



Uniting Church in Australia
ASSEMBLY
Assembly Standing Committee

April 2024

DOCUMENT 4

Title	The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability National Task Group Overarching Principles.
Type of Paper (Information/Decision)	Decision.
Assembly or ASC Minute	Resolution 18.18, 15 th Assembly November 2019 ASC (19.71)
Consultation	The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability National Task Group.
Purpose	To seek the approval of the Assembly Standing Committee for the Uniting Church in Australia to adopt and implement the Overarching Principles and for the final report of the National Task Group to be sent to the 17 th Assembly as part of the UnitingCare Australia report.
Rationale & Findings Summary	<p>What is the rationale behind what is presented in the paper?</p> <p>Summarise the findings Based on the need for 'further conversation and action regarding justice and equality for people with disability' referenced in the Resolution above, the Working Group, delegated by the Uniting Church in Australia Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability National Task Group, through a series of workshops with representatives from congregations and agencies across the Uniting Church In Australia, developed these principles.</p> <p>The aim of developing the Overarching Principles was to address the gaps in existing quality and safeguarding requirements that are relevant to the top three issues, within congregations and agencies. These top three issues were:</p> <ol style="list-style-type: none">1. Governance and decision-making.2. Access to adequate complaints resolution process and institutional safety.3. Awareness and use of supported decision-making and choice and control. <p>It is proposed that the Overarching Principles, once approved by the Assembly Standing Committee, would be implemented across all congregations and agencies of the Uniting Church in Australia.</p>
Attachments	DRC NTG Report to 17 th Assembly

<p>Proposal/s</p>	<p>That the Standing Committee :</p> <ol style="list-style-type: none"> 1. approve the adoption of the Overarching Principles; 2. request the General Secretary to communicate the Overarching Principles to Assembly Agencies and to Synod General Secretary's and commend their use in shaping the processes of Assembly, Assembly Agencies, Synods and Synod institutions; 3. Approve the attached report to the 17th Assembly to be included as part of the UnitingCare Australia report; 4. Authorise the General Secretary, in consultation with the National Task Group to identify appropriate people to present any verbal report to the 17th Assembly; 5. Thank and discharge the Disability Royal Commission National Task Group.
<p>Submitted by</p>	<p>Andy Calder, Disability Inclusion Advocate, The Synod of Victoria and Tasmania, Andy.Calder@victas.uca.org.au, 0417 562 556 and Natalie Clements, Social Justice and Policy Coordinator, Queensland Synod, Natalie.Clements@ucaqld.com.au, 0429 028 232, on behalf of the Disability Royal Commission National Task Group.</p>

THE ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT AND EXPLOITATION OF PEOPLE WITH DISABILITY NATIONAL TASK GROUP OF THE UNITING CHURCH IN AUSTRALIA OVERARCHING PRINCIPLES

Executive Summary

The following report contains a final summary of the work done by the Disability Royal Commission National Task Group and its Working Group on developing Overarching Principles in response to the emerging issues from the Disability Royal Commission. The Overarching Principles are in two versions, a detailed version and a summary version. Both versions need to be adopted by the church and its agencies. Some agencies of the church will already be meeting higher standards through existing quality frameworks for human services, such as the NDIS practice standards and quality indicators and the Aged Care quality standards and therefore will already be meeting the Overarching Principles. Guidance and resources on how congregations can adopt and implement the Overarching Principles will be developed, along with an implementation policy, similar to what was done in the Uniting Church in Australia after the Royal Commission into Institutional Child Sex Abuse. A decision by the Assembly Standing Committee to adopt the Overarching Principles across the church and its agencies, will be critical to advancing this work.

Report

1. At the 15th Assembly of the Uniting Church in Australia, the Assembly resolved:

18.18 DISABILITY ACCESS GUIDELINES

18.18.01 to adopt the following 'Statement of Access and Welcome' as a starting point for further conversation and action regarding justice and equality for people with disability as it provides a basis for the Assembly and Synods to develop their particular response to this matter.

Statement of Access and Welcome

In accordance with the Uniting Church *Basis of Union*, the Church is a fellowship of reconciliation, "a body within which the diverse gifts of its members are used for the building up of the whole, an instrument through which Christ may work, and bear witness to himself" (Paragraph 3).

In light of this, the Uniting Church affirms that:

- (a) Christ is most fully present when all people in the Body are unconditionally accepted as people of worth. All people are created in the image of God, including people with disability;
- (b) along with all members, the faith, gifts, hopes and dreams of people with disability are to be valued and honoured; and
- (c) God is a God of justice and peace, who seeks reconciliation amongst all people.

In seeking to be a community of reconciliation, the Uniting Church acknowledges that for many people with disability its life and faith has not always borne witness to this vision. The Uniting Church seeks:

- (a) to embody a community life that in its theology and practice is accessible to all people;
- (b) to ensure that within its own life people with disability are treated justly and have their hopes and rights realised; and
- (c) to advocate for justice and equality for people with disability in the wider community.

18.18.02 to request the Standing Committee to develop disability access guidelines for use at all events and activities overseen by the Assembly, and to encourage each Synod to develop similar disability access guidelines for use at Synod events and meetings;

18.18.03 to encourage each Synod to develop Disability Action Plans in accordance with the federal Disability Discrimination Act 1992, with the aim of eliminating access barriers pertaining to:

- (i) Attitude/Theology and access and welcome;
- (ii) Communication; and
- (iii) Physical Environment.

18.18.04 to request the appropriate Standing Committee to arrange for the development of an appropriate liturgical response which acknowledges the historical exclusion experienced by many people with disability.

2. Based on the need for 'further conversation and action regarding justice and equality for people with disability' referenced in the Resolution above, the Uniting Church in Australia Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability National Task Group, and its Working Group Overarching Principles, through a series of workshops with representatives from congregations and agencies across the Uniting Church in Australia, identified three top issues emerging from the discussion as it progressed. These top three issues were:
 - 1) governance and decision-making;
 - 2) access to adequate complaints resolution processes and institutional safety; and
 - 3) awareness and use of supported decision-making and choice and control.
3. The aim of developing the Overarching Principles was to address the gaps in existing quality and safeguarding requirements that are relevant to the top three issues, within congregations and agencies. It was planned that the Overarching Principles, once approved by the Assembly Standing Committee and ratified at the 17th Assembly, would be implemented across all congregations and agencies of the Uniting Church in Australia.

Overarching Principles

The full version of the Overarching Principles developed by the Working Group are in the table below.

1. The voice, safety and wellbeing of people with disability is embedded in culture, governance and organisational leadership.
1.1. Lived experience as an important and crucial skill for appointment to governance bodies is encouraged within the organisation.
1.2. Governance bodies to have effective oversight of service delivery.
1.3. Increasing the employment of people with disability in senior leadership and decision-making roles is encouraged within the organisation.
1.4. Increasing employment of people with disability in open employment and improving pathways for people with disability from closed to open employment, is encouraged within the organisation.
2. Person-centred and accessible trauma-informed complaints processes.
2.1. Each entity is encouraged to have an accessible, preferably trauma-informed, culturally appropriate and easy to understand complaint handling policy that clearly outlines the roles and responsibilities of leadership, staff, volunteers and the governance body; approaches to dealing with different types of complaints; breaches of relevant policies by staff and volunteers, including codes of conduct; and obligations to protect and report.
2.2. Complaints are viewed as opportunities for feedback and part of the continuous improvement framework.
2.3. The processes for making and resolving complaints are clear and easy to understand.
2.4. There are multiple avenues by which to make a complaint, for example over the telephone, in-person and via letter, email or text.
2.5. Complainants are treated with respect and offered support, for example interpreting service, Auslan, referrals to independent advocacy services and to counselling services. People with disability need a safe space to give feedback without fearing adverse consequences.
2.6. The complaints process is culturally sensitive to and culturally safe for First Nations people and people with a CALD background.
2.7. The culture is one where complaints are considered part of the continuous improvement process; are taken seriously; acted upon promptly and thoroughly; and appropriate steps are immediately taken to assess and minimise any further risk of harm.
2.8. Leaders, staff and volunteers feel supported to raise concerns about safety.
2.9. People with disability feel empowered to raise concerns about themselves and their friends and they know who to talk to if they are feeling unsafe.
2.10. Leaders (including the governance body), staff and volunteers are well informed about their roles, responsibilities and obligations under the complaint handling policy and any relevant legislation.

2.11 Leaders, staff and volunteers are encouraged to have a good knowledge of the many different ways people with disability express concerns or distress and disclose harm.
2.12 Appropriate records of every complaint are kept and actively monitored by the senior management team and the governance body.
3. People with disability are safe from abuse, violence, neglect and exploitation, including physically, culturally and psychologically, and institutional safety responsibilities and measures are well understood and embedded in all levels.
3.1. Each entity is encourage to have a suite of accessible, trauma-informed, culturally appropriate and easy to understand policies and procedures that safeguard people with disability. The policies and procedures clearly outline the roles and responsibility of leadership (including the governance body), staff and volunteers; have an emphasis on prevention; and include codes of conduct, indicators of harm and obligations to protect and report.
3.2. Each entity has a risk management framework where risks to the safety of people with disability have been identified and mitigated while facilitating their right to privacy, access to information, social connections and learning and employment opportunities.
3.3. The governance body clearly understands its collective and individual obligations to ensure that people with disability are safe and the likely consequences if adequate steps are not taken to meet these obligations.
3.4. Leaders (including the governance body), staff and volunteers are well informed about their roles, responsibilities and obligations under the institutional safety policies and procedures and any relevant legislation.
3.5. The culture is one where people with disability are treated with respect and their safety is paramount; communication channels are clear; there is ongoing learning and improvement; and anyone who witnesses unsafe behaviour understands that it is not OK to ignore the behaviour and knows what to do about it.
3.6. Staff and volunteers receive appropriate induction and other training, for example, trauma-informed care; identification and mitigation of risks; indicators of harm; the many different ways people with disability express concerns or distress and disclose harm; and cultural sensitivities for First Nations and people with a CALD background.
4. Supported decision making and choice and control are encouraged in all levels of an entity.
4.1 Supported decision making and choice and control are encouraged in policies and practices that are accessible and include information about conflicts of interest, when to use supported decision making and safe choice and control.
4.2 Organisations are encouraged to provide staff with guidance on best practice in supported decision making and choice and control and are made aware of the relevant policies and procedures.

The shortened version of the Overarching Principles developed by the Working Group are in the table below.

Principles for a disability inclusive Church
<p>1. Governance and decision making <u>We should actively include everyone within our institutions.</u></p> <ul style="list-style-type: none"> • Organisations should focus on embedding the voice, safety, and wellbeing of people with disability. • Organisations are encouraged to increase rates of employment of people with disability, including in senior leadership and decision-making roles. • Governance bodies should have effective oversight of service delivery. • Lived experience is encouraged to be valued as an important and crucial skill, including for appointment to governance bodies.
<p>2- Access to adequate complaints resolution process and institutional safety <u>Good complaint processes are essential!</u></p> <ul style="list-style-type: none"> • Everyone should feel supported to raise complaints.

- Everyone should understand their responsibilities in receiving and hearing complaints.
- Complainants should be treated with respect and offered support.
- Complaining should be easy and the process should be easy to understand.
- Complaints should be received through multiple channels like email or over the phone.
- Organisations are encouraged to have person-centred, accessible, and trauma-informed processes.
- Organisations should view complaints as opportunities for feedback.
- Clear records of complaints should be made and stored securely.
- *Institutions need to be focused on people's safety.*
- All people in all institutions should be safe from abuse, violence, neglect, and exploitation.
- Safety includes but is not limited to physical, cultural, and psychological safety.
- Organisations are encouraged to have accessible, trauma-informed, culturally appropriate, and easy to understand policies and procedures that safeguard people with disability, including a risk management framework.
- Organisations and individuals should promote a culture where people with disability are treated with respect and their safety is paramount.
- Responsibilities relating to institutional safety should be well understood and embedded.
- Everyone should receive appropriate induction and other training.
- Policies and procedures should have a focus on prevention.
- Policies and procedures should clearly outline the roles and responsibilities of everyone in the organisation.

3. Awareness and use of supported decision-making and choice and control

- *We should encourage supported decision making and choice and control at every level of our organisations.*
- Organisations are encouraged to include the use of supported decision making in policies and practices.
- Organisations should include providing choice and control in policies and practices.
- All policies and practice guides should be accessible.
- Policies and practice guides should cover conflicts of interest.
- Organisations are encouraged to provide their staff with training on dealing with conflicts of interest, the use of supported decision making, and providing choice and control.

5. This report was written by:
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 on behalf of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability National Task Group.
6. We propose that this report be taken as read, and that approval be given for the Overarching Principles to be adopted and implemented across the Uniting Church in Australia.