REPORTABLE CONDUCT POLICY

POLICY STATEMENT

Salesian College is committed to providing a safe environment for all students and young people and takes active steps to protect them from neglect and abuse. This commitment extends to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of comprehensive child safety policies and practices designed to keep children safe. 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).

The school will consult with the Melbourne Archdiocese Catholic Schools' (MACS) Safeguarding and Standards Team for any reportable allegation made against an employee.

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.

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.

POLICY SYNOPSIS

This policy details the College's child safety and protection obligations and reporting processes. It defines all aspects of Reportable Conduct and identifies types of reportable conduct, definitions and reporting processes.

VERSION CONTROL

Prepared by	Assistant Principal Students and Engagement
Version	2.1
Approved by	Salesian College Board
Approval date	November 2025
Next review	2026

ISSUE HISTORY

Date Modified	Modified by	Version	Details
5/10/2022	Executive Assistant to Principal	1.0	Formatting
14/08/2023	Risk and Compliance Manager	1.0	Annual review and update to reporting lines given the college is not governed by MACS
25/06/2024	Risk and Compliance Manager	2.0	Updated with changes to Reportable Conduct Scheme, including Board Directors as types of employees now covered
01/10/2025	Risk and Compliance Manager	3.0	Cyclical Review

RATIONALE

The College is committed to meeting its obligations under the Salesian Charter for schools and its legal and regulatory responsibilities relating to safety and protection of children.

SCOPE

This policy applies to all employees and Directors of Salesian College Chadstone and requires them to report allegations of reportable conduct to the Principal who must contact the College Board and MACS Safeguarding and Standards Team or CCYP directly. Allegations that concern the Principal or a Board Director can be referred to another member of the Leadership Team or Director of the College Board.

DEFINITIONS

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 Director, minister of religion, volunteer or contractor whether or not the person provides services to children.
CCYP	Commission for Children and Young People
Child	Any person who is under the age of 18 years.
DFFH	Department of Families, Fairness and Housing
MACS	Melbourne Archdiocese Catholic Schools
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.
RCS	Reportable Conduct Scheme
Reportable allegation	Any information that leads a person to form a reasonable belief that an employee has committed either:
Reportable conduct	• 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.
School environment	Any physical or virtual place made available or authorised by the school for use by a child during or outside school hours, including: • a campus of the school • online school environments, including email and intranet systems • other locations provided by the school for a child's use including school camps, sporting events, excursions, competitions, or school community and other events.

POLICY

The College Board must ensure that Salesian College Chadstone maintains systems that:

- prevent reportable conduct by employees and directors of the school within the course of their employment.
- ensure reportable allegations are made to the Principal and then notified to the College Board. Notification is also made directly to the Provincial of the Salesians of Don Bosco if the reportable allegation concerns the Principal.
- ensure all reportable conduct allegations are reported to the Diocesan education office (MACS).
- ensure reportable allegations that involve employees and directors are notified to the CCYP and responded to in accordance with the requirements of the RCS.

A reportable allegation is made where a person makes an allegation, based on a reasonable belief, that an employee, board director, volunteer or contractor has committed conduct that may involve reportable conduct. This includes where a reportable allegation is made against the 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).*

The Principal, a member of the Leadership Team or Director of the College Board, does 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 will be referred to the MACS Safeguarding and Standards Team for advice on a needs basis.

The Principal or the MACS Safeguarding and Standards Team in consultation with the school Principal or, where there is an allegation against a Principal or Board Director, member of the Leadership Team or College Board will then:

- submit a notification to the CCYP within three business days of the Principal becoming aware of the reportable allegation.
- meet the milestones and reporting requirements to the CCYP under the RCS.

The Commission for Children and Young People (CCYP) is focused on employee, board director, 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 governing body, Salesian College Incorporated and other organisations which are required to meet the Child Safe Standards.

REPORTABLE CONDUCT INCLUDES:

Sexual Offence	Sexual Misconduct	Physical Violence	Behaviour that causes significant Psychological or Emotional Harm	Significant Neglect
• Rape or sexual assault • Sexual activity with or in the presence of a child • Grooming or encouraging a child to engage in sexual activity • Offences relating to child abuse material	• Behaviour, physical contact, speech or other communication of a sexual nature • Physical contact without valid reason • Crossing professional boundaries • Voyeurism	• Hitting, kicking, punching • Pushing, shoving, grabbing, throwing, shaking • Use of an object • Inappropriate restraint, excessive force	• Exposure to violence or threats of violence • Anti-social behavior • Self-destructive behavior • Persistent hostility or rejection • Humiliation or belittling • Scapegoating	Deprived from the following: • clothing or food • medical attention or care • shelter • supervision Access to drugs or alcohol

The above examples are not exhaustive and consideration should be given to other conduct which may need to be reported.

Any allegation that may constitute reportable conduct must be immediately reported to the Principal.

An allegation against a Principal or Board Director should be referred to another member of the Leadership Team or the College Board.

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. As a Catholic school, all reportable conduct allegations must also be reported to the Diocesan education office.

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 as per the school's PROTECT – 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.

RESPONSIBILITIES OF THE PRINCIPAL

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

It is the responsibility of the Principal (or for allegations against a Principal, an Assistant Principal or Director) to ensure that all reportable allegations are referred to the MACS Safeguarding and Standards Team as soon as they become aware of them, and to follow the advice and guidance of the MACS Safeguarding and Standards Team (as authorised by the MACS Executive Director) to respond appropriately. This will usually include conducting an investigation or facilitating the conduct of an investigation.

Note: *The Salesian College Principal will contact CCYP directly or delegate this to the MACS Safeguarding and Standards Team. However, any person 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 CCYP website.*

The Principal (and other leaders as appropriate) must also facilitate any requests for information or documentation from MACS Safeguarding and Standards Team, CCYP, Victoria Police or a regulator in the course of an investigation to ensure compliance with the RCS and the law.

REPORTING TO THE CCYP

Upon becoming aware of a reportable allegation against an employee or director, the Principal or member of the Leadership Team must contact the CCYP directly or request this be done through the MACS Safeguarding and Standards Team as soon as practicable in order to 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
• School contact details • Name of the employee, director, volunteer or contractor • Their date of birth • Initial advice on the nature of the allegation • Any police report	• Details of the investigation • Details of the school's response • Details regarding disciplinary or other action proposed • Any written response from the employee, director, volunteer or contractor regarding the allegation, proposed disciplinary or other action	As soon as is practicable: • name of the investigator • their contact details	• Copies of the investigation findings • Details regarding disciplinary or other action proposed • Reasons for taking or not taking action	• Promptly providing any further information to the CCYP as requested

INVESTIGATING REPORTABLE ALLEGATIONS

Salesian College Chadstone will ensure procedural fairness throughout the entire investigation process.

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

The Principal will ensure that for current employees the process set out in Clause 13 of the Catholic Education Multi-Enterprise Agreement 2022 (CEMEA 2022) is followed. Further, the

Principal will also ensure that all of the College's 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 Principal will follow the clause 13 process set out in the CEMEA 2022 and follow the advice and guidance of the MACS Safeguarding and Standards and Employee Relations Teams.

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, after consultation with the College Board Chair and/or MACS Safeguarding and Standards Team, will determine when to meet with the subject of the reportable 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.

INITIAL INVESTIGATION

Note: *Upon receipt of a reportable allegation, the Principal or other relevant leader (for allegations against a Principal) will immediately contact the MACS Safeguarding and Standards Team for advice.*

The Principal or other relevant leader is then guided by the MACS Safeguarding and Standards Team to ensure the college is meeting the requirements of the RCS, together with any relevant guidance published by MACS and the CCYP.

At the conclusion of the investigation, the Principal and the Chair of the College Board in consultation with the MACS Safeguarding and Standards Team will make a decision on the reportable conduct findings recommended in the Investigation Report. In relation to reportable conduct findings against the Principal or Board Director, a decision will be made by the Provincial Council on the recommendation of the Board.

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.

RECORDKEEPING AND THE PRIVACY ACT

The school maintains records of reportable allegations, written reports and reportable conduct investigation findings indefinitely in alignment with the college's Child Safety and Wellbeing Record Keeping Policy.

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.

RELATED LEGISLATION

Children Legislation Amendment (Reportable Conduct) Act 2017
Child Wellbeing and Safety Act 2005
Children, Youth and Families Act 2005

RELATED DOCUMENTS

Child Safety and Wellbeing Policy
Child Safety Code of Conduct
PROTECT Identifying and Responding to Abuse – Reporting Obligations Policy
Child Safety and Wellbeing Recording Keeping Policy
Privacy Policy