

Scope

Recognition of the Right to Appeal

Adsafe Ltd (“**Adsafe**”) is constituted to provide protective services to children and vulnerable persons within the Seventh-day Adventist Church and wider entities (together “**SDA Church**”) within Australia, New Zealand and the South Pacific, specifically relating to sexual and physical abuse. Adsafe is required to implement processes and make decisions to ensure that the protection of children and vulnerable persons is paramount.

Adsafe understands that the decisions it makes can impact on a person’s involvement within our SDA Church. Adsafe endeavours to treat all matters fairly and transparently and recognises an individual’s right to review a decision made by Adsafe in certain circumstances.

Process

PART A: Decisions that can be appealed

You can appeal a decision on the following grounds:

1. The process was not procedurally fair;
2. The decision maker showed bias; and
3. Not all the evidence was considered

PART B: Decisions that cannot be appealed

Some decisions made by Adsafe cannot be appealed, these decisions include:

1. You deem the decision to be unfair;
2. Where a period of six months or more has elapsed since receipt of the original decision;
3. The appeal is to review a requirements of undertaking a child related role in your local SDA church; and
4. A decision made to comply with government regulatory authorities, relevant legislation, Adsafe policies and/or SDA Church Manual provisions;

An example of a decision that would fall into category 4 above is if you have a child related conviction or a sustained finding of sexual misconduct with a child under the age of 18 years your attendance at your local SDA church will be subject to an attendance agreement.

PART C: How to Appeal

The person seeking to appeal an Adsafes decision (“**appellant**”) must lodge a written request (“**appeal**”) with Adsafes and the appeal must include:

1. Date of original decision;
2. Date the original decision was received by the appellant;
3. Name of original decision maker;
4. Name of impacted individuals;
5. Details of the original decision; and
6. Clearly set out the grounds for appeal and provide all facts and material in support of those grounds

PART D: The Appeal Process

1. An appeal must be lodged by the appellant with Adsafes within 6 months of the date of receipt of the decision made by Adsafes.
2. Adsafes will acknowledge receipt of your appeal within 5 working days.
3. Adsafes will advise you of the appeal outcome within 28 days or notify you if an extension to this timeframe is required. An extension will be required if the volume of material to be reviewed is large but will not exceed a further 28 days.
4. The appeal will be reviewed by a senior Adsafes employee who was not involved in the original decision making process. In reviewing your appeal, Adsafes will consider the following:
 - a) Whether all relevant facts were considered;
 - b) Whether the decision was reasonable and complied with government regulatory authorities, relevant legislation, Adsafes policies and/or SDA Church Manual provisions; and
 - c) Whether there was sufficient evidence available to reach the decision
5. If you believe that the decision made after the review is still incorrect, you can ask for a second tier appeal which is conducted by The Chairperson of Adsafes.
6. If your appeal relates to decisions made by the General Manager of Adsafes, the appeal with all supporting documentation is to be forwarded to:

STRICTLY PRIVATE AND CONFIDENTIAL

The Chairperson
Adsafes Limited
PO Box 966
Wahroonga NSW 2076

PART E: How to Lodge and Appeal

The Appellant may lodge an appeal by:

1. Completing an online Application for Appeal and electronically lodging same, together with all supporting material via Adsafes website (www.adsafe.org.au)
2. Emailing Adsafes the appeal, together with all supporting documentation to: appeals@adsafe.org.au
3. Sending the appeal together with all supporting documentation to:

The General Manager
Adsafes Limited
PO Box 966
Wahroonga NSW 2076
Australia

PART F: Outcomes to your Appeal

After consideration of your appeal together with all supporting documentation, one of the following outcomes will be achieved:

1. The original decision will be confirmed;
2. An alternate decision will be made; or
3. The original decision will be set aside and another investigation initiated

PART G: Requests for Information

Adsafes recognises an individual's general right of freedom of information and an appellants specific interest in documentation used in the Adsafes decision making process. Adsafes is not a government department or authority and notes that generally Freedom of Information legislation does not extend to documents and information held by Adsafes. However, in the interest of being open and transparent Adsafes will endeavour to comply with requests for information made by the appellant subject to Adsafes Privacy Policy and relevant legislation.

Where an appellant requests copies of documentation which relate to the appeal:

- 1 Any requests for information will be subject to Adsafes Privacy Policies and relevant legislation; and
- 2 The timeframe for Adsafes to respond to an appeal as set out in Part D (3) will be suspended until such time as the request for information has been satisfied in accordance with Adsafes Privacy Policy and processes.

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