

St Philip's Blackburn North



REPORTABLE CONDUCT POLICY

VISION AND MISSION

Vision Statement

**Modelling the teachings of Christ,
St Philip's School community aspires to be a place of welcome that provides many learning
environments to meet the challenges of an ever-changing world.**

Mission Statements

Because we believe that Christ is the central focus of our school and we are witnesses to him and his teachings we aim to:

- provide an atmosphere where all are made welcome, where they feel safe and have a sense of belonging
- provide a school environment that is positive and challenges all students to work to the best of their ability
- foster in all a realisation that they are responsible for their own learning
- develop a sense of justice by respecting the opinions and rights of others
- encourage all to be sensitive to others and respect their differences
- encourage all to use their physical environments in a respectful manner
- provide a learning environment that utilises the most effective and current approaches in education.

RATIONALE

The Reportable Conduct Scheme is a system to independently oversee and monitor organisational responses to suspected child abuse. It allows for centralised reporting to the Commission for Children and Young People (CCYP) of any allegations against 'employees' that involve child abuse or misconduct re children. It aims to ensure individuals who pose a risk to children can be excluded from working with children... even if they don't have a criminal record.

MANAGEMENT AND ORGANISATION

The Reportable Conduct Scheme took effect from 1 July 2017 and requires any allegations of 'reportable conduct' against employees (including contractors, volunteers, allied health staff and school board members) to be reported to the Commission for Children and Young People (CCYP) within the legislated timeframe.

There are five types of reportable conduct listed in the Child Wellbeing and Safety Act 2005 (Vic.). These are:

- sexual offences (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 is likely to cause significant emotional or psychological harm; and
- significant neglect.

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The Reportable Conduct Scheme does not replace other reporting requirements for protection of children. Where relevant or required by law schools must continue to report to:

- Victoria Police (where criminal conduct committed or suspected)
- Child Protection (if child is in need of protection)
- Government funding bodies (as part of funding/ service agreement obligations).

Schools must report allegations of reportable conduct that involve:

- Staff employed by the school
- Volunteers at the school
- Contractors engaged by the school
- Officers of a religious body (e.g. parish priest)
- School board members, office holders.

St Philip's has processes in place through our Complaints and Grievances, Child Safe and Mandatory Reporting policies to enable allegations to be brought to an appropriate person. Allegations of reportable conduct must be reported to the CCYP. These allegations must then be investigated. The legal obligation for the investigation lies with the 'head of entity' or employer - in practice the Principal plays a lead role.

The Principal must facilitate a report to CCYP where they have any information that leads a person to form a reasonable belief that:

- an employee has committed reportable conduct

OR

- an employee has committed misconduct which may include reportable conduct.

This is regardless of whether the conduct occurred in or out of the workplace or whether the conduct was recent or occurred prior to 1 July 2017. Staff should inform the Principal/Employer of any potential reportable allegation.

Conduct that is not reportable under the scheme includes:

- Conduct that falls outside of the definition of reportable conduct
- Allegations made by students against other students
- Allegations made against parents (unless the parent is a staff member, volunteer or contractor of the school)
- Misconduct that does not involve reportable conduct (e.g. producing a fake medical certificate)
- Physical contact that is lawful behaviour, e.g. reasonable steps to protect a student from harm.

IMPLEMENTATION

Reporting Process

Notify- The Principal/Employer must ensure notification to CCYP within 3 working days of becoming aware and forming a 'reasonable belief' of a reportable allegation.

Investigate- The Principal/Employer must investigate or arrange for investigation of an allegation – subject to police clearance if criminal. Must advise CCYP who is undertaking the investigation and must manage the risks to children.

Update- Within 30 working days the Principal/Employer must provide CCYP detailed information about the reportable allegation and any action that has been taken.

Outcomes- The Principal/Employer must notify CCYP of the investigation findings and disciplinary actions the head of entity has taken (or why no action was taken).

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There are five potential outcomes from an investigation

POTENTIAL FINDING	OUTCOME
Substantiated	Reportable conduct
Unsubstantiated – insufficient evidence	Not reportable conduct
Unsubstantiated – lack of evidence of weight	
Unfounded	
Conduct outside scheme	

Just because an allegation has been reported, does not mean it will be found to be reportable conduct. The school will deal with the matter as per normal processes and Clause 13 of the Victorian Catholic Education Multi Enterprise Agreement (VCEMEA). CCYP will review the outcome and may provide information to VIT and/or Working with Children Check Unit of the Department of Justice.

RELATED POLICIES

Child Safe Policy
Complaints and Grievances Policy
Mandatory Reporting Policy

REVIEW:

Current Review: June 2018

Ratified by the Education Board: 28th August, 2018

REFERENCE/SUPPORTING DOCUMENT

Catholic Education Commission of Victoria Ltd (CECV) 2018, Reportable Conduct Scheme- Update for School Staff.