

# Conduct reporting guide

## for registered teachers



## Background

The Victorian Institute of Teaching, the Commission for Children and Young People, the Victorian Registration and Qualifications Authority and the Quality Assessment and Regulation Division of the Victorian Department of Education and Training work with each other as co-regulators who are committed to child safety.

These organisations regularly receive reports regarding the conduct of a registered teacher, school or early childhood service.

- Victorian Institute of Teaching (VIT) – regulatory authority for the teaching profession
- Commission for Children and Young People (CCYP)
- Victorian Registration and Qualifications Authority (VRQA) – regulatory authority for schools
- Quality and Regulation Division (QARD) – regulatory authority for early childhood services

Please note this reporting guide refers to matters of conduct only. For a general overview of how these organisations deal with complaints, please visit the websites of the organisations above.

# Conduct reporting guide for registered teachers

## School setting – Criminal behaviour (non-sexual)

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

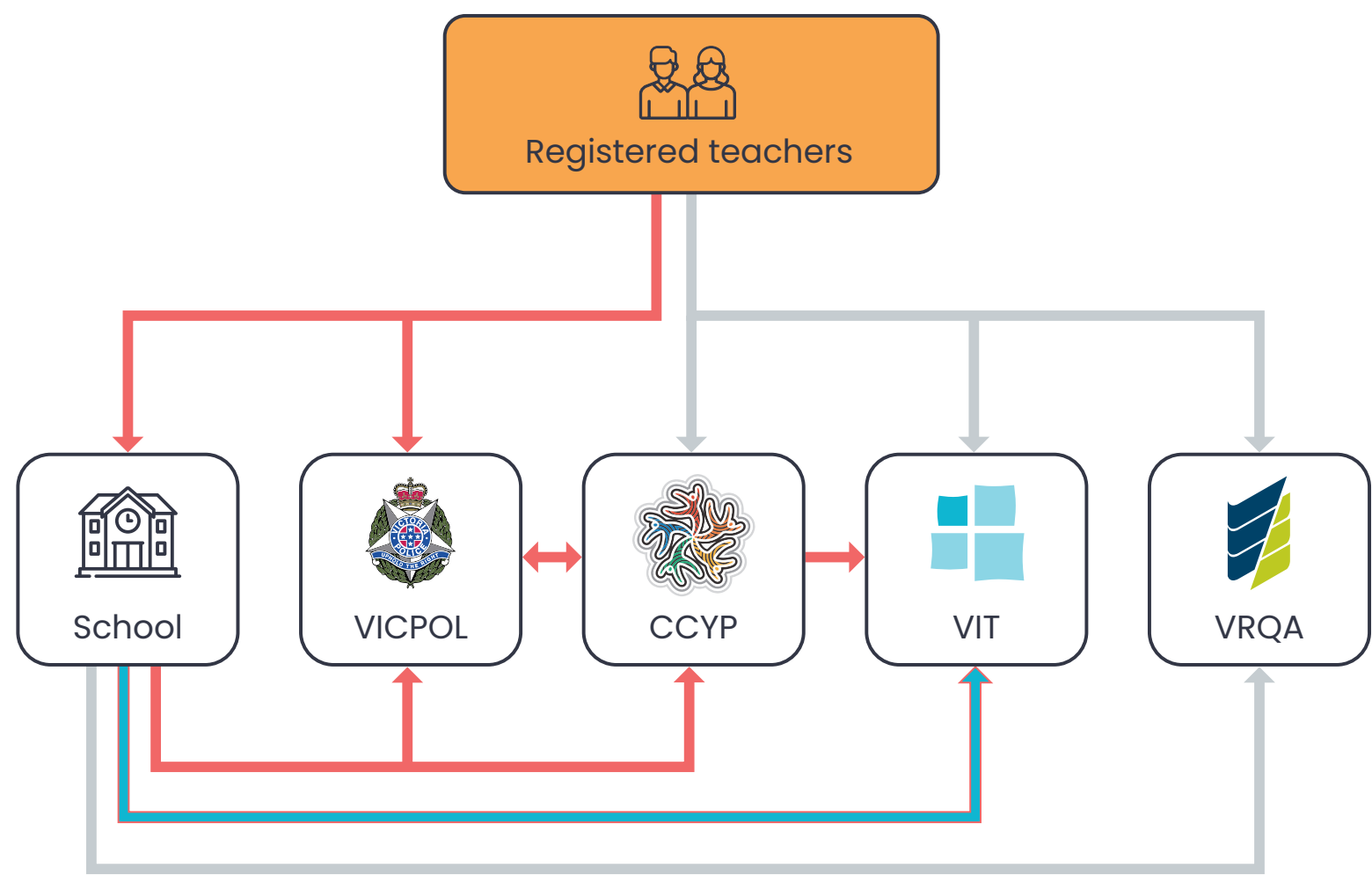
Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian school has used physical violence against a learner (including behaviour outside the education setting).

For example, a registered teacher

- deliberately hit, punched or used excessive force when restraining a learner, which caused the learner physical or mental injury.

### Reporting Guide



KEY		
CAN NOTIFY	SHOULD NOTIFY*	MUST NOTIFY

\*schools *must* notify VIT if they take action against the registered teacher as a result of the concerns raised

The above examples could amount to criminal offences and *must* be reported to the school and Victoria Police. They *can* also be reported to CCYP, VIT and VRQA.

# Conduct reporting guide for registered teachers

## School setting – Criminal behaviour (sexual)

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

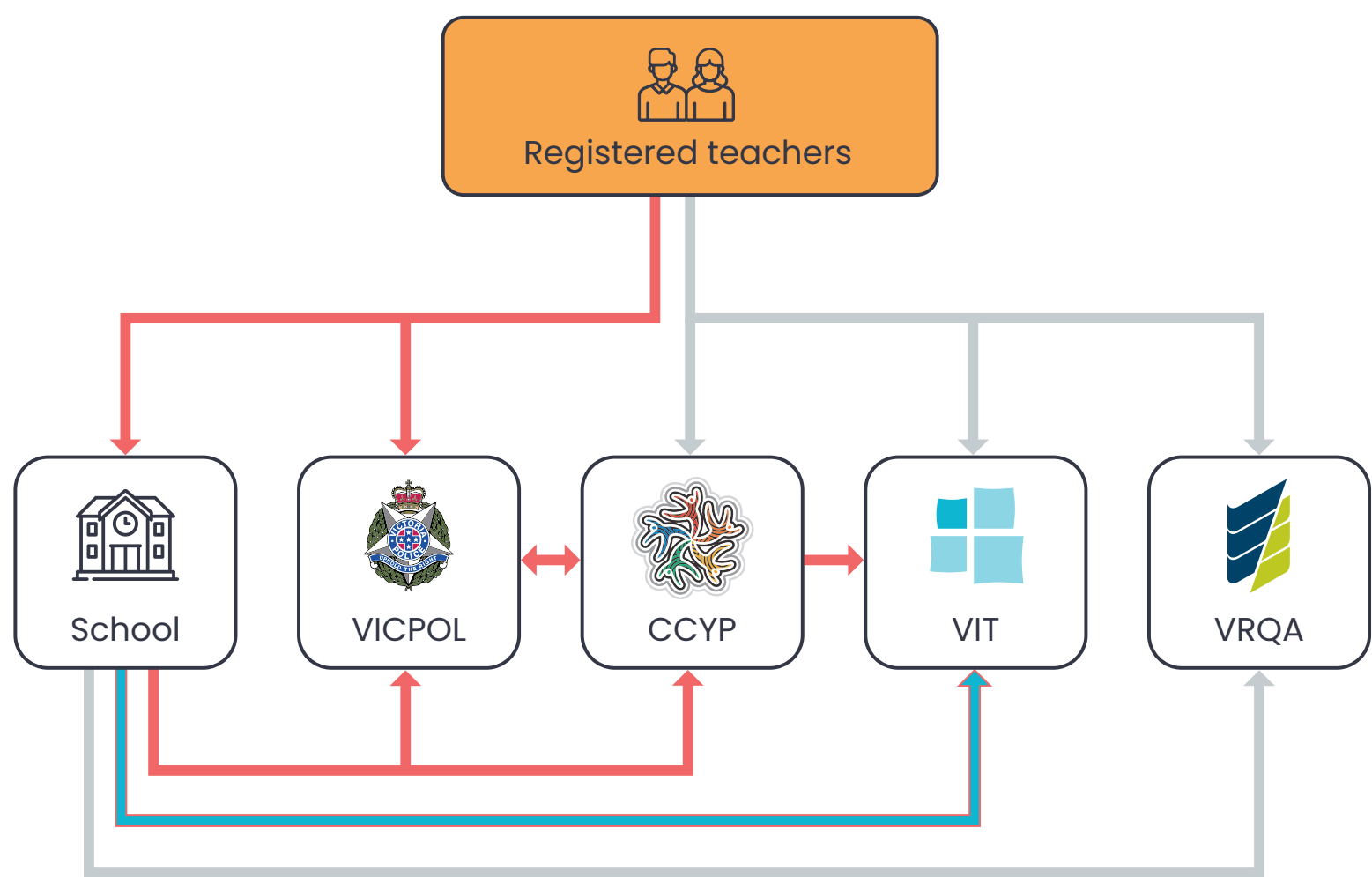
\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian school has engaged in sexualised behaviour against a learner (including behaviour outside the education setting).  
For example, a registered teacher

- sent inappropriate messages or images to a learner by email, text or another form of electronic messaging
- deliberately touched a learner in a sexual manner, and/or
- committed a sexual offence against a learner.

### Reporting Guide



KEY		
CAN NOTIFY	SHOULD NOTIFY*	MUST NOTIFY

\*schools *must* notify VIT if they take action against the registered teacher as a result of the concerns raised

The above examples could amount to criminal offences and *must* be reported to the school, and Victoria Police. They *can* also be reported to CCYP, VIT and VRQA.

In response to the Betrayal of Trust report, a new criminal offence for failing to protect (or disclose information regarding) a child under the age of 16 from a risk of sexual abuse commenced on 1 July 2015.

Read more at [www.justice.vic.gov.au](http://www.justice.vic.gov.au)

# Conduct reporting guide for registered teachers

## School setting – Inappropriate conduct

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

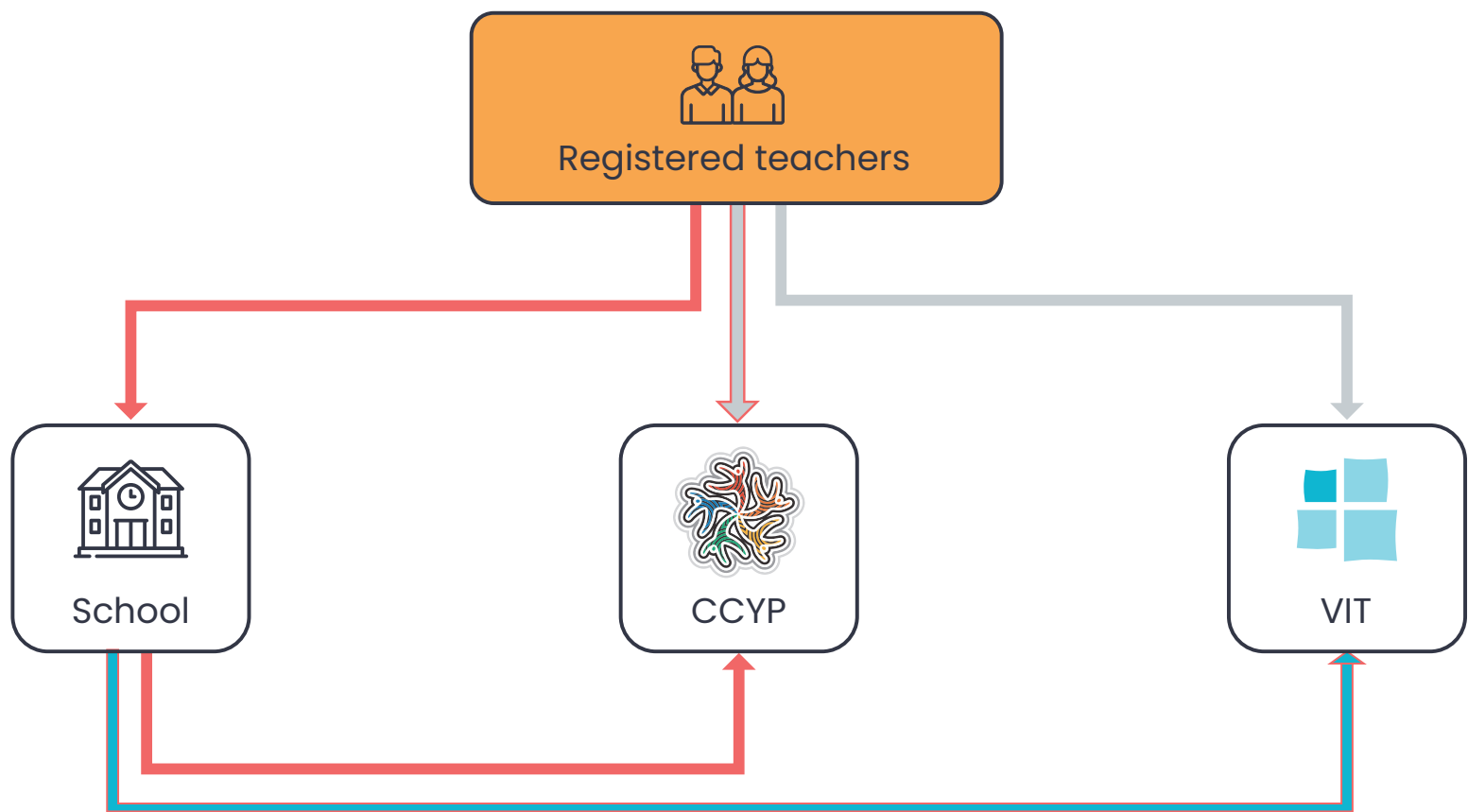
Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian school has demonstrated inappropriate (but not sexual or physically violent) behaviour towards a learner (including behaviour outside the education setting).

For example, a registered teacher

- used offensive language in class, which caused a learner to feel uncomfortable
- used a racist/derogatory term to describe a learner
- bullied a learner by repeatedly singling them out for discipline, when the learner had done nothing to deserve it
- yelled excessively at a learner when they misbehaved, causing the learner to feel upset and/or unsafe
- restrained a learner by holding their arm (although not in a violent or sexual manner) when it was not necessary or appropriate
- has not adequately responded to disclosure of abuse by a child), and/or
- threatened violence towards/in front of a learner.

### Reporting Guide



KEY			
CAN NOTIFY	CAN NOTIFY~	SHOULD NOTIFY*	MUST NOTIFY

~teachers *must* notify CCYP if reportable conduct issues occur outside the education setting  
\*schools *must* notify VIT if they take action against the registered teacher as a result of concerns raised

Some of the above examples could amount to reportable conduct under the Reportable Conduct Scheme and *must* be reported to the school. They *can* also be reported to CCYP and VIT. Reportable conduct issues that occur outside the education setting *must* be reported to CCYP.

Teachers only need to report conduct to the Department of Health and Human Services (Child Protection) if it falls under their mandatory reporting obligations.

# Conduct reporting guide for registered teachers

## School setting – Teacher registration concerns

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

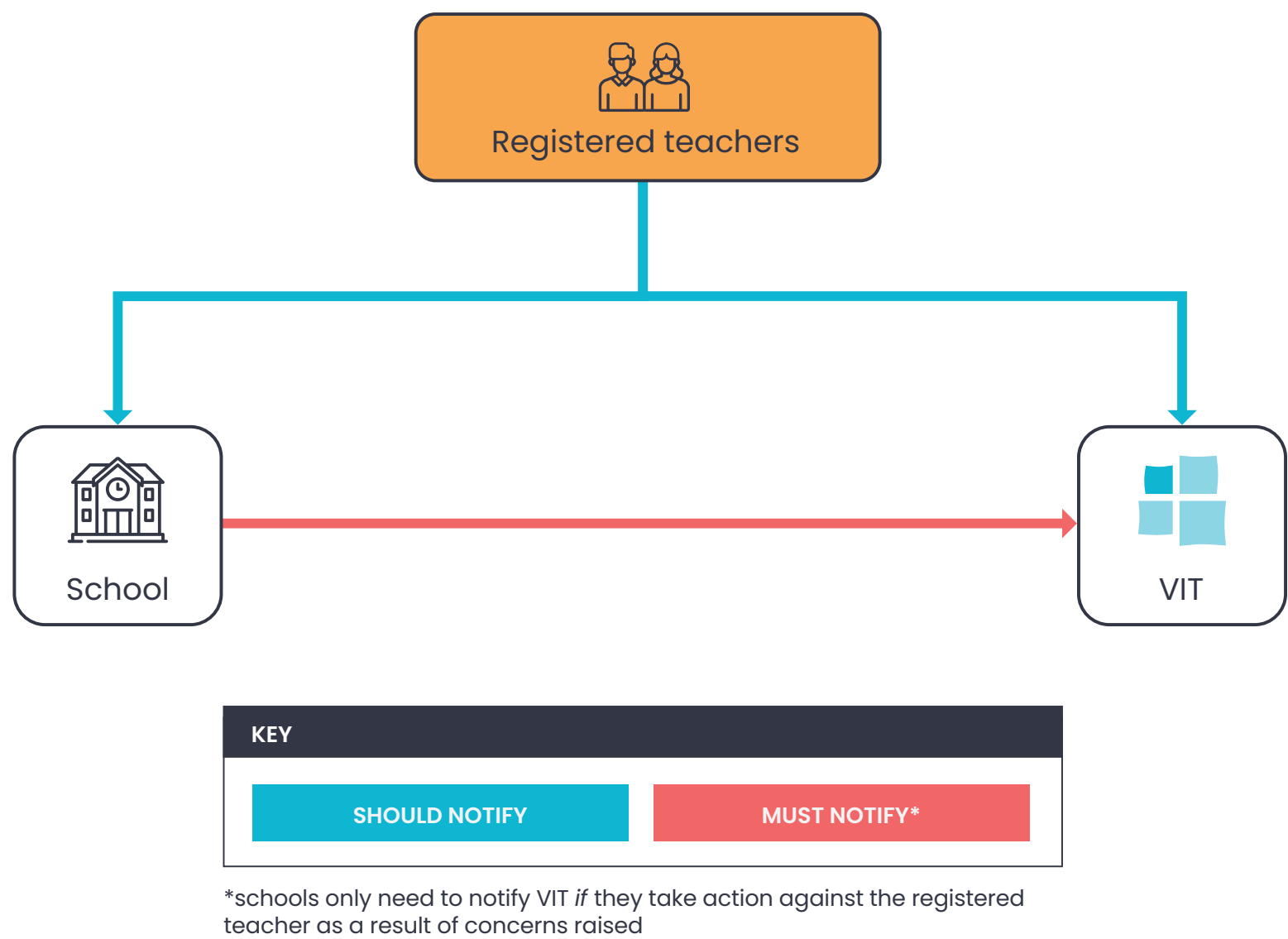
Scenario

I am a registered teacher and I have a concern about another registered teacher’s health or behaviour outside of the school setting.

For example

- a registered teacher displays behaviour suggesting a health concern which may impact their role as a teacher
- I have concerns about a teacher’s behaviour outside the school setting which may impact their role as a teacher, and/or
- I have concerns that a teacher may not be registered.

### Reporting Guide



The above examples could amount to breaches of the Victorian Teaching Profession’s Code of Conduct and *should* be reported to the school and VIT.

# Conduct reporting guide for registered teachers

## School setting – School based concerns

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

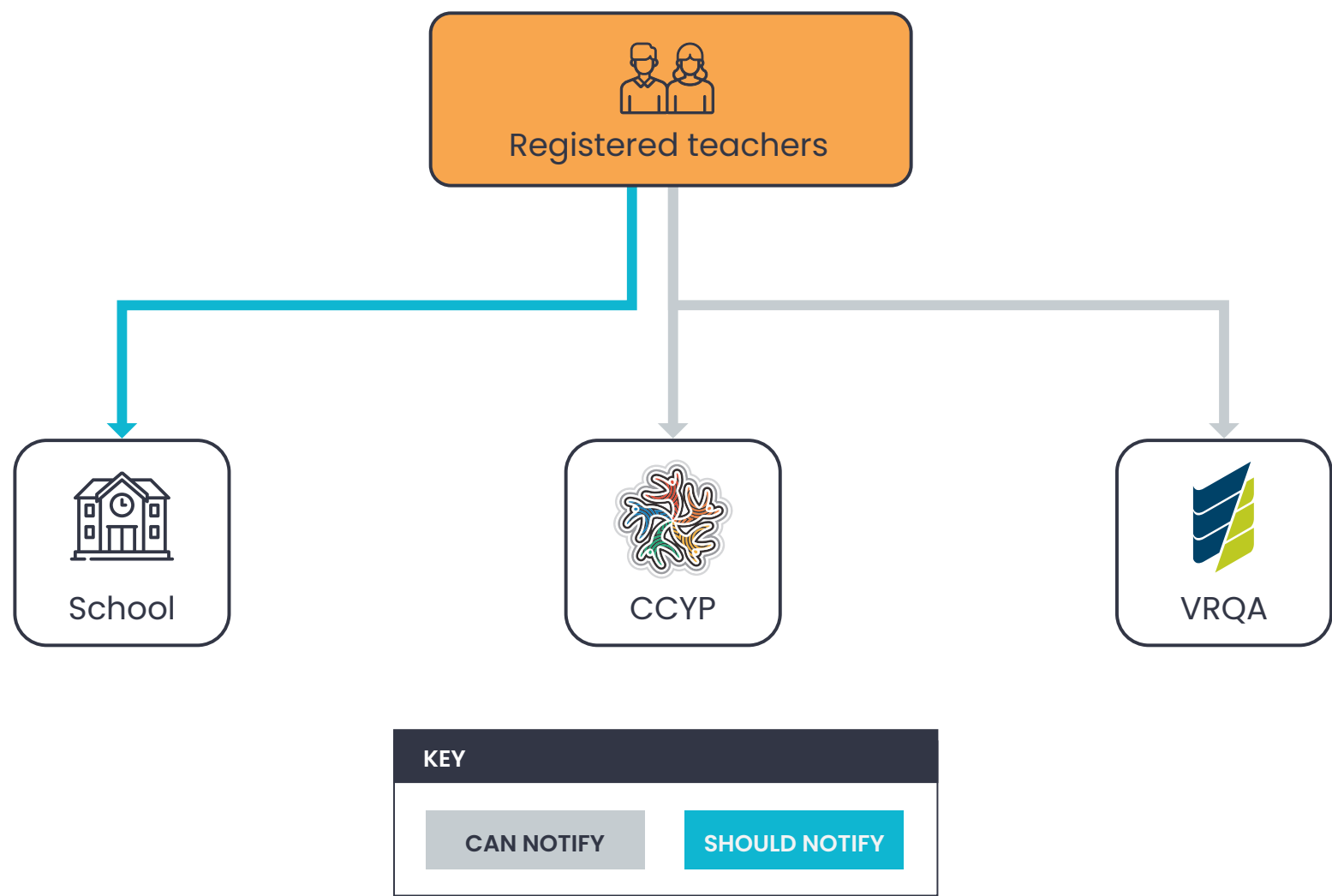
Scenario

I am a registered teacher and I have a concern about the content / curriculum being delivered and/or the type of assessment in a Victorian school, or I have a concern about how complaints and policies are being addressed.

For example

- the topics covered in a lesson did not relate to the Australian or Victorian Curriculum
- the amount of assessment required of learners is excessive
- I have concerns about the school’s compliance with the Child Safe Standards
- the school has not adequately handled a complaint or issue I raised with them, and/or
- the school has made decisions which are not in line with school policies.

### Reporting Guide



The above examples could amount to breaches of the Child Safe Standards and/or the VRQA minimum standards and *should* be reported to the school. They *can* also be reported to CCYP and VRQA.

# Conduct reporting guide for registered teachers

## Early childhood service – Criminal behaviour (non-sexual)

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

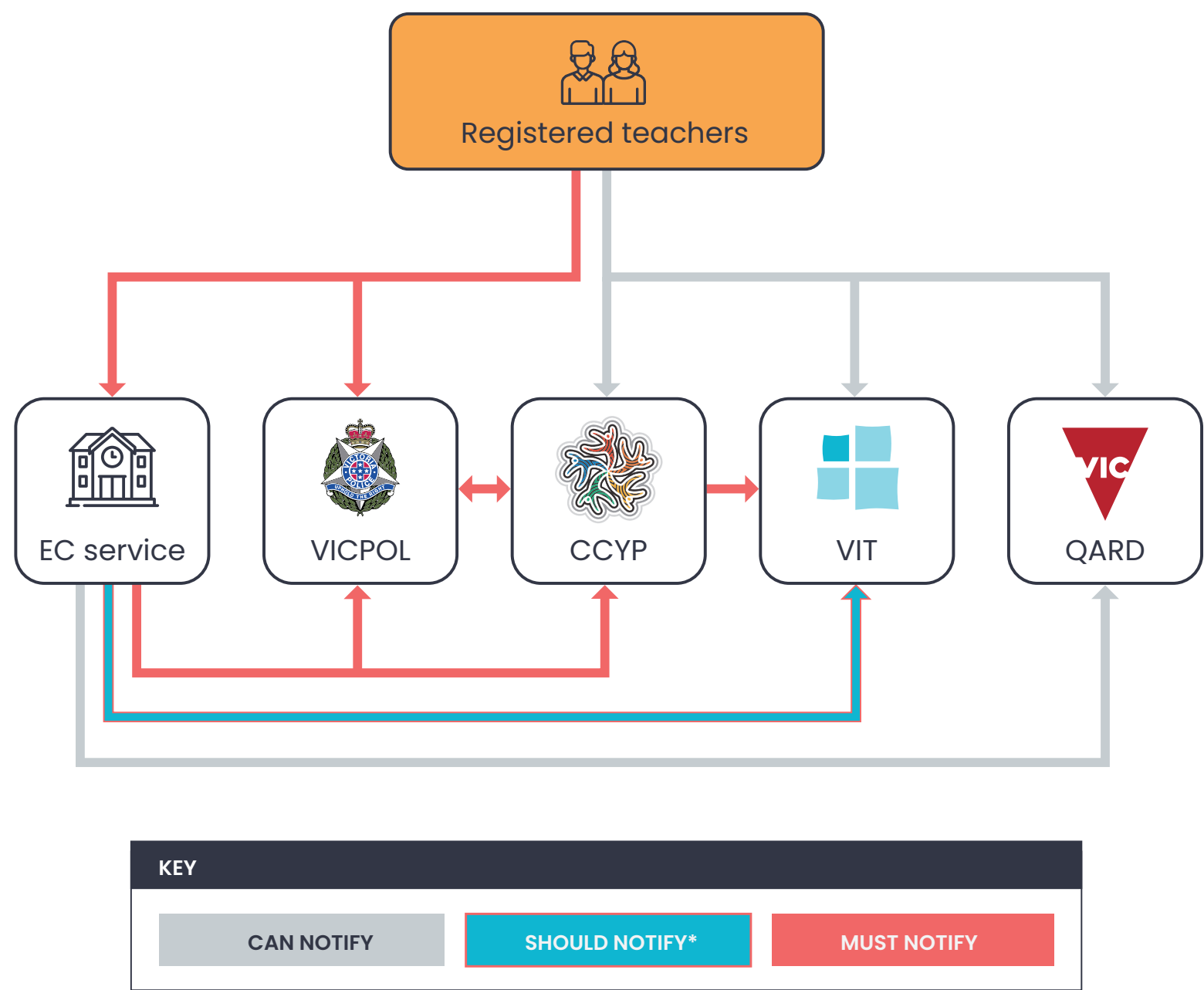
Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian EC service has used physical violence against a learner (including behaviour outside the education setting).

For example, a registered teacher

- deliberately hit, punched or used excessive force when restraining a learner, which caused the learner physical or mental injury.

### Reporting Guide



\*EC services *must* notify VIT if they take action against the registered teacher as a result of the concerns raised

The above examples could amount to criminal offences and *must* be reported to the EC service and Victoria Police. They *can* also be reported to CCYP, VIT and QARD.



# Conduct reporting guide for registered teachers

## Early childhood service – Criminal behaviour (sexual)

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

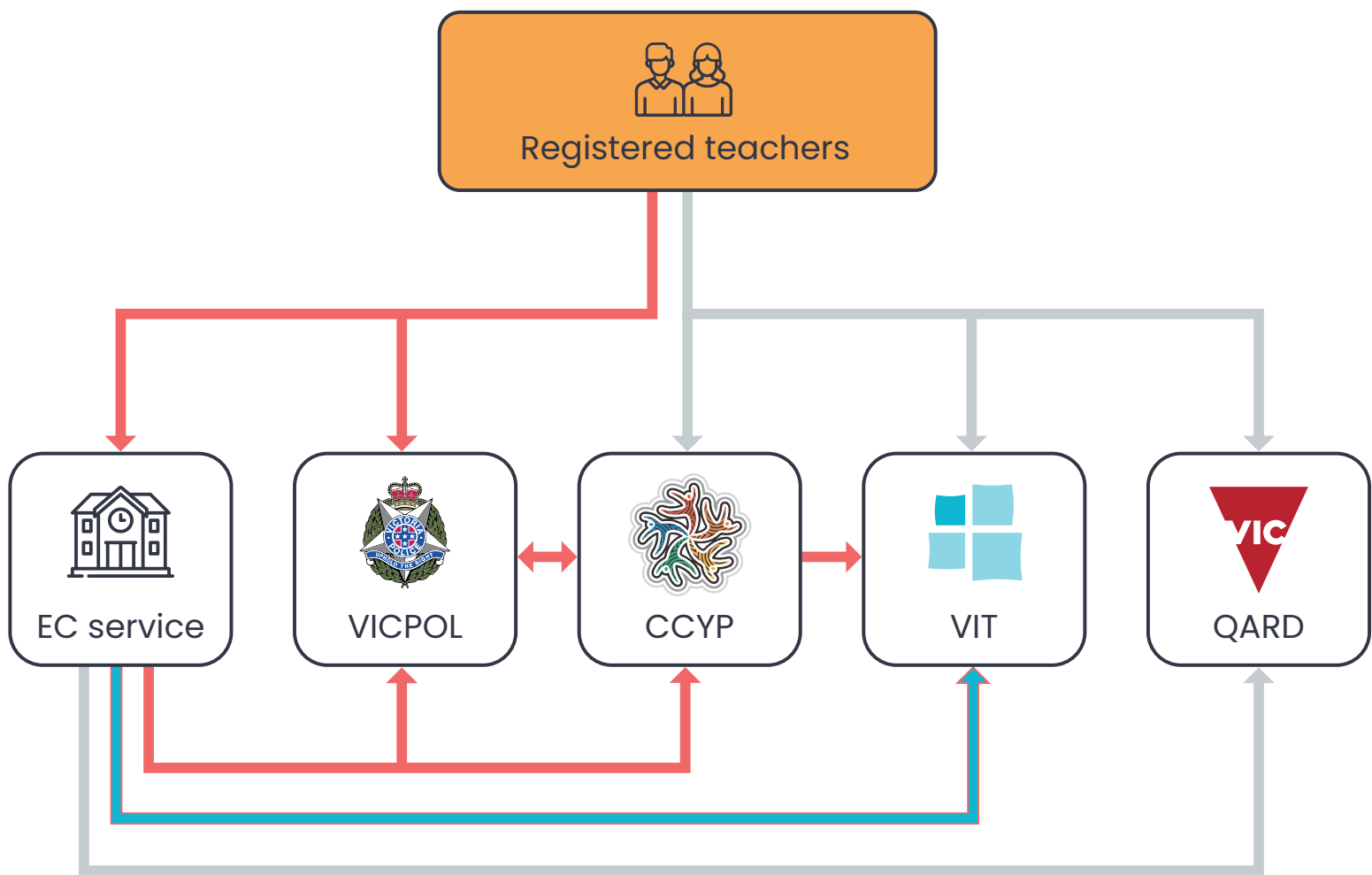
\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian EC service has engaged in sexualised behaviour with a learner (including behaviour outside the education setting).  
  
For example, a registered teacher

- sent inappropriate messages or images to a learner by email, text or another form of electronic messaging
- deliberately touched a learner in a sexual manner, and/or
- committed a sexual offence against a learner.

### Reporting Guide



KEY		
CAN NOTIFY	SHOULD NOTIFY*	MUST NOTIFY

\*EC services *must* notify VIT if they take action against the registered teacher as a result of the concerns raised

The above examples could amount to criminal offences and *must* be reported to the EC service and Victoria Police. They *can* also be reported to CCYP, VIT and QARD.

In response to the Betrayal of Trust report, a new criminal offence for failing to protect (or disclose information regarding) a child under the age of 16 from a risk of sexual abuse commenced on 1 July 2015.

Read more at [www.justice.vic.gov.au](http://www.justice.vic.gov.au)

# Conduct reporting guide for registered teachers

## Early childhood service – Inappropriate conduct

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

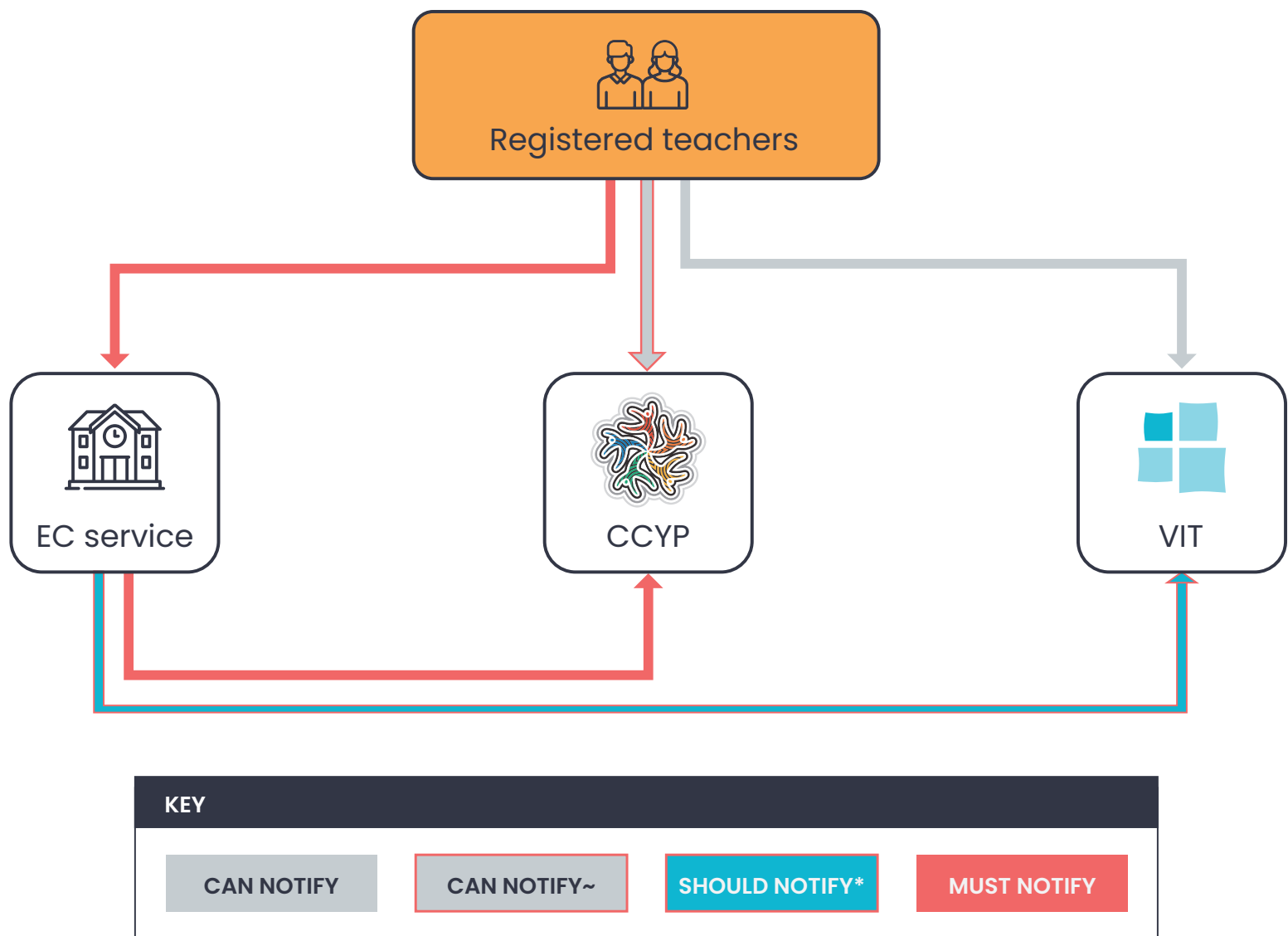
Scenario

I am a registered teacher and I have a concern that another registered teacher in a Victorian EC service has demonstrated inappropriate (but not sexual or physically violent) behaviour towards a learner (including behaviour outside the education setting).

For example, a registered teacher

- used offensive language in class, which caused a learner to feel uncomfortable
- used a racist/derogatory term to describe a learner
- bullied a learner by repeatedly singling them out for discipline, when the learner had done nothing to deserve it
- yelled excessively at a learner when they misbehaved, causing the learner to feel upset and/or unsafe
- restrained a learner by holding their arm (although not in a violent or sexual manner) when it was not necessary or appropriate
- has not adequately responded to disclosure of abuse by a child, and/or
- threatened violence towards/in front of a learner.

### Reporting Guide



~teachers *must* notify CCYP if reportable conduct issues occur outside the education setting  
\*EC services *must* notify VIT if they take action against the registered teacher as a result of concerns raised

Some of the above examples could amount to reportable conduct under the Reportable Conduct Scheme and *must* be reported to the EC service. They can also be reported to CCYP and VIT. Reportable conduct issues that occur outside the education setting *must* be reported to CCYP.

# Conduct reporting guide for registered teachers

## Early childhood service – Teacher registration concerns

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

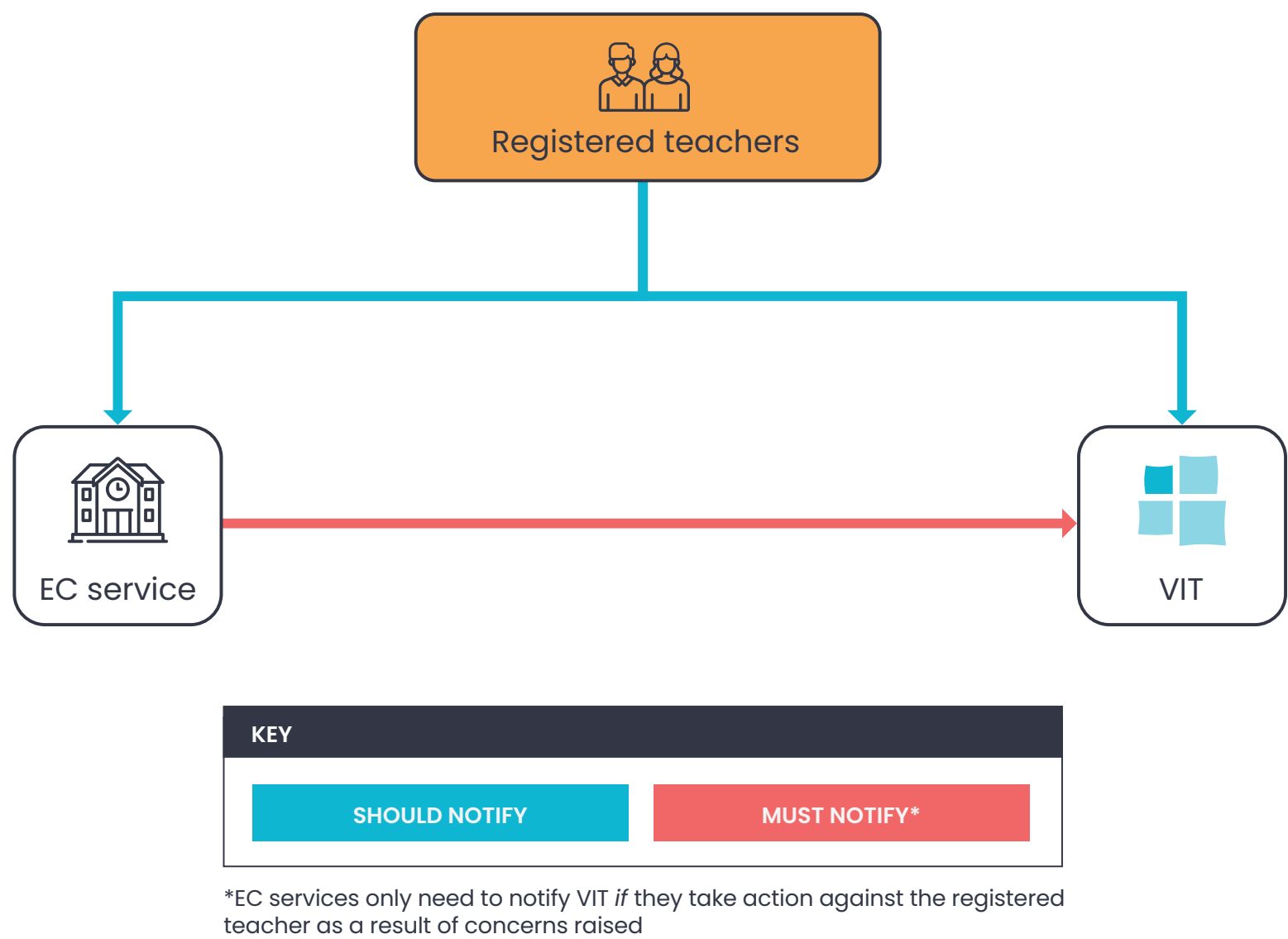
Scenario

I am a registered teacher and I have a concern about another registered teacher’s health or behaviour outside of the EC service setting.

For example

- a registered teacher displays behaviour suggesting a health concern which may impact their role as a teacher
- I have concerns about a teacher’s behaviour outside the EC service setting which may impact their role as a teacher, and/or
- I have concerns that a teacher may not be registered.

### Reporting Guide



The above examples could amount to breaches of the Victorian Teaching Profession’s Code of Conduct and *should* be reported to the EC service and VIT.

The teacher or EC service may also be required to make a notification to QARD depending on the circumstances.

# Conduct reporting guide for registered teachers

## Early childhood service – early childhood service based concerns

The following scenario has been developed to assist registered teachers in understanding who to report to regarding the conduct of another registered teacher\*, and which organisations are involved following a report.

\*If a scenario applies to any person employed in a school or EC service who is not a registered teacher, the stated reporting guidelines apply (except VIT).

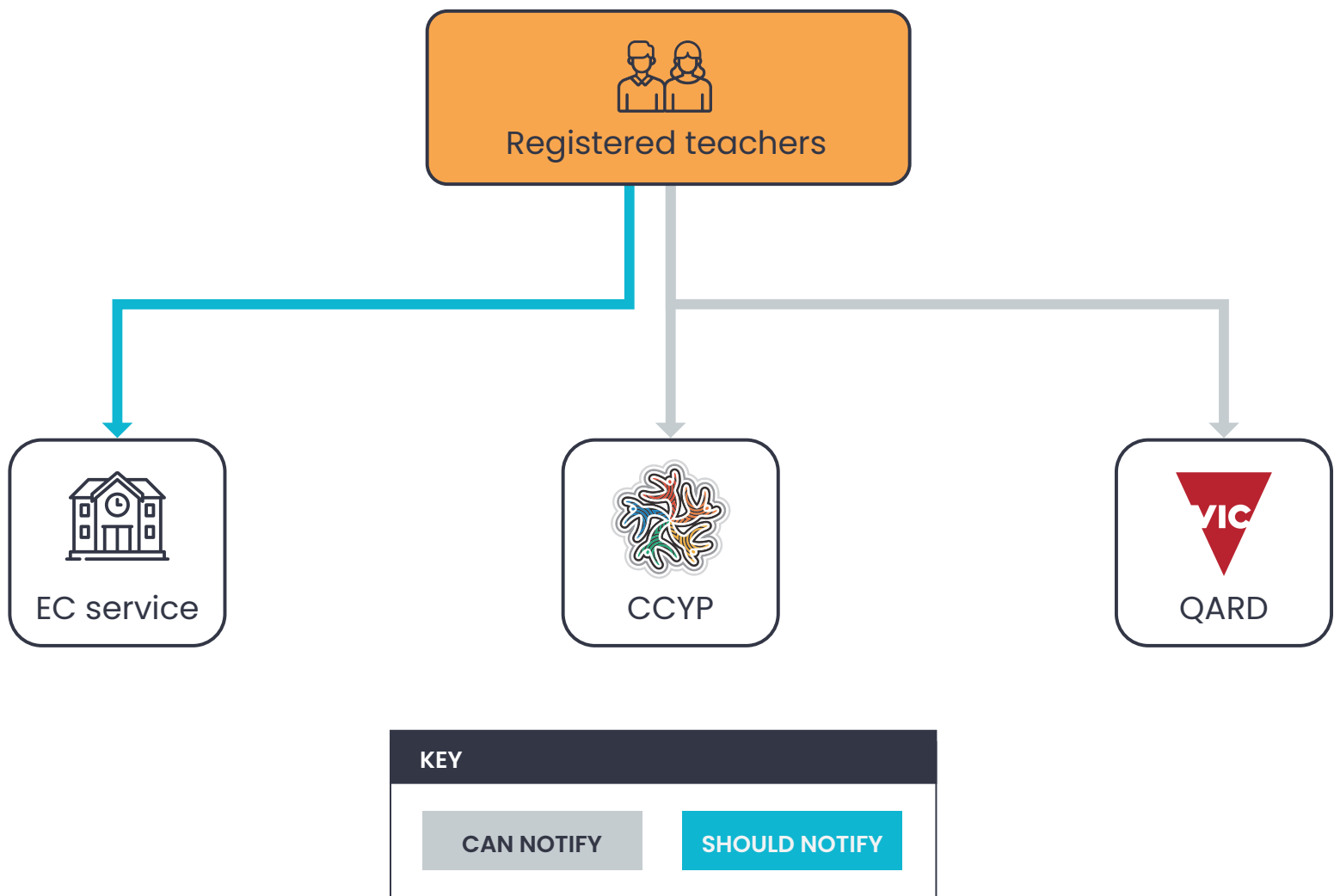
Scenario

I am a registered teacher and I have a concern about a learner’s health, safety or wellbeing, relevant legislation being contravened, or how complaints and policies are being addressed in a Victorian EC service.

For example

- I have concerns about the EC service’s compliance with the Child Safe Standards
- the EC service has not adequately handled a complaint or issue I raised with them, and/or
- the EC service has made decisions which are not in line with the EC service policies.

### Reporting Guide



The above examples could amount to breaches of the Child Safe Standards and *should* be reported to the EC service. They *can* also be reported to CCYP and QARD.