REPORTABLE CONDUCT SCHEME POLICY (VIC)

Our Service is committed to protecting the safety, wellbeing, and rights of all children in our care. Since January 1, 2019, Victoria's Reportable Conduct Scheme has required timely reporting and investigation of allegations of reportable conduct by workers and volunteers. Since February 2026, the Scheme has been administered by the Social Services Regulator (SSR). The Scheme complements the Victorian Child Safe Standards by strengthening organisational responses to child safety concerns.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child safety and protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 162A	Child protection training
S. 162B	Child safety training
S. 166	Offence to use inappropriate discipline
S. 166A	Offences relating to inappropriate conduct
S. 167	Offence relating to protection of children from harm and hazard
S. 174	Offence to fail to notify certain information to Regulatory Authority
S. 174B	Offence for approved provider to fail to notify Regulatory Authority of any reportable sexual conduct committed by relevant staff members
S. 188	Offence to engage person to whom prohibition notice applies
S. 188A	Offence to give false or misleading information to approved provider about prohibition notice
84	Awareness of child protection law

145	Staff record
149	Volunteers and students
155	Interactions with children
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
358	Working with children check—nominated supervisors, staff members and volunteers
366A	Reportable sexual conduct notified to Regulatory Authority

RELATED LEGISLATION

Child Wellbeing and Safety Act 2005	*Family Violence Protection Act 2008*
Children, Youth and Families Act 2005	*Social Services Regulation Act 2021*
Children's Services Act 1996	*Worker Screening Act 2020*

RELATED POLICIES

Child Protection Policy Child Safety and Wellbeing Policy Code of Conduct Policy Dealing with Complaints Policy Privacy and Confidentiality Policy	Protected Disclosures (Whistleblower) Policy Recruitment Policy Safe Use of Digital Technologies and Online Environments Policy Supervision Policy

PURPOSE

The approved provider, management, educators and staff are committed to protecting the safety, wellbeing, rights and best interests of all children. We understand our duty of care to protect children from harm, including harm caused by employees, volunteers, contractors, students or other persons engaged by the Service. We are committed to identifying and responding to risks and indicators of harm and ensuring all staff have a thorough knowledge and understanding of their responsibilities under the Victorian Reportable Conduct Scheme, which aims to strengthen organisational responses to allegations of reportable conduct involving workers and volunteers.

SCOPE

This policy applies to children, families, staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

DEFINITIONS

For additional definitions and key terms used within this policy, refer to *Key Terms – Policies and Procedures*.

Reportable conduct: The Victorian Reportable Conduct Scheme (the Scheme) requires organisations to respond to and investigate allegations of reportable conduct involving workers and volunteers. There are five types of reportable conduct

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

Examples of reportable conduct may include: inappropriate sexual comments or behaviour, sexting with a child, use of corporal punishment, persistent belittling that causes significant emotional harm, grooming, neglect or failure to provide adequate supervision or provide adequate health care. Learn more information about what is considered to be reportable conduct.

Social Services Regulator (SSR): The Victorian regulator responsible for administering the Scheme, including receiving notifications of reportable allegations and overseeing organisations' responses to reportable conduct.

Head of the organisation: The person responsible for notifying the SSR of reportable allegations and ensuring the organisation complies with its obligations under the Scheme. For an early childhood service, this may be the approved provider or another person with delegated responsibility, such as a Chief Executive Officer in a larger organisation.

Failure to disclose: Under the *Crimes Act 1958 (Vic),* any person aged 18 years or over must make a report to the Victoria Police if they form a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age in Victoria.

Failure to protect: Under the *Crimes Act 1958 (Vic),* a person in a position of authority within an organisation must take reasonable steps to reduce or remove a substantial risk that an adult associated with the organisation may commit a sexual offence against a child under 16 years of age who is under the organisation's care, supervision or authority.

Mandatory reporting: Mandatory reporting is a separate legal obligation from the Reportable Conduct Scheme. In Victoria, certain prescribed professional groups, including early childhood teachers and early childhood workers, must report a reasonable belief that a child is in need of protection from physical injury or sexual abuse to the relevant authority under the *Children, Youth and Families Act 2005 (Vic)*.

Reasonable belief: A person does not need proof that abuse or harm has occurred to make a report. A reasonable belief may be formed from a child's disclosure, observations of a child's behaviour or presentation, information provided by another person, or indicators that suggest a child may be at risk.

IMPLEMENTATION

THE HEAD OF THE ORGANISATION/APPROVED PROVIDER MUST:

- be fully aware of, and knowledgeable about, the responsibilities of the head of the organisation under the Scheme
- ensure information relating to a child's safety, health and wellbeing is only shared where permitted or required by law or relevant legislation. Refer to the *Child Protection Policy* and *Child Information Sharing and Family Violence Reforms Policy* for further information regarding the Service's legal obligations for information sharing.
- subscribe to updates from Social Services Regulator (SSR) to maintain current knowledge of Victorian child safety and the Scheme requirements (See: Resources)
- ensure there are systems in place to promote child safety (See: *Child Safety and Wellbeing Policy* and *Child Protection Policy*)
- ensure reportable conduct allegations are brought to the attention of appropriate persons for assessment, investigation and response
- ensure all reportable allegations are reported, including allegations involving workers who do not have direct contact with children, and conduct that allegedly occurred outside of their work where it relates to their role or association with the Service or the organisation
- contact 000 if they have immediate safety concerns about a child or young person
- contact the SSR for guidance if unsure whether an allegation should be reported under the Scheme:

  - Phone: 1300 310 778
  - Email: contact@ssr.vic.gov.au
  - Website: Social Services Regulator
- gather the information required to complete the report
- notify the SSR **within 3 business days** of becoming aware of a reportable allegation, via the secure webform. Prepare all information in advance as the form must be completed in one session.
- make a report to Victoria Police as soon as they become aware that a reportable allegation may involve criminal conduct. Where an allegation involves suspected criminal behaviour, the Service must notify Victoria Police, the SSR and the Victorian Early Childhood Regulatory Authority (VECRA), where required.
- notify VECRA via the NQA IT System (within 24 hours) of:
  - any incident or allegation where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
  - any complaints alleging that a serious incident has occurred or is occurring at the Service
  - any serious incident, including (but not limited to):
    - physical or sexual abuse of a child where emergency services attended the Service
  - any reportable sexual conduct by a nominated supervisor, educator, staff member, student or volunteer against, with or in the presence of, a child
  - any incident or allegation of conduct by an approved provider, nominated supervisor, staff member or volunteer that a reasonable person would consider to be inappropriate at the Service, including inappropriate conduct towards a child or between adults in the presence of a child
  - any change to a person's WWCC or any relevant risk information related to child safety.
- understand that where police are investigating potential criminal conduct, police investigations take priority and the organisation's investigation may need to be deferred or adjusted to avoid interfering with the police investigation
- provide the SSR with details of the person responsible for conducting the investigation
- investigate all allegations in accordance with SSR guidance (See: Resources)
- manage risks to children while responding to and investigating allegations
- maintain detailed, objective and accurate records throughout the investigation
- provide the SSR with updates on the organisation's response to the allegation
- assess the evidence and determine whether or not reportable conduct occurred

- provide the SSR with details of the investigation outcome and actions taken within 30 calendar days of the initial notification, including the finding made, reasons for the finding, evidence considered, and any actions taken in response to the allegation. Findings may include substantiated, unsubstantiated, unfounded, or conduct outside the Scheme.
- understand that the Scheme does not replace the legal requirement to report allegations or suspected criminal offences to Victoria Police
- take appropriate action following the outcome of an investigation, including implementing risk management strategies and reviewing practices where required.

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISORS WILL ENSURE:

- a robust recruitment process is implemented, including effective pre-employment screening, reference checks, and verification of required WWCCs and other background checks prior to employment or engagement. See *Recruitment Policy*
- people employed or engaged by the Service maintain current WWCCs where required and notify the approved provider of any changes to their WWCC status or suitability to work with children
- induction includes relevant information on child safe practices, the code of conduct, reporting obligations and responsibilities, and the requirements of the Scheme
- new employees (including the nominated supervisor and staff members), students and volunteers familiarise themselves with the *Child Protection Policy* to understand the child protection law and their child protection obligations
- that they, and all employees, understand their responsibilities under the Scheme, including how to raise concerns and notify reportable conduct
- all employees are aware of who holds the position as the head of the organisation
- there are systems in place to identify, respond to and manage allegations of reportable conduct
- that they, and all educators and staff, follow policies and procedures relating to child safety, wellbeing and protection
- allegations of reportable conduct are immediately brought to the attention of the head of the organisation
- that they notify the SSR of any alleged reportable conduct if the head of the organisation fails to do so or is unable to fulfil this responsibility.

EDUCATORS WILL:

- contact 000 if they have any immediate safety concerns about a child or young person
- understand their duty of care and their child protection responsibilities

- maintain a current WWCC, where required
- understand and follow all policies and procedures relating to child safety, wellbeing and protection
- understand that information relating to a child's safety, wellbeing and protection may be shared where permitted or required by law, including under relevant information-sharing schemes and legislation
- understand their responsibilities under the Scheme, including how to raise concerns and report allegations of reportable conduct
- understand that it is not their role to investigate allegations of reportable conduct; their role is to report concerns, provide relevant information and cooperate with any investigation undertaken by the appropriate persons or authorities
- immediately report concerns or reportable conduct allegations to the approved provider
- understand that if the head of organisation fails to notify the SSR of a reportable allegation, they must ensure the matter is escalated appropriately
- understand that failure to comply with child safety obligations, including requirements under the Scheme, may impact their suitability to work with children, including their WWCC status.

PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the *Children Youth and Families Act 2005 and Crimes Act 1958* effective April 2021. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- does not breach standards of professional conduct or ethics
- cannot lead to defamation and civil and criminal liability

A report is also an exempt document under the *Freedom of Information Act 1982.*

These protections are outlined within our *Protected Disclosures (Whistleblower) Policy,* which supports and protects individuals who report concerns in good faith about child safety, breaches of the National Law, or Service operations.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Reportable Conduct Scheme Policy* will be evaluated and reviewed on an annual basis or earlier if there are changes to legislation, ACECQA guidance or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management. All families will be notified 14 days before any policy change that may have a significant impact on the provision of education and care to any child enrolled at the Service or the family's ability to utilise the Service.

RESOURCES

Commission for Children and Young People: Mandatory notification webform guide: Head of organisation

Social Services Regulator: Get the latest from the Social Services Regulator

Social Services Regulator: Reportable Conduct Scheme guidance and resources

SOURCES

Australian Children's Education & Care Quality Authority. (2026). Guide to the National Quality Framework
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Victorian Government. Social Services Regulator. (2026). About the Reportable Conduct Scheme
Victorian Government. (2026). Information sharing guides, templates and tools
Victorian Government. (2026). Report an allegation under the Reportable Conduct Scheme

REVIEW

POLICY REVIEWED BY	[NAME] Amy Flockhart	[POSITION] office admin	[DATE] 04/08/2026
POLICY REVIEWED	AUGUST 2026	NEXT REVIEW DATE	AUGUST 2027
VERSION NUMBER	V10.08.26		
MODIFICATIONS	• annual policy review • updated references and terminology to align with the current Victorian Reportable Conduct Scheme and Social Services Regulator (SSR) • streamlined content to focus on reportable conduct responsibilities and process • removed duplication with other policies, i.e., recruitment, child safe environment, child protection and information sharing • clarified roles and responsibilities for management and educators • reviewed legislation, resources and sources; and adjusted as required		
PREVIOUS MODIFICATIONS			
FEBRUARY 2026	• updated policy to include child safety reforms for Education and Care Services National Law, including paramount considerations • Protection for Reporters section added to policy • updated policy to reflect changes to the new Social Services Regulator replacing the Commission for Children and Young People (CCYP)		