



1. Purpose

These procedures outline the processes and practices to support the Reportable Conduct Policy.

2. Scope

These procedures apply to any Reportable Conduct allegations or allegations in relation to misconduct that may involve Reportable Conduct as described in the Reportable Conduct Policy, made about:

- all people who carry out work in any capacity for MACS or its subsidiaries and includes, MACS employees, Board Directors, Board committee members, MACS Executives, Principals, volunteers, consultants, contractors, school advisory council members (**MACS Staff**), clergy and those in Religious Ministry as the context requires and
- workers and volunteers supplied by labour hire agencies, companies and other providers (e.g. casual relief teachers, some student teachers – depending on the arrangements), secondees and directors and office holders of companies performing services for MACS (**Others**) if they meet the following criteria:
 - they are supplied to MACS by labour hire agencies, companies and other providers, or they are seconded to MACS
 - they perform work in and as part of MACS and
 - they are under the direction, supervision or control of MACS.

References to Subject of Allegations (**SoA**) in these Procedures can refer to either MACS Staff or Others.

3. Notifications

3.1. Who can make a notification

If a person has formed a Reasonable Belief that an individual, i.e., an SoA, has committed Reportable Conduct or misconduct that may involve Reportable Conduct, the individual making the notification (**Notifier**) must make a notification to the MACS Reportable Conduct Scheme (**RCS**) Team as soon as possible.

The Principal is often responsible for making the notification for matters relating to their schools, however, any person within MACS and its school communities can make a notification directly to the RCS Team.

In addition to notifying the RCS Team, the Notifier should:

- if the conduct or concerns relate to a MACS Staff member or Other (other than a Principal) employed or engaged in a MACS School, notify the Principal of the relevant MACS School
- if the conduct or concerns relate to a Principal of a MACS School, notify the relevant Senior Manager, School Leadership (**SMSL**) and/or General Manager (Region) and
- if the conduct or concerns relate to a MACS Office Staff member or Others engaged by the MACS Office, notify a MACS Manager or someone employed in a MACS Senior role, or a member of the MACS Executive.

3.2. How to make a notification

Making a notification

Notifications about allegations or concerns about MACS Staff and Others who may have engaged in Reportable Conduct should be made directly to the RCS Team through the rcs@macs.vic.edu.au inbox or by telephone.

Notifications received by or made to parties, agencies and bodies external to the RCS Team should be referred to the RCS Team through the above-mentioned channels as soon as possible. If the notification is about the Principal, the Notifier can notify:

- the Senior Manager, School Leadership (**SMSL**), the General Manager (Region) or the MACS Executive Director through the RCS Team.
- one of the agencies or organisations listed above.

Taking immediate action

If allegations or concerns require the Notifier to comply with mandatory reporting obligations or involve suspected criminal conduct, the Notifier must first report them to the Department of Families, Fairness and Housing and/or Victoria Police respectively, as a priority, prior to contacting the RCS Team.

Depending on the nature and seriousness of the alleged Reportable Conduct or misconduct that may involve Reportable Conduct, the Notifier, likely the Principal of a MACS school, should seek advice from the RCS Team about any immediate steps to be taken to manage the risk posed by the SoA, to ensure the safety and wellbeing of the children or young people involved.

Some immediate actions that can be taken include:

- reporting the matter to Victoria Police and or the Department of Families, Fairness and Housing (**DFFH**).
- pairing the SoA with a supervisor, mentor or learning support officer who can oversee and support them in their work.
- directing the SoA not to attend the workplace.
- directing the SoA to perform alternative duties.
- directing the SoA to do or refrain from doing any other thing and the period for which this will occur.

The RCS Team will work collaboratively with the relevant MACS Office teams, including the Employee Relations (**ER**) and Child Safety teams and the relevant SMSL and/or General Manager (Region) to assist with the implementation of risk mitigation strategies.

3.3. Support for the children and young people involved

As part of managing any reporting obligation made about the SoA, the Principal of the school, SMSL and/or General Manager (Region) for the School will provide pastoral and other support to any of the children or young people involved in MACS schools.

This is an ongoing responsibility during the entirety of the entire Reportable Conduct process and includes making any of the children or young people involved feel safe and supported in the school environment and taking steps to mitigate any harm or further harm to the children involved that could occur during the management of the entire Reportable Conduct process. Refer to the *Protect – Identifying and Responding to Abuse – Reporting Obligations Policy* and [Four Critical Actions](#) for more information.

3.4. Support for the SoA

From the outset of the Reportable Conduct process, the ER team in consultation with the RCS Team, relevant Principal of MACS schools and/or the relevant SMSL and/or the relevant General Manager (Region) have ongoing responsibility for developing and implementing risk mitigation strategies relating to the SoA with a focus on tailored wellbeing support and providing appropriate directions.

Once the risk mitigation strategies have been developed, the relevant Principal of MACS schools and/or the relevant SMSL and/or the relevant General Manager will be responsible for actioning those risk mitigation strategies.

4. Intake and assessment process

Once a notification is made to the RCS Team, the Intake and Assessment Team within the RCS Team will work with the Notifier to assess the matter.

4.1. Role of the Intake and Assessment Team

The Intake and Assessment Team will:

- contact the Notifier, usually the Principal, to request information and any available evidence relating to the matter, for example: date of the alleged conduct, name and role of the SoA. *Any discussions about immediate actions to be taken to ensure the immediate safety of the children or young people involved, evidence security, internal and external reporting, or confidentiality will occur immediately.*
- review the information provided and schedule a meeting between the Notifier and allocated senior advisor to discuss the matter. If applicable, a further meeting(s) may be scheduled until the allocated senior advisor is satisfied that there is sufficient information to conduct a threshold assessment of the allegations.
- conduct a threshold assessment of the information provided to determine whether it amounts to a Reportable Allegation, considering all the evidence.
- inform the Notifier of the threshold assessment outcome via e-mail, including a rationale behind why and how the decision has been made. It is worth noting that where an allegation(s) is found to be reportable, the Notifier and the Intake and Assessment Team member do not have to agree or share in the reasonable belief that the conduct amounts to a Reportable Allegation. It only matters that one person has formed that reasonable belief on an objective basis.

If the allegation is reportable

- submit a Head of Entity notification to the MACS Executive Director
- make a mandatory notification to the CCYP within three business days of the MACS Executive Director becoming aware of the Reportable Allegation(s) and
- allocate the Reportable Conduct investigation to a Senior Advisor within the Case Management Team who will ensure that a procedurally fair reportable conduct investigation is conducted.

If the allegation is not reportable

- the Reportable Conduct enquiry will be closed
- if applicable, the matter will be referred to one or more relevant teams within MACS or referred to the relevant external stakeholder(s).

4.2. Role of the Case Management Team

Once a Reportable Allegation is reported to the MACS Executive Director and the Commission for Children and Young People (**CCYP**), the Case Management Team will:

- work with Employee Relations to prepare a letter outlining the allegations against the SoA. The school, locally or regionally, must assist in delivering the letter to the SoA.
- appoint an appropriately qualified investigator who can conduct an independent, impartial and procedurally fair investigation.
- in consultation with the Principal or the SMSL and/or the General Manager (Region) or MACS Manager, draft and settle Terms of Reference that are signed by the Principal, the Investigator and the Manager, Reportable Conduct.

- provide relevant updates to the CCYP.
- oversee and proactively manage the Reportable Conduct investigation process including managing all relevant correspondence and the ongoing risk assessment relevant to the matter, including but not limited to as it relates to the child, the SoA and the investigation process.
- consult with Employee Relations on a proposed employment outcome for the MACS Executive Director to consider.
- submit for approval, a briefing report to the MACS Executive Director which sets out the Reportable Conduct Allegations and findings and the employment outcome.
- facilitate the finalisation process to the Reportable Conduct investigation including notifying the investigation outcome to the children involved (through their families), the relevant school, the SoA and the regulators i.e. CCYP and VIT.

NB1: To remove the financial burden from schools, effective from 1 January 2025, MACS Office will pay for all new Reportable Conduct investigations that commenced on or after 1 January 2025 on behalf of MACS schools.

NB2: *Requests for the reimbursement of costs incurred in closed or ongoing investigations that fall outside scope OR for costs associated with an investigation due to financial hardship, should be directed to the General Manager, MACS Group Finance. The email should provide reasons why reimbursement or financial assistance is sought and should copy in the General Manager of the RCS Team and the Director, People and Culture.*

5. Investigation process

5.1. General information

In all cases, before findings are made or disciplinary action is taken, the SoA will be:

- advised of the Reportable Allegation(s)
- advised of all relevant information to the investigation
- given a reasonable opportunity to respond to the information and
- offered appropriate support.

5.2. Investigation where a Principal is not the SoA

The Principal will be responsible for the coordination of the Reportable Conduct investigation process. They will be the point of contact with those participating in the investigation process, including with the appointed Investigator, the child/children involved and their family/families/guardian(s), the witnesses involved and the SoA. With the assistance of the RCS Team, they will be responsible for the preparation of all relevant correspondence for provision to the relevant parties involved in the investigation.

The Principal, the ER team and the SMSL and/or the General Manager (Region) or MACS Manager will be responsible for regular communication with all relevant stakeholders based on most up-to-date information and the continuous re-evaluation of risk mitigation strategies based on most up-to-date information.

Where the SoA is a current employee and is covered by the current *Catholic Education Multi-Enterprise Agreement 2022 (CEMEA)*, the relevant provisions will be applied. The RCS Team, in consultation with the SMSL and / or the General Manager (Region) or MACS Manager, will determine when and how the SoA is advised about the Reportable Conduct investigation.

The above actions will require consideration of the following factors:

- ensuring that there is no interference with any police investigation
- all child safety risks are appropriately addressed and mitigated
- an investigation is not compromised and that it remains procedurally fair.

The Principal or SMSL and / or the General Manager (Region) or MACS Manager will ensure that all relevant MACS policies and procedures, including the Code of Conduct for MACS Staff, processes for managing and investigating complaints and grievances and pastoral care as well as any CCYP and other regulatory guidance material are considered and help guide the investigation.

Principals will need to support SoAs from an employment perspective for the duration of the investigation. This includes resolving any wellbeing concerns they may have or ensuring that risk mitigation measures are put in place to manage the SoA e.g. requiring the SoA to be supervised by a specified employee for the duration of the investigation. These supports for the SoA sit outside the RCS Team's scope of work. If needed, the Principal should seek the additional support of the ER Team and the SMSL and / or the General Manager (Region) or MACS Manager.

At the end of the investigation process, the Principal, with the assistance of the RCS Team, is responsible for communicating the outcome of the Reportable Conduct investigation to the SoA, the child and their family/guardian and relevant witnesses.

5.3. Investigation where a Principal is the SoA

The SMSL and/or the General Manager (Region) will be responsible for the coordination of the Reportable Conduct investigation process. They will be the point of contact with those participating in the investigation process, including with the appointed Investigator, the child involved and their family/guardian, the witnesses involved and the SoA. With the assistance of the RCS Team, they will be responsible for the preparation of all relevant correspondence for provision to the relevant parties involved in the investigation.

Where the SoA is a current employee and is covered by the CEMEA, the relevant provisions will be applied. The RCS Team, in consultation with the SMSL and / or the General Manager (Region), will determine when and how the SoA is advised about the Reportable Allegation. This requires consideration of the following factors:

- any police investigation is not interfered with
- child safety risks are appropriately addressed and mitigated
- an investigation is not compromised and that it remains procedurally fair.

The SMSL and / or the General Manager (Region) will ensure that all relevant MACS policies and procedures, including the Code of Conduct for MACS Staff, processes for managing and investigating complaints and grievances and pastoral care as well as any CCYP and other regulatory guidance material are considered and help guide the investigation.

The SMSL and / or the General Manager (Region) will need to support SoAs from an employment perspective for the duration of the investigation. This includes resolving any wellbeing concerns they may have or ensuring that risk mitigation measures are put in place to manage the SoA e.g. requiring the SoA to be supervised by a specified Employee for the duration of the investigation. These supports for the SoA sit outside the RCS Team's scope of work, thus the SMSL and / or the General Manager (Region) would need to seek the additional support of the ER and the Education Excellence teams.

At the end of the investigation process, the SMSL and / or the General Manager (Region), with the assistance of the RCS Team, is responsible for communicating the outcome of the Reportable Conduct investigation to the SoA, the child and their family/guardian and relevant witnesses.

5.4. Conclusion of the investigation

At the conclusion of an investigation, a report will be prepared that sets out the Reportable Allegations and findings made in relation to each of these. Possible findings are included in Table 2.

Table 1: Investigation findings

Finding	When this is used
Substantiated	When the investigator has found that Reportable Conduct is proven to have occurred on the balance of probabilities. This would mean that the evidence would suggest it is more likely than not that the SoA engaged in the alleged Reportable Conduct because there was enough reliable, convincing evidence of weight to find that it happened.

Finding	When this is used
Unsubstantiated, insufficient evidence	When the investigator found that there was some evidence of weight to support the allegation(s), but not enough to make a substantiated finding. This would mean that the evidence would not suggest that it is more likely than not that the SoA engaged in the alleged Reportable Conduct.
Unsubstantiated, lack of evidence	When there is not enough evidence to properly investigate the allegation or the small amount of evidence available is contradictory or confusing. This would mean that there was not enough evidence to establish whether the SoA engaged in the alleged Reportable Conduct.
Unfounded	When there is strong evidence that Reportable Conduct did not occur. This means that the evidence suggests that the SoA more likely than not did not engage in alleged Reportable Conduct.
Conduct outside the Scheme	When the investigator has investigated the conduct, and although the conduct occurred, it does not fit any of the types of Reportable Conduct listed in the <i>Child Wellbeing and Safety Act 2005</i> (Vic)

6. Actions in response to investigations

The Executive Director may determine to act in response to the findings of an investigation. These may include:

- directing the SoA to:
 - perform work under the supervision of a specified Employee
 - complete specified professional learning
 - refrain from doing certain actions or activities
 - perform other duties
- terminating the employment of a Staff member
- terminating the agreement with a Contractor
- notifying a Volunteer, they are no longer permitted to provide volunteer services for MACS.

7. Reporting Reportable Allegations

The Executive Director must comply with requirements of the Reportable Conduct Scheme (**the Scheme**) which requires:

- notification to CCYP within three business days of becoming aware of a Reportable Allegation(s) as notified by the RCS Team
- investigating the Reportable Allegation(s)
- providing updates to CCYP as necessary, including the 30-calendar day update and
- providing a report to CCYP on the findings of the investigation, the reasons for the findings and any action taken in response to the findings.

Summary

- Notifier to inform the RCS Team of the reportable allegations or relevant misconduct concerns that may involve reportable conduct as soon as possible after becoming aware of them.
- RCS Team to notify the Executive Director (Head of Entity).
- Within three business days of the Head of Entity becoming aware of the Reportable Allegation, the RCS Team to submit a notification to the CCYP on behalf the Head of Entity.
- RCS Team will continue to provide relevant information and documentation to the CCYP until the findings of the investigation are made and any disciplinary or other action is taken in response to those allegations.

7.1. Information provided to the CCYP

Table 2: Reporting to the CCYP

Within three business days
• Full name and contact details of the Head of Entity • Full name and contact details of person completing the form • Details about the SoA – full name and contact details – date of birth – name and place of employment – nature of employment or engagement – VIT registration or Working with Children Clearance • Details of the type of organization and location • Details of the Reportable Allegation – when and when the incident occurred – summary of allegations – name(s) of alleged victims – type of Reportable Conduct • Risk mitigation strategies put in place – when actions were taken or why not imposed • Investigation details (if applicable) – details of who is conducting the investigation (e.g. company) – full name and contact details of investigator • Police report details (if applicable) – police informant details – police station.
Within 30 calendar days
• Details of any allegations or information since initial notification • Risk mitigation measures in place or reasons why not imposed • Notification to the SoA: – when, how informed – confirmation advised the matter can be referred to WWCC Victoria – confirmation provided with information about The Scheme and consequences of a substantiated finding • Investigator details (if not provided previously) – appointment date – full name and contact details of investigator • Investigation progress – if interviews with the alleged victim(s), witness(es) and SoA have occurred – if SoA has provided a written statement – purpose of the investigation – important investigation actions – third party notifications or conflicts of interest • Provision of Terms of Reference
Outcome of investigations
• Provide copy of investigation findings and any reasons for the findings • Provide reasons for acting or not taking action
Other updates
• Provide additional information as relevant

8. Other reporting obligations

The obligation to report allegations of Reportable Conduct to the CCYP is in addition to any other reporting obligations. Refer to the *Protect – Identifying and Responding to Abuse – Reporting Obligations Policy* and [Four Critical Actions](#) for more information.

Failure to disclose

Under the *Crimes Act 1958* (Vic) all adults must make a report to Victoria Police if they hold a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 years.

Failure to protect

Under the *Crimes Act 1958* (Vic) a person in a position of authority in an organisation must act to reduce or remove a substantial risk to a child under 16 years of age who is under their care or supervision who may become the victim of sexual abuse committed by an adult associated with their organisation.

If the alleged conduct is potentially criminal in nature, the Principal (or other notifier) should also make a report to the Victoria Police. In the case of a sexual offence that may have been committed against a child, this **must** be reported to Victoria Police. Failure to disclose/report is an offence. A police investigation into the allegations has first priority over the investigation into the Reportable Allegations.

Grooming

A person commits the offence of grooming if they are 18 years of age or more; and communicates, by words or conduct (whether or not a response is made to the communication), with another person who is a child under the age of 16 years; or the person under whose care, supervision or authority the child is; and they intend that the communication will facilitate the child under the age of 16 engaging or being involved in the commission of a sexual offence by them or by another person who is 18 years of age or more.

NB: Any staff member who forms a Reasonable Belief that another adult is grooming a child and/or their parents /carers, should report their concerns to Victoria Police by following the procedures in the PROTECT Procedures: Responding to all forms of child abuse. Failure to take reasonable steps to protect a child in the school from the substantial risk of sexual abuse from an adult associated with the school is a criminal offence under section 49O (1) of the Crimes Act 1958 (Vic).

Reporting to Victoria Police and Department of Families, Fairness and Housing

If allegations or concerns trigger mandatory reporting obligations or involve suspected criminal conduct, the Notifier must first report them to the Department of Families, Fairness and Housing and/or Victoria Police respectively.

Mandatory reporters

In the context of Victorian schools, a mandatory reporter includes Principals, registered teachers, early childhood teachers, school counsellors, persons in religious ministry, registered medical practitioners, registered psychologists and nurses.

It is a criminal offence for a mandatory reporter to fail to comply with this obligation.

NB1: All mandatory reporters must make a report to Victoria Police and/or the Department of Families, Fairness and Housing as soon as practicable for the purposes of the Children, Youth and Families Act 2005 if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that a child has suffered or is likely to suffer significant harm, as a result of physical abuse and/or sexual abuse; and the child's parents have not protected, and are unable or unwilling to protect the child from harm of that type. It is a criminal offence for a mandatory reporter to fail to comply with this obligation.

NB2: MACS Staff must follow the Four Critical Actions when there is an incident, disclosure or suspicion of child abuse or student sexual offending. Refer to the *Protect – Identifying and Responding to Abuse – Reporting Obligations Policy* and [Four Critical Actions](#) for more information. Additionally, all mandatory reporters should report any other significant concerns for the wellbeing of a child to the Orange Door, which do not necessarily need to amount to abuse.

NB3: If the person who makes the mandatory report is employed in a MACS school, they must advise the Principal that they have made that report. This allows for other wellbeing concerns to be addressed in a school context.

Victorian Institute of Teaching (VIT)

Where a three-day mandatory notification is made to the CCYP about an SoA who is a registered or casual teacher, or holds a permission to teach, CCYP will notify the Victorian Institute of Teaching (VIT) about the allegations. VIT will then seek further information about the allegations from the RCS Team in accordance with the relevant sections of the *Education and Training Reform Act 2006* (Vic).

9. Definitions

Definitions of standard terms used in this Policy can be found in the [Glossary of Terms](#).

Commission for Children and Young People (CCYP)

The Commission for Children and Young People is an entity established by the *Child Wellbeing and Safety Act 2005* (Vic). The role of the CCYP includes overseeing compliance with the Child Safe Standards and administering the Reportable Conduct Scheme.

MACS Reportable Conduct Scheme (RCS) Team

The MACS Reportable Conduct Scheme (RCS) Team supports the Executive Director to comply with his obligations under the Reportable Conduct Scheme.

Notifier

Person who makes the notification about alleged Reportable Conduct through one of the channels available. This can be the person who has formed the reasonable belief or someone else who wants to seek advice about a possible Reportable Conduct matter from the RCS Team.

Others or Other

In this Policy, Others or Other refers to workers and volunteers supplied by labour hire agencies, companies and other providers (e.g. casual relief teachers, some student teachers – depending on arrangements), secondees and directors and office holders of companies performing services for MACS if they meet all of the following criteria:

- they are supplied to MACS by labour hire agencies, companies and other providers, or they are seconded to MACS
- they perform work in and as part of MACS and
- they are under the direction, supervision or control of MACS.

Reasonable Belief

A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it is not the same as having proof and does not require certainty. For example, a person is likely to reach a reasonable belief if they:

- observed the conduct themselves
- heard directly from a child that the conduct occurred and
- received information from another credible source that the conduct occurred (including another person who witnessed the Reportable Conduct or misconduct that may involve Reportable Conduct).

Religious Ministry

A reference in these Procedures, to those in religious ministry includes clergy (e.g. a Cardinal, Archbishop, Bishop, Priest, Chaplains Religious Sister, Religious Brother, Deacon) or Seminarian, lay ecclesial ministers including pastoral associates, those engaged in chaplaincy and persons residing at the presbytery or on the grounds of the parish, agency or entity.

Reportable Allegation

Reportable Allegation means any information that leads a person to form a reasonable belief that a MACS Staff member or Other has committed Reportable Conduct or 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.

Reportable Conduct

Reportable Conduct is defined as:

- 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
- sexual misconduct, committed against, with or in the presence of, a child
- physical violence committed 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.

Reportable Conduct Scheme

The Reportable Conduct Scheme is a child protection scheme that requires certain Victorian organisations, including schools, to notify the Commission for Children and Young People (**CCYP**) if there is an allegation of Reportable Conduct made against one of its employees, contractors, or volunteers. The organisation is also required to investigate the allegation and report its findings and any action taken to the CCYP.

Seconddee

People who are employed by a provider and are supplied to another organisation to work for a temporary secondment period.

Subject of Allegations (SoA)

Person about whom Reportable Allegations about Reportable Conduct or misconduct that may involve Reportable Conduct are made.

10. Related policies and procedures

Related MACS policies and documents

Reportable Conduct Policy

Child Safety and Wellbeing Policy

Code of Conduct for MACS Staff

Protect – Identifying and Responding to Abuse – Reporting Obligations Policy

Resources

CCYP. Investigating a Reportable Conduct Allegation: guidance for organisations

Policy information table

Approving executive	Director, People and Culture
Procedure owner	General Manager, Reportable Conduct
Approval date	23 September 2025
Review by	September 2027
Publication	Gabriel, CEVN

POLICY DATABASE INFORMATION	
Assigned framework	Child Safety and Wellbeing
Related policy	Reportable Conduct Policy
Superseded documents	Reportable Conduct Policy – v1.0 – 2021 Reportable Conduct Policy – v2.0 – 2022
New procedure	New