



REPORTABLE CONDUCT SCHEME POLICY

1. Purpose of this Policy

The purpose of this policy is to provide a framework to ensure that the School complies with its obligations under the Reportable Conduct Scheme.

2. Scope

This policy applies to all Employees of St Catherine's School who are covered by the Reportable Conduct Scheme in relation to certain reportable conduct committed by them against, with or in the presence of a child.

For the purpose of the Scheme and this policy, an **Employee** is a person of or over the age of 18 years who is:

- (a) employed by St Catherine's School, whether or not the person is employed in connection with any work or activities of the School that relate to children; or
- (b) engaged by St Catherine's School to provide services, including as a volunteer, contractor, office holder or officer (such as School Council members), whether or not the person provides services to children; or
- (c) a worker or volunteer who is indirectly engaged by St Catherine's School through a third-party provider (such as labour hire or similar arrangements) to perform work for the School under the School's direction, supervision or control, whether or not the worker or volunteer provides services to children; or
- (d) a secondee to St Catherine's School who performs work under the School's direction, supervision or control, whether or not the secondee provides services to children; or
- (e) an individual providing services to St Catherine's School as a sole trader; or
- (f) a director of a company, providing the director personally performs work for the School, whether or not the director provides services to children.

For the purpose of this policy, Student Teachers and Work Experience Students are considered to be volunteers.

The Scheme applies to the conduct of Employees even if they do not have direct contact with students as part of their work or the conduct occurred within or outside the course of their employment or engagement with St Catherine's School.

3. Policy

3.1 Reportable conduct



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The School is committed to child safety and has zero tolerance for child abuse. The School actively works to listen to and empower children, and has systems to protect children from abuse.

The Reportable Conduct Scheme is administered by the Commission for Children and Young People (CCYP). The Scheme provides for the Principal to report to CCYP any allegations of reportable conduct, or misconduct that may involve reportable conduct, committed by Employees of St Catherine's School.

Under the Reportable Conduct Scheme, the School is required to notify the Commission for Children and Young People (CCYP) of allegations that any Employee has engaged in 'reportable conduct' or 'misconduct that may involve reportable conduct'.

A reportable allegation means any information that leads a person to form a 'reasonable belief' that an Employee has committed reportable conduct or misconduct that may involve reportable conduct. This includes information about conduct that is alleged to have occurred outside the course of the Employee's employment or engagement with St Catherine's School.

'Reportable conduct' means:

- A sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
- Sexual misconduct, committed against, with or in the presence of, a child;
- Physical violence committed against, with or in the presence of, a child;
- Any behaviour that causes significant emotional or psychological harm to a child;
- Significant neglect of a child; or
- 'Misconduct' involving any of the above.

3.2 Responsibilities

It is the responsibility of the Principal for ensuring the School complies with the reporting and investigation obligations under the Reportable Conduct Scheme.

The Principal is responsible for ensuring systems are in place to:

- prevent the commission of reportable conduct by an Employee of the School within the course of his or her employment or engagement;
- enable any person, including employees of the School, to notify the Principal of a reportable allegation of which the person becomes aware, or to notify the Chairperson of the School Council of an allegation involving the Principal;
- investigate and respond to a reportable allegation against an Employee.

Everyone involved in the School has a role to play and may disclose an allegation of reportable conduct involving an Employee to the Principal or directly to CCYP.



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The Principal is responsible for notifying the CCYP of a reportable allegation in line with the Reportable Conduct Scheme and for investigating such allegations and providing the findings to the CCYP.

3.3 Preventing Reportable Conduct from Occurring

The School has policies and practices that take a preventative approach to keeping children safe, and for the early identification and response to risks of child abuse in the School's physical and online environments. Such policies and practices include:

- Employees, Contractors and Volunteers (including workers and volunteers engaged indirectly through a third-party provider) signing the School's Child Safety Code of Conduct
- Risk Management Policy and associated procedures
- Provision of induction and training to employees, contractors and volunteers.

3.4 Reportable Allegation Notification

If any person believes a child or young person is at immediate risk of abuse, telephone 000.

Any person who has any information that leads them to form a reasonable belief that an Employee of St Catherine's School has committed:

- (a) reportable conduct, or
- (b) misconduct that may involve reportable conduct,

is to report such information to the Principal. Reports can be made in person, via telephone or in writing.

A report may also be made directly to the CCYP at:

- Commission for Children and Young People, Level 18 570 Bourke Street Melbourne Victoria 3000
- Telephone: 1300 782 978
- email: contact@ccyp.vic.gov.au
- If you need an interpreter, call the Translating and Interpreting Service on 13 14 50 and ask to be connected to the CCYP on 1300 782 978.

A report may be made whether or not the conduct or misconduct is alleged to have occurred within the course of the Employee's employment or engagement with St Catherine's School.

3.5 Reportable Allegation Investigation

As soon as practicable after becoming aware of a reportable allegation against an Employee, the Principal will commence an investigation, which may include appointing an independent investigator. Depending on the nature of the allegation, the Principal will also follow the processes outlined in the *Child Safety Responding to and Reporting*



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Policy and Procedures if a report of child abuse or suspected child abuse needs to be made to Victoria Police or DFFH.

If an allegation involves a possible criminal offence, the Principal will first obtain clearance from Victoria Police before beginning an investigation.

Generally, the person appointed to conduct the investigation will decide on the appropriate process for the investigation, considering the School's Enterprise Agreement (if the matter involves an employee) and the principles of natural justice and will advise the parties of such matters.

The investigator will, as soon as practicable:

- Investigate the allegation.
- Conduct interviews of relevant persons and seek any further information he/she deems necessary; and
- Provide to the Principal a confidential report of his/her findings in relation to the allegation against the Employee.

If it is alleged that an Employee may have engaged in reportable conduct or misconduct that may involve reportable conduct, the Employee concerned may be stood down (with pay if a staff member, where applicable) while an investigation is conducted.

Contractors and Volunteers will not be permitted on school grounds during the course of an investigation and their involvement with school operations will cease pending the outcome of the investigation.

The Principal will consider the findings, and recommendations if any, and determine what further action, if any, to take in response to the findings.

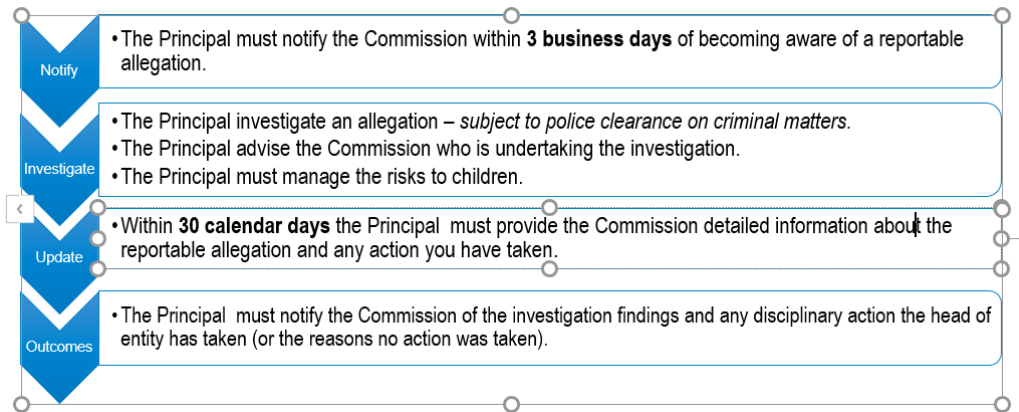
If the investigation concludes that on the balance of probabilities that the Employee engaged in reportable conduct (or a breach of the School's policies or Code of Conduct) then disciplinary action may follow, up to and including dismissal from employment or cessation of involvement with the School. The findings of the investigation will also be reported to the CCYP and any other external body as required.

3.6 Reportable Conduct Scheme Reporting Requirements

The Principal is responsible for notifying the CCYP of a reportable allegation in line with the Reportable Conduct Scheme and for investigating such allegations and providing the findings to the CCYP.



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If the Principal becomes aware of a reportable allegation against an Employee they will notify the CCYP through its reporting portal of the following:

Within 3 business days after becoming aware of the allegation	<ul style="list-style-type: none"> - The name and date of birth (if known) of the Employee involved - Whether Victoria Police has been contacted - Contact details for the School and the Principal
Advice on investigation – as soon as practicable	<ul style="list-style-type: none"> - Name of investigator
As soon as practicable and within 30 calendar days	<ul style="list-style-type: none"> - Details of the allegation - Details of the School's response to the allegation - Reasons for whether or not any disciplinary or other action is proposed - Any written response from the Employee concerning the allegation that the Employee wished to have considered in determining what, if any, disciplinary or other action should be taken
Outcomes of investigation – as soon as practicable	<ul style="list-style-type: none"> - A copy of the findings and reasons for the findings - Details of any disciplinary or other action that the Principal proposes to take - Reasons for taking or not taking any disciplinary or other action
Additional documents and information	<ul style="list-style-type: none"> - Any information or documents relating to the allegation or an investigation that the CCYP may



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3.7 Communication of Policy

This policy is accessible to all staff, students, contractors, volunteers, parents/guardians, visitors, external stakeholders and other members of the School community via the Portal Policies page and the website. The School also communicates this policy through newsletters and inductions.

3.8 Policy Review

This Policy has been endorsed by the School Council.

This policy will be reviewed for effectiveness:

- As part of St Catherine's School policy review schedule (every 2 years);
- As required, with changes to current legislation, research, policy and best practice;
- Following issues raised through the Complaints and Grievances Policy;
- After any significant child safety incident; and
- Upon receipt of staff and parent/guardian feedback.

4. Definitions

Child: A child is an individual who is under the age of 18 years.

Reasonable belief: For guidance, a 'reasonable belief' is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:

- observed the conduct themselves
- heard from a child that the conduct occurred
- received information from another source (including another person who witnessed the reportable conduct or misconduct).

The Principal does not need to share the person's reasonable belief regarding the allegation. However, the Principal will not need to notify the CCYP about the allegation if it is plainly wrong or has no basis at all in reality.

Sexual Misconduct: Sexual misconduct includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.



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5. References

- Children, Youth and Families Act 2005
- Crimes Act 1958
- Education and Training Reform Act 2006
- Child Wellbeing and Safety Amendment Act 2015 (Vic)
- Ministerial Order 1359
- <http://www.vrqa.vic.gov.au/childsafes/Pages/default.html>
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Fair Work Act 2009 (Cth)

6. Related Policies and Procedures

- Child Safety Responding and Reporting Obligations and Procedures Policy
- Child Safety Code of Conduct
- Child Safety and Wellbeing Policy
- Complaints and Grievances Policy
- Diversity, Inclusion and Equity Policy
- Student Wellbeing and Engagement Policy
- Visitors Policy
- Volunteers Policy
- Recruitment Policy