



# Sacré Cœur

## Reportable Conduct Policy

### Introduction

In our Sacred Heart School there has been a long tradition of particular care for every student. It is the policy of Sacré Cœur to live out the goals that reflect its Sacred Heart tradition. These goals are embodied in the Goals of Sacred Heart Education, which are:

1. A personal and active faith in God
2. A deep respect for intellectual values
3. The building of community as a Christian value
4. A social awareness that impels to action
5. Personal growth in an atmosphere of wise freedom

Within these five Sacred Heart goals students, staff and parents of Sacré Cœur should foster and promote the core school values of respect, compassion, responsibility, perseverance, forgiveness and integrity. Protection for children and young people is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered. Sacré Cœur is entrusted with the holistic education of the each student in partnership with her parents, guardians and/or caregivers. Sacré Cœur staff therefore have a duty of care to our students by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in abuse of the student and to work for the positive wellbeing of the student.

### 1. Purpose

Sacré Cœur 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 school and governing body maintain a comprehensive suite of child protection strategies, embedded in the Child Safe Standards, and acknowledge our responsibility to report any misconduct by an employee, volunteer or contractor to the Commission for Children and Young People (CCYP). As of 1 July 2017, the Victorian Government legislated for the introduction of a Reportable Conduct Scheme (RCS) to improve how organisations respond to allegations of child abuse and child-related misconduct by employees, volunteers and contractors.

The CCYP is focused on employee, volunteer and contractor conduct and how organisations investigate and respond to suspected child abuse. The RCS 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 RCS applies to our School Board, Sacré Cœur and other organisations which are required to meet the Child Safe Standards.

Sacré Cœur must ensure that systems are maintained to:

- Prevent reportable conduct by employees of the school within the course of their employment
- Ensure reportable allegations are made to the Principal and/or the Leadership Team
- Ensure reportable allegations that involve employees are notified to the CCYP and responded to in accordance with the requirements of the RCS.

### 2. Scope

This Policy applies to all employees of Sacré Cœur and requires them to report allegations of reportable conduct to the Principal and/or a member of the Leadership Team (if allegations concern the Principal). The Principal and/or a member of the Leadership Team will report to the relevant authorities.

### 3. Reportable Conduct of Sacré Cœur Staff, Volunteers and Others

#### Who is an employee?

For the purposes of the *Child Wellbeing and Safety Act 2005* (Vic.), employee is defined as a person aged 18 years or over who is either:

- Employed by the school whether or not that person is employed in connection with any work or activities of the school that relate to children
- Engaged by the school to provide services, including as a volunteer, contractor, office holder or officer, whether or not the person provides services to children.

### 4. Key Definitions

**Child:** Any person who is under the age of 18 years.

**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 or young person 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.

**Reportable allegation** means any information that leads a person to form a reasonable belief that an employee has committed either:

- 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** means:

- 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.

### 5. Implementation

The school will ensure the reporting of any reportable allegation made against an employee is reported to the relevant authorities. A reportable allegation is made where a person makes an allegation, based on a reasonable belief, that an employee, volunteer or contractor has committed conduct that *may* involve reportable conduct. This includes where a reportable allegation is made against the school Principal.

**Note:** *A 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 have a reasonable belief if they:*

- *Observed the conduct themselves*
- *Heard directly from a child that the conduct occurred*
- *Received information from another credible source (including another person who witnessed the reportable conduct or misconduct).*

Sacré Cœur's Principal and/or the Leadership Team do not need to agree with or share the belief that the alleged conduct has occurred. The RCS is an allegations-based scheme. This means that the threshold for notifying the CCYP is low. All allegations must be reported to the CCYP within three days of Sacré Cœur becoming aware of the reporting allegation and meet the relevant milestones and reporting requirements to the CCYP under the RCS.

## 6. Reportable Conduct includes:

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Sexual Offence	Sexual Misconduct	Physical Violence	Behaviour that causes significant Psychological or Emotional Harm	Significant Neglect
<ul style="list-style-type: none"> <li>Rape or sexual assault</li> <li>Sexual activity with or in the presence of a child</li> <li>Grooming or encouraging a child to engage in sexual activity</li> <li>Offences relating to child abuse material</li> </ul>	<ul style="list-style-type: none"> <li>Behaviour, physical contact, speech or other communication of a sexual nature</li> <li>Physical contact without valid reason</li> <li>Crossing professional boundaries</li> <li>Voyeurism</li> </ul>	<ul style="list-style-type: none"> <li>Hitting, kicking, punching</li> <li>Pushing, shoving, grabbing, throwing, shaking</li> <li>Use of an object</li> <li>Inappropriate restraint, excessive force</li> <li>Causing a child to believe that force is about to be used (apprehended)</li> </ul>	<ul style="list-style-type: none"> <li>Exposure to violence or threats of violence</li> <li>Anti-social behavior</li> <li>Self-destructive behavior</li> <li>Persistent hostility or rejection</li> <li>Humiliation or belittling</li> <li>Scapegoating</li> </ul>	<p>Deprived from the following:</p> <ul style="list-style-type: none"> <li>Clothing or food</li> <li>Medical attention or care</li> <li>Shelter</li> <li>Supervision</li> <li>Access to drugs or alcohol</li> </ul>

The above examples are not exhaustive and consideration should be given to other conduct which may need to be reported. Any reportable allegation listed above, or not listed above but which may constitute reportable conduct, will need to be immediately reported by the school Principal. An allegation against a school Principal should be referred to another member of the Leadership Team.

It is important to note that existing mandatory reporting obligations have not changed. The school will report any allegation of abuse to the DFFH Child Protection. If the alleged conduct is potentially criminal in nature, Victoria Police must also be notified as a first priority and any investigation by Victoria Police will take precedence. Where the allegation falls under the mandatory reporting domain, the reporting to CCYP is in addition to reporting to Victoria Police and the DFFH.

## 7. Reportable Conduct, Mandatory Reporting and Reporting to the VIT

Reportable conduct allegations as listed above are referred to the CCYP. Any alleged conduct that is regarded to be of a criminal nature is to be dealt with as mandatory reporting and referred to Victoria Police and the DFFH as per the school's PROTECT – Identifying and responding to abuse – Reporting Obligations Policy. If an employee against whom an allegation of reportable conduct is made is a registered teacher and the misconduct involves a charge, conviction or finding of guilt of a sexual offence, the school must notify the Victorian Institute of Teaching (VIT) immediately under conduct that is reportable to the VIT.

## 8. Responsibilities of the Principal

**Note:** Principals must comply with the PROTECT reporting obligations, which are in addition to the reporting requirements to the CCYP under the RCS.

The School Principal is ultimately responsible for notification of any reportable allegation to the CCYP and for ensuring that a reportable allegation is investigated. It is also the responsibility of the school Principal (or for allegations against a Principal, a member of the Leadership Team) to ensure that all reportable allegations are taken seriously and reported to the CCYP. Sacré Cœur will conduct an investigation or facilitate the conduct of an investigation.

**Note:** *Sacré Cœur staff members with a concern (including a staff member who wishes to remain anonymous, students, parents and/or other members of the community) may notify the CCYP directly of a reportable allegation via a community notification on the website.*

In the event of a reportable allegation against the school Principal, this must be reported to another member of the Leadership Team or the school board.

School Principals (and other leaders as appropriate) must also facilitate any requests for information or documentation from Victoria Police or a regulator in the course of an investigation to ensure compliance with the RCS and the law.

## 9. Reporting to the CCYP

Upon becoming aware of a reportable allegation against an employee, the Principal, member of the Leadership Team must ensure that the following milestones and reporting requirements to the CCYP are met:

Within three business days	Within 30 calendar days	Advice on investigation	Outcomes of investigation	Additional documents
<ul style="list-style-type: none"> <li>School contact details</li> <li>Name of the employee, volunteer or contractor</li> <li>Their date of birth</li> <li>Initial advice on the nature of the allegation</li> <li>Any police report</li> </ul>	<ul style="list-style-type: none"> <li>Details of the investigation</li> <li>Details of the school's response</li> <li>Details regarding disciplinary or other action proposed</li> <li>Any written response from the employee, volunteer or contractor regarding the allegation, proposed disciplinary or other action</li> </ul>	<p>As soon as is practicable:</p> <ul style="list-style-type: none"> <li>name of the investigator</li> <li>their contact details</li> </ul>	<ul style="list-style-type: none"> <li>Copies of the investigation findings</li> <li>Details regarding disciplinary or other action proposed</li> <li>Reasons for taking or not taking action</li> </ul>	<ul style="list-style-type: none"> <li>Promptly providing any further information to the CCYP as requested</li> </ul>

## 10. Investigating Reportable Allegations

Sacré Cœur will ensure procedural fairness throughout the entire investigation process.

**Note:** *It is anticipated that any investigations will be undertaken by the School Principal (or another school leader) unless it is deemed appropriate by the School Principal that a suitably qualified, third party to be appointed.*

The School Principal will ensure that for current employees the process set out in clause 13 of the *Victorian Catholic Education Multi-Enterprise Agreement 2022* (VCEMEA 2022) is followed. Further, the School Principal will also ensure that all other relevant school-based policies and procedures (including Codes of Conduct, processes for managing and investigating complaints, misconduct, discipline, grievances, dispute resolution, and employee welfare and support), as well as any CCYP and other regulatory guidance, are considered to guide the investigation.

For an allegation against a current employee, this means that the School Principal will follow the clause 13 process set out in the VCEMEA.

In all cases, before any findings are made or disciplinary action is taken, the subject of an allegation will be:

- Notified of any adverse information that is credible, relevant and significant
- Given a reasonable opportunity to respond to that information.

The Principal or a member of the Leadership Team (for allegations against a Principal) will determine when the subject of the reportable allegation should be first told about an allegation, in order to ensure that any police investigation is not prejudiced; child safety risks are appropriately assessed and mitigated; and the investigation is not compromised, but remains procedurally fair.

## **11. Initial Investigation**

Upon receipt of a reportable allegation, the Principal or other relevant leader (for allegations against a Principal) will ensure an appropriate investigation is conducted into the reportable allegation/s by reference to the requirements of the RCS, together with any relevant guidance published by the CCYP. At the conclusion of the investigation, the Principal (with the support of the Board Chair) will make a decision on the reportable conduct findings recommended in the Investigation Report. If the alleged conduct is potentially criminal in nature, Victoria Police must also be notified as a first priority and any investigation by Victoria Police will take precedence.

## **12. Recordkeeping and the Privacy Act**

The School maintains records of reportable allegations, written reports and reportable conduct investigation findings indefinitely. The school must not publish information that would enable the identification of:

- A person who notified the CCYP
- A child in relation to whom a reportable allegation was made or a finding of reportable conduct was made.

The *Privacy Act 1988* (Cth) provides more information on the meaning of publish, which includes making the information publicly available in writing or email. The school maintains all records in accordance with the [Public Record Office Victoria Recordkeeping Standards](#).

## **13. 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.)

## **14. Evaluation**

This policy will be reviewed in consultation with members of the wider community as part of the school's annual review cycle. Update of the policy will occur if any new requirements come to hand.



# Sacré Cœur

## Reportable Conduct Policy

### Document Control

#### Document Details

Document Name	Reportable Conduct Policy
Document created by	Director of Risk and Compliance / Child Safety Officer
Document Approval	School Board, School Principal, School Leadership and the Child Safeguarding Committee

#### Document Management

Relevant to:	All Teaching Staff, General Staff, School Board members, Volunteers, Visitors, Clergy, Third Party Contractors and External Education Providers
Related documents include, but not limited to:	<ul style="list-style-type: none"> <li>• PROTECT – Identifying and responding to abuse – Reporting Obligations Policy (2025)</li> <li>• Child Safety and Wellbeing Policy (2025)</li> <li>• Engaging Families in Child Safety Policy (2025)</li> <li>• Child Safety Code of Conduct (2025)</li> <li>• Alcohol Policy (2019)</li> <li>• Diversity Policy (2022)</li> <li>• Staff Wellbeing Policy (2019)</li> <li>• Complaints Policy (2023)</li> <li>• Grievance Policy (2019)</li> <li>• Whistleblower Policy (2019)</li> <li>• Parent Code of Conduct (2023)</li> <li>• Student Code of Conduct (2023)</li> <li>• Psychologist Policy (2320)</li> <li>• ICT Policy (2022)</li> <li>• Teacher Parent Communication Protocol (2019)</li> <li>• OHS Policy (2023)</li> <li>• Against Bullying Policy (2020)</li> </ul>
Related Legislation, but not limited to:	<ul style="list-style-type: none"> <li>• Ministerial Order 1359 (2022)</li> <li>• The Child and Young Persons Act (2005)</li> <li>• Privacy Act Cth (1988) / Australian Privacy Principles (2014)</li> <li>• Crimes Act 1958</li> <li>• Children, Youth and Families Act 2005 (Vic)</li> <li>• Working with Children Act 2005 (Vic)</li> <li>• Education and Training Reform Act 2006 (Vic)</li> <li>• Equal Opportunity Act 2010 (Vic.)</li> <li>• Child Wellbeing and Safety Act (2005)</li> <li>• Occupational Health and Safety Act (2004)</li> <li>• Human Rights and Equal Opportunity Commission Act (1986)</li> <li>• Sex Discrimination Act (1984)</li> <li>• Workplace Relations Act (1996)</li> </ul>
Review:	The Policy shall be reviewed on an annual basis by the School Board, School Principal, School Leadership and the School's Child Safeguarding Committee. The next review of this Policy is due November 2026.

#### Change History

Author	Date	Change Description	Version
N Visic	July 2022	New policy created (in line with MO1359), document reviewed and endorsed by the School Board, School Principal, Leadership Team and Child Safeguarding Committee. Document communicated to school community, updated to ELMO Learning and published on website.	V1
N Visic	November 2024	Policy reviewed and updated in line with the MACS Reportable Conduct Policy. Policy reviewed and endorsed by the School Board, School Principal, Leadership Team and Child Safeguarding Committee. Updated document published on website.	V2
N Visic	November 2025	Document review conducted with some material changes linked to MACS and CECV, Document reviewed and endorsed by the School Board, Leadership and Child Safeguarding Committee and updated versions updated on School Website.	V3

*Sacré Cœur promotes the safety, wellbeing and inclusion of all children*

