

# POLICY AND PROCEDURES

## REPORTABLE CONDUCT SCHEME POLICY EDU 4.11.6

Date Approved:	12/09/2024
Date Effective:	13/09/2024
Scheduled Review Date:	13/09/2025
Policy Category:	Educational
Policy Owner:	Principal
Approving Body:	College Board

### 1. Context

The protection of children and young people 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 children and 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 highest priority. The College has a commitment to a culture of child safety and has no tolerance for 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 (CCYP). The Scheme provides for the reporting to the Commission of allegations of reportable conduct, or misconduct that may involve reportable conduct, committed by employees within or working with 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).

"Children and young people" as defined by the Commission for Children and Young People (CCYP) means a person under the age of 18 years, but for the purposes of this policy, includes all children and young people enrolled at SEDA College (Victoria), regardless of their age.

"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:

- 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
- engaged by SEDA College to provide services, including volunteers and volunteers from external agencies, secondees, individual business owners who employ or engage staff, contractors, office holders and directors of companies where the director performs work for the organisation, whether or not the person provides services to children.

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"Employer" in this policy includes:

- a) SEDA College (Victoria) is considered the employer for all employed staff members and those engaged through formal contracts or agreements.
- b) Any governing bodies or management committees responsible for overseeing employment practices within the College.
- c) Contracted Entities - External organisations or individuals contracted by the College to provide services, if they have direct oversight or influence over staff engaging with children and young people.

"Reportable allegation" means any information that leads a person to form a reasonable belief that an employee has committed either:

- Reportable conduct
- Misconduct that may involve reportable conduct

"Mandatory Reporting" The legal obligation to report suspected cases of child abuse or neglect to authorities such as Victoria Police or the Department of Families, Fairness and Housing (DFFH). This obligation applies to certain professionals and is in addition to reporting under the Reportable Conduct Scheme.

"School Environment" means any physical or virtual place made available or authorised by the college for use by a young person during or outside school hours including:

- A campus of the school
- Online school environments, including email and intranet systems
- Other locations provided by the school and for a child's use including school camps, sporting events, excursions, competitions, or school community and other events.

"Reportable conduct" includes:

- a sexual offence (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm or
- significant neglect

For detailed definitions and further information on the following terms, please refer to the CCYP Information sheets - <https://ccyp.vic.gov.au/resources/reportable-conduct-scheme/reportable-conduct-scheme-information-sheets/>

- Sexual Misconduct
- Physical Violence
- Emotional or Psychological Harm
- Significant Neglect
- Reasonable Belief

These terms are critical for understanding reportable conduct and misconduct involving children and young people.

### 3. Application

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

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 [seda.vic.edu.au](https://seda.vic.edu.au)  
 [info@scv.vic.edu.au](mailto:info@scv.vic.edu.au)  
 1800 11 7332

## 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 their 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 Chairperson 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
  - 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 Chairperson:

- in writing addressed to the SEDA College (Victoria) Board Chairperson 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 Chairperson
  - c/- SEDA College (Victoria)
  - PO Box 1237
  - Camberwell VIC 3124
- By email marked – **Reportable Conduct** – sent to – [SCVBoard@scv.vic.edu.au](mailto:SCVBoard@scv.vic.edu.au)

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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: 1300 782 978  
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 and young people safe, and for the early identification and response to risks of child abuse in the school's physical and online environments. This includes:

- Policies and Procedures- The College implements various policies, procedures, and practices designed to prevent child abuse and identify and respond to risks effectively. These include the Child Safety and Wellbeing Policy, which outlines our commitment to child safety and includes the Child Safety Code of Conduct Guidelines for Board members, employees, and volunteers.
- Selection and Screening of Staff- All staff members undergo rigorous selection and screening processes before appointment to ensure that individuals who pose a risk to children and young people are not employed. This includes comprehensive background checks, reference checks, and other vetting measures.

## 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 children and young people currently in its care.

These procedures are designed to support, encourage, and enable staff, parents, and children to understand, identify, discuss, and report child safety matters effectively.

The determination of whether an issue constitutes misconduct or reportable conduct is based on the nature of the allegation and is guided by the following criteria:

- Misconduct refers to general inappropriate behavior or breaches of policies that do not necessarily involve child abuse. These issues are addressed through the school's internal policies and procedures but are not classified as reportable conduct.
- Reportable Conduct includes conduct that falls under the Child Wellbeing and Safety Act 2005 (Vic), such as child abuse or neglect, which must be reported to the Commission for Children and Young People (CCYP).

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The College supports these procedures with the following policies and procedures -

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

## 5.2 Reportable allegation investigation

As soon as practicable, after becoming aware of a reportable allegation against an employee, the Principal will:

- a) Determine the Nature of the Conduct – The principal will assess whether the conduct is reportable or constitutes general misconduct. This involves reviewing the details of the allegation, the context, and applicable legal definitions. The Principal will consult with relevant legal and child safety specialists to ensure accurate classification.
- b) Commence Investigation - If the conduct is deemed reportable, the Principal will initiate an investigation. This may involve appointing an independent investigator and following relevant processes outlined in the school's policies. If the conduct is classified as misconduct, internal disciplinary procedures will be followed. The Principal will document the decision-making process to maintain transparency and clarity.
- c) Conduct of Investigation - The appointed investigator will:
  - Conduct an investigation into the allegation as soon as practicable.
  - Interview relevant people and gather any additional information as necessary.
  - Provide a confidential report of their findings to the Principal.
  - If requested, make recommendations regarding potential disciplinary or other actions.
- d) Consultation with CCYP - Before finalising any decisions or recommendations related to a reportable conduct investigation, the Principal will consult with the Commission for Children and Young People (CCYP) to ensure compliance with relevant guidelines and procedures.
- e) Action on Findings - The Principal will review the findings and recommendations from the investigator and determine the appropriate further actions. Any conduct deemed criminal in nature will be addressed through mandatory reporting to Victoria Police and the Department of Families, Fairness and Housing (DFFH), as per the school's Child Safety Responding and Reporting Policy. If an allegation involves a possible criminal offence, the Principal will first obtain clearance from Victoria Police before commencing the investigation.
- f) Notification to VIT - If a registered teacher is involved and the allegation includes a charge, conviction, or finding of guilt related to a sexual offence, the College must immediately notify the Victorian Institute of Teaching (VIT).
- g) Reference to Guidelines - During the investigation process, the College will refer to the guidelines and resources provided by the CCYP - <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

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### 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.

The College Board will be informed of a reportable conduct report at key stages of the process-

- Initial Notification - The Principal will inform the College Board when a reportable conduct allegation is made.
- Ongoing Updates - The College Board will receive updates on the progress and outcomes of the investigation as required, while ensuring confidentiality and compliance with legal obligations.

If the Principal becomes aware of a reportable allegation against an employee of SEDA College they will notify the Commission in writing, using the Commission’s online report form <https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/> of the following:

Within 3 business days after becoming aware of the allegation	<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 their name)</li> <li>• initial advice on the nature of the allegation</li> </ul>
As soon as practicable and within 30 calendar days	<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>
Advice on investigation – as soon as practicable	<ul style="list-style-type: none"> <li>• Name of investigator</li> <li>• Contact details</li> </ul>
Outcomes of investigation – as soon as practicable	<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>
Additional documents and information	<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.

To comply with the obligations under the scheme, the 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 College 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.

## 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 SEDA College (Victoria) policies, procedures, and supporting legislation. These include:

SEDA College Policies:

- Child Safety and Wellbeing Policy
- Grievance Policy - Staff
- Concerns, Complaints & Grievances Policy – Students
- Whistleblower Policy
- Privacy Policy
- Record Keeping and Information management Policy
- Child Safety Responding and reporting policy
- Staff and Student Professional Boundaries Policy
- Staff Code of Conduct
- Duty of Care
- Child safety Code of Conduct

Supporting legislation:

- 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)

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## 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: 1300 782 978
- 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 <https://ccyp.vic.gov.au/contact>

## 7. Policy History

Version	Approval Date	Effective Date	Summary of Changes
V1	30/10/2019	30/10/2019	New Policy
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 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.
V6	12/09/2024	13/09/2024	The Policy Owner has been changed from the Board Chairperson to the Principal, and the College Board has been added as the Approving Body. Updated the definition of "Children and young people" to include all students enrolled at the College, regardless of age. The definition of "employee" now reflects changes in the Child Wellbeing Safety Act 2005. New definitions including employer, reportable allegation, school environment and Mandatory Reporting have been added. References to CCYP Information Sheets have been included for further definitions related to reportable conduct.

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		<p>References to the Child Safety Responding and Reporting policy, reporting requirements to VIT, and CCYP guidelines and resources for investigating allegations have been added as well as an online link to CCYP's report.</p> <p>Clear procedures for the selection and screening of staff have been added.</p> <p>A detailed process for differentiating between misconduct and reportable conduct has been introduced.</p> <p>The Principal's role in reporting to the College Board has been added.</p> <p>The letterhead has been updated to reflect the new Head Office address, and related SEDA College policies have been referenced.</p> <p>Minor typographical corrections have been made throughout the policy.</p>
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