



Practice Update: Reporting and Notifications

Information for Administrators, Employees and Volunteers

On Reporting and Notifications Obligations

*in response to alleged abuse of children and
vulnerable adults*

An update on present obligations

Information for Administrators, Employees and Volunteers (Worker)

In the Seventh-day Adventist Church including local Churches and Denominational Entities (Church Entities)

In Australia and New Zealand

On Reporting and Notification Obligations

As a person appointed to roles in a Church Entity you may have the following reporting obligations when disclosures of, or information about, alleged abuse of children and vulnerable adults is received. To find further information on these obligations follow the links below.

Reporting	Who to
1. Child Abuse Offences <Failure to Report Offences>	Police and your local Protection Team
2. a Worker's "Failure to Protect" <Failure to Protect Offences>	Police and your local Protection Team
3. other alleged Criminal Conduct <Alleged Criminal Conduct>	Police and your local Protection Team
4. a child at risk of harm <Mandatory Reporting> <Optional Reporting>	Local Child Protection agencies
5. Reporting Allegations of Reportable and Investigable Conduct about a worker. <Reportable Conduct> <Investigable Conduct>	Your local Protection Team
6. Reporting Breaches of a Code of Conduct <Professional Misconduct> <Christian Misconduct>	Your local Protection Team
7. Reporting the result of employment proceedings. <Employment Proceedings>	WWCC agency or professional registration body

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Why do we report?

Various reviews of the child protection framework have suggested that the protection of children can't be left to government agencies alone and that this important work is also a community responsibility. For this reason, the Seventh-day Adventist Church is committed to sharing information with government agencies whose responsibility it is to protect the community including children and vulnerable adults. For this reason, it is Adsafes policy to share information about potential harm to individuals with the police and child protection agencies. We share information about criminal conduct with police and where children are at risk of harm, we report our concerns to child protection agencies as optional reporters. Adsafes reasons that this information is useful to other agencies to make better informed decisions about future matters.

There will, however, be circumstances where persons in the church are required to make reports.

A Framework for Reporting

The wider church's reporting obligations come in two forms. Firstly, individual reporting responsibilities where persons anywhere within the organisation have a legal requirement to report to external agencies. These reporting responsibilities are key to a community wide response to the protection of children. While reporting externally is the highest priority, the church community also has responsibilities internally to manage risk and provide support when needed. For these reasons it is important that when reporting abuse to external agencies that Adsafes is also included in the report.

The second form of reporting obligations relates to the legal requirement of key leaders in denominational entities to respond to alleged abuses that may be known to persons in the church but not known to the leader. This situation relies on a system of internal reporting being established that allows for individuals in the church to make appropriate and timely notifications, triggered by circumstances that meet certain reporting criteria. The Church is then dependant on persons in these roles assisting church leadership by reporting in a timely way.

Protection Team

For this reason, Adsafes has developed a reporting framework that establishes an internal Protection Team for each entity that allows for:

1. Individuals in church roles to meet their external reporting responsibilities whilst sharing the report with the protection team.
2. Advice and support from the protection team to individuals with external reporting responsibilities including assisting them with making the report.
3. Individuals in church roles who have internal reporting responsibilities to appropriately report.

The protection team for an entity consists of a senior leader in the entity appointed to receive and manage complaints and notifications, the senior leader appointed to the same role in the entity at the next highest level and a representative from Adsafes.

Reporting Type

Reporting obligations come under a number of categories and will differ according to the jurisdiction in which you reside or work. Reporting obligations can be either internal or to external

agencies. External agencies include the Police, Child Protection Agencies or regulatory and accreditation bodies. Internal Reporting is done through your local Protection team.

Criminal Conduct

This category of reports may come under the recently introduced **failure to report** and **failure to protect** legislation in a number of Australian jurisdictions or be part of the Adsafesafe policy obligation to share important information with police.

Failure to Report

Legislation in some jurisdictions makes it a criminal offence to believe on reasonable grounds that a child sexual offence is or has been committed and not report that belief to police. Your local protection team should also be informed of your report.

[<Do I have obligations under Failure to Report legislation?>](#)

Failure to Protect

You commit a crime if you know there is a significant risk that another adult who is connected with the church will commit a child sexual offence on a child who is under the care of the church and you have the power or responsibility to remove this risk and you fail to do so.

[<Do I have obligations under Failure to Protect legislation?>](#)

Other alleged criminal conduct

It is a church policy that persons appointed to roles in the church who are aware of alleged criminal conduct of persons associated with the church should report this alleged criminal conduct to police. If you have concerns about making this type of report you are free to seek advice from Adsafesafe. Once the report to police has been made, inform your local Protection Team about the report.

Risk of Harm to a child

Reporting risk of harm or risk of significant harm to a child is about providing information to an appropriate child protection agency who can intervene to remove this risk.

Mandatory Reporters

In most jurisdictions there is a designated group of persons who would have the opportunity to observe significant indicators of abuse in a child. These are called Mandatory Reporters and are required by law to report their suspicion. Who is designated as Mandatory Reporters varies across jurisdictions.

Generally, a Mandatory Reporter must report a belief on reasonable grounds that a child is at immediate risk of harm and needs current protection from certain types of abuse. For more details on these obligations see the links below.

[<Are you a mandatory reporter?>](#)

Optional Reporters

Any concerned citizen is invited by external agencies to report concerns about the risk of harm to a child. Adsafesafe has made it a policy for persons appointed to roles to optionally report concerns about the risk of harm to a child, even if there is no mandatory requirement. This can be done using the mechanism outlined in the links above.

Are our child related workers still safe?

One of the important strategies of a child safe organisation is to respond appropriately when allegations are raised about the conduct of existing employees and volunteers (workers) who work with their children.

Child safe organisations address the risk of harm to children in their organisation from persons who are presently appointed to work with them in the following ways:

1. Orientation, induction and ongoing training programs.
2. Developing and discussing during training a Code of Conduct that outlines the expected behaviours of people who work with children.
3. An expectation that workers commit to the expected behaviours in the Code of Conduct.
4. Discussing wider community expectations of the conduct of workers as outlined in legislation including Reportable Conduct schemes.
5. A commitment to resolving allegations raised about a worker's conduct in a timely way, using important principles including procedural fairness and taking appropriate action if the allegations are sustained.

For simplicity Adsafes by definition refers to the expected conduct of workers mentioned in (4) above and investigated in (5) above as "Investigable Conduct", conduct that when alleged, must be investigated to seek a resolution.

Reportable Conduct Schemes

To address wider community expectations of the conduct of workers and the importance of resolving allegations raised about workers' conduct, some jurisdictions have legislated a Reportable Conduct scheme. These schemes define certain unacceptable behaviours (Reportable Conduct) that must be investigated. The investigation is required of the organisation who engages the worker. The organisation must report the allegation to a government oversight agency, investigate and prepare an investigation report, make findings if possible and report the findings, any actions taken and share the report with the oversight agency.

For more information on Reportable Conduct including definitions and whether a scheme operates in your jurisdiction click on this [<link>](#)

As a worker in a church entity, you are required by the church to report all allegations of Reportable Conduct immediately to the protection team for the organisation where the person subject of allegation (PSOA) is engaged. There is an obligation in one jurisdiction that organisations notify the oversight agency within 3 business days of a Reportable Allegation. For this reason, Adsafes requires workers to immediately notify.

Investigable Conduct

Adsafe and its predecessor Safe Place Services have always had the imperative to investigate certain allegations raised about the conduct of persons appointed to roles in the Church or Denominational Entity. Given this and for ease of use, Adsafes has created a term for allegations that must be investigated and oversighted by Adsafes referred to as Investigable Conduct.

For more information on Investigable Conduct including definitions click on this [<link>](#)

As a worker in a church entity, you are required by the church to report all allegations of Investigable Conduct immediately to the protection team for the organisation where the person subject of allegation (PSOA) is engaged.

Professional Misconduct

Professional Misconduct is conduct contrary to the standards of a particular profession. These standards are usually articulated in the Profession's Code of Conduct. Within the church context, professional standards exist for Teachers and Ministers.

As a worker in a church entity, you are required by the church to report all alleged breaches of a professional Code of Conduct immediately to the protection team for the organisation where the person subject of allegation (PSOA) is engaged.

Christian Misconduct

Christian Misconduct is conduct contrary to Christian standards. These standards of conduct are expected of volunteers appointed to roles in the church and are outlined in the Church Code of Conduct. Volunteers working in child related roles are expected to commit to the conduct expectations found in the Code of Conduct.

Allegations of conduct contrary to an agreed Code of Conduct by a person engaged by a local church or Denominational Entity may be investigated by the organisation and if sustained, action may be taken.

As a worker in a church entity, you are required by the church to report all breaches of a Church Code of Conduct immediately to the protection team for the organisation where the person subject of allegation (PSOA) is engaged.

Employment Proceedings

For the purpose of this discussion Employment Proceedings refers to an employer's investigative response to allegations raised about the conduct of an employee which may represent Professional Misconduct. Professional Misconduct is conduct contrary the expected standards of a professional body as outlined by a Code of Conduct for the profession.

Registration Bodies for a profession such as a teachers registration board will often require employers to notify them of any Employment Proceedings which results in a specific adverse finding. This is used by the body to reassess the risk to the profession of that person's registration.

Government agencies with the task of assessing the suitability of individuals to work with children may require organisations who offer services for children to notify them of Employment proceedings that result in certain types of adverse findings. This information is used to reassess the risk that that individual represents in their work with children.

These reporting obligations are expected of the heads of organisation often with specified deadlines.

For further information on your organisation's employment proceedings reporting obligations click on this [<Link>](#)

Failure to Report Legislation

Reporting Obligation

The following table outlines the jurisdictions where it is an offence not to report child abuse offences to the police.

Given it is an offence to fail to report child abuse offences to Police, Adsafesafe has also created a reporting expectation for all persons appointed to church roles to report to Adsafesafe any person in appointed roles who fails to report a child abuse offence.

In some jurisdictions Failure to Report is also a Reportable Allegation (see Reportable Conduct)

Jurisdiction	Who	The circumstance for reporting
ACT	Any Adult	Anyone over 18 years old who reasonably believes a sexual offence has been committed against a child.
NSW	Any Adult	An adult who knows, believes or reasonably ought to know that a child abuse offence has been committed against another person.
Qld	Any Adult	An adult who believes on reasonable grounds that a child sexual offence is being or has been committed against a child or a person with an impairment of the mind.
SA	Employees and Volunteers in the church	A person who knows, suspected or should have suspected that another person (the alleged abuser) has previously engaged in the sexual abuse of a child while engaged by the church and the child is still under the age of 18, the alleged abuser is still engaged by the church and the sexual abuse occurred during the preceding 10-year period.
Tas	Any person	All persons who have formed a reasonable belief that an abuse offence has been committed against another person who was a child at the time.
Victoria	Any Adult	You have formed a 'reasonable belief' that another adult has sexually offended against a child under 16 in Victoria.

For New Zealand, Northern Territory and Western Australia it is Adsafesafe Policy for persons appointed to roles in the church to report child abuse offences to Police. If you have a concern about reporting child abuse offences to Police, please contact Adsafesafe for advice.

How to report

If you have any questions about reporting a matter to Police you may contact Adsafesafe for advice on +61 2 9847 3488.

If you have a “Failure to Report” obligation you need to report the matter to a Police officer as soon as reasonably practical.

This should be done at your nearest police station where you:

1. Ask to speak to the duty Sergeant or Supervisor,
2. Indicate you would like to make a statement about your belief that a child abuse offence has occurred.
3. Make the statement and ask the officer who takes the statement for his details and an event number, as well as a copy of the statement when it is available.
4. Write a file note about making the statement. Include the date, time and location that the statement was made, the officer who took the statement, the event number and file it with your copy of the statement.
5. Once this has been completed, inform Adsafes of your report to police by sending an email to **reporting@adsafe.org.au** and carbon copy a member of your Protection Team. This is important to manage child protection risks in the church.

Failure to Protect Legislation

The obligation to Protect

While not a Reporting Obligation the Failure to Protect legislation creates an obligation for persons in authority within an organisation, to take action to protect a child from adults appointed to child-related roles if the person in authority is aware that a risk of abuse exists from that adult.

Given it is an offence to fail to protect a child by a person in authority, Adsafe has created a reporting expectation for all persons appointed to church roles to report to Adsafe a person in authority who fails to protect a child from abuse knowing that a risk existed.

In some jurisdictions Failure to Protect is also a reportable allegation (see Reportable Conduct)

The following table indicates the obligation to protect in each jurisdiction.

Jurisdiction	Who
ACT	<p>A person commits an offence if—</p> <ul style="list-style-type: none"> (a) the person is a person in authority in a relevant institution (the <i>first person</i>); and (b) there is a substantial risk that a sexual offence will be committed— <ul style="list-style-type: none"> (i) against a child in the institution’s care, supervision or control by a person associated with the institution; or (ii) against a young person in the institution’s care, supervision or control by another person in authority in the institution; and (c) the first person is aware that the risk exists; and (d) the first person can, because of the position the person occupies in the institution, reduce or remove the risk; and (e) the first person intentionally or negligently fails to reduce or remove the risk.
NSW	<p>A person commits an offence if—</p> <ul style="list-style-type: none"> (a) the person is an adult who carries out work for an organisation, whether as an employee, contractor, volunteer or otherwise (a <i>position holder</i>), and (b) the organisation is the employer of an adult worker who engages in child-related work, and (c) there is a serious risk that the adult worker will commit a child abuse offence against a child who is, or may come, under the care, supervision or authority of the organisation, and (d) the position holder knows that the risk exists, and (e) the position holder, by reason of the person’s position, has the power or responsibility to reduce or remove that risk, and (f) the position holder negligently fails to reduce or remove that risk.

Jurisdiction	Who
Qld	<p>The accountable person commits a crime if—</p> <ul style="list-style-type: none"> a) the person knows that there is a significant risk that another adult (the Alleged offender) will commit a child sexual offence on a child and b) the alleged offender — <ul style="list-style-type: none"> (i) is associated with an institution: or (ii) is a regulated volunteer and c) the child is under the care , supervision or control of an institution; and d) the child is either — <ul style="list-style-type: none"> (i) under 16 years; or (ii) a person with an impairment of the mind; and e) the person has the power or responsibility to remove this risk; and f) the person wilfully or negligently fails to reduce or remove the risk.
SA	<p>You are guilty of an offence if you know that there is a substantial risk that:</p> <ol style="list-style-type: none"> 1. another person (the alleged abuser) who is engaged by the church will engage in the sexual abuse of a child; and 2. the child is under the age of 17 years of age or the alleged abuser is in a position of authority; and 3. you have the power or responsibility to reduce or remove that risk but negligently fails to do so.
Victoria	<p>A person commits an offence if—</p> <ul style="list-style-type: none"> a) by reason of the position he or she occupies within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the relevant organisation; and b) knows that there is a substantial risk that the person will commit a sexual offence against a relevant child; and c) negligently fails to reduce or remove that risk.

How to Report

If you are aware of a Senior Leader who has known about the risk of a person appointed to a role in the church to commit a child abuse offence and makes no effort to reduce this risk, you are to report this as an allegation to an appropriate member of your Protection Team (contact details should be displayed in the foyer of your site). This could include Adsafes where your report could be sent as an email to reporting@adsafe.org.au or by phoning the Adsafes office at +61 2 9847 3488.

Mandatory Reporters

To find out whether you are a mandatory reporter in your jurisdiction refer to the following tables. Even if you are not a mandatory reporter Adsafes encourages all persons who have concerns about the risk of harm to a child, to make an optional report using the mechanism outlined in "How to make a Report".

To move directly to your jurisdiction please use the following links:

Link to: [NZ](#) [ACT](#) [NSW](#) [NT](#) [Qld](#) [SA](#) [Tas](#) [Vic](#) [WA](#)

Mandatory Reporting New Zealand	
Item	Description
Mandatory Reporters	No framework for Mandatory Reporting Optional reporting encouraged
Type of Abuse	Physical, Emotional, or Sexual Abuse, Neglect, Deprivation, or Concerns about wellbeing
Reporting	Any person who believes that a child or young person has been, or is likely to be harmed , ill-treated, abused (whether physically, emotionally, or sexually), neglected, or deprived, or who has concerns about the well-being of a child or young person, may report the matter to the chief executive or a constable. Alternatively you may ring Adsafes for advice on your concern and help with the assessment process. Adsafes can be contacted on +61 2 9847 3488
How to report	For immediate help If there is immediate danger call the Police on 111 If you suspect a child is being abused either <ol style="list-style-type: none"> Contact your local Police at <link: online listing> or <ol style="list-style-type: none"> Contact Oranga Tamariki by Calling on 0508 326 459 or Emailing contact@ot.govt.nz

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Mandatory Reporting ACT	
Item	Description
Mandatory Reporters	Ministers of Religion, Teachers, School Counsellors
Type of Abuse	Physical abuse Sexual abuse
Reporting	<p>A belief, on reasonable grounds, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury; and the reasons for the belief arise from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).</p> <p>Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488</p>
How to report	<p>For immediate help</p> <p>If there is immediate danger call the Police on 000</p> <p>Business Hours Reporting</p> <p>To report Child Sexual Abuse, call the ACT Police on 131 444</p> <p>To make an online Report through Access Canberra go to the following link <Reporting Portal></p>



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Mandatory Reporting NSW	
Item	Description
Mandatory Reporters	Ministers of Religion, Teachers, Church Volunteers who work with children
Type of Abuse	Physical abuse, Sexual abuse, Emotional/psychological abuse, Neglect and Exposure to domestic violence
Reporting	Suspicion on reasonable grounds, obtained during the course of or from the person's work, that a child is at risk of significant harm because of the presence to a significant extent of circumstances of: neglect, physical abuse, sexual abuse, psychological abuse, risk of harm through exposure to domestic violence, and failure to engage with services after a pre-natal report.
Assessment Tool	<p>The Department of Communities and Justice (DCJ) (<i>formally FACS, CS or DOCS</i>) has developed an online tool to assess whether the risk of harm is significant enough to make a report. This can be found at:</p> <p><Mandatory Reporter Guide></p> <p>Use the particulars of the case you have concerns about to answer the assessment questions. The Reporter Guide will indicate whether a report should be made.</p> <p>Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488.</p>
How to report	<p>On completion of the mandatory reporter guide the guide will indicate if a report is required. This is indicated by the statement:</p> <p style="text-align: center;"><i>Immediate Report to the Child Protection Helpline</i></p> <p>This can be done by phone.</p> <p style="text-align: center;">Child Protection Helpline: 132 111</p> <p>Or online using an eReport through the <ChildStory Reporter Website></p>



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Mandatory Reporting Northern Territory	
Item	Description
Mandatory Reporters	Any person
Type of Abuse	Physical abuse, Sexual abuse or other Exploitation of the Child, Emotional/psychological abuse, Neglect, Exposure to physical violence (e.g. a child witnessing violence between parents at home)
Reporting	A belief on reasonable grounds that a child has suffered or is likely to suffer <i>harm or exploitation</i> . Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488
How to report	<p>For immediate help</p> <p>In an emergency, call 000 and ask for police.</p> <p>Business Hours Reporting</p> <p>If it's not an emergency, you can <i>either</i>:</p> <ol style="list-style-type: none"> 1. call police on 131 444 or contact your local police station. <p>Or</p> <ol style="list-style-type: none"> 2. you can report suspected child abuse to: <ol style="list-style-type: none"> a. the child protection reporting line 24 hours a day, seven days a week on 1800 700 250, or b. call Crime Stoppers on 1800 333 000

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Mandatory Reporting Queensland															
Item	Description														
Mandatory Reporters	Teachers and School Staff														
Type of Abuse	Physical abuse, Sexual abuse														
Reporting	<p>A reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and may not have a parent able and willing to protect the child from the harm.</p> <p>Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488</p>														
How to report	<p>For immediate help</p> <p>If a child is at immediate risk and Police or medical assistance is required, dial 000.</p> <p>If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm or being neglected, and needs urgent assistance, contact the Child Safety After Hours Service Centre on 1800 177 135. The service operates 24 hours a day, 7 days a week.</p> <p>Business Hours Reporting</p> <p>Contact the appropriate regional Intake Service</p> <table border="0"> <tr> <td>Brisbane and Moreton Bay</td> <td>1300 682 254</td> </tr> <tr> <td>Far North Queensland</td> <td>1300 684 062</td> </tr> <tr> <td>North Queensland</td> <td>1300 706 147</td> </tr> <tr> <td>South East</td> <td>1300 679 849</td> </tr> <tr> <td>South West (Darling Downs) Toowoomba</td> <td>1300 683 390</td> </tr> <tr> <td>South West (West Moreton) Ipswich</td> <td>1800 316 855</td> </tr> <tr> <td>Sunshine Coast and Central Queensland</td> <td>1300 703 762</td> </tr> </table>	Brisbane and Moreton Bay	1300 682 254	Far North Queensland	1300 684 062	North Queensland	1300 706 147	South East	1300 679 849	South West (Darling Downs) Toowoomba	1300 683 390	South West (West Moreton) Ipswich	1800 316 855	Sunshine Coast and Central Queensland	1300 703 762
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Mandatory Reporting South Australia	
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Item	Description
Mandatory Reporters (MR)	Ministers of Religion, Teachers, Church Volunteers who work with children
Type of Abuse	Physical abuse, Sexual Abuse, Mental or Emotional Abuse and Neglect
Reporting	If they suspect on reasonable grounds that a child or young person is, or may be, at risk of harm.
Assessment Tool	<p>South Australia has developed a Mandatory Reporter Guide (SAMRG) to assist the MR in determining whether the concern meets the reporting threshold. This can be downloaded from <Mandatory Reporter Guide>.</p> <p>The Guide includes</p> <ol style="list-style-type: none"> 1. A checklist of information needed to make a report Page 6 2. Tips for selecting the appropriate decision tree Page 11 3. Various Decision trees starting from Page 12 <p>Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488.</p>
How to report	<p>The South Australian Government has developed the Child Abuse Report Line (CARL) to receive reports.</p> <p>On completion of the appropriate mandatory reporter guide decision tree the guide will indicate if a report is required. This is indicated by the statement:</p> <p style="text-align: center;"><i>Report to CARL</i></p> <p>All serious concerns must be reported using the Report line (CARL). Non-serious reports can also be done using eCARL.</p> <p>Reporting can be done:</p> <ol style="list-style-type: none"> 1. by phone: CARL: 13 14 78 2. Online: eCARL This mechanism requires the creation of an account. Link to Create an Account (external Link) Once the account is created abuse can be reported here. Link to Report child abuse (external Link) Information about eCARL. Link to eCARL (external Link)

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Mandatory Reporting Tasmania	
Item	Description
Mandatory Reporters	Principals, Teachers and Ministers of Religion
Type of Abuse	Sexual abuse (any), Physical abuse, Emotional/Psychological abuse, Neglect, Exposure to family violence
Reporting	<p>Knowledge, or a belief or suspicion on reasonable grounds that: a child has been or is being 'abused' or 'neglected' or is a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence; or there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides; or while a woman is pregnant, that there is reasonable likelihood that after the birth of the child: the child will suffer abuse or neglect, or may be killed by a person with whom the child is likely to reside; or that the child will require medical treatment or other intervention as a result of the behaviour of the woman or another person with whom the woman resides or is likely to reside, before the birth of the child.</p> <p>Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488</p>
How to report	<p>For immediate help</p> <p>If a child is at immediate risk and Police or medical assistance is required, dial 000.</p> <p>For urgent matters, where a child or young person needs immediate protection, call the Advice and Referral Line at any time.</p> <p>Business Hours Reporting</p> <p>General business hours are 8:30am and 5:00pm Monday to Friday, with after hours on-call services available for urgent calls.</p> <p>If you have concerns for the safety or welfare of a child, call the Advice and Referral Line on 1800 000 123.</p>

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Mandatory Reporting Western Australia	
Item	Description
Mandatory Reporters (MR)	Ministers of Religion, School Teachers, Early Childhood Workers, School Counsellors
Type of Abuse	Mandatory: Sexual abuse Optional: Physical Abuse, Neglect, Psychological Harm
Reporting	Belief on reasonable grounds that child sexual abuse has occurred or is occurring, where this belief is formed in the course of the person's work, whether paid or unpaid. Alternatively you may ring Adsafe for advice on your concern and help with the assessment process. Adsafe can be contacted on +61 2 9847 3488
How to report Sexual Abuse	MRs may first report by phone <i>Mandatory Reporting Service: 1800 708 704</i> MRs must also lodge a written report by either Using the Online Mandatory Reporting Web System <link> Or Downloading and completing the template PDF form <Mandatory Report Form> (external link) Once completed return by: email: mrs@dcp.wa.gov.au Post: PO Box 8146, Perth BC 6849 WA FAX: +61 8 9223 1190
How to report Other forms of abuse	Reports can be made to: Metropolitan area Phone: 1800 273 889 email: cpduty@cpfs.wa.gov.au Country Areas Through a local District Office

Reportable Conduct (RC)

Is there a RC scheme in your jurisdiction?

Reportable Conduct Schemes have been established in the Australian Capital Territory, New South Wales, Tasmania, Victoria and Western Australia.

What is the definition of RC?

To find out more information on the Reportable Conduct Scheme in your jurisdiction including a definition of Reportable Conduct, click on the link below.

Link to: [ACT](#) [NSW](#) [Tas](#) [Vic](#) [WA](#)

Allegation Based

Most RC schemes are allegations based.

This means that when an allegation is raised it triggers an investigation, and also a legal requirement to report the matter to the relevant external oversight agency. The organisation has to proceed with the investigation if the allegation as stated represents RC. The allegations must be investigated and findings made based on the evidence gathered. Some oversight bodies have the discretion to not require an organisation to investigate Reportable Allegations if it has been addressed using other investigations such as by Police.

External Oversight

Each scheme has an external agency that gives oversight to the process. This usually involves;

1. making a notification of the receipt of a Reportable Allegation to the oversight body within a specified time after becoming aware of an allegation (shortest is 3 days, longest 30 days); and
2. providing updates on the progress of the investigation when requested or required; and
3. providing a written report to the oversight body on the conclusion of the investigation which includes an investigation report, the findings, any further action taken and any adjustments to policy, guidelines or practices.

The Organisation's Responsibilities

The Organisation has responsibilities to:

1. appoint a head of organisation to manage reportable allegations.
2. ensure there are systems in place for staff to notify the head of agency of reportable allegations.
3. appoint an investigator to investigate the allegations applying the principles below and to prepare a report with suggested findings and recommendations.
4. make a finding and if sustained take action.
5. implement any recommendations arising from the investigation.

Principles used

1. The investigation will gather all available evidence and make a finding based on the relevant evidence only using the burden of proof 'on the balance of probabilities'.
2. The investigation will use the principles of procedural fairness which includes:

- a) the right to an unbiased decision maker.
 - b) providing as much detail as possible about the allegations in writing to the Person Subject of Allegation (PSOA).
 - c) giving time to the PSOA to prepare a response.
 - d) giving a right of reply to the PSOA before making a final decision.
3. During the investigation support will be provided for persons being interviewed.
 4. Confidentiality will be asked of all parties participating in the investigation.

Investigation Process

The process involves:

1. Receipt of the allegation.
2. Assessment of the alleged conduct as being Reportable Conduct.
3. Assessment of risk to all parties and development of a risk management plan.
4. Interview with complainant, victim and witnesses.
5. Drafting of a written letter of allegation.
6. Meeting with the Person Subject of Allegation (PSOA).
7. Opportunity for the PSOA to prepare a response.
8. Interview with the PSOA to hear response.
9. Interview with any further witnesses as needed.
10. Preparation of the investigation report, letter of preliminary findings and recommendations.
11. Send letter of Preliminary findings to the PSOA and seek any further response.
12. Review further response if given and make final findings.
13. Present letter of final findings to the PSOA.
14. Take any required action and implement recommendations.

Possible Outcomes

No findings sustained

If there are no sustained findings no further action will be taken.

Sustained findings

If there are sustained findings the organisation may take action including:

1. requiring further training.
2. letters of warning.
3. standing down from roles in the church.
4. if employed, terminate employment.

In some jurisdictions a sustained finding may require the organisation to notify the WWCC agency of the finding. This may trigger a reassessment of the risk factors around a PSOA working with children, which may result in a change to their WWCC status.

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Reportable Conduct Scheme (RCS) Australian Capital Territory	
Item	Description
Legislation	Ombudsman Act 1989 (ACT)
Oversight Agency	ACT Ombudsman
Organisation	<p>Organisation known as a 'Designated entity'</p> <p>Religious Body -- Seventh-day Adventist Church (SNSW) Ltd SNSW Conference and Local Churches (in ACT)</p> <p>Non-Government School -- Seventh-day Adventist Schools (SNSW) Ltd Canberra Christian School</p> <p>Residential care organisations</p> <p>Child care services</p> <p>Education and care service providers, including after school care</p>
Head of Organisation	<p>Head of designated entity</p> <p>Religious Body -- Seventh-day Adventist Church (SNSW) Ltd Conference President (CEO)</p> <p>Non-Government Schools -- Seventh-day Adventist Schools (SNSW) Ltd Education Director</p>
Employee	An employee includes a person under a contract of employment with the designated entity (Ministers, Teachers, Conference and School employees), a person engaged by the designated entity to provide services to children (Volunteers) or a person engaged by another entity to provide services to the children of the designated entity (contractors, volunteers).
Reporting obligations	<p>Initial Notification: 30 days</p> <p>Final Notification: At the conclusion of the investigation</p>

Reportable Conduct Scheme (RCS) Australian Capital Territory	
Item	Description
Scope	<p>Reportable Conduct is alleged conduct against a child (person under 18). It is alleged Conduct about an employee, volunteer or contractor who works with children all referred to as an "Employee".</p> <p>The child could be any child including those living outside the country or the employee's own children, not just children associated with the organisation.</p> <p>Alleged conduct could be recent or historical including before the employee took on the role.</p>
Definitions	<p>A reportable allegation is an express assertion that reportable conduct has happened.</p> <p>Designated entities must report allegations or convictions concerning child abuse and child-related misconduct by an employee, including:</p> <ul style="list-style-type: none"> • a sexual or physical offences or convictions where a child is a victim, or present • sexual misconduct • Ill-treatment or neglect of a child • psychological harm to a child • inappropriate discipline or offences relating to protecting children from harm (in a school context)
Action	Report all Reportable Allegations to the Protection Team within one working day.

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Reportable Conduct Scheme (RCS) New South Wales	
Item	Description
Legislation	The Children’s Guardian Act 2019 (NSW)
Oversight Agency	Office of the Children’s Guardian – Reportable Conduct Directorate
Organisation	<p>Organisation is known as a ‘Relevant entity’</p> <p>Religious Body</p> <ul style="list-style-type: none"> Seventh-day Adventist Church (GS) Ltd Seventh-day Adventist Church (NNSW) Ltd Seventh-day Adventist Church (SNSW) Ltd Seventh-day Adventist Church (SPD) Ltd <p style="padding-left: 40px;">NSW Conference offices and Local NSW Churches</p> <p>Non-Government Schools</p> <ul style="list-style-type: none"> Seventh-day Adventist Schools (GS) Ltd Seventh-day Adventist Schools (NNSW) Ltd Seventh-day Adventist Schools (SNSW) Ltd <p style="padding-left: 40px;">All NSW Adventist Schools (Operated by the above entities)</p> <p>Designated agencies arranging or providing out-of-home care</p> <p>Approved education and care services</p> <p>Statutory health corporations</p> <p>Affiliated health organisations</p>
Head of Organisation	<p>Head of relevant entity</p> <p>Religious Body -- Seventh-day Adventist Church (SNSW) Ltd</p> <p style="padding-left: 40px;">Conference President (CEO)</p> <p>Non-Government School -- Seventh-day Adventist Schools (SNSW) Ltd</p> <p style="padding-left: 40px;">Education Director (CEO)</p>
Employee	<p>An employee includes:</p> <ol style="list-style-type: none"> 1. an employee of the relevant entity (Ministers, Teachers, Conference and School employees),

Reportable Conduct Scheme (RCS) New South Wales	
Item	Description
Legislation	The Children’s Guardian Act 2019 (NSW)
	<ol style="list-style-type: none"> 2. a person engaged by the relevant entity to provide services to children (Volunteers), 3. a person engaged by another entity (Third Party Employer) to provide services to the children of the relevant entity (volunteers, contractors who are required to hold WWCC), 4. the Head of the Third-Party Employer or 5. a person who is engaged and required by a religious body, to hold a WWCC.
Reporting obligations	<p>Initial Notification: 7 business days</p> <p>Interim report: 30 calendar days</p> <p>Final Notification: At the conclusion of the investigation provide an Entity Report</p>
Scope	<p>Reportable Conduct is alleged conduct against a child (person under 18). It is alleged conduct about an employee, volunteer or contractor who works with children all referred to as an “Employee”.</p> <p>The child could be any child including those living outside the country or the employee’s own children, not just children associated with the relevant entity.</p> <p>Alleged conduct could be recent or historical including before the employee took on the role.</p>
Definitions	<p>Reportable Conduct</p> <p>Allegations about the conduct of “employees” including</p> <ul style="list-style-type: none"> • a sexual offence • sexual misconduct • an assault against a child • ill-treatment of a child • neglect of a child • behaviour that causes significant emotional or psychological harm to a child • failure to protect offence (s 43B, Crimes Act) • failure to report offence (s 216B, Crimes Act)

Reportable Conduct Scheme (RCS) New South Wales	
Item	Description
Legislation	The Children’s Guardian Act 2019 (NSW)
	<p>A Reportable Allegation is an allegation that an “employee” has engaged in conduct that may be reportable conduct</p> <p>A Reportable Conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.</p>
Action	Report all Reportable Allegations to the Protection Team within one working day.

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Reportable Conduct Scheme (RCS) Tasmania	
Item	Description
Legislation	<i>Child and Youth Safe Organisations Act 2022 (Tas)</i>
Oversight Agency	Yet to be named independent regulator
Organisation	<p>Organisation is known as an 'Relevant Entity'</p> <p>Religious Body</p> <p style="padding-left: 40px;">Seventh-day Adventist Church (Tasmania) Ltd</p> <p style="padding-left: 40px;">Conference offices and Local Tasmanian Churches</p> <p>Non-Government Schools</p> <p style="padding-left: 40px;">Seventh-day Adventist Schools (Tas) Ltd</p> <p style="padding-left: 40px;">All Tasmanian Adventist Schools</p> <p>Approved education and care services (e.g. kindergartens, after hours care services)</p> <p>Children's services (e.g. occasional care providers)</p>
Head of Organisation	<p>Head</p> <p>Religious Body</p> <p style="padding-left: 40px;">Seventh-day Adventist Church (Tasmania) Ltd</p> <p style="padding-left: 40px;">Conference offices and Local Tasmanian Churches</p> <p style="padding-left: 40px;">Conference President (CEO)</p> <p>Non-Government School -- Seventh-day Adventist Schools (Tas) Ltd</p> <p style="padding-left: 40px;">Education Director (CEO)</p>
Worker	<p>A Worker includes a person over the age of 18 who is:</p> <ol style="list-style-type: none"> 1. an employee of the entity (Ministers, Teachers, Conference and School employees), 2. engaged by the entity to provide services, including as a volunteer contractor, subcontractor, consultant, director, member of a management committee, office holder or officer, whether or not the person is engaged in connection with any work or activity that relates to children 3. Minister of religion, a religious leader, a worker or officer of the religious body whether or not the person provides services to children.

Reportable Conduct Scheme (RCS) Tasmania	
Item	Description
Legislation	<i>Child and Youth Safe Organisations Act 2022 (Tas)</i>
Reporting obligations	<p>Initial Notification: 3 business days</p> <p>Update: 30 calendar days</p> <p>Final Notification: At the conclusion of the investigation provide a Report on the outcomes of the investigation</p>
Scope	<p>Reportable Conduct is alleged conduct against a child (person under 18). It is alleged conduct about an employee, volunteer or contractor all referred to as a "Worker".</p> <p>The child could be any child including those living outside the country or the employee's own children, not just children associated with the relevant entity.</p> <p>Alleged conduct could be recent or historical including before the employee took on the role.</p>
Definitions	<p>Reportable Conduct</p> <p>Reportable Conduct is</p> <ul style="list-style-type: none"> (a) a relevant offence committed against, with or in the presence of, a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded; or (b) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or (c) physical violence against a child; or (d) grooming of a child; or (e) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or (f) significant neglect of a child; or (g) any prescribed conduct - <p>regardless of whether or not the alleged conduct occurred within the course of a worker's duties in respect of an entity.</p>
Reasonable Belief	<p>A reportable allegation is made where a person makes an allegation, based on a reasonable belief that an "Employee" has committed Reportable Conduct or misconduct that may involve reportable conduct.</p> <p>A reasonable belief is a belief based on fact that would lead a reasonable person to think that reportable conduct may have occurred.</p>

Reportable Conduct Scheme (RCS) Tasmania	
Item	Description
Legislation	<i>Child and Youth Safe Organisations Act 2022 (Tas)</i>
Action	Report all Reportable Allegations to the Protection Team within one working day.

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Reportable Conduct Scheme (RCS) Victoria	
Item	Description
Legislation	Child Wellbeing and Safety Act 2005 (Vic)
Oversight Agency	Commissioner For Children and Young People (CCYP)
Organisation	<p>Organisation is known as an 'Entity'</p> <p>Religious Body</p> <ul style="list-style-type: none"> Seventh-day Adventist Church (Victoria) Ltd Seventh-day Adventist Church (AUC) Ltd Conference and Union offices and Local Vic Churches <p>Non-Government Schools</p> <ul style="list-style-type: none"> Seventh-day Adventist Schools (Vic) Ltd All Victorian Adventist Schools <p>Approved education and care services (e.g. kindergartens, after hours care services)</p> <p>Children's services (e.g. occasional care providers)</p>
Head of Organisation	<p>Head of entity</p> <p>Religious Body</p> <ul style="list-style-type: none"> Seventh-day Adventist Church (Victoria) Ltd Seventh-day Adventist Church (AUC) Ltd Conference or Union President (CEO) <p>Non-Government School -- Seventh-day Adventist Schools (Vic) Ltd</p> <p>Education Director (CEO)</p>
Employee	<p>An employee includes a person over the age of 18 who is:</p> <ol style="list-style-type: none"> 4. an employee of the entity (Ministers, Teachers, Conference and School employees), 5. engaged by the entity to provide services, including as a volunteer (including foster carers and kinship carers), contractor, Minister of religion, officer of a religious body, office holder or officer, whether or not the person provides services to children.

Reportable Conduct Scheme (RCS) Victoria	
Item	Description
Legislation	Child Wellbeing and Safety Act 2005 (Vic)
Reporting obligations	Initial Notification: 3 business days Update: 30 calendar days Final Notification: At the conclusion of the investigation provide a Report on the outcomes of the investigation
Scope	Reportable Conduct is alleged conduct against a child (person under 18). It is alleged conduct about an employee, volunteer or contractor all referred to as an "Employee". The child could be any child including those living outside the country or the employee's own children, not just children associated with the relevant entity. Alleged conduct could be recent or historical including before the employee took on the role.
Definitions	Reportable Conduct Allegations about the conduct of "employees" including <ul style="list-style-type: none"> • sexual offences (against, with or in the presence of, a child) • sexual misconduct (against, with or in the presence of, a child) • physical violence (against, with or in the presence of, a child) • behaviour that causes significant emotional or psychological harm • significant neglect.
Reasonable Belief	A reportable allegation is made where a person makes an allegation, based on a reasonable belief that an "Employee" has committed Reportable Conduct or misconduct that may involve reportable conduct. A reasonable belief is a belief based on fact that would lead a reasonable person to think that reportable conduct may have occurred.
Action	Report all Reportable Allegations to the Protection Team within one working day.

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Reportable Conduct Scheme (RCS) Western Australia	
Item	Description
Legislation	Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 (WA)
Oversight Agency	WA Ombudsman
Organisation	<p>Organisation known as 'Relevant Entities'</p> <p>Education Services (Schools) – commencing 19 August 2022</p> <p>Religious Bodies – commencing 20 August 2023</p> <p>Childcare services</p> <p>Accommodation and residential services</p> <p>Out-of-home care services</p>
Head of Organisation	<p>Head of Relevant Entity – person with RCS responsibilities</p> <p>Seventh-day Adventist Church (WA) Ltd – WAC President WA Conference and WAC churches</p> <p>Seventh-day Adventist Church (WA) Ltd – WAC President All SDA Schools in WAC</p>
Employee	<p>An employee of a relevant entity is an individual who has reached 18 years of age and is one of:</p> <ol style="list-style-type: none"> 1. an officer or employee, 2. a person engaged to provide services to children including a volunteer or contractor, or 3. a person engaged by another person or body to provide services to children on behalf of the relevant entity.
Reporting obligations	<p>Initial Notification: Within 7 Business days of becoming aware of an allegation</p> <p>Final Notification: At the conclusion of the investigation</p>

Reportable Conduct Scheme (RCS) Western Australia	
Item	Description
Legislation	Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 (WA)
Scope	<p>Reportable Conduct is alleged conduct against a child (person under 18). It is alleged conduct about an employee, volunteer or contractor who works with children all referred to as an "Employee".</p> <p>The child could be any child including those living outside the country or the employee's own children, not just children associated with the organisation.</p> <p>Alleged conduct could be recent or historical including before the employee took on the role.</p>
Definitions	<p>Reportable Conduct</p> <p>Allegations about the conduct of an employee including:</p> <ul style="list-style-type: none"> • a sexual offence • sexual misconduct • physical assault committed against, with or in the presence of a child <p>and after 20 August 2023</p> <ul style="list-style-type: none"> • significant neglect of a child • conduct that causes significant emotional or psychological harm to a child. <p>A Reportable Allegation is any information that leads a person to form the belief on reasonable grounds that an "employee" of the organisation has engaged in reportable conduct or conduct that may involve reportable conduct, whether or not the conduct is alleged to have occurred in the course of the employee's employment.</p> <p>A Reportable Conviction is a conviction for an offence that is part of Reportable Conduct.</p>
Action	Report all Reportable Allegations to the Protection Team within one working day.

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Investigable Conduct (IC)

Background

The Seventh-day Adventist Church in Australia and New Zealand has had a policy to respond to serious allegations raised about the conduct of employees and volunteers as it relates to Child Sexual Abuse. This has been overlooked by Adsafes and Safe Place Services prior to Adsafes establishment since 2000.

Adsafes has defined a category of alleged conduct that must be investigated if alleged, similar to the concept of Reportable Conduct. This is called investigable conduct.

What is the definition of IC?

To find out more information on the Investigable Conduct including a definition of Investigable Conduct click on the [<link>](#)

Reporting Obligation

In an effort to promote the protection of Children and Vulnerable Adults, all employees and volunteers appointed to roles (persons in roles) in the wider church are expected to report any allegations of Investigable Conduct made about the conduct of persons in roles to a member of their local Protection Team.

Oversight

Adsafes will organise and provide oversight for any investigation into investigable conduct.

The Organisation's Responsibilities

The local Churches, Church Entities and Affiliated Entities have responsibilities to:

1. ensure there are systems in place for staff to notify the appropriate Protection Team of any investigable allegations,
2. make a finding and if sustained take action, and
3. implement any recommendations.

Principles used

1. The investigation will gather all available evidence and make a finding based on the relevant evidence only using the burden of proof 'on the balance of probabilities'.
2. The investigation will use the principles of procedural fairness which includes:
 - a) the right to an unbiased decision maker.
 - b) providing as much detail as possible about the allegations in writing to the Person Subject of Allegation (PSOA).
 - c) giving time to the PSOA to prepare a response.
 - d) giving a right of reply to the PSOA before making a final decision.
3. During the investigation support will be provided for persons being interviewed.
4. Confidentiality will be asked of all parties participating in the investigation.

Investigation Process

The process involves:

1. Receipt of the allegation.
2. Assessment of the alleged conduct as being Investigable Conduct.
3. Assessment of risk to all parties and development of a risk management plan.
4. Interview with complainant, victim and witnesses.
5. Development of a written letter of allegation.
6. Meeting with the Person Subject of Allegation (PSOA).
7. Opportunity for the PSOA to prepare a response.
8. Interview with PSOA to hear response.
9. Interview with any further witnesses as needed.
10. Preparation of the investigation report, Letter of Preliminary findings and recommendations.
11. Send letter of Preliminary findings to the PSOA and seek any further response.
12. Review further response if given and make final findings.
13. Present letter of final findings to the PSOA.
14. Take any required action and implement recommendations.

Possible Outcomes

No findings sustained

If there are no sustained findings no further action will be taken.

Sustained findings

If there are sustained findings the organisation may take action including:

1. requiring further training,
2. letters of warning,
3. standing down from roles in the church, and
4. if employed, terminate employment.

Investigable Conduct (IC) Non-RCS Jurisdictions	
Item	Description
Oversight Agency	Adsafe
Organisation	Designated entity Local Church Church Entity Affiliated Entities
Head of Organisation	Head of designated entity Local Church – Adsafes Responsible Officer Church Entities – Adsafes Responsible Officer Affiliated Entities – Chief Executive Officer
Employee	<p>Investigable Conduct is conduct committed against a child or vulnerable person by:</p> <ol style="list-style-type: none"> an “employee” as defined by the applicable Reportable Conduct Scheme if it exists in the jurisdiction. <p>Link to RCS: ACT NSW Tas Vic WA</p> <p>or</p> <ol style="list-style-type: none"> a presently or at the time of the alleged conduct appointed volunteer (including a religious leader or office holder) of a local church, company or group who is presently over the age of 18. <p>or</p> <ol style="list-style-type: none"> an employee of the Church including affiliated entities, employed presently or at the time of the allegation, who is now over the age of 18. <p>or</p> <ol style="list-style-type: none"> a volunteer, contractor, consultant or a person in work placement who is engaged presently or at the time of the allegation to work directly with children by the Church including affiliated entities and who is now over the age of 18.

Investigable Conduct (IC) Non-RCS Jurisdictions	
Item	Description
Scope	<p>Investigable Conduct is alleged conduct against a child (person under 18) or a vulnerable adult. It is alleged Conduct about an “employee” as defined above.</p> <p>The child or a vulnerable adult (vulnerable person) could be any vulnerable person including those living outside the country or a vulnerable person living in the employee’s own home, not just vulnerable persons associated with the organisation.</p> <p>Investigable Conduct is conduct that is alleged to have occurred recently or historically:</p> <ol style="list-style-type: none"> 1. by a then adult or, 2. in the context of a sexual offence or child sexual misconduct, by a then child towards a child where there is a significant age difference, power imbalance or evidence of coercion.
Definitions	<p>Investigable Conduct is defined as allegations of:</p> <ol style="list-style-type: none"> 1. Reportable Conduct for jurisdictions where a Reportable Conduct Scheme (RCS) exists <p>Link to RCS: ACT NSW Tas Vic WA</p> <p>and may further include if not already applicable:</p> <ol style="list-style-type: none"> 2. any sexual offence or child sexual misconduct committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material); and 3. any physical abuse of a child; and 4. any sexual offence or adult sexual misconduct committed against, with or in the presence of a vulnerable adult; and 5. any physical abuse of a vulnerable adult. <p>Sexual Offence – The term ‘sexual offence’ encompasses all criminal offences in the jurisdiction involving a sexual element that are ‘committed against, with or in the presence of a child’ or adult.</p> <p>Child Sexual Misconduct – any conduct with, towards or in the presence of a child that is sexual in nature other than a sexual offence which may include but is not limited by:</p>

Investigable Conduct (IC) Non-RCS Jurisdictions	
Item	Description
	<p>(1) descriptions of sexual acts without a legitimate reason to provide the descriptions;</p> <p>(2) sexual comments, conversations or communications;</p> <p>(3) comments to a child that express a desire to act in a sexual manner towards the child, or another child;</p> <p>(4) unwanted and inappropriate touching;</p> <p>(5) undressing or watching someone else undress; and</p> <p>(6) any other conduct identified as sexual misconduct by reportable conduct schemes.</p> <p>Adult Sexual Misconduct – Conduct that includes one or more of the following</p> <p>(1) Sexual harassment</p> <p>(2) Sexual exploitation</p> <p>Sexual Exploitation: Refers to any form of sexual contact or invitation to sexual contact with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage.</p> <p>Sexual Harassment: Means unwelcomed conduct of a sexual nature, whether intended or not, where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time.</p> <p>Physical Abuse: any act by which a person intentionally inflicts unjustified use of physical force against a child or vulnerable adult. Abuse can also occur if a person causes a child or vulnerable adult to reasonably fear that unjustified force will be used against them.</p>
Action	Report all Investigable Conduct Allegations to the Protection Team within one working day.

Employment Proceedings

Reporting Obligations

If you are an Administrator in an organisation and want to find out whether you have any Employment Proceedings reporting obligations in your jurisdiction refer to the following tables.

To move directly to your jurisdiction please use the following links:

Link to: [NZ](#) [ACT](#) [NSW](#) [NT](#) [Qld](#) [SA](#) [Tas](#) [Vic](#) [WA](#)

Employment Proceedings New Zealand	
Item	Description
Legislation	Children’s Act 2014
Agency	NZ Police Vetting Service
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to NZ Police Vetting Service.
Legislation	Education and Training Act 2020
Agency	Teaching Council of Aotearoa
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to the Teaching Council of Aotearoa.

Employment Proceedings Australian Capital Territory (ACT)	
Item	Description
Legislation	The Working with Vulnerable People (Background Checking) Act 2011 (ACT) Working with Vulnerable People (Background Checking) Regulation 2012 (ACT)
Agency	Access Canberra
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to the WWVP screening unit.

Employment Proceedings New South Wales	
Item	Description
Legislation	Child Protection (Working with Children) Act 2012 (NSW) Child Protection (Working with Children) Regulation 2013 (NSW)
Agency	Office of the Children’s Guardian (OCG) (NSW)
Reporting obligations	The Head of Relevant Entity must report a finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault to the Office of the Children’s Guardian to the Guardian’s Working with Children Check Directorate.
Legislation	Teacher Accreditation Act
Agency	New South Wales Education and Standards Authority (NESA)
Reporting obligations	<p>An employer of an accredited teacher who has, or is aware of, any information that is or may be relevant to any of the grounds for revocation or suspension of accreditation under the TA Act, must notify NESA.</p> <p>Relevant information includes information relating to:</p> <ul style="list-style-type: none"> • a teacher being found guilty of criminal charges punishable by imprisonment for 12 months or more • a teacher being found guilty, more than once during a five-year period, of any type of offence that may involve an act or conduct that is of a nature that would reflect adversely on a teacher’s professional standing or integrity or suitability or competence to teach and being dismissed for those offences; or • disciplinary proceedings into teacher misconduct undertaken by an employer that are likely to impact on a revocation or suspension decision that NESA may make in relation to the teacher’s accreditation. <p>An employer who makes a ‘relevant decision’ in relation to a teacher must notify NESA of the decision and provide NESA with all information that is or may be relevant to the decision.</p> <p>A ‘relevant decision’ in relation to a teacher’s conduct is a decision:</p> <ul style="list-style-type: none"> ○ to commence disciplinary proceedings against a teacher in relation to alleged misconduct where disciplinary proceedings are those actions that cause the teacher to be suspended from employment or placed on alternate duties outside of a classroom

Employment Proceedings New South Wales	
Item	Description
	<p>environment on the basis of a serious risk to students or colleagues while an investigation occurs</p> <ul style="list-style-type: none"> ○ to accept the resignation of a teacher prior to taking final disciplinary action that could lead to the termination of the teacher's employment and was conduct likely to impact on the revocation of a teacher's accreditation ○ to dismiss the teacher from employment as a teacher for any reason for which a teacher's accreditation may be revoked (see Section 11.2) ○ to include the teacher on the NSW Department of Education's 'Not To Be Employed' list for misconduct, allegations of misconduct or unsatisfactory performance resulting in disciplinary action and was conduct likely to impact on the revocation of a teacher's accreditation; or <p>A 'relevant decision' in relation to a teacher's performance is a decision:</p> <ul style="list-style-type: none"> ▪ to dismiss a teacher because of the teacher's failure to demonstrate that their teaching practice continues to meet the applicable Standards ▪ to accept the resignation of a teacher prior to taking disciplinary action that could lead to the termination of the teacher's employment for failing to demonstrate that their teaching practice continues to meet the applicable Standards. <p>In most cases, a 'relevant decision' coincides with a decision by an employer to remove a teacher from their teaching position. This includes a decision about a teacher's failure to:</p> <ul style="list-style-type: none"> • demonstrate that their teaching practice continues to meet the Standards at any time during their maintenance period; and/or • complete the maintenance of accreditation requirements by the end of their maintenance period, in line with Section 5 or Section 7, as applicable. <p>Matters related solely to a specific ethos of a school or early childhood employer are not considered grounds for revocation or suspension of accreditation under the TA Act and, therefore, do not require notification to NESAs.</p> <p>Any other disciplinary or conduct decision or action undertaken by an employer that does not satisfy the definition of a 'relevant decision' does not require notification to NESAs.</p>

Employment Proceedings
New South Wales

Item	Description
	Notification of a relevant matter must be made by email to TAnotifications@nesa.nsw.edu.au. NESAs must be notified when a teacher has failed to meet a condition of accreditation.



Employment Proceedings Northern Territory	
Item	Description
Legislation	Care and Protection of Children Act 2007 (NT) Care and Protection of Children (Screening) Regulations 2010 (NT)
Agency	Northern Territory Screening Authority
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to the Northern Territory Screening Authority.

Employment Proceedings Queensland	
Item	Description
Legislation	Working with Children (Risk Management and Screening) Act 2000 (Qld) Working with Children (Risk Management and Screening) Regulation 2020 (Qld)
Agency	Blue Card Services
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to Blue Card Services.
Legislation	Education (Queensland College of Teachers) Act 2005
Reporting obligations	<p>If you are an employing authority responsible for appointing teachers to your staff you are obliged under the Act to notify us</p> <ul style="list-style-type: none"> • when you start to deal with an allegation of harm or likely harm to a child due to the conduct of a teacher • when you finish dealing with an allegation of harm or likely harm to a child due to the conduct of a teacher • of dismissal of a teacher if the teacher's competence is at issue. <p>Under the Act you are not liable for disclosing information contained in the notice.</p>

Employment Proceedings South Australia	
Item	Description
Legislation	Child Safety (Prohibited Persons) Act 2016 (SA) Child Safety (Prohibited Persons) Regulations 2019 (SA)
Agency	Department of Human Services (DHS) – Screening Unit
Reporting obligations	<p>Employers are required to make a report to the Screening Unit if they become aware that a person they are employing in a prescribed position:</p> <ul style="list-style-type: none"> • has new assessable information. For example, the person has been charged with or found guilty of an offence or is subject to disciplinary proceedings • is prohibited from working with children in another State or Territory • becomes a registrable offender under the Child Sex Offenders Registration Act 2006, or • makes a disclosure to you under section 66 of the Child Sex Offenders Registration Act 2006. <p>This is known as a section 19 report and can be made through your organisation portal. It is an offence (with a maximum penalty of \$25,000) to refuse or fail to notify the Screening Unit of this information.</p>
Legislation	Teachers Registration and Standards Act 2004.
Agency	Teachers Registration Board of South Australia
Reporting obligations	<p>Employers (and former employers in some instances) of teachers or holders of a Special Authority to Teach are required to give written notice to the Board as soon as reasonably practicable and within 7 days of any of the following:</p> <p>Employer Notification</p> <p>If the employer dismisses (or accepts the resignation of a teacher) for one or more of the following reasons (section 37(1)):</p> <ul style="list-style-type: none"> • the teacher is a prohibited person (pursuant to the <i>Child Safety (Prohibited Persons) Act 2016</i>); • a working with children check has not been conducted in relation to the teacher within the preceding 5 years;

Employment Proceedings South Australia	
Item	Description
	<ul style="list-style-type: none"> • in response to an allegation of unprofessional conduct made against the teacher; • incompetence (however described). • Any other reason prescribed by regulations <p>If the employer becomes aware of any of the following in relation to the teacher (section 37(2)):</p> <ul style="list-style-type: none"> • that the teacher's capacity to teach is, or may be, seriously impaired by an illness or disability affecting the person's behaviour or competence as a teacher; • that an allegation of unprofessional conduct is made against the teacher; • the teacher is not, in the opinion of the employer, a fit and proper person to be a registered teacher. • Any other reason prescribed by regulations <p>Former Employer Notification</p> <p>If the employer becomes aware of any of the following in relation to the teacher within 12 months of the teacher's cessation of employment (section 37(3)):</p> <ul style="list-style-type: none"> • that an allegation of unprofessional conduct is made against the teacher. • any other matter of a kind prescribed by the regulations

Employment Proceedings Tasmania	
Item	Description
Legislation	Registration to Work with Vulnerable People Act 2013 (Tas) Registration to Work with Vulnerable People Regulations 2014 (Tas)
Agency	Consumer, Building and Occupational Services (Department of Justice)
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to the Department of Justice.
Legislation	Teachers Registration Act 2000
Agency	Teachers Registration Board Tasmania
Reporting obligations	<p>By law, employers must notify the Board in these circumstances:</p> <ul style="list-style-type: none"> Registered teachers and LAT holders engaging in unacceptable behaviour An employer must notify the Board within 28 days if it considers any behaviour of a registered teacher or LAT holder to be unacceptable behaviour <u>and</u> dismisses the person because of that behaviour <u>or</u> takes any other disciplinary action against the person. Registered teachers and LAT holders retiring or resigning in certain circumstances An employer must notify the Board within 28 days if a registered teacher or LAT holder resigns or retires in circumstances that may have allowed their employer to consider <u>any</u> of that person's behaviour to be unacceptable behaviour. <p>The Teachers Registration Act 2000 defines "unacceptable behaviour" as any behaviour that:</p> <ul style="list-style-type: none"> does not satisfy a standard of behaviour generally expected of a teacher is otherwise disgraceful or improper shows the person is unfit to be a teacher.

Employment Proceedings Victoria	
Item	Description
Legislation	Worker Screening Act 2020 (Vic)
Agency	Working with Children Check Victoria
Reporting obligations	There is no obligation for employers to notify the result of an employment proceeding to Working with Children Check Victoria.
Legislation	<i>Education and Training Reform Act 2006</i>
Agency	Victorian Institute of Teachers
Reporting obligations	Employers notify VIT if they have taken <ul style="list-style-type: none"> disciplinary action against a registered teacher in response to allegations of serious incompetence, serious misconduct, or where the teacher may be unfit to be a registered teacher action against a registered teacher because their ability to practise as a registered teacher is seriously detrimentally affected, or likely to be seriously detrimentally affected by an impairment, or any other action that may be relevant to the registered teacher's fitness to teach.

Employment Proceedings Western Australia	
Item	Description
Legislation	Working with Children (Criminal Record Checking) Act 2004 (WA) Working with Children (Criminal Record Checking) Regulations 2005 (WA)
Agency	WWC Screening Unit Department of Communities
Reporting obligations	Employer to notify the WWC Screening Unit in writing if they reasonably suspect an employee, volunteer or student has been charged with or convicted of an offence which makes it inappropriate for them to continue to carry out child-related work.
Legislation	<i>Teacher Registration Act 2012</i>
Agency	The Teacher Registration Board Western Australia
Reporting obligations	<p>Section 42 of the Teacher Registration Act 2012 (Act) requires employers of registered teachers to notify the Board, of any investigation (even if not completed), where the employer is of the opinion that there was reason to believe that a teacher has engaged in serious misconduct or has been seriously incompetent, that results in a teacher:</p> <ul style="list-style-type: none"> • being suspended at the educational venue; or • being dismissed from teaching at the educational venue; or • resigning from the educational venue; or • no longer teaching at or being moved from the educational venue. <p>Notifications must be given within 30 days after the teacher was suspended, dismissed or ceased teaching at the educational venue. Failure to comply may incur a penalty of \$5000.</p> <p>Notifications are to contain the following information:</p> <ul style="list-style-type: none"> • the teacher's full name • the teacher's registration category • the teacher's registration number • the date the investigation commenced and the reasons it was commenced

Employment Proceedings Western Australia	
Item	Description
	<ul style="list-style-type: none">the decision, if any, reached by the employer as a result of the investigation and the reasons for the decision.