



REPORTABLE CONDUCT

Policy

“Whoever receives one such child in my name receives me, and whoever receives me, receives not me but Him who sent me.” Mark 9:37

1. INTRODUCTION

Our Lady of Sion College is committed to providing a safe environment for all children, students and young people, and takes active steps to protect them from neglect and abuse. Our College and governing body maintain a comprehensive suite of child protection strategies. These are embedded in our policies and procedures for child safety and wellbeing. In accordance with regulatory requirements, strategies are in place to identify, report and investigate any Reportable Allegations made pursuant to the Reportable Conduct Scheme (the Scheme), which is an allegations-based scheme. All Staff have a responsibility to understand the Scheme, this Reportable Conduct Policy (the Policy) and the roles that each individual plays in ensuring that Reportable Allegations are identified, reported and investigated. This is one way in which we can all provide for the safety and wellbeing of children and young people.

2. PURPOSE

This Policy sets out the legal and regulatory obligations that apply to Our Lady of Sion College under the Scheme, and outlines the processes, actions and strategies adopted by Our Lady of Sion College to ensure compliance with the Scheme and the protection of children and young people in our school.

3. SCOPE

This Policy applies to any Reportable Allegations of:

- a sexual offence committed against, with or in the presence of a child
- sexual misconduct committed against, with, or in the presence of a child
- physical violence committed against, with, or in the presence of a child
- behaviour that causes significant emotional or psychological harm to a child and
- significant neglect of a child (collectively Reportable Conduct).

Additionally, the Policy applies to:

- all people who carry out work in any capacity for Our Lady of Sion College and includes, employees, Board Directors, Board Committee members, Principal, volunteers, consultants, contractors, clergy and those in Religious Ministry as the context requires and
- workers and volunteers supplied by labour hire agencies, companies and other providers (e.g. casual relief teachers, secondees, directors and office holders of companies performing services for Our Lady of Sion College) if they meet the following criteria:
 - they are supplied to Our Lady of Sion College by labour hire agencies, companies and other providers, or they are seconded to Our Lady of Sion College
 - they perform work in and as part of the College; and
 - they are under the direction, supervision or control of Our Lady of Sion College.

This Policy does not apply to Notifiable Conduct under the Disability Worker Regulation Scheme, established by the Disability Service Safeguards Act 2018 (Vic) which involves the regulation of registered and unregistered disability workers in Victoria. Notifiable Conduct relates to disability workers and is administered under the Disability Worker Regulation Scheme.



4. PRINCIPLES

The Scheme is a child safety mechanism and is based on the following fundamental principles:

- The protection of children and young people is the paramount consideration in the context of allegations of child abuse or employee misconduct involving a child.
- Criminal conduct or suspected criminal conduct should be reported to Victoria Police (Police). A Police investigation into any matter must always have priority and the investigation into the Reportable Allegation may be suspended until the police advise that it may proceed.
- Our Lady of Sion College works in collaboration with the regulator of the Scheme, the Social Services Regulator (SSR), to ensure the College is compliant with the Scheme to ensure the protection of students in our care.
- All those covered by the Scheme who are the subject of Reportable Allegations are entitled to procedural fairness during investigations into their conduct.

5. REPORTABLE ALLEGATIONS

All Staff have an obligation to recognise and report conduct or concerns that may lead them to form a Reasonable Belief that a Staff member or Other has committed Reportable Conduct or misconduct that may involve Reportable Conduct. This obligation extends to conduct or misconduct that is alleged to have occurred within or outside the course of that person's employment or engagement.

Once identified, the conduct or concerns must be referred for assessment as soon as possible to:

- the Principal if the conduct or concerns relate to a Staff member or Other (other than a Principal) employed or engaged at the College: or
- the Chair of the College Board, if the conduct or concerns relate to the Principal

If a person is unsure whether an allegation amounts to a Reportable Allegation, they should contact the Principal or Chair of the College Board. The procedures for notifying are set out in the Reportable Conduct Procedures.

Staff and Others who have Reportable Allegations made about them will be considered to be the Subject of Allegation(s) (SoA) until the consideration of the allegations is finalised.

NB: The Scheme requires certain allegations of past or historical Reportable Conduct to be notified to the Social Services Regulator (SSR), including where an employee is no longer employed by the College or when the alleged conduct happened before the employee started working for the College. This is a complex part of The Scheme, and Notifiers are encouraged to contact the RCS Team to discuss individual cases if advice is needed.

5.1 Taking immediate action

If allegations or concerns require the Notifier to comply with mandatory reporting obligations or involve suspected criminal conduct, the Notifier must first report them to the Child Safety Team who will support a report to the Department of Families, Fairness and Housing and/or Victoria Police respectively, as a priority. The Principal has been alerted to all mandatory reporting action unless they themselves are involved.

Depending on the nature and seriousness of the alleged Reportable Conduct or misconduct, the Notifier, (likely, but not necessarily, the Principal), may seek advice about any immediate steps to be taken to manage the risk posed by the SoA, to ensure the safety and wellbeing of the children or young people involved. Advice should also be sought in relation to any support that may need to be put in place for the SoA.

Some immediate actions that may be taken include:

- reporting the matter to Victoria Police and or the Department of Families, Fairness and Housing (DFFH)



- pairing the SoA with a supervisor, mentor or learning support officer who can oversee and support them in their work
- directing the SoA not to attend the workplace
- directing the SoA to perform alternative duties
- directing the SoA to do or refrain from doing any other thing and the period for which this will occur; and
- advising the SoA of what support is available to them during the period in which the allegations are being investigated.

As part of managing any reporting obligation made about the SoA, the Principal must provide pastoral and other support to any of the children or young people involved in the College.

This is an ongoing responsibility during the entirety of the entire Reportable Conduct process. Pastoral and other support may include, but is not necessarily limited to, making any of the children or young people involved in the matter feel safe and supported in the school environment and taking steps to mitigate any harm or further harm to the children involved that could occur during the management of the entire Reportable Conduct process. Refer to the Protect – Identifying and Responding to Abuse – Reporting Obligations Policy and [Four Critical Actions](#) for more information.

6. REPORTING REPORTABLE ALLEGATIONS

The College has a system in place for reporting Reportable Allegations to the Social Services Regulator (SSR) the Scheme's operator. The Principal (or Chair of the College Board) does not need to personally agree or share with a person's Reasonable Belief to trigger their reporting obligation.

People within the College and members of the wider community may notify the Social Services Regulator (SSR) directly of a reportable allegation using the SSR's secure online notification form (community notification portal) or by contacting the SSR directly. This does not replace the College's obligation to notify the SSR where required under the Reportable Conduct Scheme.

The Principal (or Chair of the College Board) must comply with the Scheme, which requires:

- notification to the Social Services Regulator within three business days of becoming aware of a Reportable Allegation(s)
- investigating the Reportable Allegation(s)
- providing updates to the Social Services Regulator as necessary, including the 30-day update and
- providing a report to them on the findings of the investigation, the reasons for the findings and any action taken in response to the findings.

Please refer to the Reportable Conduct Procedures for more information on the reporting process.

Where a three-day mandatory notification is made to the Social Services Regulator about an SoA who is a registered or casual teacher or holds a permission to teach, the Social Services Regulator will notify the Victorian Institute of Teaching (VIT) about the allegations. VIT will then seek further information about the allegations from the Principal (or Chair of the College Board) in accordance with the relevant sections of the Education and Training Reform Act 2006 (Vic).

7. INVESTIGATION OF REPORTABLE CONDUCT

The College has established a system to investigate and respond to any Reportable Allegations made about Staff and Others. The *Reportable Conduct Procedures* provide detailed information about the management of investigations. In accordance with the Code of Conduct all Staff are required to co-operate with any investigations being conducted by others. During an investigation, the investigator(s) must provide the affected children and their families and/or guardians with an opportunity to participate in the investigation process to ensure that they are provided with a voice on matters that directly impact them. In all cases, before any findings are made or disciplinary action is taken, the SoA must be:



- advised of the Reportable Allegation(s)
- advised of all information relevant to the Reportable Conduct investigation
- given a reasonable opportunity to respond to that information; and
- offered the appropriate support

At the conclusion of an investigation, a report will be prepared that sets out the Reportable Allegations and the findings made in relation to against each of the allegations.

The Principal (or Chair of the College Board) will consider the investigation's findings and determine what further action should be taken in response to those findings.

8. OUTCOMES OF INVESTIGATIONS

The Principal (or Chair of the College Board) may determine to act in response to the findings in the investigation. This may include:

- directing the SoA to:
 - perform work under the supervision of a specified employee
 - complete specified professional development
 - refrain from doing certain things
 - perform alternative duties
- issuing a formal warning
- terminating the employment of an employee
- terminating the agreement with a contractor and/or
- notifying a volunteer that they are no longer permitted to provide volunteer services

At the end of the investigation process, the Principal (or Chair of the College Board) will provide the outcome of the investigation to VIT and the action taken because of the investigation.

9. OTHER REPORTING OBLIGATIONS

The obligation to report allegations of Reportable Conduct to the Social Services Regulator is in addition to any other reporting obligations. Refer to the Protect – Identifying and Responding to Abuse – Reporting Obligations Policy and Four Critical Actions for more information.

Failure to disclose

Under the Crimes Act 1958 (Vic) all adults must make a report to Victoria Police if they hold a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 years.

Failure to protect

Under the Crimes Act 1958 (Vic) a person in a position of authority in an organisation must act to reduce or remove a substantial risk to a child under 16 years of age who is under their care or supervision who may become the victim of sexual abuse committed by an adult associated with their organisation.

If the alleged conduct is potentially criminal in nature, the Principal (or other notifier) should also make a report to the Victoria Police. In the case of a sexual offence that may have been committed against a child, this must be reported to Victoria Police. Failure to disclose/report is an offence. A police investigation into the allegations has first priority over the investigation into the Reportable Allegations.

Grooming

A person commits the offence of grooming if they are 18 years of age or more; and communicates, by words or conduct (whether or not a response is made to the communication), with another person who is a



child under the age of 16 years; or the person under whose care, supervision or authority the child is; and they intend that the communication will facilitate the child under the age of 16 engaging or being involved in the commission of a sexual offence by them or by another person who is 18 years of age or more.

NB: Any staff member who forms a Reasonable Belief that another adult is grooming a child and/or their parents /carers, should report their concerns to Victoria Police by following the procedures in the PROTECT Procedures: Responding to all forms of child abuse. Failure to take reasonable steps to protect a child in the school from the substantial risk of sexual abuse from an adult associated with the school is a criminal offence under section 490 (1) of the Crimes Act 1958 (Vic).

Reporting to Victoria Police and Department of Families, Fairness and Housing

If allegations or concerns trigger mandatory reporting obligations or involve suspected criminal conduct, the Notifier must first report them to the Department of Families, Fairness and Housing and/or Victoria Police respectively. Mandatory reporters in the context of Victorian schools includes Principals, registered teachers, early childhood teachers, school counsellors, persons in religious ministry, registered medical practitioners, registered psychologists and nurses. It is a criminal offence for a mandatory reporter to fail to comply with this obligation.

NB1: All mandatory reporters must make a report to Victoria Police and/or the Department of Families, Fairness and Housing as soon as practicable for the purposes of the Children, Youth and Families Act 2005 if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that a child has suffered or is likely to suffer significant harm, as a result of physical abuse and/or sexual abuse; and the child's parents have not protected, and are unable or unwilling to protect the child from harm of that type. It is a criminal offence for a mandatory reporter to fail to comply with this obligation.

NB2: Our Lady of Sion College Staff must follow the Four Critical Actions when there is an incident, disclosure or suspicion of child abuse or student sexual offending. Refer to the Protect – Identifying and Responding to Abuse – Reporting Obligations Policy and Four Critical Actions for more information. Additionally, all mandatory reporters should report any other significant concerns for the wellbeing of a child to the Orange Door, which do not necessarily need to amount to abuse.

NB3: If an employee of Our Lady of Sion College makes a mandatory report, they must advise the Principal that they have made a report. This allows for other wellbeing concerns to be addressed in a school context.

Victorian Institute of Teaching (VIT)

Where a three-day mandatory notification is made to the Social Services Regulator about an SoA who is a registered or casual teacher, or holds a permission to teach, Social Services Regulator will notify the Victorian Institute of Teaching (VIT) about the allegations. VIT will then seek further information about the allegations in accordance with the relevant sections of the Education and Training Reform Act 2006 (Vic).

10. RECORDKEEPING

Our Lady of Sion College maintains records of Reportable Allegations, written reports and Reportable Conduct investigation findings in accordance with the Public Record Office Victoria Recordkeeping Standards and Our Lady of Sion College policies for information and records management and relevant policies and procedures for child safety and wellbeing.

11. MONITORING AND REVIEW

In accordance with the Policy Governance Policy, Our Lady of Sion College will regularly review policies and procedures to ensure they remain compliant with legal and regulatory requirements and consistent with best practice. The Principal is required to notify their school community through the school's usual communication channels when the policy is changed.



12. ROLES AND REPORTING RESPONSIBILITIES

Role	Responsibility	Reporting requirement
Principal	• Head of Entity for the Scheme • Ensure the College has systems in place to: - prevent the occurrence of Reportable Conduct - ensure Reportable Allegations are brought to immediate attention - notify Social Services Regulator of allegations - investigate allegations of Reportable Conduct and respond to those allegations in accordance with the requirements of The Scheme - report findings of investigations to Social Services Regulator - ensure appropriate actions are taken in response to any Reportable Allegations • Prepare report about strategies for child safety and compliance with the Scheme • Ensure all Reportable Allegations are identified, taken seriously and referred to Social Services Regulator as soon as they become aware of them • Maintain recordkeeping practices to support investigations and to facilitate requests for information or documentation from Victoria Police, SSR during an investigation that are compliant with the Scheme and relevant legislation	Make reports to SSR in accordance with the Scheme. Notify the Chair of the College Board
Chair of the College Board	• take on the responsibilities above, if the Reportable Allegations involve the Principal	Make reports to the Social Services Regulator in accordance with the Scheme. Notify other governing bodies, if required.
All Staff and others	• Must notify the Principal, or SSR of any Reportable Allegation	



13. DEFINITIONS

Child: Any person who is under the age of 18 years. Child: Refers to any individual or young person who has not yet reached 18 years of age (pursuant to the Child Wellbeing and Safety Act 2005).

Notifier: Person who makes the notification about alleged Reportable Conduct through one of the channels available. This can be the person who has formed the reasonable belief or someone else who wants to seek advice about a possible Reportable Conduct matter.

Others or Other: In this Policy, Others or Other refers to workers and volunteers supplied by labour hire agencies, companies and other providers (e.g. casual relief teachers, some student teachers - depending on arrangements), secondees and directors and office holders of companies performing services for Our Lady of Sion College if they meet all of the following criteria:

- they are supplied to Our Lady of Sion College by labour hire agencies, companies and other providers, or
- they are seconded to Our Lady of Sion College they perform work and
- they are under the direction, supervision or control of Our Lady of Sion College.

Mandatory reporting is a term used to describe the legislative requirement imposed on selected classes of people to report suspected cases of child abuse and neglect to government authorities. Where a mandated reporter forms a belief on reasonable grounds that a student is in need of protection from physical injury or sexual abuse, they are to report their concerns to the Department of Families, Fairness and Housing (DFFH) Child Protection. Staff must report to the Victorian police in cases of sexual abuse or criminal behaviour.

Reasonable Belief is more than suspicion. There must be some objective basis for the belief. However, it is not the same as having proof and does not require certainty. For example, a person is likely to reach a reasonable belief if they:

- observed the conduct themselves.
- heard directly from a child that the conduct occurred and
- received information from another credible source that the conduct occurred (including another person who witnessed the Reportable Conduct or misconduct that may involve Reportable Conduct).

Religious Ministry A reference in this Policy to those in religious ministry includes clergy (e.g. a Cardinal, Archbishop, Bishop, Priest, Chaplains Religious Sister, Religious Brother, Deacon) or Seminarian, lay ecclesial ministers including pastoral associates, those engaged in chaplaincy and persons residing at the presbytery or on the grounds of the parish, agency or entity.

Reportable Allegation means any information that leads a person to form a reasonable belief that an Our Lady of Sion College Staff member or Other has committed Reportable Conduct or misconduct that may involve Reportable Conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Reportable Conduct is defined as:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct, committed against, with or in the presence of, a child
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.



Reportable Conduct Scheme is a child protection scheme that requires certain Victorian organisations, including schools, to notify the Social Services Regulator if there is an allegation of Reportable Conduct made against one of its employees, contractors, or volunteers. The organisation is also required to investigate the allegation and report its findings and any action taken to the Social Services Regulator.

Seconded People who are employed by a provider and are supplied to another organisation to work for a temporary secondment period.

Subject of Allegations (SoA) Person about whom Reportable Allegations about Reportable Conduct or misconduct that may involve Reportable Conduct are made.

14. REFERENCES

Children Legislation Amendment (Reportable Conduct) Act 2017 (Vic.)
 Child Wellbeing and Safety Act 2005 (Vic.)
 Children, Youth and Families Act 2005 (Vic.)
 Public Records Act 1973 (Vic.)

15. REPORTABLE CONDUCT POLICY STATUS AND REVIEW

STATUS OF POLICY	
College Leader Responsible	Deputy Principal Student Wellbeing
Approving Authority	College Board
Approval Date	July 2026
Date of next review	2028
Publication	Website; Staff Portal; Staff Handbook

Record of Review

Details of Amendments	By Whom	Date
Updated to align with MACS Reportable Conduct Policy v3-2025	Deputy Principal Student Wellbeing	July 2026