



REPORTABLE CONDUCT POLICY

Statement of Context and Purpose

The School is committed to the safety of its students. Under the Child Wellbeing and Safety Act 2005 (Vic), the School must investigate and report to the Social Services Regulator (SSR) allegations of 'employee' reportable conduct.

The purpose of this policy is to ensure that Huntingtower complies with its obligations under the Reportable Conduct Scheme. This policy operates together with the Child Safe Identifying, Responding and Reporting Obligations Policy, the Child Safety Code of Conduct and the Child Safety and Wellbeing Policy.

The School will respond to all reportable allegations in a manner that prioritises the safety, wellbeing and voice of the child involved.

Application

This policy applies to all employees of Huntingtower, as well as Board members, volunteers, contractors, parents, students, prospective parents and prospective students and other people who are associated with or come in contact with the School. Allegations that concern the Principal can be referred to a member of the School Board.

Definitions

Act means the Child Wellbeing and Safety Act 2005 (Vic).

A Child Safety Champion refers to a staff member designated in accordance with the Child Safety and Wellbeing Policy. This role is promoted to the School community through various forms including signage and within both the student and staff handbooks.

Employee means a person of or over, the age of 18 who is:

- Employed by the School whether or not that person is employed in connection with any work or activities of the School that relates to children
- Engaged by the School to provide services, including as a volunteer, contractor, office holder or officer, whether or not that person provides services to children; and/or
- A minister of religion

Immediately means as soon as reasonably practicable and, in practice, no later than 24 hours after becoming aware of a reportable allegation (or, if outside normal business hours, by the next business day). Following internal reporting to the Principal/Child Safety Champion, formal notification to the Social Services Regulator must occur within three (3) business days of becoming aware of the reportable allegation.

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, whether or not the conduct is alleged to have occurred in the course of the employee's employment at the School.

Reportable Conduct includes:

Sexual Offences	• Rape or sexual assault • Sexual activity with or in the presence of a child • Grooming or encouraging a child to engage in sexual activity • Offences relating to child abuse
Sexual Misconduct	• Behaviour, physical contact, speech or other communication of a sexual nature • Physical contact without a valid reason • Crossing professional boundaries • Voyeurism
Physical Violence	• Hitting, kicking, punching • Pushing, shoving, grabbing, throwing, shaking • Use of an object • Inappropriate restraint, excessive force against, with or in the presence of a child
Psychological or Emotional Harm	• Exposure to violence or threats of violence • Anti-social behavior • Self-destructive behavior • Persistent hostility or rejection • Humiliation or belittling • Scapegoating
Significant Neglect	Deprived from the following: • Clothing or food • Medical attention or care • Shelter • Supervision • Access to drugs or alcohol

Reportable Conduct Scheme means the scheme to report reportable conduct established under Part 5A of the Child Wellbeing and Safety Act 2005 (Vic).

School environment means any physical or virtual place made available or authorised by the School for use by a child during or outside school hours, including:

- A campus of the School
- A digital space, accessed via internet-connected devices, where users interact, collaborate and learn remotely without needing to be in the same physical location
- Other locations provided by the School for a child's use including school camps, sporting events, excursions, competitions or school community and other events

Reportable conduct occurring within online environments connected to the School is covered by this policy.

Significant means, in relation to emotional or psychological harm or neglect, that the harm or neglect is more than trivial or insignificant but need not be as high as serious and need not have a lasting permanent effect.

Social Services Regulator (SSR) means the Victorian regulator responsible for oversight of the Child Safe Standards under the *Child Wellbeing and Safety Act 2005 (Vic.)*

Reportable Allegations Procedure and Obligations

The School has specific obligations under the Reportable Conduct Scheme. To assist the School in meeting its obligations under that scheme, all staff (including employees), volunteers, parents, students, visitors and contractors have responsibilities in relation to reportable allegations. This section of the Policy outlines these various obligations and responsibilities.

Reporting Obligations

After becoming aware of conduct that might amount to a Reportable Allegation, all staff (including employees), parents, students, visitors and contractors, must immediately report the matter to a Child Safety Champion.

The Child Safety Champion must then notify the Principal of the matter.

Reportable Allegations may also be made by persons external to the School, in the manner described above.

Any person may also disclose a Reportable Allegation directly to the SSR. However, reporting the Reportable Allegation to the SSR does not displace the requirement to notify a Child Safety Champion and the Principal of the matter.

If a child is at immediate risk of abuse or danger Victoria Police should be contacted without delay on 000; with subsequent notification to a Child Safety Champion.

Nothing in this policy prevents any person from reporting a complaint or concern directly to Victoria Police, the Social Services Regulator or any other external authority. The School will not discourage or prevent any person from making such a report.

Obligations of the Principal

Following receipt of a Reportable Allegation or the Principal otherwise becoming aware of a Reportable Allegation against an employee, the Principal or the Principal's Delegate must:

- **Manage immediate risks:** managing any immediate risks to children, which for allegations of suspected Reportable Conduct, will involve reporting to Victoria Police
- **Notify:** ensure the SSR is notified in writing within **three (3) business days** of becoming aware of the Reportable Allegation of the following:
 - That Reportable Allegation has been made against an employee
 - The name and date of birth of the employee concerned
 - Whether Victoria Police has been contacted about the Reportable Allegation
 - The address and telephone number of the School and
 - The Principal's name
- **Investigate:** as soon as practicable, investigate the Reportable Allegation or permit an independent investigator to do so (subject to police clearance on criminal matters). The Principal must inform the SSR of the person conducting the investigation. The investigator must provide information or documents obtained in the investigation to the SSR if the SSR makes such a request
- **Update:** notify the SSR in writing within thirty (30) business days of becoming aware of the Reportable Allegation of the following:
 - Detailed information about the Reportable Allegation
 - Whether or not the School proposes to take disciplinary or other action in relation to the employee concerned and the reasons for this decision
 - Any written submission made by the employee concerned regarding whether disciplinary or other action should be taken

The School Board will receive de-identified reporting regarding reportable conduct matters and compliance with the Reportable Conduct Scheme as part of its governance oversight responsibilities.

Reportable Conduct Allegation Investigations

Allegations of suspected Reportable Conduct will be reported to Victoria Police as the first priority, who will maintain the primacy of an investigation.

The School will work with Victoria Police and the SSR to ensure:

- Allegations of criminal conduct are dealt with appropriately and
- Any internal investigation, aimed at gathering and examining information to establish and make findings in relation to allegations of child abuse against an employee, does not interfere with police investigations

Any investigation initiated by the School, may include recommendations about what disciplinary or other action should be taken (if any).

In circumstances where the School is unable to investigate or otherwise engage an independent person or body to investigate a Reportable Allegation, the School will work with the SSR, to the greatest extent possible, to support the SSR's independent oversight and investigation into the matter.

Procedural Fairness

Determinations made with respect to Reportable Allegations are required to be made on the balance of probabilities, following principles of procedural fairness.

In response to a Reportable Allegation, the School must:

- Obtain clearance from Victoria Police, if the allegation is criminal in nature, before initiating a workplace investigation
- Before findings and disciplinary action:
 - notify the employee who is the subject of the allegation, of details of any adverse information that is credible, relevant and significant. This need not be at the time the SSR is notified so as to ensure an investigation is not compromised; or at all, in circumstances where the allegations are fictitious.
 - provide the employee who is the subject of the Reportable Allegation with a reasonable opportunity to respond to that information.

School staff, volunteers and other people are not required to determine the truth about a complaint or concern before reporting it. All reasonable concerns must be reported in accordance with this policy.

Any person that is the subject of a Reportable Allegation may choose (but is not obliged) during the course of an investigation, to give information or documents that support their version of events; or prove/disprove any fact or issue being investigated.

In circumstances where other allegations or concerns are identified the additional information will be considered by the investigator and may add or change the nature and/or scope of the Reportable Allegation.

Interviews with witnesses, management, other staff, the employee and/or victim of the allegation may be undertaken by: Victoria Police, the School, an independent investigator engaged by the School, the SSR or other regulator, with expert opinion or advice (such as from a specialist medical practitioner or legal counsel) obtained during a workplace investigation as deemed required.

Interaction with other Policies

This Policy operates in conjunction with:

- Child Safe Identifying, Responding and Reporting Obligations Policy
- Child Safe Code of Conduct
- Child Safety and Wellbeing Policy

For the avoidance of doubt, conduct that is reportable under the Child Safe Identifying, Responding and Reporting Obligations Policy and the Child Safety and Wellbeing Policy can also constitute Reportable Conduct under this policy.

Related Documents

- Recruitment Policy
- Records Management Policy
- Complaints and Grievances Policy
- ICT Acceptable Use Policy
- AI Usage Policy (if applicable)
- Student Anti-Bullying Policy
- Student Wellbeing and Engagement Policy
- Discrimination, Bullying and Sexual Harassment Policy
- Staff Induction
- Volunteer Policy

Other related documents and legislation

- Ministerial Order No. 1359 – Implementing the Child Safe Standards
- Crimes Act 1958 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Worker Screening Act 2020 (Vic)
- Disability Discrimination Act 1992 (Cth)
- Disability Standards for Education 2005 (Cth)
- Equal Opportunity Act 2010 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973 (Vic)

Communication

This Policy is available via the website to employees, Board members, volunteers, contractors, parents, students and associated persons. Relevant aspects will be raised at staff and student meetings and with parents.

Evaluation

The Principal is primarily responsible for monitoring Huntingtower's overall compliance with this Policy.

The School Board will oversee compliance with the Reportable Conduct Scheme and ensure that trends, risks and systemic issues arising from reportable allegations are monitored as part of its child safety governance responsibilities.

This Policy will be reviewed as part of Huntingtower's policy review cycle (and otherwise as required).

Authorisation

This Policy was authorised by the Principal September 2022

Reviewed October 2024, February 2026

Date of next review February 2027