

Anglican Diocese of Adelaide
Professional Standards Ordinance 2015
Professional Standards Regulations 2020

The Diocesan Council of the Anglican Diocese of Adelaide makes the following Regulations pursuant to section 112 of the Professional Standards Ordinance 2015:

Short title

1. These Regulations may be cited as the **Professional Standards Regulations 2020**.

Commencement

2. These regulations come into operation on 2020.

Definition

3. In these Regulations —
 - a. **the Ordinance** means the **Professional Standards Ordinance 2015**
 - b. **the Protocol** means the **Professional Standards Protocol 2020**

Other expressions have the same meaning as in the Ordinance.

Form of consent to formal process

4. The written consent of a complainant under section 20 of the Ordinance and Clause 13 of the Protocol must be in Form 1 of the Schedule, with any necessary modifications.

Form of reference to the Professional Standards Board

5. A reference by the Professional Standards Committee to the Professional Standards Board under section 57 of the Ordinance must include a notice in Form 2 of the Schedule, with any necessary modifications.

Form of application for review of a decision of the Professional Standards Board

6. An application for review of a decision of the Professional Standards Board under section 74 of the Ordinance must be in Form 3 of the Schedule, with any necessary modifications.

SCHEDULE

Professional Standards Regulations 2020

FORM 1

Reg. 4

CONSENT OF COMPLAINANT TO FORMAL PROCESS

Subject to ss 17-21 of the Professional Standards Ordinance 2015 (the Ordinance)

TO: The Director of Professional Standards

Name of complainant:

Address:

Description of complaint:

I the above named complainant CONSENT to —

- a. the giving by the Director of notice of the complaint and the identity of the complainant to the respondent;
- b. the investigation of the complaint by the PSC or its delegate;
- c. the PSC otherwise dealing with it under this Ordinance;
- d. the hearing and determination of the complaint by the Board and on any review, the Review Board, either by hearing or otherwise in accordance under this Ordinance; and
- e. the making of recommendations to the Archbishop or other Church authority in accordance with this Ordinance.

.....
Complainant

Date:

NOTE: sections 17-21 of the Ordinance provide:

PART 6 – INFORMATION

Disclosure of information

- 17 (1) A member of the Clergy and a Church authority in the diocese must as soon as possible refer any information in his her or its possession or knowledge to the Director unless there are reasonable grounds to believe that the information is already known to the Director or the PSC.
- (2) This section does not affect the operation of the Canon Concerning Confessions 1989 of the General Synod or any other Canon or legislative instrument relating to confessions in force in the diocese.

Director to Report

- 18 Subject to this Ordinance, where the Director considers that the subject matter of information, if established, would constitute misconduct the Director must report the conduct to the PSC or, if appropriate, to an equivalent body.

PART 7 – COMPLAINTS

Who may make a complaint

- 19 Any person, including the Director, may make a complaint of misconduct to the PSC in relation to a Church worker.

Form of complaint

- 20 (1) A complaint may be in any form, oral or in writing, whether by electronic means or otherwise.
- (2) Where a complaint is oral, the Director must make a written record of the complaint as soon as practicable after receiving it.
- (3) A complaint must include details of the misconduct complained about.
- (4) The Director must not make a complaint based only on information provided anonymously.
- (5) The PSC may not act on an anonymous complaint.
- (6) Non-compliance with a provision of this section shall not invalidate a complaint unless the Board determines otherwise.

Further information and verification

- 21 (1) The PSC may require a complainant to –
- a. give further details of the complaint; and
 - b. verify any details of the complaint by a statutory declaration.
- (2) A requirement under subsection (1) must be in writing and allow the complainant a reasonable time to comply.

Professional Standards Regulations 2020

FORM 2

Reg. 5

REFERENCE TO THE PROFESSIONAL STANDARDS BOARD
under s 57 of the Professional Standards Ordinance 2015 (the Ordinance)

TO: The Secretary
Professional Standards Board

The Professional Standards Committee refers the following matter to the Professional Standards Board pursuant to section 57 of the Professional Standards Ordinance 2015:

Description of complaint/application:

Attached is a written report of its investigation and opinion signed by a member of the Professional Standards Committee.

Signature—

Date—

Professional Standards Regulations 2020

FORM 3

Reg. 6

APPLICATION FOR REVIEW OF A DECISION

under s 74 of the Professional Standards Ordinance 2015 (the Ordinance)

TO: The Secretary
Professional Standards Review Board

Name of applicant—

Address—

I APPLY to the Professional Standards Review Board for review of the following decision of the Professional Standards Board—

1. The decision is -
2. Date of decision -

My reasons for making the application are—

Signature—

Date—