

# POLICY AND PROCEDURES

## REPORTABLE CONDUCT SCHEME POLICY EDU 4.11.5

Date Approved:	31/07/2023
Date Effective:	1/08/2023
Scheduled Review Date:	1/08/2024
Policy Category:	Educational
Policy Owner:	College Board

### 1. Context

The protection of children and young persons is the responsibility of everyone who works at SEDA College (Victoria) including its Board members, staff, contractors, parents and volunteers. We all share responsibility for promoting the wellbeing and safety of children.

All young people who come to SEDA College have a right to feel and be safe. SEDA College is committed to the safety and wellbeing of all children and young people accessing our services and the welfare of the children in our care will always be our first priority. The College has a commitment to a culture of child safety, and has zero tolerance of child abuse.

The Reportable Conduct Scheme (Scheme) is established under the Child Wellbeing and Safety Act 2005 (Vic). The Scheme improves oversight of how organisations prevent and respond to allegations of child abuse and is administered by the Commission for Children and Young People. The Scheme provides for the reporting to the Commission of allegations of reportable conduct, or misconduct that may involve reportable conduct, committed by employees (including volunteers, contractors and office holders) within or connected to SEDA College.

### 2. Definitions

A reference or term included in this policy is defined as follows;

"SEDA College" or "the College" refers to SEDA College (Victoria).

"Staff" or "staff member" or "employee" in this policy includes all employees of SEDA College (Victoria).

For the purpose of this policy, an employee is a person of or over the age of 18 years who is:

- (a) an employee of SEDA College, whether or not the person is employed in connection with any work or activities of SEDA College that relate to children; or
- (b) engaged by SEDA College to provide services, including as a volunteer, contractor, office-holder or officer, whether or not the person provides services to children.

"Child" or "Young Person" is an individual who is under the age of 18 years.

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3124  
ABN: 39 612 321 865

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p 1800 11 7332

"Reportable conduct" means:

- (a) a sexual offence (Including grooming) 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;
- (b) sexual misconduct committed against, with or in the presence of, a child;
- (c) physical violence committed against, with or in the presence of, a child;
- (d) any behaviour that causes significant emotional or psychological harm to a child; or
- (e) significant neglect of a child.

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

### 3. Application

The purpose of this policy is to ensure that SEDA College complies with its obligations under the Reportable Conduct Scheme.

### 4. Statement of Policy

The Principal is responsible for ensuring compliance by SEDA College with its obligations under the Reportable Conduct Scheme. In particular, the Principal will ensure that SEDA College has in place:

- a system for preventing the commission of reportable conduct by an employee of the school within the course of his or her employment;
- a system for enabling 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 College Board Chairman of an allegation involving the Principal;
- a system for investigating and responding to a reportable allegation against an employee of the school.

Everyone involved in SEDA College has a role to play, and may disclose an allegation of reportable conduct involving an employee to the Commission or to the Principal.

#### 4.1 Reportable allegation

Any person who has any information that leads them to form a reasonable belief that an employee of SEDA College has committed:

- (a) reportable conduct; or
- (b) misconduct that may involve reportable conduct, is encouraged to report such information to the Principal:
  - in writing addressed to the Principal in a sealed envelope marked **Private and confidential** and delivered to the school's reception or to the Principal's office

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- in writing sent by post in an envelope marked **Private and confidential** and addressed to:  
The Principal  
SEDA College (Victoria)  
PO Box 1237  
Camberwell VIC 3124
- by email marked – **Reportable Conduct** – sent to – [principal@scv.vic.edu.au](mailto:principal@scv.vic.edu.au)
- by telephone, advising that the person wishes to report an allegation of reportable conduct to the Principal: Telephone: 1800 11 7332

If the person has information of a reportable allegation involving the Principal of SEDA College, the person may directly notify the College Board Chairman:

- in writing addressed to the SEDA College (Victoria) Board Chairman in a sealed envelope marked **Private and confidential** and delivered to the school's reception
- in writing sent by post in an envelope marked **Private and confidential** and addressed to:  
  
SEDA College (Victoria) Board Chairman  
c/- SEDA College (Victoria)  
PO Box 1237  
Camberwell VIC 3124

A report may also be made directly to the Commission for Children and Young People at:

Commission for Children and Young People, Level 18 570 Bourke Street Melbourne Victoria 3000  
Telephone: (03) 8601 5281  
email: [contact@ccyp.vic.gov.au](mailto:contact@ccyp.vic.gov.au)  
website: [ccyp.vic.gov.au](http://ccyp.vic.gov.au) (report using the online form)

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 with SEDA College.

#### 4.2 Preventing reportable conduct from occurring

SEDA College has policies, procedures 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 environment. Such policies, procedures and practices include:

- Child Safety and Wellbeing Policy (including our commitment to child safety, and Child Safety Code of Conduct Guidelines for Board members, employees and volunteers).

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p 1800 11 7332

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## 5. Procedures

### 5.1 Procedures for responding to and reporting suspected child abuse

SEDA College has procedures for responding to and reporting suspected abuse of a child currently in its care. SEDA College also has policies, practices and programs that support, encourage and enable school staff, parents and children to understand, identify, discuss and report child safety matters. Such policies, procedures and practices include:

- Child Safety and Wellbeing Policy
- Grievance Policy - Staff
- Concerns, Complaints & Grievances Policy – Students Whistleblower Policy

### 5.2 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 may follow the processes set out in the other school policies noted above.

Generally, the person appointed to conduct the investigation will decide on the appropriate process for the investigation, taking into account the principles of natural justice and procedural fairness, and will advise the parties of such matters.

The investigator will, as soon as practicable:

- conduct an investigation into the allegation;
- conduct interviews of relevant persons and seek any further information he/she deems necessary;
- provide to the Principal a confidential report of his/her findings in relation to the allegation against the employee; and
- if requested, make recommendations about what disciplinary or other action should be taken (if any).

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

Note that if a reportable allegation involves suspected criminal behavior, both Victoria Police and the Commission must be notified.

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

### 5.3 Responsibilities of the Principal

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

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If the Principal becomes aware of a reportable allegation against an employee of SEDA College he will notify the Commission in writing (using the Commission's online report form) of the following:

<p><b>Within 3 business days after becoming aware of the allegation</b></p>	<ul style="list-style-type: none"> <li>the name and date of birth (if known) of the employee involved</li> <li>whether Victoria Police has been contacted (police report)</li> <li>contact details for the School and the Principal (and his/her name)</li> <li>initial advice on the nature of the allegation</li> </ul>
<p><b>As soon as practicable and within 30 calendar days</b></p>	<ul style="list-style-type: none"> <li>details of the allegation</li> <li>details of the school's response to the allegation</li> <li>reasons for whether or not any disciplinary or other action is proposed</li> <li>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</li> </ul>
<p><b>Advice on investigation – as soon as practicable</b></p>	<ul style="list-style-type: none"> <li>Name of investigator</li> <li>Contact details</li> </ul>
<p><b>Outcomes of investigation – as soon as practicable</b></p>	<ul style="list-style-type: none"> <li>a copy of the findings and reasons for the findings</li> <li>details of any disciplinary or other action that the Principal proposes to take</li> <li>reasons for taking or not taking any disciplinary or other action</li> </ul>
<p><b>Additional documents and information</b></p>	<ul style="list-style-type: none"> <li>any information or documents relating to the allegation or an investigation that the Commission may request</li> </ul>

### 5.4 Privacy & Confidentiality

The College respects the privacy of its staff and will comply with the Privacy & Data Protection Act 2014 (Vic) in relation to the use and disclosure of personal information.

In order to comply with the obligations under the scheme, SEDA College will be required to disclose information to the CCYP, Victoria Police and other regulators.

### 5.5 Communication

The school community will be informed about this policy. It will be publicly available. It will be available on the school's website and MySEDA portal, and communicated in the school's personnel induction programs and during recruitment and enrolment processes for staff, contractors and volunteers.

All College Board members, staff, volunteers and contractors of SEDA College will be made aware of this policy and the school's commitment to child safety.

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## 5.6 Policy review

This policy will be reviewed annually or more often as circumstances require.

## 6. Referenced Documents

This Policy is to be read in conjunction with other related school policies, procedures, and legislation. These include:

- Ministerial Order 1359
- Children Legislation Amendment (Reportable Conduct) Act 2017
- Child Wellbeing and Safety Act 2005
- Commission for Children and Young People Act 2012
- Education & Training Reform Act 2006 (Vic)
- Privacy Data Protection Act 2014 (Vic)

## 7. Where to get further help

### Commission for Children and Young People

#### *General Enquiries:*

The Commission can help you with the Child Safe Standards and the Reportable Conduct Scheme, including how to formally report a concern.

- Telephone: 8601 5281
- Email: [contact@ccyp.vic.gov.au](mailto:contact@ccyp.vic.gov.au)

#### Safety Concerns about a child or young person:

If you have immediate safety concerns, about a child or a young person call 000.

If you have general safety concerns about a child or young person, contact the Child Protection intake office where the child lives: <https://services.dhhs.vic.gov.au/child-protection-contacts>

After 5pm and on weekends, contact the Child Protection After Hours service on 13 12 78.

Further information is also available on the Commission for Children and Young People's website at [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au).

## 7. Policy History

Version	Approval Date	Effective Date	Summary of Changes
V1	30/10/2019	30/10/2019	
V2	02/10/2020	02/10/2020	No changes made.
V3			Updated definitions and general formatting to new SEDA College template.
V4	01/07/2022	01/07/2022	Updated template and references to new Child Safety standards and policy.
V5	31/07/2023	1/08/2023	Added to policy context a reference to Child Wellbeing Safety Act 2005

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			Added "grooming" to reportable conduct definition. Added section 5.4 – Privacy & Confidentiality. Added to referenced documents – Education and Training Reform Act 2006 and Privacy Data Protection Act 2014. Further details added to "Where to get help" section.
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