

# POLICY

## REPORTABLE CONDUCT SCHEME



### INTRODUCTION

The protection of children and young persons is the responsibility of everyone who works at Scotch College including its staff, contractors, parents and volunteers. We all share responsibility for promoting the wellbeing and safety of children.

The Reportable Conduct Scheme is administered by the Commission for Children and Young People. The Scheme provides for the reporting to the Commission of allegations of reportable conduct, or misconduct that may involve reportable conduct, committed by employees (including volunteers, contractors and office holders) within or connected to Scotch College.

### PURPOSE

The purpose of this policy is to ensure that Scotch College complies with its obligations under the Reportable Conduct Scheme.

The Principal is responsible for ensuring compliance by Scotch College with its obligations under the Reportable Conduct Scheme. In particular, the Principal will ensure that Scotch College has in place:

- a system for preventing the commission of reportable conduct by an employee of the School within the course of employment;
- a system for enabling any person, including employees of the School, to notify the Principal of a reportable allegation of which the person becomes aware, or to notify the Chairman of Council of an allegation involving the Principal;
- a system for investigating and responding to a reportable allegation against an employee of the School.

Everyone involved in Scotch College has a role to play, and may disclose an allegation of reportable conduct involving an employee to the Commission or to the Principal.

### REPORTABLE ALLEGATION

Any person who has any information leading to a reasonable belief that an employee of Scotch College has committed:

- (a) reportable conduct; or
- (b) misconduct that may involve reportable conduct,

is encouraged to report such information to the Principal:

- in writing addressed to the Principal in a sealed envelope marked **Private and confidential** and delivered to the School's reception or to the Principal's office
- in writing sent by post in an envelope marked **Private and confidential** and addressed to:  
The Principal  
Scotch College  
1 Morrison Street  
Hawthorn Vic 3122
- by email marked – **Reportable Conduct** – sent to – [principal@scotch.vic.edu.au](mailto:principal@scotch.vic.edu.au)
- by telephone or fax advising that the person wishes to report an allegation of reportable conduct to the Principal:  
Telephone: (03) 9810 4321  
Facsimile: (03) 9810 4333

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If the person has information of a reportable allegation involving the Principal of Scotch College, the person may directly notify the Chairman of Council:

- in writing addressed to the Chairman of Council in a sealed envelope marked **Private and confidential** and delivered to the School's reception
- in writing sent by post in an envelope marked **Private and confidential** and addressed to:  
The Chairman of Council  
c/- Scotch College  
1 Morrison Street  
Hawthorn Vic 3122

A report may also be made directly to the Commission for Children and Young People at:  
Commission for Children and Young People, Level 18 570 Bourke Street Melbourne Victoria 3000  
Telephone: (03) 8601 5281

Via secure webform: <https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/>

A report may be made whether or not the conduct or misconduct is alleged to have occurred within the course of the employee's employment with Scotch College.

### PREVENTING REPORTABLE CONDUCT FROM OCCURRING

Scotch College has policies and practices that take a preventative approach to keeping children safe, and for the early identification and response to risks of child abuse in the School's physical and online environment. Such policies and practices include:

- Child Safety Code of Conduct
- Safeguarding Children and Young People Policy
- ICT Policy – Staff Use
- ICT Policy – Student Use
- Safeguarding Reporting Policy
- Safeguarding Incident Management Policy

### PROCEDURES FOR RESPONDING TO AND REPORTING SUSPECTED CHILD ABUSE

Scotch College has procedures for responding to and reporting suspected abuse of a child currently in its care. Scotch College also has practices and programs that support, encourage and enable School staff, parents and children to understand, identify, discuss and report child safety matters. Such policies and practices include:

- Safeguarding Reporting Policy
- Safeguarding Incident Management Policy
- Staff Issue Resolution Procedure
- Complaints Resolution Policy
- Procedure for Investigating Allegations of Misconduct

### REPORTABLE ALLEGATION INVESTIGATION

As soon as practicable after becoming aware of a reportable allegation against an employee, the Principal will commence an investigation, which may include appointing an independent investigator. Depending on the nature of the allegation, the Principal may follow the processes set out in the other School policies noted above.

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Generally, the person appointed to conduct the investigation will decide on the appropriate process for the investigation, taking into account the principles of natural justice, and will advise the parties of such matters.

The investigator will, as soon as practicable:

- conduct an investigation into the allegation;
- conduct interviews of relevant persons and seek any further information he/she deems necessary;
- provide to the Principal a confidential report of his/her findings in relation to the allegation against the employee; and
- if requested, make recommendations about what disciplinary or other action should be taken (if any).

The Principal will consider the findings, and recommendations if any, and determine what further action, if any, to take in relation to the allegations.

If an allegation involves a possible criminal offence, the Principal will first obtain clearance from Victoria Police before beginning an investigation.

### RESPONSIBILITIES OF THE PRINCIPAL

The Principal is responsible for notifying the Commission of a reportable allegation in line with the Reportable Conduct Scheme and for investigating such allegations and providing the findings to the Commission.

If the Principal becomes aware of a reportable allegation against an employee of Scotch College he will notify the Commission in writing of the following:

<b>Within 3 business days after becoming aware of the allegation</b>	<ul style="list-style-type: none"><li>• the name and date of birth (if known) of the employee involved</li><li>• whether Victoria Police has been contacted</li><li>• contact details for the School and the Principal</li></ul>
<b>As soon as practicable and within 30 calendar days</b>	<ul style="list-style-type: none"><li>• details of the allegation</li><li>• details of the School's response to the allegation</li><li>• reasons for whether or not any disciplinary or other action is proposed</li><li>• any written response from the employee concerning the allegation that the employee wished to have considered in determining what, if any, disciplinary or other action should be taken</li></ul>
<b>Advice on investigation – as soon as practicable</b>	<ul style="list-style-type: none"><li>• Name of investigator</li></ul>
<b>Outcomes of investigation – as soon as practicable</b>	<ul style="list-style-type: none"><li>• a copy of the findings and reasons for the findings</li><li>• details of any disciplinary or other action that the Principal proposes to take</li><li>• reasons for taking or not taking any disciplinary or other action</li></ul>
<b>Additional documents and information</b>	<ul style="list-style-type: none"><li>• any information or documents relating to the allegation or an investigation that the Commission may request.</li></ul>

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### COMMUNICATION

The school community will be informed about this policy. It will be publicly available. It will be available on the School's website and communicated in the School's newsletters, personnel induction programs and during recruitment and enrolment processes for staff, contractors and volunteers.

All School Council members, staff, volunteers and contractors of Scotch College will be made aware of this policy and the School's commitment to child safety.

### DEFINITIONS

<b>Child</b>	A child is an individual who is under the age of 18 years.
<b>Employee</b>	For the purpose of this policy, an employee is a person of or over the age of 18 years who is:  (a) an employee of Scotch College, whether or not the person is employed in connection with any work or activities of Scotch College that relate to children;  (b) engaged by Scotch College to provide services, including as a volunteer, contractor, office-holder or officer, whether or not the person provides services to children.
<b>Reportable conduct</b>	Reportable conduct means:  (a) 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;  (b) sexual misconduct committed against, with or in the presence of, a child;  (c) physical violence committed against, with or in the presence of, a child;  (d) any behaviour that causes significant emotional or psychological harm to a child; or  (e) significant neglect of a child.
<b>Sexual misconduct</b>	Sexual misconduct includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

### POLICY REVIEW

This policy will be reviewed biennially or more often as circumstances require.

Relevant legislation:

Children Legislation Amendment (Reportable Conduct) Act 2017

Child Wellbeing and Safety Act 2005 Commission for Children and Young People Act 2012

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**SCOTCH COLLEGE**  
**OBLIGATIONS OF REPORTING CHILD ABUSE PROCEDURE**

