

This information sheet provides general information for parents and carers about the Reportable Conduct Scheme (the Scheme). There are legal obligations in the Scheme that help keep children and young people safe in organisations in Victoria.

For more detailed information about investigations under the Scheme see [Information for parents and carers about investigations under the Reportable Conduct Scheme](#).

There are also [information sheets for children and young people about the Scheme](#). There are resources to help parents and carers talk to children and young people about child sexual abuse from the [National Office for Child Safety](#).

## About the Reportable Conduct Scheme

Certain organisations must notify the Commission for Children and Young People (the Commission) about any allegations of child abuse or child related misconduct by their workers or volunteers and investigate these allegations.

The Commission is an independent statutory body focused on the safety and wellbeing of Victorian children and young people.

## What is reportable conduct?

Reportable conduct covers certain inappropriate behaviours by adult workers and volunteers towards children aged under 18 years. There are five types of reportable conduct:

- sexual offences
  - sexual misconduct
  - physical violence
  - behaviour that causes significant emotional or psychological harm
  - significant neglect.
- } against, with or in the presence of, a child

Only reportable conduct is covered by the Scheme. The Commission has published detailed guidance that helps to explain what reportable conduct is:

- [Information Sheet 2: What is reportable conduct](#)
- [Information sheet 9: Sexual misconduct](#) (which includes sexual offences)
- [Information sheet 10: Physical violence](#)
- [Information sheet 11: Significant neglect](#)
- [Information sheet 18: Behaviour that causes significant emotional and psychological harm](#)

If a parent or carer is worried about conduct by an adult worker or volunteer, they should raise any child safety concerns with the organisation, regardless of whether the conduct comes within the definition of reportable conduct.

Organisations must:

- report to the Commission within three business days of becoming aware of an allegation of reportable conduct
- properly investigate the allegation
- keep the Commission updated about the progress of the investigation
- make findings based on all the evidence
- take action relevant to the findings
- tell the Commission about the result of the investigation, the findings made, and what it will do to keep children safe.

Organisations also have to follow other reporting requirements including reporting possible criminal conduct to Victoria Police, reporting to Child Protection where there is alleged harm related to a parent or carer and reporting to other regulators if relevant.

## What must be reported?

When the head of an organisation becomes aware of a **reportable allegation**, they must notify the Commission within three business days and investigate. Allegations about the head of the organisation's conduct also have to be notified to the Commission.

A **reportable allegation** has a specific legal meaning. It is where a person makes an allegation, based on a reasonable belief, that a worker or volunteer has committed reportable conduct or misconduct that may involve reportable conduct.

A reasonable belief is more than suspicion or rumour. There must be some objective basis for the belief, although it does not require proof.

It could be that a staff member, parent, carer or a child raises an allegation with the head of the organisation because they hold a reasonable belief that a worker or volunteer has committed reportable conduct. The head of the organisation is required to report the allegation to the Commission.

The head of the organisation does not have to agree with or share the belief that the alleged conduct has occurred.

The Commission encourages parents and carers to raise their concerns directly with the organisation that engages the worker or volunteer whose conduct is of concern.

There can be reasons why a parent or carer may not want to do this, or they might be worried that the Commission has not been notified about an allegation. Parents and carers can raise an allegation directly with the Commission by making a 'public notification'. For information about how to make a public notification see [Report a concern or allegation](#).

If the behaviour that a parent or carer is worried about does not come under the legal definition of a reportable allegation, it means the allegation does not have to be notified to the Commission and is not covered by the Scheme. However, the organisation should still look into any concerns that have been raised by a parent or carer. Further information about how organisations should respond and have child-focused processes for complaints and concerns can be found in Standard 7 in [A guide for creating a Child Safe Organisation](#).



Parents and carers should report any conduct that may be criminal to Victoria Police.



## Which organisations must comply with the Scheme?

Certain organisations that provide services and activities to children and young people must comply with the Scheme. For example:

- disability service providers
- hospitals
- kindergartens, long day care, after hours care services
- overnight camps
- out of home care, residential services, foster and kinship carers
- religious organisations
- residential care services
- schools
- youth justice services.

Allegations can be raised under the Scheme about the conduct of the following people employed or engaged by an organisation:

- employees
- volunteers
- contractors
- office holders
- ministers of religion
- officers of a religious body
- foster and kinship carers in a formal care arrangement
- workers or volunteers provided by labour hire agencies, companies or other providers
- secondees
- individual business owners who employ or engage staff
- directors of companies where the director performs work for the organisation.

For a full list of the types of organisations that need to comply with the Scheme, and the kinds of workers and volunteers that are covered, see [Who does the Scheme apply to?](#) You can also check by contacting the Commission.

Even if an organisation, worker or volunteer is not covered by the Scheme, parents and carers should still raise any child safety concerns they have with the organisation.

## What happens after an allegation is made?

As well as notifying the Commission, the head of an organisation must:

- take any action needed to keep children safe while the allegations are looked into
- thoroughly and fairly investigate allegations covered by the Scheme
- tell the Commission about the result of the investigation, the findings made, and what it will do next and why.

Where an allegation involves possible criminal conduct, the organisation and the Commission must report it to Victoria Police. A police investigation takes priority over a reportable conduct investigation. The organisation must wait for police permission to start their investigation.



## What if my child is involved in an investigation?

Children and young people have a right to be safe and feel safe wherever they are. Child abuse is never their fault. It is important that allegations about child abuse or child related misconduct are looked into so that all children and young people can be kept safe.

The Commission recommends parents and carers read the following guidance if their child is involved in a reportable conduct investigation:

- more detailed information including support for children and young people can be found in [Information for parents and carers about investigations under the Reportable Conduct Scheme](#)
- information sheets for [children and young people about reportable conduct investigations](#).

## Sharing information about an investigation

The organisation should provide the alleged victim, their parents or carers with information about the reportable conduct investigation and the findings made.

The organisation also needs to inform the worker or volunteer about the allegations made, give them a chance to respond and tell them the findings at the end of an investigation.

To support children's safety and comply with legal reporting requirements, the organisation and the Commission may need to notify other organisations or authorities about allegations and findings. This could be Victoria Police, Child Protection, Working with Children Check Victoria or other regulators like the Victorian Institute of Teaching.

## What else can be done about child safety concerns?

There are other laws about child safety that could be relevant to your concerns.

All organisations that are covered by the Scheme also have to comply with the Child Safe Standards. There are also many organisations who must comply with the Child Safe Standards, even if they do not have to comply with the Scheme.

The Child Safe Standards require organisations to take steps to keep children safe by having policies and systems in place so that the organisation prevents, responds to and reports allegations of child abuse and harm. Organisations must comply with all aspects of the Standards and there can be legal consequences for non-compliance.

If you have child safety concerns, it is important to raise these with the organisation. Even if they are not covered by the Scheme, the organisation should listen to you and look into your concerns.

For information on how to raise a concern about an organisation under the Child Safe Standards, see [Raising concerns about child safety](#) or contact the Commission.

For further information about the Child Safe Standards, see:

- [Information for parents and carers about the Child Safe Standards](#)
- [www.cyp.vic.gov.au/child-safe-standards/](http://www.cyp.vic.gov.au/child-safe-standards/)

Other bodies also regulate the Child Safe Standard alongside the Commission. You can find out more about the [regulators and the sectors they regulate](#) on the Commission's website.

You also may be able to raise your concerns with oversight bodies or other regulators including:

- Through the Victorian Institute of Teaching. Their online [Conduct reporting guide](#) helps parents and carers understand where to raise concerns related to conduct of a registered teacher, school or early childhood service.



- By raising a complaint about disability workers through the [Victorian Disability Worker Commission](#).
- By raising a complaint about health professionals through the [Australian Health Practitioner Regulation Agency](#).

## The role of the Commission

The Commission is an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people.

One of the ways we do this is by operating the Scheme, where we:

- oversee and monitor how organisations respond to allegations of child abuse and child related misconduct
- provide advice and guidance to organisations
- make recommendations to help organisations improve.

Sharing information about child safety issues helps keep children safe. Some of the ways we do this are by:

- referring substantiated findings of reportable conduct to Working with Children Check Victoria who can decide if a worker or volunteer is suitable to have a Working with Children Check
- notifying the Victorian Institute of Teaching, if the worker or volunteer is a registered teacher.

The Commission is a small organisation with regulatory responsibility for tens of thousands of organisations across Victoria. We believe that the safety of children in these organisations is maximised when everyone plays their part. We therefore conduct our work in a way that focuses on improving the capability of all organisations, empowering the public to hold them to account, referring to other regulators where relevant and having a more active oversight role when needed most.

We provide information to assist parents and carers to engage directly with organisations about their child safety concerns under the Scheme.

Parents and carers are welcome to seek assistance from the Commission. Unfortunately, due to the volume of notifications we receive, we cannot intervene or provide direct support for every case. We direct our limited resources to the most serious matters, based on the level of risk to children.



## Where to get help

**If you are concerned about the immediate safety of a child or young person, call police on 000**

For further information about the Reportable Conduct Scheme or the Child Safe Standards, or to talk through issues of concern or to make a notification you can contact the Commission:

☎ Telephone us on: 1300 782 978

✉ Email us at: [contact@ccyp.vic.gov.au](mailto:contact@ccyp.vic.gov.au)

💻 Visit the Commission's website: [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

You can notify the Commission of a reportable allegation by filling out the online [Reportable Conduct notification form](#).

If you need an interpreter, please call the Translating and Interpreting Service on 13 14 50 and ask them to contact the Commission for Children and Young People on 1300 782 978.

### **National Relay Service (NRS)**

If you are d/Deaf, hard of hearing, or have communication difficulties please contact us by: **step 1** - contacting the NRS through your preferred NRS call channel detailed on [NRS call numbers and links](#)

**step 2** - provide the NRS with the Commission for Children and Young People's number 1300 782 978.

For more information visit: [About the National Relay Service](#)

### **Support services**

[Lifeline](#) on 13 11 14, [1800 Respect](#) on 1800 737 732, the [Blue Knot Foundation](#) on 1300 657 380 (9-5 AEST Mon-Sun) and [Beyond Blue](#) on 1300 224 636.

Further information about support services is also available on the [Commission for Children and Young People's website](#).