



Ex-Gratia - Reconsideration Process

Purpose

This process is intended to acknowledge the Uniting Church in Australia, Queensland Synod's (UCAQ) commitment to an ex-gratia process which is to apply until such time as the Uniting Church in Australia adopts and commences a Redress Policy. The process complements the policies and processes of the Uniting Church in Australia and those of their agencies.

When to follow this Process

This process must be followed each time a person who has previously received an ex-gratia financial payment or non-financial benefit from the UCAQ seeks to re-engage with the Uniting Church in Australia. This process is limited to the re-consideration of complaints which have been previously addressed by UCAQ.

Process

- 1 On receipt of a Request from a Complainant to reconsider the UCAQ's ex-gratia response, within 7 days of receipt of the request, the General Secretary or Senior Representatives of the relevant agency, will write to the Complainant including an:
 - a. acknowledgement of their Request;
 - b. providing the Complainant with a copy of this process;
 - c. providing the Complainant with the name and contact details of a UCAQ contact person;
 - d. offering the Complainant pastoral support to the extent (if any) they wish to utilise such support;
 - e. providing the Complainant with the details of any support services known to the UCAQ in their area, such as services provided through the Royal Commission into Institutional Responses to Child Sexual Abuse; and
 - f. inviting the Complainant, if they wish to do so, to contact UCAQ so that a personal meeting may be arranged with the Complainant, a support person if appropriate, and Senior Representatives of the UCAQ (Senior Representatives).
- 2 The purpose of the meeting in paragraph 1(f) shall be to provide the opportunity for the Complainant to:
 - a. discuss their Request;
 - b. share the details of their experiences and the impact that those experiences have had upon the Complainant (to the extent they wish to do so) and to advise the UCAQ of any changes in their circumstances between the original complaint and their current circumstances;
 - c. provide the UCAQ with a victim impact statement; and
 - d. advise the UCAQ of their desired outcomes under this process.



It is not envisaged that either the Complainant or the UCAQ would be legally represented at this meeting, however, the UCAQ acknowledges the Complainant's right to seek independent legal advice at any time during this process.

- 3 The Senior Representatives will not make any further offers of ex-gratia financial payment at that time; however, will be able to consider what additional support that the Complainant may need in their current circumstances. This will be considered on a case by case basis taking into consideration the following matters:
 - a. the financial payment previously made to the Complainant by the UCAQ;
 - b. any new information provided by the Complainant. This may include any matters which were not previously known or shared by the Complainant at the time of the Original Complaint;
 - c. details of the current circumstances and needs of the Complainant; and
 - d. any other matters the Senior Representatives consider appropriate.
- 4 The offer of support may include a payment of a lump sum onto a pre-paid debit card to allow the Complainant to engage directly with such therapeutic care providers that the Complaint ascertains as necessary to meet their current circumstances.
- 5 When the Uniting Church in Australia develops a National Redress Policy (or such similar policy), further financial ex-gratia payments may be considered for the Complainant at that time.
- 6 The UCAQ will keep the Complainant advised as to the progress of the relevant policy by the Uniting Church in Australia.
- 7 The General Secretary may use any information gathered during conduct of this process for the purposes of disciplinary or other action to be taken by the UCAQ in accordance with the Regulations or Policies.

Dictionary

Term	Meaning
Complainant	means a person who has previously completed an engagement with UCAQ in relation to requesting an ex-gratia payment, and who may or may not have received a financial payment as a result of the ex-gratia process.
Original complaint	means the written expression of dissatisfaction or concern made to the UCAQ in relation to an activity or function of the UCAQ where a response or resolution is explicitly or implicitly expected and includes but is not limited to a complaint of physical or emotional harm, spiritual abuse, grooming, sexual abuse and/or other behaviour considered to be inappropriate by the person making the complaint which lead to an ex-gratia outcomes between the complainant and the UCAQ
Request	means a written request made by or on behalf of a Complainant to have the UCAQ reconsider either the financial payment or non-financial benefit which the UCAQ has previously provided to the Complainant.
Senior Representatives	means one or more representatives of the UCAQ body, any relevant school or agency of the UCAQ and a representative of the Synod Office.

- 8 The other terms used in this policy have the same meaning as defined in this policy itself, the Regulations and UCAQ By-laws.

References & Related Documents

- *Privacy Act 1988 (Cth) & Privacy Regulation 2013*
- The Uniting Church in Australia Regulations Part 5 (Church Discipline)
- The Uniting Church in Australia Code of Ethics and Ministry Practice



- The Uniting Church in Australia, Queensland Synod Child Safe Church Policy and Procedures
- POL-PEO-01 Complaints & Allegations Policy
- PRO-PEO- Complaints and Allegations Initial Response Process
- UnitingCare Queensland, Complaints of past child abuse or neglect policy and procedures
- Schools Commission – Past Abuse and Mistreatment Complaints Policy and Procedures

Revisions & Reviews

Version	Date	Reason	Author / Reviewer	Approved
1.0	01.05.2015		J Cox (Associate General Secretary) A Cross (CEO UnitingCare) A Hickey (Senior Legal Counsel) D Munro (Manager Insurance and Risk)	SSC 07.05.2015 R15.037
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