

Mernda Hills Christian College

Reportable Conduct Scheme Policy and Procedures



Document Control

Revision Number	Review Date	Implementation Date	Description of Changes	Prepared By	Approved By
Gilson College					
	Sep 2021	Oct 2021	<ul style="list-style-type: none"> General review 	Exec Leaders	Gilson College Council
Mernda Hills Christian College					
1	May 2023	Jan 2024	<ul style="list-style-type: none"> General review Updated with MO1359 & New Child Safe Standards 	Exec Leaders	Exec Leaders

Rationale

Reference: <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-the-reportable-conduct-scheme/>

Since 1 July 2017 Victoria has had a Reportable Conduct Scheme (RCS) to oversee allegations of child abuse or misconduct towards children.

The Reportable Conduct Scheme builds on existing workplace misconduct and child safety systems.

The Victorian Reportable Conduct Scheme is focussed on worker and volunteer conduct and how organisations investigate and respond to suspected child abuse. The scheme aims to improve organisational responses to suspected child abuse and to facilitate the identification of individuals who pose a risk of harm to children, but do not have a criminal record.

The Reportable Conduct Scheme requires some organisations, including government and non-government schools to respond to allegations of child abuse and other child-related misconduct made against their workers and volunteers, and to notify the **Commission for Children and Young People (CCYP)** of any allegations.

The scheme also includes an organisation that is registered in respect of an accredited senior secondary course or registered senior secondary qualification, and/or an organisation that is approved to:

- provide certain courses to students from overseas
- operate an overseas student exchange program [as applicable]

The scheme enables the **Commission for Children and Young People** to independently oversee an organisation's responses to allegations of child abuse and other child-related misconduct. The CCYP facilitates information sharing between organisations, their regulators, Victoria Police, the Department of Justice and Regulation's Working With Children Clearance Unit and itself.

Relationship of the Child Safe Standards and the Reportable Conduct Scheme

While the Child Safe Standards and the Reportable Conduct Scheme work together to keep children safe from abuse, they are distinct sets of responsibilities for organisations but have been designed to complement one another.

Together, the Child Safe Standards and the Reportable Conduct Scheme strengthen the capacity of organisations to prevent and respond properly to allegations of child abuse.

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse to Victoria Police.

Persons responsible under the RCS:

The Mernda Hills Christian College Principal falls within the scope of the Reportable Conduct Scheme. The Principal is responsible for ensuring the **reporting** of any allegation of child abuse or misconduct towards children made against their workers or volunteers **to the Commission for Children and Young People (CCYP)**. They also must ensure any allegation is investigated.

The CCYP will oversee and monitor how the College responds to allegations.

Implementation

Reference: <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-the-reportable-conduct-scheme/>

1. Summary of the Victorian Reportable Conduct Scheme:

The Victorian Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. This includes Mernda Hills Christian College. The scheme is established by the Child Wellbeing and Safety Act 2005 as amended in 2017.

The Commission for Children and Young People is responsible for administering the scheme. Their role includes:

- a. supporting and guiding organisations that receive allegations in order to promote fair, effective, timely and appropriate responses
- b. independently overseeing, monitoring and, where appropriate, making recommendations to improve the responses of those organisations.

The Reportable Conduct Scheme has been designed to ensure that the CCYP will be aware of every allegation of certain types of employee misconduct involving children in relevant organisations that exercise care, supervision, and authority over children. This includes Mernda Hills Christian College.

The CCYP will also be able to share information where appropriate, including with the Working with Children Clearance Unit, relevant regulators, and Victoria Police, to better prevent and protect children from abuse.

Importantly, a finding that a person has engaged in reportable conduct can trigger an assessment of whether that person is suitable to continue to work or volunteer with children. In turn, this may lead the Working with Children Clearance Unit to revoke a person's Working with Children Clearance card.

2. Requirements of the scheme in regard to the Principal:

The Reportable Conduct Scheme imposes new obligations on heads of organisations that are within the scheme.

This includes requirements to:

- a. have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- b. ensure that the CCYP is notified and given updates on the organisation's response to an allegation.

3. Who can an allegation be made about under the scheme?

A reportable allegation can be made about any person over 18 years of age who is a Mernda Hills Christian College employee (including a religious leader and/or chaplain), a volunteer, a contractor or office holder of the College.

Allegations can be made about the conduct of people even if:

- a. they do not have direct contact with children
- b. the conduct occurred outside of their work.

4. What kind of conduct is reportable?

There are five types of 'reportable conduct':

- I. sexual offences committed against, with or in the presence of a child
- II. sexual misconduct committed against, with or in the presence of a child
- III. physical violence against, with or in the presence of a child
- IV. any behaviour that causes significant emotional or psychological harm to a child
- V. significant neglect of a child.

For a detailed description of each of the five types of 'reportable conduct' see: Information sheet 2 [What is reportable conduct?](#)

5. Obligations of the Principal under the reportable conduct scheme:

I. Notify:

- a. He/She must notify the CCYP within 3 business days of becoming aware of a reportable allegation.

II. Investigate:

- b. He/She must investigate an allegation – subject to police clearance on criminal matters.
- c. He/She must advise the CCYP who is undertaking the investigation.

d. He/She must manage the risks to children.

III. Update:

e. Within 30 calendar days he/she must provide the CCYP detailed information about the reportable allegation and any action you have taken.

IV. Outcomes:

f. He/She must notify the CCYP of the investigation findings and any disciplinary action the head of entity has taken (or the reasons no action was taken).

2. Procedures for reporting are accessible from the Commission for Children and Young People website: See Information sheet 4: [Investigation overview](#) and Information sheet 7: [Reporting to the Commission](#) (Appendices attached)

3. What does the Commission for Children and Young People do with the allegations it receives?

The CCYP will carefully consider each allegation that it receives under the Reportable Conduct Scheme. Based on the information available, the CCYP may decide to:

- a. give the organisation responding to the allegation support and guidance
- b. check that the organisation is handling the allegation in a timely manner
- c. refer a substantiated allegation to Working With Children Clearance or a professional accreditation body.

4. The regulatory approach of the Commission for Children and Young People:

The CCYP is focused on providing information, guidance, and support to organisations to help them meet their obligations under the Reportable Conduct Scheme.

In the initial stages of the Reportable Conduct Scheme, the CCYP expects that organisations will use their best endeavours to meet the requirements of the scheme. During this time the CCYP's approach will focus on working with organisations to ensure they understand their obligations to report and investigate reportable allegations.

5. How to make a report:

Organisations must notify the Commission for Children and Young people within three days of the College Principal becoming aware of a reportable allegation and should use their secure webform at <https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/>

6. Guidance and information about reporting.

The webform guides at this URL provide information the reporter will be asked to provide in their secure webforms. <https://ccyp.vic.gov.au/report-an-allegation/>

7. Where to get help:

Organisations covered by the Reportable Conduct Scheme should contact the *Commission for Children and Young People* for clarification and guidance, and to talk through any issues of concern.

- a. Telephone: 03 8601 5281
- b. Email: childsafestandards@ccyp.vic.gov.au

More detailed information is also available on the *Commission for Children and Young People* website at <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Related Policies and Processes, Registers, Plans and Templates

- Anti-Bullying and Harassment Policy
- Child Safe Abuse Response Report Template
- Community Code of Conduct
- Child Safe Five Critical Actions Child Abuse Poster
- Child Safe Leadership and Governance Periodical Review Plan
- Child Safe Risk Management Policy and Risk Register
- Child Safety and Wellbeing Policy
- Community Complaints and Appeals Policy

- Duty of Care Policy
- Mandatory Reporting Policy
- Internet Acceptable Use Policy
- OH&S Policy
- Privacy Policy

Relevant Documentation or Legislation

- The Child Wellbeing and Safety Act 2005 (amended 2017)
- Child Safe Standards (MO 1359)
- Commission for Children and Young People