

Reportable conduct outside Victoria

Purpose

This information sheet will help organisations consider whether, under the Victorian Reportable Conduct Scheme (the Scheme), the Commission for Children and Young People (the Commission) needs to be notified about an allegation of reportable conduct which:

- occurred outside Victoria
- was made outside Victoria
- involved organisations that operate both in and outside of Victoria, or
- involved workers or volunteers that are engaged both in and outside of Victoria.

This is a complex part of the Scheme and organisations are encouraged to contact the Commission to discuss individual cases if guidance is needed.

The Reportable Conduct Scheme

The Scheme is designed to ensure that the Commission is aware of every allegation of reportable conduct against children in relevant organisations that exercise care, supervision or authority over children.

The Commission is also able to share information, where appropriate, including with Working with Children Check Victoria, relevant regulators and Victoria Police, to better prevent and protect children from abuse.

[Information sheet 1 About the Victorian Reportable Conduct Scheme](#) provides more detailed information and guidance about the Scheme.

Victorian organisations

Any organisation covered by the Scheme that is based in Victoria is required to notify the Commission of reportable allegations made against a worker or volunteer, no matter where the alleged reportable conduct occurred. This includes reportable conduct occurring in other states and territories, as well as in other countries.

Further, an organisation based in Victoria is required to notify the Commission of reportable allegations made against a worker or volunteer even if the reportable allegation is made outside Victoria.

This may mean that an organisation also needs to report to other relevant authorities in other locations. For example, the police in the state or territory where the reportable allegation is made should be notified if the allegations involve criminal conduct or offences.

Victorian organisation case study

A secondary school located in Melbourne takes its year 10 students on a one-week camp to South Australia. While on the camp, students report that one of the teachers hit a 16-year-old student.



Does this allegation need to be reported to the Commission?

Yes. The teacher is a worker employed by an organisation that is covered by the Scheme and the allegation meets the definition of reportable conduct of 'physical violence'. It does not matter that the alleged conduct occurred in South Australia.

Further, it does not matter that the reportable allegation was communicated to the organisation from outside of Victoria.

Who else might need to be notified of the allegation?

The school should also notify South Australia Police as the alleged conduct occurred in South Australia and notify the Victorian Institute of Teaching, the statutory authority which registers teachers in Victoria.

National organisations operating in and outside of Victoria

If a national organisation operates in Victoria and is covered by the Scheme, all of their workers and volunteers engaged in Victoria are covered by the Scheme. Such an organisation must notify the Commission of a reportable allegation concerning a worker or volunteer engaged in Victoria, regardless of whether the reportable conduct occurred in Victoria, another state or territory or overseas.

Workers and volunteers engaged in locations other than Victoria by a national organisation are not covered by the Scheme if they do not have any presence in Victoria. If a reportable allegation is made about a worker or volunteer who is engaged outside Victoria, the organisation needs to ensure that reporting obligations associated with that location outside of Victoria are followed, including reporting to the police in the relevant jurisdiction if the conduct may be criminal.

If a worker or volunteer who is based outside Victoria is engaged at any time to provide services in Victoria by an organisation that is covered by the Scheme, the worker or volunteer will likely be covered by the Scheme. If you are unsure, contact the Commission to discuss.

National organisation case studies

A disability support organisation provides services in Victoria and Western Australia.

1. The organisation receives a reportable allegation of significant neglect by one of their workers against a 12-year-old child in Perth. The disability support provider only employs this worker to provide services in Western Australia.

Does this allegation need to be reported to the Commission?

No. The disability support provider does not need to notify the Commission as the worker is only engaged to provide services in Western Australia.

2. The disability support provider also receives a reportable allegation of sexual misconduct by one of their workers against a 14-year-old child in Perth. This worker had been working for the organisation in Victoria for two months when the allegation was made.

Does this allegation need to be reported to the Commission?

Yes. The organisation needs to inform the Commission of the reportable allegation. Even though the conduct occurred outside of Victoria at a time when the worker was based outside of Victoria, the organisation and worker are subject to the Scheme. This is because the organisation provides services in Victoria and the worker is engaged in Victoria. It does not matter where the alleged conduct occurred.

Who else might need to be notified of the allegation?

The organisation needs to ensure that all other reporting obligations are followed. This includes reporting to police if an allegation may involve criminal conduct.

Where to get help

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

 Telephone us on: 1300 782 978

 Email us at: contact@ccyp.vic.gov.au

 Visit the Commission's website: www.ccyp.vic.gov.au

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 a speech/communication difficulty 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](#)

For help in an emergency call police on 000.

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](#).