

FREQUENTLY ASKED QUESTIONS

REPORTABLE CONDUCT SCHEME

From 1 January 2018 religious organisations, including the Diocese of Melbourne, became subject to the Reportable Conduct Scheme, constituted under the [Child Wellbeing and Safety Act](#) 2005. This information sheet explains the primary role to be taken by the Kooyoora Office of Professional Standards for the Diocese of Melbourne in reporting matters on behalf of the Diocese and parishes.

What is the Reportable Conduct Scheme?

The Reportable Conduct Scheme is one of the measures introduced by the Victorian government for the protection of children as a result of the recommendations of the *Betrayal of Trust Inquiry*. The Scheme requires organisations to notify the Commission for Children and Young People of allegations of physical or sexual abuse of a child and related misconduct.

Who must notify the Commission?

For the Anglican Diocese of Bendigo and its parishes and congregations, the Bishop of Bendigo must notify the Commission.

Under the [Child Wellbeing and Safety Act](#) 2005, the relevant religious body for the Anglican Church in the Diocese of Melbourne including its parishes is the Bendigo Anglican Diocesan Corporation Ltd (the Diocesan Corporation) which appoints all office holders.

The Head of the entity constituted by the Diocesan Corporation is the Bendigo.

The Head of the entity has a [duty](#) under the Act to notify the Commission for Children and Young People of reportable allegations and take further specified action. The Kooyoora Office of Professional Standards has undertaken to notify on behalf of the Archbishop and the Diocese the Commission and take further action as may be required under the Act.

Under these arrangements, there is one notifying body on behalf of the Bishop and the Diocese and its parishes.

It is essential to the effective operation of these arrangements that those exercising leadership positions in parishes and congregations strictly observe the requirements for mandatory reporting to the Director of Professional Standards at dps@kooyoora.org.au. Failure to do so will put at risk due compliance with the requirements of the *Child Wellbeing and Safety Act* by the Diocese.

What is a reportable allegation?

A reportable allegation means any information that leads a person to form a reasonable belief that an [employee](#) has committed -

- (a) reportable conduct; or
- (b) misconduct that may involve reportable conduct—

whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Who is an employee?

An employee is a person over 18 and employed by the organisation. Also deemed to be employees are volunteers, contractors, and priests.

All employees, whether or not they work with children, are subject to the Scheme. Due to the definition including volunteers, parish office holders and even members of the congregation are subject to the Scheme.

What is reportable conduct?

There are five types of reportable conduct:

- a [sexual offence](#) committed against, with or in the presence of, a [child](#), whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or
- [sexual misconduct](#), committed against, with or in the presence of, a [child](#); or
- physical violence committed against, with or in the presence of, a [child](#); or
- any behaviour that causes [significant](#) emotional or psychological harm to a child; or
- [significant](#) neglect of a [child](#).

When do you report?

Clergy, parish council members, churchwardens and other parish lay leaders need to report to the Director of Professional Standards at Kooyoora **immediately** it becomes apparent that a person (not necessarily the person making the report) holds a reasonable belief that reportable conduct *may* have occurred.

Who evaluates the allegation?

The Kooyoora Office of Professional Standards will report the allegation to the Commission, and also to oversee an investigation under both the Child Well-being and Safety Act and the diocesan professional standards scheme. The investigation is **not to be conducted at a parish level**.

What about historical conduct?

An allegation made after 1 January 2018 relating to conduct committed by a person who is an employee ([as defined](#)) prior to that date must be reported.

What if the reportable conduct has occurred outside work or outside the parish?

If the conduct has taken place outside work or the parish (for example, at home or in the community), there is still an obligation to report.

I'm not sure whether to make a report. What do I do?

Ring the Director of Professional Standards at Kooyoora on 9416 1008 or 1800 135 246 for further information.

[More information](#)

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