigation or if the allegation relates to an act of omission in relation to these investigations, the current process should be halted and a complaint as outlined in Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge about Bishops or their Equivalents and Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge, Acts or Omissions of Church Authorities or those who hold /have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (men and women) should be initiated.

## Stage 2:

1. The complainant should write to the province leader setting out what their complaint is and how they would like it to be addressed.
2. A letter acknowledging receipt of the complaint should be sent by the province leader to the complainant within seven days, enclosing a copy of the Loreto complaints procedure.
3. All complaints should be thoroughly investigated by a complaints officer, who is someone other than the person who dealt with the complainant's original allegation of abuse, and who is appropriately appointed by and responsible to the province leader.
4. This complaints officer may organise a meeting with the complainant to discuss and hopefully resolve the complaint. The complainant may invite a person to accompany them to any arranged meeting. Only if a meeting is not possible and/or the complainant does not wish to attend a meeting, communication with the complainant may also take place by telephone. Direct communication with the complainant should take place, if possible, within fourteen days of the letter acknowledging receipt of the complaint.
5. Within seven days of the meeting or discussion with the complainant, the complaints officer will send written minutes to the complainant of what was discussed, and of any actions that were agreed upon.
6. If the complainant is not agreeable to a meeting or discussion, or for some reason cannot participate in either, the complaints officer will issue a detailed written response to the complainant within twenty-one days of acknowledging receipt of the letter of complaint, setting out suggestions for resolving the matter.
7. Whatever process is used, the province leader should ensure that no more than eight weeks is taken to consider the complaint and to propose a resolution to the complainant.
8. If there is no resolution at Stage 2, and if the complainant wishes to proceed further, a written request for a review can be sent to the NBSCCCI. This option of progressing to Stage 3 should be confirmed in writing to the complainant.
9. If at this point the complainant feels that the handling of their complaint relates to action by the province leader which intends to interfere with or avoid civil or canonical investigation or if the allegation relates to an act of omission in relation to these investigations, the current process should be halted and a complaint as outlined in Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge about Bishops or their Equivalents and Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge, Acts or Omissions of Church Authorities or those who hold /have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (men and women) should be initiated.

## Stage 3:

1. The NBSCCCI, as required under the Memorandum and Articles of Association of the company, Coimirce can conduct a stage 3 review of a complaint as set out in Article 4(V) as follows:  
*'Reviewing and Reporting on the handling of complaints by any Constituent concerning the safeguarding of children in accordance with protocols for the purposes of sub paragraph (iv).'*
2. At the conclusion of Stage 2 above, if the complainant wishes to use this function, the complainant should set out in writing to the chair of the NBSCCCI the nature of the original complaint about how their allegation was dealt with, how they experienced Stage 1 and Stage 2 of this complaints process, and how they would now like their complaint addressed.
3. The request to the NBSCCCI for a review should be made within three months of the conclusion of the province leader's internal complaints procedure (Stage 1 and Stage 2).

4. The chair of the NBSCCCI will advise the province leader that the request has been made and permission sought to refer the complaint onto an independent complaints panel.
5. Any review will be an independent evaluation of whether the proper child protection procedures have been followed, and whether the appropriate standards and best practice guidance have been adhered to.
6. The chair of the NBSCCCI will refer the complaint to the chair of the independent panel, who will appoint an appropriate person or persons to conduct this review.
7. To assist this review process, the relevant province leader should make available to the complaints panel all written information about how the complainant's original allegation of abuse was investigated, as well as the written records of how Stage 1 and Stage 2 of the complaints process was conducted, and of the proposals made for a resolution of the complaint.
8. To assist this review process, the province leader should make available for interview all Loreto personnel involved in the handling of the original allegation.
9. Having examined all written information concerning the complaint, the reviewer can use discretion about the form and extent of any review or to discontinue the process, giving the reason.
10. If, during the review, there are concerns about the abuse of a child, the reviewer will revert to the province leader for their required action under Standard 2.
11. The reviewers will keep notation of all meetings and will ask all those interviewed to sign a declaration that these are an accurate record of their discussion. These notes may be shared with all involved parties, at the discretion of the reviewer.
12. The reviewer will compile a written report on their findings and recommendations. This report will then be shared with the NBSCCCI prior to submission to all parties.
13. With the approval of the NBSCCCI, the chair of the complaints panel will submit the written report to all involved parties, with recommendations of actions to be taken within specified time frames. The sending out of this report marks the completion of Stage 3 of the complaints process.
14. If throughout this process the reviewer, independent panel or the NBSCCCI feel that the evidence presented during the course amounts to the delict outlined in the introduction session, this will be reported following Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge about Bishops or their Equivalents and Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge, Acts or Omissions of Church Authorities or those who hold /have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (men and women).
15. If at this point the complainant thinks that the handling of their complaint relates to action by the province leader which intended to interfere with or avoid civil or canonical investigation or if the allegation relates to an act of omission in relation to these investigations, the current process should be halted and a complaint as outlined in the Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge about Bishops or their Equivalents and Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge, Acts or Omissions of Church Authorities or those who hold /have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (men and women) should be initiated.

The province leader will bear all reasonable costs of the review. The chair of the complaints panel and associated reviewers will be selected by the NBSCCCI in consultation with the province leader.

