

18 April 2017

Ms A Hywood
General Secretary
The General Synod of the Anglican Church of Australia
Suite 4, Level 5
189 Kent Street
SYDNEY NSW 2000

Dear Anne,

We are pleased to attach our independent compliance report on the administration of the National Register Canon 2007 and its related protocols ("the Canon").

Our Role

Nexia Sydney Audit Pty Ltd was engaged by the General Synod of the Anglican Church of Australia to complete a compliance audit of the operation of the National Register as requested by the Standing Committee of General Synod of the Anglican Church of Australia ("the Standing Committee").

The objective of the audit is to provide reasonable assurance that the processes and procedures in relation to the administration of the National Register ("the Register") are in compliance with the Canon. The Engagement involves performing procedures to obtain audit evidence about the compliance of the Register against the agreed suitable criteria as detailed in the Letter of Engagement dated 15 February 2017.

Our engagement was conducted in accordance with Australian Accounting Standards on Assurance Engagements ASAE 3100: *Compliance Engagements*.

This report has been prepared for the use of the Standing Committee and is submitted on the basis that it will not be made available to any party without express permission given in writing by Nexia, without such permission no warranty or responsibility will be accepted by our firm.

Our Findings

A number of procedures were employed to test the administration of the Register in compliance with the Canon. Due to the discovery of partial-compliance with a number of requirements of the Canon, and limitations in obtaining sufficient and appropriate audit evidence, we are unable to conclude that the National Register complies with all the requirements of the Canon. Please refer to the attached Audit Report and Appendix for further details on work completed, the outcomes on the findings and conclusions on compliance with the Canon.

We would like to take the opportunity to thank you and your staff for the assistance during this process. Please do not hesitate to contact me if you have any queries in relation to any of the above.

Yours Sincerely



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INDEPENDENT ASSURANCE PRACTITIONER'S COMPLIANCE AUDIT REPORT TO THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF AUSTRALIA

Report on the compliance with the requirements of the National Registry Canon 2007 for the period 1 January 2016 to 31 December 2016

We have audited the compliance of the administration of the National Register Canon 2007 and its related protocols ("the Canon") in order to provide assurance that the processes and procedures in relation to the administration of the National Register ("Register") are in compliance with the Canon for the period 1 January 2016 to 31 December 2016 and for the General Secretary to fulfil their reporting obligations to the Standing Committee in accordance with the Canon.

Respective Responsibilities

The General Secretary and the Directors of Professional Standards are responsible for compliance with the requirements of the Canon as measured by the suitable criteria detailed in our Letter of Engagement dated 15 February 2017.

Our responsibility is to express a conclusion on compliance with the requirements of the Canon, in all material respects for the period. Our audit has been conducted in accordance with applicable Standards on Assurance Engagements (ASAE 3100: *Compliance Engagements*) to provide reasonable assurance that the National Register has been administered in accordance with the requirements of the Canon. Our procedures have been carried out based on the requirements of the separate clauses within the Canon. These procedures have been undertaken to form a conclusion as to whether the National Registry has been administered, in all material respects, in accordance with the requirements of the Canon.

Use of Report

This compliance audit report has been prepared for the Standing Committee of the General Synod of the Anglican Church of Australia in accordance with Section 15 of the Canon. We disclaim any assumption of responsibility for any reliance on this report to any persons or users other than the Standing Committee of the General Synod of the Anglican Church of Australia, or for any purpose other than that for which it was prepared.

Inherent Limitations

Because of the inherent limitations of any internal control framework, it is possible that fraud, error or non-compliance may occur and not be detected. An audit is not designed to detect all instances of non-compliance with the requirements of the Canon, as an audit is not performed continuously throughout the period and the audit procedures performed in respect of compliance with the requirements as measured by the suitable criteria are undertaken on a test basis. The audit conclusion expressed in this report has been formed on the above basis.

Basis for qualified conclusion

From our work performed in relation to the National Register being administered in accordance with the requirements of the Canon, we noted the following:

Limitations of scope

Clause	Detail
Clause 5(1) (2) & 6(1) (2)	We were unable to conclude that the National Register is a complete listing of "all clergy" and "all lay persons" or that the information is fully complete.
Clause 8(1), 8(3) and 8(5)	We were unable to conclude that each DPS notified the General Secretary of Information relating to any member of the clergy or lay person to which they had access in carrying out his or her responsibilities <i>as soon as practicable</i> , and <i>no later than one month</i> after he or she has access to the information.
Clause 8(4) and 8(6)	In relation to the notification and recording of Cautions, due to the limitations of information, not recorded on the register, however able to be recorded by DPS's we were unable to confirm that there were no such instances.
Clause 10(1)	Due to access to information we were unable to confirm that the DPS notified the General Secretary as soon as practicable

Breach of Objectives set by the Canon

Clause	Detail
Clause 9 (1)	It was noted during testing that notifications are not sent when new information is added or updated for persons that are already on the register. This appears to be a breach of the requirements of Clause 9 as the requirement to notify persons on the register does not discriminate between information added in the first instance or subsequent instances.
Clause 9 (5)	When the General Secretary receives a police request, they must not notify the member of clergy or lay person until the sooner of; <ul style="list-style-type: none">▪ Expiration of six months after the receipt of the police request;▪ Receipt of a withdrawal of the police request; and▪ Withdrawal of the police request record from a DPS. It was noted that the National Register Officer ("NRO") did not notify members of the clergy or lay person of the entry of information onto the register per the timeframe as stated in the canon. Within the year, there were 6 instances of this breach. From discussions with the NRO, the notification was withheld as they were awaiting confirmation from the DPS that the police investigation had ceased. It appears reasonable for the NRO to wish to confirm the status of the investigation, before notifying the relevant persons. The failure to notify the member of clergy or layperson was therefore due to factors outside of the NROs control.
Clause 10	During testing it was observed that there was one instance where a letter was not sent to an individual notifying them of removal from the register. This is a breach of Clause 10(2).

Qualified conclusion

In our opinion, except for the potential effect, if any, resulting from the breaches referred to in the preceding paragraphs, the National Register has complied, in all material respects, with the processes and procedures in relation to the administration of the National Register and they are in compliance with the National Register Canon 2007.

Nexia Sydney Audit Pty Limited

Dated: 18 April 2017
Sydney

Joseph Santangelo
Director

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
1	Clause 4	There shall be a National Professional Standards Register of clergy and lay persons established and maintained in accordance with the provisions of this Canon.	Compliant	<p>Work Completed Through audit enquiry and observation, documented the design of the National Professional Standards Register ("the Register") system.</p> <p>Findings The current full register exists on a secure web portal that has access restricted to those who are authorised. Each user has a unique username and password before entering a different entry code each time they log on, received via SMS message.</p> <p>New information can be uploaded to the Register via the web portal, and this ability is restricted to the Directors of Professional Standards ("DPS"). There are 10 DPS's (2015: 10). When new information is uploaded to the portal, the DPS's are able to hold the information on a sub-level before uploading to the register. This sub-level database is only accessible to other DPS's in other diocese around Australia. When the DPS is ready to upload an event, the item is uploaded directly on to the register. This report only relates to the Register, not the DPS sub-ledger. The National Register does not have access to the website and therefore cannot search the information until it is uploaded onto the register.</p> <p>The system automatically sends a message to the NRO who will then send a notification to the member of the clergy or lay person concerned.</p> <p>Information regarding persons on the register can be accessed via the following methods:</p> <p>Each of the 10 DPS's (2015:10) and 33 (2015: 30) Authorised Users have access to the National Register portal. Authorised Users can access Information through the submission of an 'Application for authorised diocesan persons to access the National Register Report Request System'.</p> <p>This is located on the Anglican Church website at: http://www.anglican.org.au/governance/Pages/national_register.aspx</p> <ul style="list-style-type: none"> Any other member of the clergy or layperson can request details regarding own information on the register by completing an

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>'Application to Obtain Information about Yourself in the National Register' form also available at the above website.</p> <ul style="list-style-type: none"> ▪ It is the responsibility of the NRO to confirm the identity of each applicant before information is disclosed. ▪ Persons who have information on the Register can apply to make amendments or remove information by completing the 'Application for Amendment of Information in the National Register' which is also on the website. <p>Conclusion The Register is compliant with Clause 4 of the Canon.</p>
2.1	Clause 5 (1)	<p>The National Register shall be a register of all clergy:</p> <ol style="list-style-type: none"> a) against whom a notifiable complaint or a notifiable charge has been made unless it is exhausted; or b) in respect of whom there has been a relinquishment of, or consent to deposition from, Holy Orders arising out of sexual misconduct or child abuse; or c) who have made an adverse admission or are the subject of an adverse finding; or d) in respect of whom there has been an adverse working with children check or an adverse criminal history check or an adverse Safe Ministry Check; or e) who have not been ordained as a priest or as a bishop, or issued with a licence or appointed by a Church authority, because of an adverse risk assessment. 	Unable to confirm full compliance	<p>Work Completed Testing was performed with the NRO in connection to the composition of information on the register, and examined documentation to determine if the information on the register has been recorded in accordance with Clause 5(1). Additionally, confirmation letters were sent to all the DPS's representing the 23 Dioceses requesting positive confirmation that they have made the NRO aware of all notifiable events.</p> <p>Findings The Register exists to record clergy who fall under the definitions provided by clause 5(1) under the National Register Canon 2007.</p> <p>We received ten (10) responses to the confirmations representing twenty three (23) Dioceses. Twenty (20) of these confirmed they were in compliance. It was noted that two (2) dioceses (under one DPS) are currently experiencing connectivity issues accessing the register, and therefore cannot report on the status. The NRO is aware of this.</p> <p>One diocese reported that they are unable to provide a declaration at this time.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>There is an inherent limitation of scope in testing the completeness of the register in relation to 'all clergy'. This is due to limitations of evidence to support our conclusion that all DPS's update the Register for all reportable complaints and notifications that they are aware of, as we are unable to track all complaints and notifications made to the DPS.</p> <p>Conclusion We confirm that the Register exists and contains information per 5(1) of the Canon. However, we were unable to confirm if it is a complete register of 'all clergy' required to be reported.</p>
2.2	Clause 5 (2)	<p>The register of clergy shall contain the following matters:</p> <p>a) Information relating to clergy; and</p> <p>b) in relation to each member of the clergy included in the register, a notation of the date on which the register was last altered.</p>	Unable to confirm full compliance	<p>Work Completed Testing of the National Register was performed to identify the details kept of each individual. The system allows the user to drill down in to the individual name and review all information uploaded by the DPS on the screen. Additionally, the General Synod Office sent confirmation letters to all the DPS's representing the 23 Dioceses requesting positive confirmation that they have provided all information.</p> <p>Findings The register contains information relating to clergy, including:</p> <ul style="list-style-type: none"> ▪ given names, ▪ date of birth, ▪ postal address, ▪ notifiable complaints or charges that have been placed against them, ▪ which authorised user has requested information on persons on the register. <p>We received ten (10) responses to the confirmations representing twenty three (23) Dioceses. Twenty (20) of these confirmed they were in compliance. It was noted that two (2) dioceses (under one DPS) are currently experiencing connectivity issues accessing the register, and therefore cannot report on the status. The NRO is aware of this.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>One diocese reported that they are unable to provide a declaration at this time.</p> <p>We found that the register retained details of when information relating to the clergy was last updated/altered, however, as in the previous year it was noted that several individuals on the register did not have known dates of birth or postal addresses hence this information was blank. This was determined to not be a specific breach of the canon.</p> <p>Conclusion We confirm that the Register exists and contains information per 5(2) of the Canon. However, we were unable to confirm that this information is accurate or complete.</p>
3.1	Clause 6 (1)	<p>Subject to this Canon the National Register shall be a register of all lay persons:</p> <ul style="list-style-type: none"> a) against whom a notifiable complaint or a notifiable charge has been made unless it is exhausted; or b) who have made an adverse admission or are the subject of an adverse finding; or c) in respect of whom there has been an adverse working with children check or an adverse criminal history check or an adverse Safe Ministry Check; or d) who have not been ordained as a deacon, or issued with a licence or appointed by a Church authority, because of an adverse risk assessment. 	Unable to confirm full compliance	<p>Work Completed Testing was performed with the National Register Officer on the composition of information on the register, and examined documentation to determine if the information on the register has been recorded in accordance with Clause 6(1). Additionally, the General Synod Office sent confirmation letters to all the DPS's representing the 23 Dioceses requesting positive confirmation that they have made the NRO aware of all notifiable events.</p> <p>Findings The National Register exists to record lay persons who fall under the definitions provided by clause 6(1) under the National Register Canon 2007.</p> <p>We received ten (10) responses to the confirmations representing twenty three (23) Dioceses. Nineteen (19) of these confirmed they were in compliance. It was noted that three (3) dioceses (under two DPS) are currently experiencing connectivity issues accessing the register, and therefore cannot report on the status. The NRO is aware of this. One diocese reported that they are unable to provide a declaration at this time.</p> <p>There is an inherent limitation of scope in testing the completeness of the register in relation to 'all lay persons' due to limitations of evidence being reliance that all DPS's have updated the Register for all reportable complaints</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>and notifications that they are aware of as we are unable to track all complaints made.</p> <p>Conclusion We confirm that the Register exists and contains information per 6(1) of the Canon. However, we were unable to confirm if it is a complete register of 'all lay persons' required to be reported.</p>
3.2	Clause 6 (2)	<p>The register of lay persons shall contain the following matters:</p> <p>a) Information relating to lay persons; and</p> <p>b) in relation to each lay person included in the register, a notation of the date on which the register was last altered.</p>	Unable to confirm full compliance	<p>Work Completed Through audit procedures, we tested the composition of the Register and details of information regarding persons recorded on the Register. Additionally, the General Synod Office sent confirmation letters to all the DPS's representing the 23 Dioceses requesting positive confirmation that they have provided all information.</p> <p>Findings The register contains information relating to lay persons, including:</p> <ul style="list-style-type: none"> ▪ given names, ▪ date of birth, ▪ postal address, ▪ notifiable complaints or charges that have been placed against them if applicable, and ▪ which authorised user and DPS has requested information about each person on the register. <p>We received ten (10) responses to the confirmations representing twenty three (23) Dioceses. Nineteen (19) of these confirmed they were in compliance. It was noted that three (3) dioceses (under two DPS) are currently experiencing connectivity issues accessing the register, and therefore cannot report on the status. The NRO is aware of this. One diocese reported that they are unable to provide a declaration at this time.</p> <p>We found that the register retained details of when information relating to the</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>lay persons was last updated/alterd, however, as in the previous year it was noted that several individuals on the register did not have known dates of birth or postal addresses.</p> <p>This is not a breach of the canon.</p> <p>Conclusion We confirm that the Register exists and contains information per 6(2) of the Canon. However, we were unable to confirm that this information is accurate or complete.</p>
4.1	Clause 7 (1)	Subject to this Canon, the National Register shall be maintained by the General Secretary in such form as the Standing Committee shall approve so as to ensure the security of the Information therein.	Compliant	<p>Work Completed Through testing performed with the National Register Officer, we documented the security systems of the National Register.</p> <p>Findings On enquiry and observation, we found that the National Register has been developed into a system that is able to record information about clergy and lay persons in accordance with the scope provided by the Canon. We found that the system has the following security measures to protect the information therein:</p> <p><i>Storage of information</i> – Data is stored within the Web Portal. Access to this is restricted only to those with authority granted by the NRO. To access the online database, the users must enter a secure online portal, using individual username, passwords and pass codes that change with every entry (received via SMS).</p> <p><i>Security of data</i> – The online portal used in the National Register system is hosted by an enterprise level hardware Dell Sonicwall SRA4600, which is protected by Firewalls and is secured further through layers of privileges and authentication for users.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p><i>Upload of Information</i> – Information is only able to be uploaded onto the server by a DPS through the access within the online portal. No other users are able to upload information on to the database.</p> <p>When a DPS uploads a case onto the server, an automatically generated internal message is sent to the NRO. This is to ensure the NRO is aware of all new information uploaded.</p> <p><i>Access of Information</i> – Access of information can be requested by each of the active DPS, along with 33 additional ‘Authorised Users’. Each authorised user must fill out and have approved (by the National Register Officer) an ‘Application for Authorisation’ which is available on the below website to obtain access to information in the database.</p> <p>Website: http://www.anglican.org.au/governance/Pages/national_register.aspx</p> <p>Once the form is appropriately filled, the NRO will contact the Diocese bishop to ensure the validity of the individual. Once fully signed and approved by the bishop, the new user is sent a guide pack on how to access the online portal.</p> <p>In addition, any member of the clergy can access own information held on the register, however information will only be made known to those who submit a “Request of Information Form” to the NRO, this process includes have your identity confirmed by a Justice of the Peace or equivalent.</p> <p>Conclusion The Register is compliant with Clause 7(1) of the Canon.</p>
4.2	Clause 7 (2)	The General Secretary shall issue forms necessary for the administration of the National Register and publish these forms on the website of the General Synod.	Compliant	<p>Work Done Reviewed the http://www.anglican.org.au/governance/Pages/national_register.aspx website and documented the forms available relating to the national register.</p> <p>Findings</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>We found that the following approved forms allowed users to access the following information on the National Register:</p> <ul style="list-style-type: none"> ▪ Application for Authorised Diocesan Persons to Access the National Register Report Request ▪ Application to Obtain Information About Yourself in the National Register ▪ Application for Amendment of Information in the National Register. <p>Conclusion The Register is compliant with Clause 7(2) of the Canon.</p>
5.1	<p>Clause 8 (1), (3) and (5)</p>	<p>A DPS shall notify the General Secretary of ‘Information’ relating to any member of the clergy or lay person to which he or she has access in carrying out his or her responsibilities, in accordance with a protocol approved by the General Synod, or the Standing Committee, and no later than one month after he or she has access to the Information.</p> <p>DPS shall advise General Secretary if information which has not been notified as soon as practicable.</p> <p>DPS who has given advice to General Secretary per 8 (3) will as soon as practicable notify General Secretary of this information</p>	<p>Unable to confirm full compliance</p>	<p>Work done Due to the limitations in access to evidence from authorised persons and each church authority, we were unable to confirm if the notifications from the DPS had been sent “as soon as practicable and no later than one month” after they had access to the information.</p> <p>We received ten (10) responses to the confirmations representing twenty three (23) Dioceses. Sixteen (16) of these confirmed they were in compliance. It was noted that three (3) dioceses (under two DPS) are currently experiencing connectivity issues accessing the register, and therefore cannot report on the status. The NRO is aware of this.</p> <p>One diocese reported that they are unable to provide a declaration at this time. Three (3) dioceses (under one DPS) were unable to confirm that reporting deadlines were met.</p> <p>Conclusion Without access to other information of the DPS that may evidence receipt of information, we were unable to confirm that the notifications were sent “as soon as practicable, and no later than one month” after the DPS had access to the information.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
5.2	Clause 8 (2)	On receipt of a notification per Clause 8.1, the General Secretary shall promptly enter the notified Information in the National Register.	Compliant	<p>Findings There were no instances noted per Clause 8(1) however information uploaded from each DPS is automatically entered onto the online portal. Therefore as soon as a DPS uploads a new addition or event, the register is updated immediately. The NRO receives a message on the system which informs him of the details of the person or event update and is able to send out a notification.</p> <p>We were able to ensure that for all new additions and updates within the new system, all entries were automatically entered on the National Register by the DPS.</p> <p>Conclusion The Register was compliant with Clause 8(2) of the Canon.</p>
5.3	Clause 8 (4)	<p>The General Secretary shall:</p> <p>a) after receipt of advice, promptly enter a caution in the National Register in relation to the member of the clergy or lay person, the subject of that Information; and</p> <p>b) no later than one month after the entry of that caution in the National Register, notify the member of the clergy or lay person concerned, by letter sent to his or her last known postal or electronic address, of:</p> <p>a. the entry of the caution; and</p> <p>b. the right of that person to request in writing of the General Secretary the removal of the caution in accordance with subsection (6).</p>	Unable to confirm full compliance	<p>Work Done A 'caution' is a notice of information not yet confirmed as a notifiable complaint within the specified time frame. Discussed with the National Register Officer regarding the incident and recording of cautions.</p> <p>Findings The National register Officer confirmed that they had not been made aware of any cautions required to be recorded during the financial year. However due to access to information we are unable to confirm that there were no such cases.</p> <p>Conclusion There were no issues noted for clause 8 (4) however we are unable to confirm full compliance.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
5.4	Clause 8 (6)	The General Secretary shall promptly after the earlier of: a) notification by a DPS under subsection (5); and b) the expiration of two months from receipt of a request in writing from the member of the clergy or lay person the subject of the caution requesting its removal, remove the caution from the National Register.	Unable to confirm full compliance	<p>Work Done A 'caution' is a notice of information which has not yet been confirmed as a notifiable complaint within the specified time frame. Discussed with the National Register Officer regarding the incident and recording of cautions.</p> <p>Findings The National register Officer confirmed that they had not been made aware of any cautions required to be recorded during the financial year. However due to access to information we are unable to confirm that there were no such cases.</p> <p>Conclusion There were no issues noted for clause 8 (6) however we are unable to confirm full compliance.</p>
6	Clause 9 (1)	Subject to subsection (5), the General Secretary shall, as soon as practicable, and no later than one month, after the entry of Information in the National Register relating to a member of the clergy or a lay person (other than a changed entry relating to item 4 of each of the First and Second Schedules), notify the member of the clergy or lay person concerned of the entry of that Information by letter sent to his or her last known postal or electronic address where that address is known.	Not Compliant	<p>Work Completed There were 28 (2015: 95) persons added to the register and 39 (2015: 129) events added for the 2016 calendar year. There were also 75 updates to persons and 19 updates to events completed during 2016.</p> <p>We performed the following on all new additions of persons for the year:</p> <ul style="list-style-type: none"> ▪ Verified that a notification was sent to the last known postal or electronic address; and ▪ Verified that a letter was sent as soon as practicable, but no later than one month. <p>We reviewed the interpretation of Clause 9 in regards to notification requirements when information is added or updated for persons already in the register.</p> <p>Findings We confirmed that letters sent out to the member of the clergy or lay person were sent to their last known postal or electronic address as soon as practicable.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>In addition, we verified that the letters were sent out within one month of being added to the register, with no exceptions noted.</p> <p>There was 1 letter sent where the date in the system was 1 day different to the date on the postal receipt. We discussed this with the National Register Officer who stated that it appears to have been prepared in the afternoon and sent in the morning. This had no impact on the required timeframes and was a minor administration discrepancy. It was noted that this instance is not a breach of the Canon.</p> <p>From a review of Clause 9, it was noted that the NRO have a requirement to notify existing persons “after the entry of Information in the National Register” regardless of whether the person has previously been notified of their inclusion on the register.</p> <p>From a review of processes and discussions with the General Secretary, it was noted that the NRO do not notify existing persons when modifications are made to their existing events or if an additional event is added to their name. As such, the NROs current processes are in breach with the requirements of Clause 9.</p> <p>Conclusion The National Register Officer sent notifications to the new individuals concerned within one month of the entry of information, with no exceptions.</p> <p>Discussion with the General Secretary and National Register Officer concluded that current procedures do not agree with the requirements of Clause 9</p> <p>From discussions with the General Secretary and National Register Officer, it is believed that it was not the intent of the clause to be constantly updating the persons with every minor change to the register. It is recommended that a review is performed of the Canon’s wording and updated as required.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
6.1	Clause 9 (5)	Where the General Secretary receives a police request, or a police request record from a Director of Professional Standards, the General Secretary shall not notify the member of the clergy or lay person of the entry of Information in the National Register relating to that person until the sooner of the expiration of six months after the receipt of the police request or the receipt of a withdrawal of the police request, or a withdrawal of the police request record from a Director of Professional Standards, as the case may be.		<p>Work Completed Discussions were held with the NRO regarding the compliance with Clause 9 (5).</p> <p>Conclusion It was noted that on instances where there is police request record, the NRO must not notify the member of clergy or lay person until the sooner of;</p> <ul style="list-style-type: none"> ▪ Expiration of six months after the receipt of the police request; ▪ Receipt of a withdrawal of the police request; and ▪ Withdrawal of the police request record from a DPS. <p>From enquiry with the NRO, there were 6 instances noted in which the NRO failed to notify the member of clergy or lay person within the above timeframe. Specifically, these instances were flagged by the DPS as under police review in 2015 and after a 6 months period lapsed (within 2016), the NRO had not notified the necessary persons.</p> <p>From discussions with the NRO, the notification was withheld as they were awaiting confirmation from the DPS that the police investigation had ceased. It was further noted that all instances were from the same dioceses; therefore the NRO was awaiting a response from one DPS.</p> <p>From a review of the canon this is a breach of Section 9 (5); however, it is reasonable for the NRO to wish to confirm the status of the investigation, before notifying the relevant persons. The failure to notify the member of clergy or layperson was therefore due to factors outside of the NROs control.</p>
7.1	Clause 10 (1) and (2)	A DPS shall notify the General Secretary as soon as practicable after becoming aware that a notifiable complaint or a notifiable charge against a member of clergy or a lay person has been exhausted.	Not Compliant	<p>Work Completed Reviewed cases where persons were removed to verify a DPS notified the General Secretary that a case had been exhausted.</p> <p>There were 5 persons and 7 events removed in 2016 due to death or exhaustion. The following was tested:</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
		<p>Where notification is received from the applicable DPS that a notifiable complaint or notifiable charge against a member of the clergy or a lay person has been exhausted, the General Secretary shall, as soon as practicable and no later than one month after receipt of the notification, remove Information in the National Register relating to that notifiable complaint or notifiable charge and notify:</p> <p>a) the member of the clergy or lay person concerned of the removal of that Information by written notification sent to his or her last known postal or electronic address; and</p> <p>b) each authorised person who has had access to that Information, other than the person, of the removal of that Information, by written notification.</p>		<ul style="list-style-type: none"> ▪ Verified that a letter was sent out to member of clergy/lay person within one month of notification being received from the applicable DPS that a notifiable complaint or notifiable charge against a member of the clergy or a lay person has been exhausted. This was tested by sighting a copy of the letter and email or postal envelope in which the letter was delivered. This is maintained by the NRO in a centralised folder. ▪ Verified (by sighting on the computer) removed from register ▪ Verified reason for removal was noted on the National Register <p>Findings</p> <p>With the online portal the General Secretary is notified as soon as the DPS uploads the information to the portal, however we are unable to confirm this information was entered onto the register as soon as practicable after the DPS became aware.</p> <p>In relation to the instances removed, the persons were removed from the register as required and these were for valid reasons.</p> <p>There were two instances where the NRO was required to notify the member of the clergy/layperson concerned of the removal. It was noted this notification did not occur for both persons as;</p> <ul style="list-style-type: none"> ▪ The NRO did not have a valid address to distribute the letter ▪ The instance was accidentally overlooked <p>Upon review of the first instance, it was concluded that is reasonable for the NRO to not send the letter, given they did not have a valid address. It is best practice to follow up with the DPS to obtain the correct details, however this is not a requirement per the Canon.</p> <p>In regards to the second instance, there was a last known address on record. Therefore there was a breach of clause 10 (2).</p> <p>Conclusion</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				There is a limitation of scope in relation to clause 10(1) and a breach noted with clause 10 (2).
7.2	Clause 10 (3)	Each authorised person shall, as soon as practicable and no later than one month after the receipt of the notification referred to in that subsection, shall forward a copy of that notification to each Church authority to whom the authorised person has disclosed the Information.	Compliant	<p>Work Completed Where a notifiable complaint was exhausted, verified whether there had been access to this information and verified that these persons had been informed with the appropriate information.</p> <p>Findings There were no instances where information had been accessed where the claim had been exhausted for 2016; therefore the NRO was not required to issue written notifications.</p> <p>Conclusion Compliance with clause 10 (3)</p>
7.3	Clause 10 (4)	Where notification is received from the applicable Director of Professional Standards that a member of the clergy or a lay person relating to whom there is Information in the National Register has died, the General Secretary shall, as soon as practicable and no later than one month after receipt of the notification, remove Information in the National Register relating to that member of the clergy or lay person.	Compliant	<p>Work Completed Through our testing, we found that there were three instances where a member of the clergy or a lay person who had information relating to them on the register had died during the period.</p> <p>Findings We found that the National Register Officer was notified of these deaths by the DPS during the 2016 calendar year and were subsequently removed from the system on that date (or within one month of notification).</p> <p>Conclusion The Register is compliant with Clause 10(4) of the Canon.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
8	Clause 11	<p>Access to and disclosure of Information in the National Register shall, subject to sections 12 and 13, be limited to the following authorised persons:</p> <ol style="list-style-type: none"> a diocesan bishop or delegate; the Bishop to the Defence Force or delegate; a Director of Professional Standards; the General Secretary; any person within the General Synod Office whose duties include assisting the General Secretary in maintaining the National Register; and such other persons as may be determined by the Standing Committee by a two-thirds majority. <p>who agree to abide by the protocols under this Canon approved by the General Synod, or the Standing Committee by a two-thirds majority.</p>	Compliant	<p>Authorised Users</p> <p>Work Completed – Authorised persons Reviewed the Authorised User register and ensured that the information disclosed for each user was limited to the following authorised persons:</p> <ul style="list-style-type: none"> ▪ a diocesan bishop or delegate; ▪ the Bishop to the Defence Force or delegate; ▪ a Director of Professional Standards; ▪ the General Secretary; ▪ any person within the General Synod Office whose duties include assisting the General Secretary in maintaining the National Register; and ▪ such other persons as may be determined by the Standing Committee by a two-thirds majority. <p>Findings – Authorised persons We examined the “Authorised User Register” and found that each authorised user must complete an Application for Authorisation. Each form is validated by the National Register Officer and approved by the General Secretary.</p> <p>Conclusion – Authorised persons The Register is compliant with Clause 11 of the Canon, however we are unable to ensure these secure usernames, passwords and security codes have not been passed on to unauthorised users.</p> <p>Protocols</p> <p>Work Completed – Protocols</p> <p>Within the online portal system, all searches of the register performed by an authorised user automatically gets logged with details of date, time, name of user, diocese, reason for search, and search name. This information has to be entered by the user before being allowed access to the register. This process was demonstrated to us as part of the audit.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>Findings – Protocols Within the current system all authorisation is granted by virtue of the user having accessed the web portal and entered all information needed to create a search.</p> <p>We were also able to agree that all applicants had declared to the General Secretary the reasons for access in every case.</p> <p>The Church Authority to which the information will be disclosed is a compulsory field when performing searches. It is however noted that during testing it was found that 1 entry (2015: 35) in the access log did not contain details of the organisation information was released to, in contradiction to “Protocol for access to and disclosure of Information in the National Register 2007”. This appears to be due to a system error and the user did not need to enter these compulsory fields to proceed, or that the user entered this information which the system failed to record. A similar issue was identified in 2015 and this was discussed with the system developer and concluded this was a glitch in relation to the retention of information input. The issue was believed to have been resolved after the prior year’s findings however the developer will be contacted regarding this instance. Despite the protocol not being complied with, this is not a breach of the Canon and is the result of a system anomaly without major consequence.</p> <p>Conclusion - Protocols The Register is compliant with Clause 11 of the Canon.</p>
9	Clause 12	The General Secretary, on application by a person to ascertain whether there is any Information, and if so to obtain a copy of the Information, in the National Register relating to that person, shall notify the person whether there is any such Information, and if so provide a copy of that Information to that person, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.	Compliant	<p>Work Completed</p> <p>There were 6 applications for own information - we reviewed documentation on all applications for own information by a member of the clergy or lay person, ensuring the following:</p> <ul style="list-style-type: none"> ▪ Application form completed and signed by the clergy or lay person in question ▪ Identification verified by a Justice of the Peace (or equivalent) and

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
				<p>signed</p> <ul style="list-style-type: none"> ▪ Notification response with details of information sent out within a reasonable timeframe ▪ Copy of details kept on record in a file with the National Register Officer <p>Findings</p> <p>Through enquiry and observation, we noted there were six applications for own information lodged during the year.</p> <p>We checked to ensure all documentation had been kept on file with the National Register Officer. This is maintained by a centralised folder which is kept in the head office.</p> <p>There were two instances noted where copies of correspondence were not kept on the file however each notification response appeared to have been sent as soon as practical of receiving the request letter. For those instances where copies were not kept on file, there was evidence of a letter being sent by way of a registered post confirmation slip attached to the original request.</p> <p>There was one instance noted where the response was sent 45 days after receiving the request. This occurred as the email address on the form was unclear. As such, the National Register Officer attempted to confirm the correct address before sending through the response.</p> <p>This appears to meet the requirement for being sent as soon as practical given the email address was not confirmed until the applicant responded to the query, and a reasonable person would expect steps to be taken to ensure details were sent to the correct person.</p> <p>Conclusion</p> <p>The Register is compliant with Clause 12 of the Canon. Best practice would be to file both copies of the correspondence as well as evidence of posting through Australia Post.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
10	Clause 13	The General Secretary, on application by a person to ascertain whether there has been access to any Information in the National Register relating to that person by an authorised person, shall notify the person whether there has been any such access, and if so, provide details of that access to that person, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.	Compliant	<p>Work Completed</p> <p>We reviewed the documentation on all six applications for own information and identified those where the applicant requested information regarding accesses to the information on the National Register.</p> <p>Where there were requests for own information and those who have had access to it, verified the information provided to the person agreed to the user access log.</p> <p>Findings</p> <p>Through enquiry and observation we found that one of the six applicants for their own information had also requested information on who had access to this. For this instance we requested a copy of the letter on file to agree to the report listing details of accesses to the register. A copy was not available to be inspected however an Australia Post Registered Post receipt was on file indicating a letter had been sent. While this is not a breach of the Canon, best practice would be to retain copies of correspondence sent as evidence for the file, along with the Australia Post receipt.</p> <p>Conclusion</p> <p>The register is compliant with Clause 13 of the Canon.</p>
11.1	Clause 14 (1)	The General Secretary, on application by a person to amend the Information in the National Register relating to that person, shall: <ul style="list-style-type: none"> ▪ amend the Information in the National Register relating to that person, or ▪ include a statement of the person in the National Register, subject to any limitation on the length of any amendment or statement determined by the Standing	Compliant	<p>Work Completed</p> <p>Confirmed with the National Register Officer that there were no applications for amendments by members of the clergy or lay persons of information in the National Register in relation to them.</p>

	Clause	Requirements of the National Register Canon 2007	Compliance	Comments
		Committee, in accordance with a protocol approved by the General Synod, or the Standing Committee by a two-thirds majority.		
11.2	Clause 14 (2)	The General Secretary shall, as soon as practicable and no later than one month after making the amendment or including the statement referred to in subsection (1), notify by written notification each authorised person who has had access to that Information, other than the person or persons in subsections 11(d) and (e), of the making of that amendment or the inclusion of that statement.	Compliant	Work Completed Confirmed with the National Register Officer that there were no applications for amendments by members of the clergy or lay persons of information in the National Register in relation to them.
11.3	Clause 14 (3)	Each authorised person referred to in subsection (2) shall, as soon as practicable and no later than one month after the receipt of the notification referred to in subsection (2), forward a copy of that notification to each Church authority to whom the authorised person has disclosed the Information.	Compliant	Work Completed Confirmed with the National Register Officer that there were no applications for amendments by members of the clergy or lay persons of information in the National Register in relation to them.