

THE DIOCESAN PROTECTION AND SAFETY COUNCIL CONSTITUTION

1. Names

Full Title: The Catholic Diocese of Maitland-Newcastle's Child Protection and Community Safety Advisory Council

Functional Title: Diocesan Protection and Safety Council

2. Statement of Purpose

I remain overwhelmed with shame that men entrusted with the tender care of children violated these little ones and caused grievous harm. I am profoundly sorry. God weeps.

The crimes and sins of the sexual abuse of children must no longer be held in secret. I pledge the zealous vigilance of the church to protect children and the promise of accountability for all.

Pope Francis, Philadelphia USA 27 September 2015

Particular individuals who have been part of the Catholic Diocese of Maitland-Newcastle ('Diocese') abused children and vulnerable adults. The Diocese has a particularly troubled history of failing to protect children from sexual abuse and through these failures, allowed predatory individuals to continue to abuse.

The Diocese has an absolute commitment to promote the safety, welfare and well being of all children and vulnerable adults, particularly those who participate in the life of the Diocese; as part of our faith communities in parishes, as students in our Diocesan schools or as part of our community services through CatholicCare. The Diocese also has an enduring commitment to be present with and support those who have been affected by child sexual abuse.

- 2.1. The Diocesan Protection and Safety Council ('Council') will provide independent advice to the Bishop of Maitland-Newcastle ('Bishop') on a range of issues including:
 - 2.1.1. promoting the protection of children and vulnerable adults within the Diocese from abuse or exploitation,
 - 2.1.2. developing the Diocesan capacity to be a genuine, innovative and supportive presence for those who have been affected by child sexual abuse, and
 - 2.1.3. rebuilding a sense of trust within the Diocesan faithful and the broader community about the Diocese's commitment to protect children and vulnerable adults.

3. Definitions

- 3.1. The ***Catholic Diocese of Maitland-Newcastle*** ('Diocese') is inclusive of all parishes, agencies, services and programmes that are under the authority of the Bishop of Maitland-Newcastle. The Bishop takes his authority from Canon Law (cannons 375-402).
 - 3.1.1. The Diocese is not wholly geographic in nature. There are elements of the Catholic Church operating within the geographical boundaries of the Diocese that do not fall under the authority of the Bishop and are not a part of the Diocese of Maitland-Newcastle.
- 3.2. A ***person affected by child sexual abuse*** refers to an adult who was sexually abused as a child by an adult in a 'Catholic' context, or that person's:
 - 3.2.1. parent,
 - 3.2.2. sibling,
 - 3.2.3. spouse, or
 - 3.2.4. offspring.
- 3.3. The Council has particular ***key constituents***, which include:
 - 3.3.1. members of the Diocesan faith communities,
 - 3.3.2. persons affected by child sexual abuse who have a relationship with the Diocese,
 - 3.3.3. Diocesan clergy, members of religious institutes or laity fulfilling roles as religious leaders within the Diocese, and
 - 3.3.4. employees, contractors, volunteers or agents of the Diocese engaged to provide services to children and vulnerable adults.
- 3.4. ***Majority of the Council:***
 - 3.4.1. Half plus one of the Council members in attendance when a matter is considered by the Council.
 - 3.4.2. Should the vote be tied, the Bishop may invite the Chair to determine the Council's position on the matter.
- 3.5. ***Zimmerman Services*** is a specialist service within the Diocese under the direction of the Bishop of Maitland-Newcastle and works collaboratively with a number of government departments, statutory authorities, Church and community agencies and groups. Zimmerman Services supports the whole Diocese to:
 - 3.5.1. meet its moral imperative and legislative requirements to protect children and vulnerable adults within the Diocese, and
 - 3.5.2. address the enduring legacy of historic child sexual abuse that occurred within the Diocese,
– thru the provision of specialist services and activities within the Diocese. These activities may be classified into three groups; preventing abuse, responding to alleged abuse and promoting healing the consequences of child sexual abuse.

4. Functions

- 4.1. The Council is an advisory body. The Bishop, or in his absence, the Vicar-General, remains the sole decision-maker.
- 4.2. The Council will critique and strengthen existing and introduce new strategies and programmes promoting protective and ethical practice towards children and vulnerable adults by Diocesan clergy, employees, contractors, volunteers or agents of the Diocese. Existing and new programmes should be in alignment with Catholic teachings, existing professional standards and guidelines, relevant legislation and, as far as possible, community expectations.
- 4.3. The Council will explore and critique innovative programmes, strategies and other interventions that may be implemented by or developed with the support of the Diocese, designed to promote the well being of those affected by child sexual abuse.
- 4.4. The Council will provide informed advice on the functioning of Zimmerman Services, including the services' current operations, funding and scope of responsibilities, legislative obligations, and strategic goals.
- 4.5. The Council will review and critique the standards of compliance achieved by Diocesan agencies to legislative obligations, Church standards and Diocesan policies relating to the protection of children and vulnerable adults, by the development and implementation of a standardised set of measures applicable to:
 - 4.5.1. Diocesan parishes, the Chancery and related offices and programmes under the Bishop's auspice,
 - 4.5.2. Catholic Schools Office and the related Diocesan systemic schools, and
 - 4.5.3. CatholicCare Social Services.
- 4.6. The Council will engage with the key constituents within the Diocese, to provide information and listen to their reflections on issues of protective and ethical practice relating to children and vulnerable adults.

5. Council Membership

- 5.1. The Council will consist of at least five and not more than nine members, excluding ex-officio members.
 - 5.1.1. Council members cannot be employees of the Diocese or clergy incardinated to the Diocese, other than as ex-officio members.
 - 5.1.2. It will be the Bishop's highest priority to ensure that one or more of the Council members will have been affected by child sexual abuse.
 - 5.1.3. The majority of Council members should have children or have raised children.

- 5.2. Council members are selected for a range of qualities. Particular professional skills and personal backgrounds must be represented within the Council, including:
 - 5.2.1. being a parishioner of one of the Diocese's parishes,
 - 5.2.2. a Catholic priest,
 - 5.2.3. being a non-Catholic with no prior ties to the Diocese,
 - 5.2.4. a clinical psychologist or social worker,
 - 5.2.5. a canon lawyer, and
 - 5.2.6. a civil lawyer.
- 5.3. The Bishop appoints Council members.
- 5.4. By accepting appointment, each Council member agrees to act in accordance with this Constitution.
- 5.5. Council members are required to:
 - 5.5.1. attend Council meetings regularly, having undertaken reasonable preparation for the matters scheduled for review, and
 - 5.5.2. participate in one or more of the Council's standing committees, other than the Chair who is excluded from membership of any of the Council's standing committees.

Recruitment, Screening and Induction

- 5.6. Persons identified as potential members of the Council may be approached directly by the Bishop or his representative on behalf of the Council or an expression of interest (EOI) may be published on behalf of the Council seeking applicants.
- 5.7. Prospective Council members must consent to undergo National Criminal History Record Checks conducted by the Diocese.
 - 5.7.1. Refusal or failure to provide consent by a prospective member makes them ineligible for appointment to the Council.
 - 5.7.2. Prospective Council members who have been charged with or convicted of offences listed in Schedule 1(1) or Schedule 2 of the Child Protection (Working with Children) Act 2012 are ineligible for appointment to the Council.
 - 5.7.3. The appointment of a prospective Council member who has other criminal convictions will be assessed based on the individual merits of the prospective member.
- 5.8. Appointment as a Council member will be for up to four years, with the possibility of being asked to serve a second term.
 - 5.8.1. Prospective members may request of the Bishop that their terms be for less than four years but not less than two.
- 5.9. When appointed for the first time, Council members will be expected to undertake an induction process as determined by the Bishop.

Chair

- 5.10. At a Council meeting and with the advice of the Council, the Bishop will appoint a Chairperson for the Diocesan Protection and Safety Council ('Chair') and a Deputy Chairperson ('Deputy').
- 5.10.1. The Chair and Deputy must be Council members.
 - 5.10.2. Council members will be asked to nominate themselves or one of their peers.
 - 5.10.3. In the absence of any applicants for Chair or Deputy, the Bishop may invite particular members of the Council to accept appointment.
 - 5.10.4. Should there be more than one candidate, each will be given an equal, agreed period of time to promote their cause to their fellow Council members and to the Bishop.
- 5.11. The Deputy will act as Chair in the Chair's absence but otherwise has no particular duties.
- 5.12. The Chair is appointed for four years and the Deputy for two.
- 5.12.1. With the advice of the Council, the Bishop may approach either appointee to serve one further term in office.
- 5.13. The Chair will:
- 5.13.1. provide an inclusive and supportive leadership to fellow Council members,
 - 5.13.2. establish an effective and efficient working relationship with the Council's Secretary,
 - 5.13.3. lead the preparation of the Council's annual report,
 - 5.13.4. monitor the Council's standing committees and work with committee convenors to ensure that the committees are successfully fulfilling their particular mandates, and
 - 5.13.5. ensure that the Council operates within its budget and conducts its business in accordance with generally accepted principles of good governance.

Ex-Officio Members

- 5.14. There will be a minimum of three ex-officio members of the Council, including:
- 5.14.1. the Bishop,
 - 5.14.2. the Vicar-General of the Diocese of Maitland-Newcastle, and
 - 5.14.3. the Manager Zimmerman Services or its future equivalency.
- 5.15. With the advice of the Council, the Bishop may appoint additional ex-officio members to the Council for a particular purpose and particular time.
- 5.16. Ex-officio members have no say in any Council decision making, nor may they be appointed to any particular roles or given any particular responsibilities, unless otherwise specified in this constitution.

6. Supports

Budget

- 6.1. The Bishop will establish an annual budget for the operations of the Council and its standing committees.
 - 6.1.1. The Council will advise the Bishop as to the appropriate allocation of funds for its work.
 - 6.1.2. The budget will be set at the Council's first meeting held each calendar year.
- 6.2. The Council's budget will include a 'development grant' to be awarded to one or more community agencies or groups who work with and represent people affected by child sexual abuse, to undertake an innovative programme or other worthwhile function.

Secretary

- 6.3. The Manager, Zimmerman Services or its future equivalency, will fulfil the role Secretary to the Diocesan Protection and Safety Council ('Secretary'),
- 6.4. The Secretary will:
 - 6.4.1. support the Chair in fulfilling the Chair's roles and responsibilities,
 - 6.4.2. support the establishment and maintenance of effective communications within the Council and between the Council, the Bishop and its constituents within the Diocese,
 - 6.4.3. participate in and promote the effective functioning of the Council's standing committees,
 - 6.4.4. identify potential recruits for membership of the Council,
 - 6.4.5. coordinate the induction of new members to the Council, and
 - 6.4.6. ensure the secure retention of Council records.
- 6.5. The Secretary is responsible for the provision of administrative support to the Council, including:
 - 6.5.1. preparation and distribution of the agenda, draft minutes, reports and other records in preparation for meetings,
 - 6.5.2. making arrangements for the holding of Council's meetings, including arranging accommodation and travel for Council members who reside outside of the Hunter Valley, and
 - 6.5.3. the taking of Council's meeting minutes.
- 6.6. The costs of the Secretary and provision of administrative support will be charged against the Council's budget as annualised estimates.

7. Governance

Adoption of the Constitution

- 7.1. At the Inaugural meeting of the Council or thereafter the Bishop will formally adopt this constitution.

Amending the Constitution

- 7.2. With the consent of at least two thirds of the Council members, the Chair can recommend to the Bishop to make changes to this constitution.
- 7.3. The revised constitution comes into effect when it is tabled and formally adopted by the Bishop at the next Council meeting.

Deed

- 7.4. Following acceptance of appointment each Council member will be required to sign a deed of indemnity and right of access to information.
- 7.5. Council members are required to submit a signed deed to the Secretary within 28 days of receiving the deed or at a time agreed to by the Bishop.
- 7.6. Refusal to sign the deed or failure to submit within the agreed timeframe, without reasonable explanation as to why, will nullify the individual's appointment, automatically creating a vacancy on the Council.

Confidentiality

- 7.7. All communications and deliberations in relation to Council business are confidential, other than those instances specified in this constitution.
- 7.8. A Council member's obligation to maintain confidentiality is superseded only by the member's obligations to act in accordance with civil and/or canonical legislation and the Diocesan reporting policy and procedures.

Council Meetings

- 7.9. The Council will meet four times a year, and conduct such meetings in an atmosphere conducive to creative, courageous and respectful exploration of the matters placed before it.
- 7.10. The Council will not meet in absence of a quorum of members being present. Excluding ex-officio members, half of the Council's existing members, plus the Chair or Deputy, constitutes a quorum.

- 7.11. With the prior agreement of the Chair, Council members may attend a meeting by electronic means (teleconferencing, 'Skype', etc.).
- 7.11.1. The agreed medium must allow the member to actively participate in the Council's discussions.
- 7.11.2. The Chair may require Council members to attend personally, if deemed appropriate or necessary.
- 7.12. In consultation with the Bishop and the Council, the Chair will set the agenda for Council meetings.
- 7.13. Council meetings will commence with review and adoption of the previous meeting's minutes.
- 7.14. The Chair or the Bishop may call an extraordinary meeting of the Council.

Advice to the Bishop

- 7.15. The Council will provide singular formal advice to the Bishop on any particular matter under consideration.
- 7.16. Council members will endeavour to reach a consensus as to the advice to give the Bishop.
- 7.16.1. In absence of a consensus, a majority decision may be taken as to the Council's position.
- 7.17. A Council member's position in relation to the matters under consideration by the Council is a matter of personal conscience and should be based on the member:
- 7.17.1. having considered all available information and carefully analysed its meaning,
- 7.17.2. having earnestly sought wisdom to discern what is the best available advice to give, and
- 7.17.3. being free of any conflicts of interest.
- 7.18. Council members may choose to abstain from promoting or supporting a particular position within Council deliberations without the need for justification to the Council.

Conflicts of Interest

- 7.19. A Council member must advise the Chair of any actual or perceived conflicts of interest that affects the member in relation to a matter under consideration by the Council.
- 7.20. The Council member may withdraw themselves from Council deliberations pertaining to the matter; alternatively the Chair determines the appropriate course of action.

Council Records

- 7.21. Minutes of Council meetings will be made. The minutes will be a brief summation of the meeting not a verbatim record. Council meeting minutes will record:

- 7.21.1. Council members' attendance or apologies,
 - 7.21.2. a list of tabled documents including reports from the standing committees,
 - 7.21.3. a brief descriptor of the matters under review,
 - 7.21.4. the advice given the Bishop and whether by consensus or majority decision,
 - 7.21.5. the Bishop's decisions (if any),
 - 7.21.6. any action items to be followed up and by whom, and
 - 7.21.7. issues arising for further discussion and/or review at the next Council meeting and/or referral to a Council standing committee.
- 7.22. Only documents tabled at a Council meeting will be attached to the minutes and considered part of the Council's records.
- 7.22.1. Should one or more Council members object to a document being tabled, the Chair will determine whether the document may be tabled.
- 7.23. The Council's annual report will form part of the Council's records.
- 7.24. The Council's records will be stored in electronic form within the Diocesan records management system.
- 7.24.1. Access to the Council's stored records will be restricted to the Bishop and the Secretary.
 - 7.24.2. On submitting a signed deed to the Secretary, Council members may request access to the Council's stored records through the Secretary.

Intra Council Communications

- 7.25. Distribution of agenda, draft minutes, reports and other documents relating to Council business will be done in electronic form other than in exceptional circumstances.
- 7.25.1. On appointment members will be obliged to nominate a secure email address for receipt of electronic notices.
 - 7.25.2. Members will be provided access to a protected file sharing portal, hosted by the Diocese for files sharing.
- 7.26. Council members may communicate with each other informally in relations to Council business. Such communications cannot be for the purposes of establishing a pre-determined bloc of members in relation to matters due for consideration by the Council.
- 7.27. Council members are able to introduce material for Council members' consideration between meetings.
- 7.27.1. Council members will submit the material to the Secretary for distribution.
 - 7.27.2. The Chair may direct particular Council members to refrain from distributing material should the material be deemed irrelevant or inappropriate.
- 7.28. The Secretary will maintain ongoing contact with Council members and will endeavour to respond to members' queries, as they arise.

Extra Council Communications

- 7.29. The Secretary will prepare a draft summary report of the Council's meetings for publication on the Council's Diocesan web page. The report will include:
- 7.29.1. a list of attendees to the meeting
 - 7.29.2. a list of issues discussed during the meeting
- 7.30. The summary report cannot be published until it has been reviewed and adopted by the Council during a properly constituted meeting, in accordance with clauses 7.13.
- 7.31. The Chair, in consultation with Council members, may choose not to publish a summary report of an extraordinary council meeting, called under clause 7.14.
- 7.32. The Chair will prepare an annual report for publication on the Diocesan website. The report will provide a summary of the Council's activities over the previous financial year, including:
- 7.32.1. the work of the Council's standing committees,
 - 7.32.2. results of the Council's evaluation and review processes (when conducted),
 - 7.32.3. the awarding of the 'development grant' (when awarded),
 - 7.32.4. the development of any innovative programmes, strategies and other interventions to assist people affected by child sexual abuse, and
 - 7.32.5. a summary of the operations of Zimmerman Services.
- 7.33. The annual report must be prepared for the Council's review prior to the end of the calendar year following the financial year.
- 7.34. The Bishop must approve the annual report prior to publication.
- 7.35. Upon request from a representative of one of the Council's key constituencies, the Chair will, with the consent of the Bishop, invite one or more Council members to represent the Council.
- 7.35.1. Ex-officio members may be asked to represent the Council in these circumstances.
- 7.36. Upon request of the Bishop and with the consent of the majority of Council members, the Chair may issue a public statement on behalf of the Council, in relation to an issue of importance which is within the Council's purpose and functions.

Financial Support for Council Members

- 7.37. Council members will receive an honorarium for their services.
- 7.37.1. The honorarium offered the Chair will reflect the significant additional responsibilities placed on the incumbent.
 - 7.37.2. The honoraria offered members who accept appointment as Deputy or convenors of the Council's standing committees will reflect their additional responsibilities.
 - 7.37.3. The Bishop will determine the value of the honoraria offered to Council members.
 - 7.37.4. Any payments will be made in accordance with relevant legislation.

- 7.38. Council members who reside about two hours or more travel from Newcastle are entitled to request overnight accommodation before and/or after attending Newcastle on Council business.
- 7.38.1. Upon request the Secretary will arrange travel and accommodation on their behalf.
- 7.39. The Chair has the capacity to approve 'one off' assistance with accommodation and/or travel for Council members who reside less than two hours travel from Newcastle, should the Council member submit a convincing argument that such support will facilitate their capacity to contribute to the work of the Council.
- 7.40. Council members are entitled to claim for reasonable expenses incurred as part of their roles on the Council, through the submission of a completed Diocesan 'Expense Claim Form' or its equivalent document.
- 7.40.1. Reasonable expenses includes, travel costs, meals, telephony and stationary costs.
- 7.40.2. Claim forms should be submitted to the Secretary.
- 7.40.3. Where ever possible receipts detailing the claimed expense should be attached to the form.
- 7.40.4. Reimbursement of expenses greater than \$200 for Council business, other than participation in Council or standing committee meetings, requires prior consent of the Chair.
- 7.40.5. The Chair approves payment of the claim, on authorisation from the Secretary.

Suspension, Resignation and Dismissal

- 7.41. A Council member must advise the Bishop of their resignation in writing.
- 7.42. The Bishop can direct a Council member to resign should one or more of the following circumstances arise:
- 7.42.1. the Chair or a majority of Council members, deem that the actions of the member have brought, or are at significant risk of bringing the Council into disrepute,
- 7.42.2. the member continues to contravene this constitution after having been warned by the Chair on at least one occasion, or
- 7.42.3. the Chair or a majority of Council members form the view that the member has conspicuously failed to contribute to the purpose and functions of the Council over six months or more.
- 7.43. The Bishop will not direct a Council member to resign without:
- 7.43.1. providing the member written notification of his intent,
- 7.43.2. affording the member reasonable opportunity to reply,
- 7.43.3. tabling the member's response to the remaining Council members, and
- 7.43.4. after considering the response, and at least one half of the remaining members recommending that the member's resignation remains in the Council's best interests.

- 7.44. In consultation with the Bishop, the Chair may suspend a Council member if that member is subject to allegations of criminal or improper conduct.
- 7.45. The Bishop may suspend the Chair, if the Chair is subject to allegations of criminal or improper conduct.

8. Standing Committees

- 8.1. To assist the Council in addressing the ongoing complexities and challenges posed by its purpose and functions, permanent standing committees will be formed to operate under the auspice of the Council.
- 8.2. A standing committee will have no less than four members.
 - 8.2.1. At least two of the standing committee's members must be Council members, inclusive of ex-officio members.
 - 8.2.2. The Council members on a standing committee, including ex-officio members, determine its position on matters under its consideration, unless otherwise stated in the standing committee's mandate.
- 8.3. Standing committees may provide singular advice or individual members may be required to give individual advice to the Bishop or Council, as stipulated in the standing committee's mandate.
- 8.4. Unless otherwise stipulated in this constitution, the Chair, after obtaining the consent of the Council, appoints persons to the standing committees.
- 8.5. Standing committees have no public voice. No appointee to a standing committee may represent or make any comment on behalf of a standing committee in any public forum.

Mandate

- 8.6. With the consent of the Council, the Bishop will authorise the standing committee's mandate.
- 8.7. A standing committee's mandate will include its:
 - 8.7.1. full and functional titles,
 - 8.7.2. membership and the member's status on the committee,
 - 8.7.3. role and responsibilities, and
 - 8.7.4. meeting arrangements.
- 8.8. A standing committee's mandate will be subject to biennial review which will be led by the convenor of the relevant standing committee, oversighted by the Chair and include feedback from all members of the standing committee.

- 8.8.1. Should the review process propose changes, the revised mandate will be tabled at a Council meeting.
 - 8.8.2. With consent of the Council, the Bishop will authorise the revised mandate.
 - 8.8.3. Should the review process recommend no changes to the existing mandate, the convenor will advise the Council and the standing committee's mandate continues unaffected.
- 8.9. Revisions of a standing committee's mandate caused by changes of its membership will occur as required and be undertaken by the Chair.
- 8.9.1. With consent of the Council, the Bishop will authorise the revised mandate.

Convenor

- 8.10. The convenor of a standing committee must be a Council member.
- 8.10.1. An ex-officio member of the Council may be a convenor.
- 8.11. The Bishop appoints the convenor of a standing committee.
- 8.12. Council members will be invited to nominate as the convenor for a particular standing committee or may be approached to accept appointment by the Bishop or his agent.
- 8.12.1. A convenor is appointed for a four-year term and may be asked to serve a second term by the Bishop.
 - 8.12.2. A convenor's appointment is automatically terminated should that individual no longer be a member of the Council.
- 8.13. The convenor of a standing committee will:
- 8.13.1. ensure that the standing committee operates in a professional and effective manner, fulfilling its mandate,
 - 8.13.2. identify and engage appropriately skilled and motivated specialist appointees,
 - 8.13.3. establish an annual meeting schedule with committee members, appropriate for the demands of the standing committee's mandate,
 - 8.13.4. establish an agreed protocol for the convening of unscheduled and urgent meetings,
 - 8.13.5. provide advice as part of each Council meeting as to the activities and disposition of the convenor's standing committee, and
 - 8.13.6. prepare an annual report for the Council on the standing committees in accordance with requirements specified by the standing committee's mandate.

Appointment of Standing Committee Members

- 8.14. Council members, including ex-officio members, may nominate themselves to be appointed or may be approached to accept appointment by the Chair to serve on a standing committee.
- 8.15. Council members are appointed to serve on standing committees for a maximum of four years.

8.15.1. Council members may nominate or be asked to serve consecutive terms on the same standing committee.

8.15.2. A Council member may request that their appointment be for less than four years but not less than two, with the consent of the committee convenor and approval of the Council Chair.

8.16. A Council member's appointment to a standing committee is automatically terminated should that individual no longer be a member of the Council.

Specialist Appointees

8.17. Particular members of the community may have the unique expertise or experiences that would allow them to provide invaluable contribution to the work of one or more of the Council's standing committees. These persons may be invited to join a standing committee as a 'specialist appointee'.

8.18. The convenor may invite a member of the community to join their standing committee as a specialist appointee.

8.19. A specialist appointee's appointment will be for up to four years, with the possibility of being asked to serve a further term.

8.20. The prospective specialist appointee must consent to undergo National Criminal History Record Checks conducted by the Diocese:

8.20.1. Refusal or failure to provide consent by a prospective specialist appointee makes them ineligible for appointment to a standing committee.

8.20.2. Prospective specialist appointees who have been charged with or convicted of offences listed in Schedule 1(1) or Schedule 2 of the Child Protection (Working with Children) Act 2012 are ineligible for appointment to a standing committee.

8.20.3. The appointment of a prospective specialist appointee who has other criminal convictions will be assessed based on the individual merits of the prospective appointee.

8.21. The prospective specialist appointee must sign a deed of indemnity and right of access to information.

8.21.1. The prospective specialist appointee must submit a signed deed to the Secretary within 28 days of receiving the deed.

8.21.2. Refusal to sign the deed or failure to submit within 28 days, without reasonable explanation as to why, will make the prospective specialist appointee ineligible for appointment to a standing committee.

8.22. A specialist appointee's appointment may be terminated at the discretion of the Chair:

8.22.1. on advice from the standing committee's convenor, and

8.22.2. with the support of the other Council members appointed to the committee.

8.23. A specialist appointee may resign by submitting a written resignation to the convenor of the relevant standing committee.

Ex-Officio Appointee

8.24. Particular Diocesan personnel may possess the requisite professional background and experiences to contribute to the work of one or more of the Council's standing committees. These personnel may join a standing committee as an ex-officio appointee.

8.25. On the advice of a convenor of a standing committee and consent of the Chair, the Bishop may appoint an ex-officio appointee to a standing committee.

8.26. An ex-officio's appointee to a standing committee will be for up to four years, with the possibility of being asked to serve a further term.

8.27. An ex-officio appointment to a standing committee may be terminated at the discretion of the Bishop on advice from the standing committee's convenor and with the consent of the Chair.

8.28. An ex-officio appointment to a standing committee is automatically terminated if the person is no longer employed by or incardinated to the Diocese.

Dissolving a Standing Committee

8.29. With the consent of the Council, the Bishop may withdraw his mandate for a standing committee, thereby dissolving it.

8.30. The act of dissolution and rationale for doing so will form the basis of a report that will be tabled at a Council meeting.

9. Evaluation

Independent Evaluation

9.1. Every four years, in consultation with the Chair, the Bishop will engage an independent third party to conduct an evaluation of the Council

9.2. The independent third party and their methodology for conducting the review will be determined in consultation with the Council.

9.3. The review will consider:

9.3.1. the Council's performance in fulfilling its stated purpose and functions,

9.3.2. the strength of the Council's current and prospective membership,

9.3.3. the results of the biennial survey,

- 9.3.4. the efficiency and effectiveness of the Council's current supports and structures, particularly the Council's standing committees,
 - 9.3.5. the continued relevance and appropriateness of the Council's constitution, and
 - 9.3.6. any other issues as directed by the Bishop.
- 9.4. The independent third party will submit a report to the Bishop, who after due consideration, will table the report at the next Council meeting.
- 9.5. A summary of the evaluation report and the Council's response will be prepared for inclusion in the Council's annual report.

Survey

- 9.6. On a biennial basis, the Secretary will oversee the distribution, collection and collation of standardised survey designed to solicit feedback from the Council's key constituents, as to its performance in the previous two years.
- 9.6.1. The Secretary will prepare a report for tabling at a Council meeting.
 - 9.6.2. The report will annexure the original surveys submitted by the Council's constituents.
- 9.7. The collated results of the survey will be published as part of the Council's annual report.
- 9.8. The survey will not be conducted during the years that the independent evaluation process occurs.

Constitution adopted by:



William Wright, Bishop of Maitland-Newcastle
28 September 2017