

Child Safe Standards and Regulation

Reportable Conduct Scheme



Who is this factsheet for?

This factsheet includes information about the Child Safe Standards (the Standards) and the Reportable Conduct Scheme. It is designed to help organisations and leaders understand their requirements in relation to child safety, including how the Standards and Reportable Conduct Scheme work together to help keep children and young people safe in the ACT.

The below information is not intended to be comprehensive, and organisations should seek legal advice to understand requirements specific to their organisation.

About the Child Safe Standards

The Standards are a set of ten interrelated principles that focus on changing institutional culture to support children and young people to *feel* safe and *be* safe.

The Standards are designed to assist organisations to improve practices to better protect and promote the rights, safety, and wellbeing of children and young people. The preamble requires organisations to apply the Standards in a manner that is culturally safe and inclusive for all children and young people.

Implementation of the Standards is mandatory for all organisations that provide services for children and young people, including organisations that have requirements under other ACT child safety legislation, such as the Reportable Conduct Scheme. To learn more about the Standards visit ACTChildSafe.act.gov.au

About the ACT Reportable Conduct Scheme

The Reportable Conduct Scheme aims to promote the safety and wellbeing of children in the ACT. Under the Scheme, certain organisations (known as designated entities) must report allegations about child abuse and misconduct by staff and volunteers to the ACT Ombudsman, and develop policies and procedures to prevent and respond to child abuse.

All employees of a designated entity are included under the Reportable Conduct Scheme, regardless of whether they have direct contact with children and young people. Volunteers and contractors are also included where they are providing services to children and young people.



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Designated entities include:

- All ACT Government Directorates
- Health services
- Childcare services
- Government and non government schools
- Education and care service providers, including after school care
- Kinship and foster care organisations
- Residential care organisations
- Religious bodies

What is reportable conduct?

Reportable conduct includes allegations or convictions of child abuse or misconduct towards children by an employee. It does not matter whether the employee engaged in the conduct in the course of their employment.



Reportable conduct includes:

- Sexual or physical offences and convictions where a child is a victim or present
- A conviction or finding of guilt under territory law involving reportable conduct
- Offences under the Education and Care Service National law, including inappropriate discipline and not protecting children from harm
- Ill treatment of a child (such as emotional abuse or use of force)
- Neglect
- Psychological harm
- Misconduct of a sexual nature

Allegations of reportable conduct must be reported to the ACT Ombudsman.

Allegations of historical conduct are still considered reportable conduct in those cases when the organisation becomes aware of the allegation after 1 July 2017.

For more information and example of reportable conduct, see the [ACT Ombudsman Practice Guide No. 2: Identifying Reportable Conduct](#)



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Responsibilities of Designated Entities

Organisations that are designated entities must have policies and procedures to prevent reportable conduct, and processes to respond to allegations involving their employees. Organisations must report allegations or convictions **in writing** to the Ombudsman. An organisation should:

- Notify the Ombudsman about any reportable conduct allegations or convictions involving an employee within 30 days.
- Conduct an investigation for all allegations of reportable conduct and provide a final report to the Ombudsman.
- Report to other entities as required (for example, ACT Policing).

For more information about employer responsibilities, see the [ACT Ombudsman Practice Guide No. 5: Employer responsibilities](#)

Reportable Conduct and the Child Safe Standards

The Standards and the Reportable Conduct Scheme are designed to complement each other to promote child safety and strengthen both prevention and responses to allegations of child abuse and harm. All organisations with responsibilities under the Reportable Conduct Scheme will also be required by law to implement the Standards.

Child Safe Standard 1: Leadership, Governance and Culture

Standard 1 requires organisations to ensure that leaders prioritise child safety and wellbeing through their actions, including putting in place appropriate governance structures and processes to create a safe culture. Implementing Standard 1 can support the Head of a designated entity to meet requirements under the Reportable Conduct Scheme.



Actions to support Standard 1

- Make a public commitment to child safety.
- Ensure that child safety is prioritised in decision making and appropriately resourced.
- Set clear expectations and responsibilities for child safety, including through a staff Code of Conduct.
- Provide regular updates to staff, volunteers and families about actions you are taking to keep children and young people safe.



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Child Safe Standard 6: Child Safe Complaints

Organisations should have processes in place to respond to complaints and concerns. This includes ensuring that staff, children and young people, and their families know how to raise concerns and complaints, and staff know how to respond. It is also about ensuring that all concerns and complaints are taken seriously. Under the Reportable Conduct Scheme, organisations must have processes to respond to allegations of reportable conduct involving their employees.



Actions to support Standard 6

- Ensure there are multiple ways to report concerns about child safety and include information about how to raise concerns on your website.
- Document and communicate your process for handling child safety concerns.
- Set clear expectations for appropriate child safe conduct, and support staff, children and young people, and their families to speak up if they have concerns.
- Review and action all concerns, complaints, and allegations and keep appropriate records.

Child Safe Standard 7: Staff Capability and Training

Organisations should ensure that staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe. This includes providing training and information about child rights, safety, and wellbeing, including child safe practices and how to report concerns. Organisations must also ensure they are providing education to their employees about the Reportable Conduct scheme.

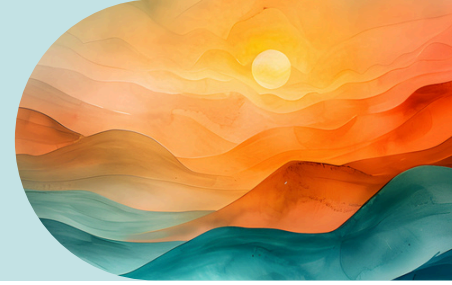


Actions to support Standard 7

- Provide child safety information during induction, including reportable conduct.
- Provide formal and ongoing child safety training to all staff and volunteers
- Create easy to understand resources about child safe practices, including conduct and professional boundaries.
- Ensure staff complete the Reportable Conduct eLearning module: [Reportable conduct e-learning module | ACT Ombudsman](#).

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Child Safe Standard 10: Child Safe Policies and Procedures

Organisations should document how they are safe for children and young people. This includes ensuring that policies are clear, practical, and accessible and that everyone knows what the policies and procedures mean and how to implement them.

Organisations must also have policies and procedures in place to prevent and respond to reportable conduct.



Actions to support Standard 10

- Include your Child Safe Policy, Code of Conduct and Complaints Policy on the website.
- Provide copies of key policies and procedures to staff, volunteers and families.
- Create simplified child friendly versions of key policies and procedures for children and young people.
- Review and communicate your policies frequently, to ensure they are up to date, relevant, and easily understood.

Compliance and Monitoring

The ACT Children and Young People Commissioner is leading implementation of the Standards and works with existing regulators, including the ACT Ombudsman, to monitor implementation progress. The *Human Rights Commission Act 2005* establishes the HRC as an independent service that can deal with complaints about discrimination, human rights, services for children and young people, health services and disability services. Organisations that provide services for children and young people may be subject to a complaint if a service is not being provided appropriately or provided inconsistently with relevant standards, including the Child Safe Standards.

The ACT Ombudsman monitors compliance with the Reportable Conduct Scheme. This includes monitoring an organisation's investigation process, and policies and procedures for preventing and responding to abuse. The ACT Ombudsman may also share information with ACT Police and other regulators to better protect children and young people from harm.

Find out more

To learn more about the Standards, visit ACTChildSafe.act.gov.au

For information about the Reportable Conduct Scheme, visit Ombudsman.act.gov.au

