

## Background

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Under NSW legislation<sup>1</sup>, Catholic Education Archdiocese of Canberra and Goulburn (CECG) must report any allegations of reportable conduct by workers to the NSW Office of the Children’s Guardian. All allegations involving employees, and contractors or volunteers who provide services to children, must be reported within specified timeframes and investigated where they meet the legal definition of reportable conduct. It doesn’t matter whether the conduct happened to a student or another child – any reportable conduct at work or in a personal capacity must be reported.

## The scheme is allegation based

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The purpose of the legislation is to ensure that *allegations* of reportable conduct, and certain criminal convictions, are reported to the NSW Children’s Guardian and investigated. CECG must report reportable conduct allegations before they are investigated and then also report the outcome of the CECG investigation. The Children’s Guardian may participate, monitor or oversight an investigation.

## What is reportable conduct?

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Reportable Conduct is any allegation, offence or conviction - whether or not it happens in the course of employment – that involves:

- a) a sexual offence,
- b) sexual misconduct,
- c) ill-treatment of a child,
- d) neglect of a child,
- e) an assault against a child,
- f) an offence of failing to reduce or remove risk of child becoming victim of child abuse by another worker, or of concealing a child abuse offence (43B or 316A of the *Crimes Act 1900*),
- g) behaviour that causes significant emotional or psychological harm to a child.

## Volunteers and Reportable Conduct

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An allegation regarding a volunteer who provides services to children on behalf of a CECG School may be reportable conduct.

## Reporting Reportable Conduct

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CECG workers must report reportable conduct to their School Principal, ELC Director, School-Aged Care Director or Head of Service Area. That person must advise the Child protection team in School and Family Services as soon as is practicable, and no later than 24 hours and complete a critical incident report as part of this reporting process. The School and Family Services Team will assist with risk assessment and support further investigation and reporting. The full process is outlined on page 2 and detailed in the CECG Reportable Conduct Policy (NSW).

## Additional Resources

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Additional information can be found at the NSW Children’s Guardian website:

NSW - <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme>

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<sup>1</sup> *Children’s Guardian Act 2019* (NSW)

## CECG Reportable Conduct Process in NSW

	<b>Stage of Process</b>	<b>Action</b>
<b>One</b>	Incident	An employee, volunteer or contractor becomes aware of concerning conduct or a criminal conviction that might be reportable conduct.
<b>Two</b>	Report to manager and CECG	That person must report the alleged conduct to their Principal, ELC Director, School-Aged Care Director or Service Area Leader as soon as practicable – within 24 hours. An ELC Director or School-Aged Care Director will report the matter to their school Principal. The Principal or Service Area Leader must telephone the Child Protection team in CECG School and Family Services to notify them of the alleged reportable conduct.
<b>Three</b>	Assessment of initial allegation	The Child Protection Team will assist the Principal or Service Area Leader to identify and response to any risks.
<b>Four</b>	Immediate Action	The Principal, ELC Director, School-Aged Care Director or Service Area Leader must implement any mitigation strategies identified in the risk assessment that are immediately necessary to reduce risk.
<b>Five</b>	Written Notification to CECG	If the risk assessment determines the alleged conduct meets the definition of Reportable Conduct, the Child Protection Team must complete the CECG Reportable Conduct form.
<b>Six</b>	Preliminary notification to the Office of the Children’s Guardian	The Child Protection team send the Reportable Conduct form to the CECG Institute for Professional Standards and Safeguarding. The Institute for Professional Standards and Safeguarding must report to the Office of the Children’s Guardian that an allegation of reportable conduct has been received and CECG will investigate. <b>This must occur within 7 days of Stage 2 occurring.</b>
<b>Seven</b>	CECG Investigation	The Child Protection Team (or an appointed external investigator) will investigate the allegations. The investigator will report the outcome of the investigation and supporting evidence to the School and Family Services Leader. The report makes a recommendation to the Delegate (usually School and Family Services Leader), who determines whether there should be a finding whether Reportable Conduct occurred. The Head of School and Family Service provides the report and decision to the Institute for Professional Standards and Safeguarding. The Office of the Children’s Guardian may monitor, oversee or participate in the CECG investigation.
<b>Eight</b>	Report to the Children’s Guardian	The Institute for Professional Standards and Safeguarding must formally report the outcome of the investigation and the decision to the Children’s Guardian within 30 days of the allegation first being reported – or provide an interim report within 30 days.
<b>Nine</b>	Corrective Action	If Reportable Conduct has occurred, the People and Culture team will assist the Principal, ELC Director, School-Aged Care Director or Service Area Leader to coordinate support for the people affected, to appropriately manage the worker involved, and to eliminate or reduce the risk of further Reportable Conduct. Where there is an employment sanction this must be determined by the People & Culture, Service Leader.