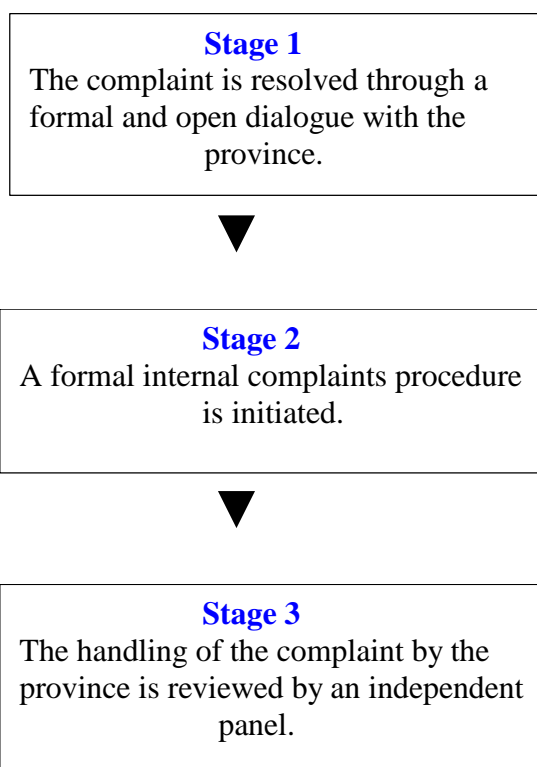


Loreto Sisters

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

If a complainant is dissatisfied with how their allegation of abuse has been handled by the province 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 should be examined objectively by persons not involved with the original decisions or actions. Such examinations should have regard not only for the province's child safeguarding policy and procedures but also for considerations of equity and good administrative practice.

It needs to be understood that this process is not a reinvestigation of the allegation, but a method of attempting to resolve complaints relating to how the allegation was handled by the province. 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 the province personnel involved and the complainant. Province 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 province 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.

Stage 2:

1. The complainant should write to the province 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 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.
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. If a meeting is not possible communication with the complainant may also take place by telephone. This 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 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.

Stage 3:

1. 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.
2. The request to the NBSCCCI for a review should be made within three months of the conclusion of the provincial internal complaints procedure (Stage 1 and Stage 2).
3. The chair of the NBSCCCI will advise the province that the request has been made and permission sought to refer the complaint onto an independent complaints panel.
4. 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.
5. 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.

6. To assist this review process the relevant province should make available to the complaints panel all written information about how the complainant's original allegation of abuse was investigated. This will also include 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.
7. To assist this review process the relevant province should make available for interview all Church personnel involved in the handling of the original allegation.
8. 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.
9. If during the review, there are concerns about the abuse of a child the reviewer will revert to the province required action under Standard 2.
10. 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.
11. 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.
12. 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.
13. There will be no further recourse under this guidance if the complainant remains dissatisfied at the end of Stage 3.

The province 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.



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