



Catholic
Education
Commission
Tasmania

REPORTABLE CONDUCT POLICY

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1 PURPOSE

- 1.1** CET is committed to acting immediately and appropriately upon becoming aware of any instance or any allegation of **Reportable Conduct**.
- 1.2** This policy has been developed to:
- (a) Support the protection of children and young people from harm.
 - (b) To ensure CET **Workers** are aware of what constitutes Reportable Conduct and understand how to respond to such conduct.
 - (c) To underpin CET's approach to meeting applicable legislative obligations.

2 WHO DOES THIS POLICY APPLY TO

- 2.1** This policy applies to all Catholic Schools operating in the Archdiocese of Hobart, the TCEO, and all CET Workers in the course of their work (whether paid or voluntary) or when involved in any CET activity.
- 2.2** For the purposes of this Policy, a CET Activity includes any Catholic School or TCEO activity held or occurring:
- (a) In a CET workplace.
 - (b) In a CET School Environment; or
 - (c) On an external site, such as school camps or excursions, where the child remains under the supervision and duty of care of CET.

There are no exclusions to the application of this policy.

3 STATEMENT OF COMMITMENT

- 3.1** CET has made the following statement of commitment to the safety and wellbeing of young people.
- (a) We are committed to the safety and wellbeing of children and young people while enabling their participation as valued members of our community.
 - (b) We have zero tolerance to child abuse and harm. Our people prioritise the safety of the children they interact with in the performance of their role and must report any conduct of concern.
 - (c) We recognise the importance of child safety in the provision of quality education services. All children who attend Catholic Schools in Tasmania have the right to feel safe, be safe,

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and be heard.

- (d) We recognise our legal and moral responsibilities in keeping children and young people safe and have robust policies and procedures in place to meet this commitment that are aligned with the National Principles and applicable Tasmanian child safety legislation.
- (e) We want children to thrive, be safe, happy and empowered, and are dedicated to ensuring their views are listened to and respected, and they are given opportunities to contribute to how we plan and deliver our services that affect them.
- (f) We are committed to being a Child Safe Organisation.

4 POLICY

- 4.1** CET is committed to maintaining and encouraging an organisational culture where Children and Young People feel safe, are treated with respect and protected from harm. It does this by putting in place the settings required to establish and maintain CET as a child safe organisation within the context of applicable legislation and the *National Principles for Child Safe Organisations*.
- 4.2** All persons shall comply with applicable legislation, this Policy, CET's Reportable Conduct Investigation Procedures and all other elements of CET's **Child Safety Program**.
- 4.3** Workers must:
- (a) Notify CET's Child Safety Officer as soon as practicable on becoming aware of any instance or any allegation of Reportable Conduct involving a CET Worker regardless of whether the alleged conduct occurred in the course of the Worker's CET duties or activities.
 - (b) Use CET's **Inappropriate Worker Behaviour Form** to notify CET's Child Safety Officer of any instance or any allegation of Reportable Conduct.
 - (c) Notify Police or the Strong Families Safe Kids Advice and Referral Line, as per CET's Mandatory Reporting Policy, if an instance or an allegation of Reportable Conduct involves the **Abuse, Harm** or **Neglect** of a **Student** or raises a **Child Safety Concern**, as set out in the Mandatory Reporting Policy.
 - (d) Take any steps necessary to ensure the safety of the Child or Young Person.
- 4.4** Instances or allegations of Reportable Conduct that meet the threshold of a **Reportable Allegation** or a **Reportable Conviction** as defined under the **Reportable Conduct Scheme** of the *Child and Youth Safe Organisations Act 2023* must be also managed in accordance with the

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requirements of the Reportable Conduct Scheme.

- 4.5** The Archdiocese of Hobart's Director of Professional Standards shall be notified as soon as practicable of any instance or any allegation of Reportable Conduct against a CET Worker:
- 4.6** Where an instance or an allegation of Reportable Conduct involves the Executive Director or CET's Child Safety Officer, the Worker shall directly report the matter to the Archdiocese of Hobart's Director of Professional Standards: E: professional.standards@aohtas.org.au
- 4.7** Each reported Reportable Conduct instance or allegation must be investigated in accordance with CET's Reportable Conduct Investigation Procedures.
- 4.8** An annual review of reported Reportable Conduct instances and allegations and subsequent investigations shall be undertaken by the Child Safety Officer to ensure that:
- (a) Any systemic issues are identified.
 - (b) Action is taken, where reasonably practicable, to prevent Reportable Conduct.
 - (c) Action is taken where possible to improve CET's Reportable Conduct regime.
- 4.9** Adequate records of reported Reportable Conduct allegations, investigations and associated matters must be created and kept in accordance with the records keeping specifications in CET's Reportable Conduct Investigation Procedures and with CET's records management guidelines.

5 RESPONSIBILITIES

- 5.1** For CET to achieve compliance with this Policy the following people must fulfill the responsibilities allocated to them under this Policy:

<i>People who are:</i>	<i>Must:</i>
<i>Directors</i>	<ol style="list-style-type: none">1. Ensure compliance with this Policy.2. Take all necessary steps to ensure any allegation of Reportable Conduct is dealt with in a timely and appropriate manner in accordance with this Policy.
<i>CET's Child Safety Officer</i>	<ol style="list-style-type: none">3. Immediately inform the Executive Director of CET of each allegation of Reportable Conduct.4. When notified of an allegation of Reportable Conduct arrange for a suitable

	<p>person to:</p> <ul style="list-style-type: none"> (a) Check on and ensure the safety of each child or young person associated with Reportable Conduct allegations. (b) Assist, if necessary, the reporter to, if required, notify the Police or the Strong Families Safe Kids Advice and Referral Line. (c) Provide support as required to: <ul style="list-style-type: none"> i. The reporter. ii. Others involved in ongoing support of the child or young person. <p>5. Comply with Teachers Registration Board requirements regarding conduct reportable to the Board.</p>
<p><i>CET's Child Safety Officer on behalf of CET's Executive Director</i></p>	<p>6. On becoming aware of an allegation of Reportable Conduct against a CET Worker:</p> <ul style="list-style-type: none"> (a) Notify the Archdiocese of Hobart's Director of Professional Standards. (b) Assess the allegation of Reportable Conduct against the requirements of the Reportable Conduct Scheme and where the allegation meets the Reportable Allegation Threshold: <ul style="list-style-type: none"> i. Notify the Independent Regulator within 3 business days in writing on becoming aware of the allegation. ii. Supply the Independent Regulator in writing as soon as practicable, and no later than 30 days after becoming aware of the allegation: <ul style="list-style-type: none"> a) All known detailed information about the allegation. b) Their intentions regarding the taking or not taking of action in relation to the Worker and the reasons why. c) Any written submissions made by the Worker concerning the reportable allegation. iii. Initiate as soon as practicable on becoming aware of an

	<p>allegation of reportable conduct:</p> <ul style="list-style-type: none"> a) An internal investigation of the allegation. b) Engage an independent investigator to investigate the allegation. c) Inform the Independent Regulator of the identity of the body or person who will conduct the investigation. <p>iv. Ensure the investigation is completed despite the person who is the subject of the investigation ceasing to be a Worker during the period in which the investigation is being conducted.</p> <p>v. Supply, as soon as practicable after an investigation has been completed, the Independent Regulator with:</p> <ul style="list-style-type: none"> a) A copy of the findings of the investigation and the reasons for those findings. b) Details of any disciplinary or other action which has been taken or is proposed to be taken, in relation to the Worker, and the reasons for that action. c) If applicable, the reasons why no action has been taken or is proposed to be taken.
Workplace Managers	<p>7. On becoming aware of any instance or any allegation of Reportable Conduct report the matter to CET's Child Safety Officer as soon as practicable.</p>
Workers	<p>8. Report every instance and every allegation of Reportable Conduct which come to their attention.</p> <p>9. Take any steps necessary to ensure the safety of a Child or Young Person who is at the centre of an instance or allegation of Reportable Conduct.</p> <p>10. Ensure their actions in raising or responding to a Reportable Conduct matter are in good faith, not frivolous, vexatious or malicious.</p> <p>11. Cooperate fully with Reportable Conduct investigations as required.</p>

6 COMPLIANCE (LEGISLATION AND OTHER DOCUMENTS)

6.1 Applicable legislative instruments containing overarching obligations:

Tasmanian legislation

- (a) *Child and Youth Safe Organisations Act 2023.*
- (b) *Children, Young Persons and their Families Act 1997.*
- (c) *Criminal Code Act 1924*
- (d) *Teachers Registration Act 2000.*

Other

- (a) *Non-government Schools Registration Board Guidelines.*
- (b) *National Principles for Child Safe Organisations.*
- (c) *Tasmanian Office of the State Archivist Notice of a disposal freeze on records relating to children*

6.2 Any failure to comply with an obligation under this Policy will likely result in disciplinary action taken under CET's Workplace Behaviour Policy and CET's Code of Conduct.

7 DEFINED TERMS

Abuse, Harm or Neglect means sexual abuse or physical or emotional injury or other abuse, harm or neglect, to the extent that:

- (a) The abused, harmed or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person's wellbeing; or
- (b) The abused, harmed or neglected person's physical or psychological development is in jeopardy.

Child Safety Program means CET's suite of child safety governance instruments that collectively form CET's Child Safety Program i.e.:

- (a) Child Safety Policy
- (b) Child Safety Code of Conduct
- (c) Mandatory Reporting Policy
- (d) Reportable Conduct Policy (this policy)
- (e) Working with Vulnerable People Registration Policy
- (f) TCEO Child Safety Committee Terms of Reference

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Child Safety Concern means a belief, suspicion or knowledge that a person has committed Reportable Conduct or that the safety, psychological wellbeing or interests of a child or young person are affected or likely to be affected by family violence.

Grooming means conduct of a person that:

- (a) is intended to establish trust with the aim of normalising sexually harmful behaviour towards, or allowing the person to engage in an unlawful act, sexual offence, or sexual misconduct, against, the child; and
- (b) forms part of a pattern of manipulative or controlling behaviour in relation to –
 - (i) the child; or
 - (ii) the child's guardian, family or friends; or
 - (iii) a worker of a relevant entity that provides services to, or has dealings with, the child.

Inappropriate Worker Behaviour Form means the relevant form accessed by the designated QR code on CET's Mandatory Reporting Flowchart or via the child safety icon on CET's online safety and compliance platform (CETKP) homepage.

Reportable Allegation means information that leads a person to form a reasonable suspicion that a worker of an entity has committed reportable conduct, whether or not the alleged reportable conduct occurred within the course of the worker's duties in respect of the entity, and regardless of whether the alleged reportable conduct occurred before the commencement of the *Child and Youth Safe Organisations Act 2023*.

Reportable Conduct Scheme means a compulsory scheme that requires leaders of applicable organisations to report to an independent regulator and investigate concerns about conduct related to child abuse involving a worker.

Reportable Conduct means behaviour that constitutes:

- (a) A breach of CET's Child Safety Code of Conduct.
- (b) **Grooming** of a Child or Young Person.
- (c) Conduct that causes or is likely to cause significant emotional or psychological harm to a Child or Young Person.
- (d) Physical violence against Child or Young Person.
- (e) Sexual offence or sexual misconduct, committed against, with, or in the presence of a child or Young Person (includes sending/uploading sexually explicit digital/social media

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posts, child pornography offences, whether or not the behaviour falls below the criminal offence threshold).

(f) Significant neglect Child or Young Person.

(g) Unreasonable treatment of a Student but not extending to conduct which is reasonable for the purposes of the discipline, management or care of students having regard to appropriate professional standards.

Reportable Conviction, meaning a conviction for an offence that involves reportable conduct, regardless of whether the conduct or conviction occurred before the commencement of the *Child and Youth Safe Organisations Act 2023*.

Worker: Includes any person who carries out work or services in any capacity for CET either as a member of staff, a volunteer, a cleric, a member of a religious institute or lay catechist, member of a religious order, a nun or a brother, a contractor, a subcontractor, an employee of a contractor, a consultant, a counsellor, a casual worker, an employee of an employment agency or labour hire company, an apprentice or trainee or an external person gaining work experience or on work placement.

For the purposes of this policy the meaning of worker does not include:

(a) A school student on a work experience placement.

(b) A worker under the age of 16 years.

Young Person means a person who has attained the age of 16 years but has not attained the age of 18 years.

Definitions for all other key terms used in this document are included in the *CET Terms and Definitions* on the CET Website.

8 FURTHER INFORMATION AND ASSISTANCE

8.1 For further information and assistance in relation to this Policy please contact CET's Child Safety Officer (the TCEO's Executive Manager: People Services) T: 03 6210 8888.

9 REVIEW OF THIS POLICY

9.1 This Policy will be reviewed every four years.

9.2 Updated versions of this Policy will be available on the CET website and on request.

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