

REPORTABLE CONDUCT TASMANIA



From 1st January 2024, the Tasmanian Government introduced a Reportable Conduct Scheme, bringing Tasmania into alignment with a number of Australian states. Recommendations from the Royal Commission included the implementation of Reportable Conduct Schemes across the country to more effectively manage reports of concern or allegations against employees in child-related industries.

What is the Reportable Conduct Scheme?

The Reportable Conduct Scheme is primarily about providing oversight to ensure organisations are properly investigating reports of concern regarding their workers (workers also include volunteers) Leaders of specific services are legally required to report allegations or conduct concerns to the independent regulator followed by a formal and thorough investigation.

Allegations of criminal behaviour must be reported to Tasmanian Police. If the Police commence a criminal investigation, the Leader must not proceed with their investigation until advised to do so by the Police.

Reporting to the independent regulator does not automatically mean that the investigation should meet a certain outcome. The regulator will ensure that the investigation is carried out in a thorough, transparent and child centred manner.

What is Reportable Conduct?

Reportable Conduct is behaviour by a worker towards a child that includes:

- significant emotional or psychological harm
- significant neglect
- physical violence
- a sexual offence
- sexual misconduct
- grooming
- relevant offences such as failing to report child abuse and female genital mutilation.

How does the Reportable Conduct Scheme work?

If the Leader of an organisation receives a report or concern or allegation of child abuse or harm regarding the conduct of one of their workers, they must report to the independent regulator in writing within 3 days.

As soon as possible the Leader must commence an investigation or engage an external investigator to do so.

Within 30 days of the initial submission, the Leader must provide details to the independent regulator including findings of the investigation (if completed), the status of the investigation (if incomplete), any risk mitigation strategies which have been implemented or written submissions.

At the end of the investigation, the Leader must provide details to the independent regulator including the findings of the investigation, the reasons for the finding and any actions taken.

What will happen during an investigation?

Once a Leader of an organisation has reported an allegation or concern to the independent regulator an investigation must commence as soon as possible. The Leader must then complete risk assessments to ensure children and young people are safe whilst the investigation is underway.

Organisations can conduct an investigation internally if they have personnel with the necessary skill set and do not have a conflict of interest. An external investigator may also be appointed.

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The investigation involves interviewing the alleged victim and any available witnesses. Documentation will also be gathered. This may include work rosters, personnel files, reports of previous conduct or complaints, maps and other relevant information. The details of the allegation will be presented to the person subject of the allegation (PSOA), and they will have the opportunity to respond. Once all the relevant information has been collected, the investigator will prepare a report and provide the Leader of the organisation with findings. The Leader then has a responsibility to read the full report and act appropriately on the findings.

Organisations have the responsibility to provide support to both the alleged victim and the PSOA throughout the investigation process.

Does my organisation fall under the Reportable Conduct Scheme?

The Reportable Conduct Scheme is aimed at organisations that have a high degree of responsibility for children and/or engage with them in ways that put them at higher risk of harm (e.g. those that conduct overnight camps)

Religious organisations and religious community services fall under the Scheme. Further information can be found [here](#).

Organisations can prepare for the Reportable Conduct Scheme by reviewing their current complaints handling policies and procedures.

Where can I find more information about the Reportable Conduct Scheme?

Further information about the Reportable Conduct Scheme in Tasmania can be located on their website. [Office of the Independent Regulator](#)

The CRCA Safe Church Unit (SCU) can support organisations throughout the Reportable Conduct process including advice and guidance, coordinating external investigations and ensuring organisations meet their legislative requirements.

SCU can be contacted on scu@crca.org.au