

Conduct reporting guide

for schools



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.

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Criminal behaviour scenario (non-sexual and sexual)

The following scenario has been developed to assist schools in understanding who to report to regarding the conduct of a 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).

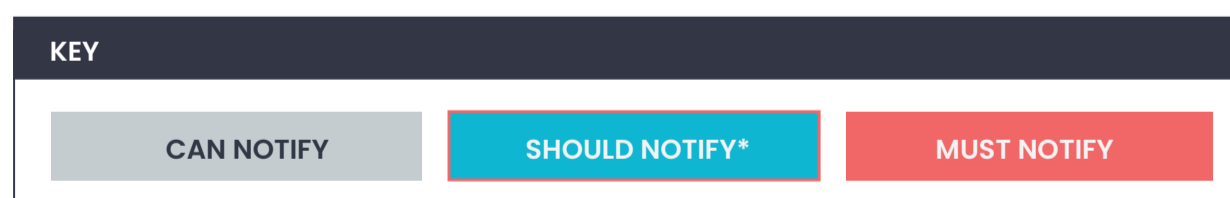
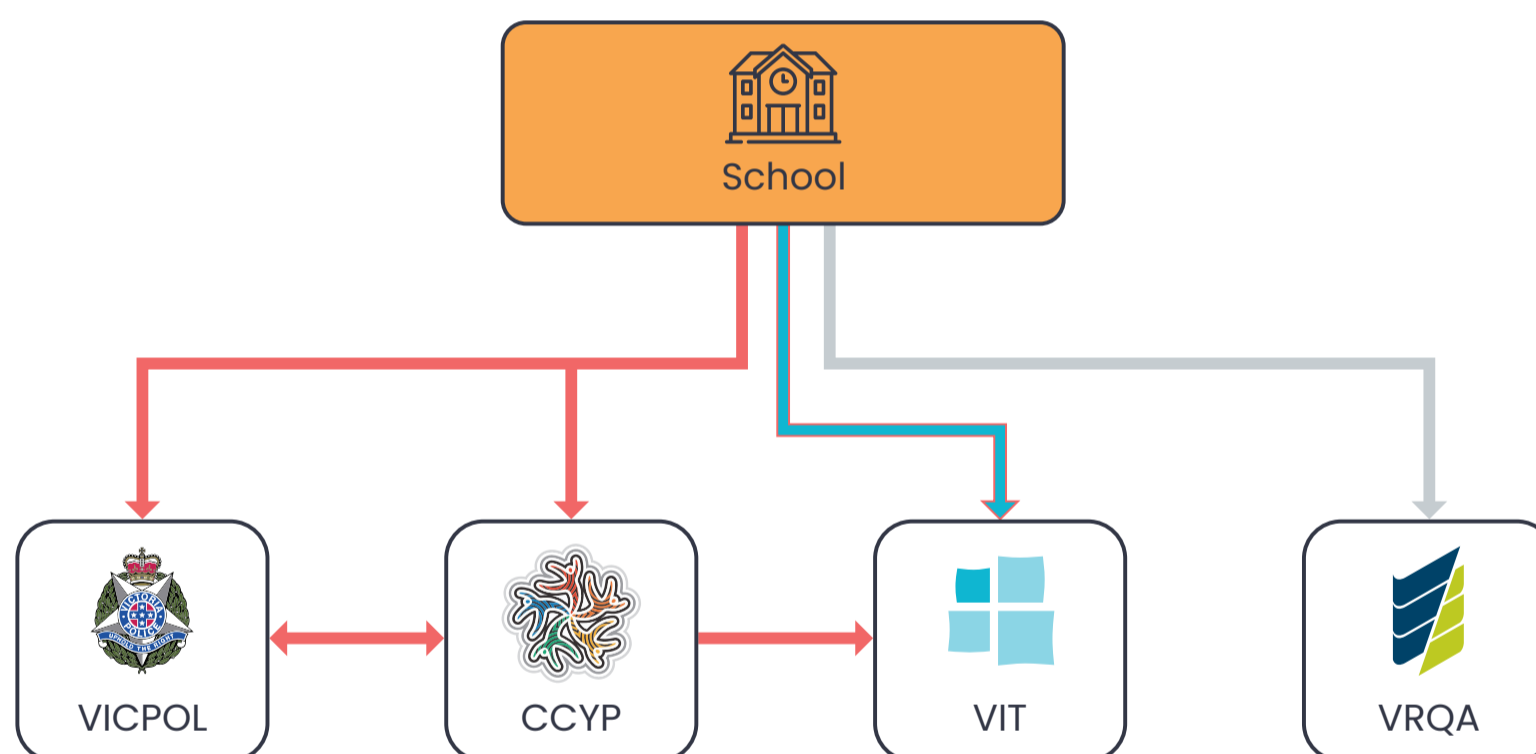
Scenario

We have a concern that a registered teacher has used physical violence against or engaged in sexualised behaviour with 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
- 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.

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*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 Victoria Police and CCYP. They *should* be reported to VIT and *can* also be reported to VRQA.

If action is taken against the registered teacher, schools *must* report it to VIT.

If the head of a school is notified by any person of a reportable allegation, including by a staff member, a young person, a parent or a member of the public, the head *must* report it to CCYP (even if the head doesn't have a reasonable belief the conduct happened).

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

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Inappropriate conduct

The following scenario has been developed to assist schools in understanding who to report to regarding the conduct of a 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).

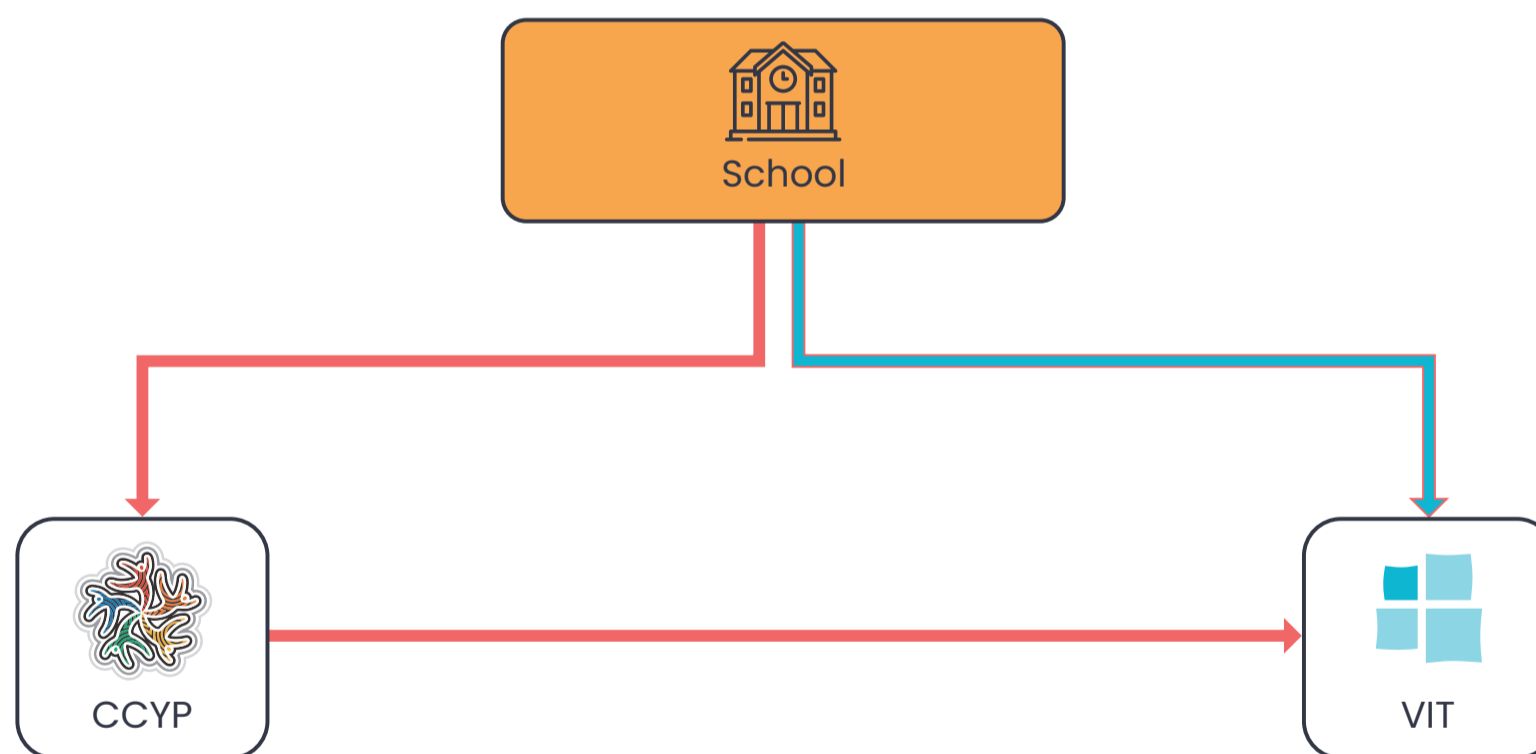
Scenario

We have a concern about a registered teacher's 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.

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KEY

SHOULD NOTIFY*

MUST NOTIFY

*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. Allegations of reportable conduct *must* be reported to CCYP. If the head of a school is notified by any person of a reportable allegation, including by a staff member, a young person, a parent or a member of the public, the head *must* report it to CCYP (even if the head doesn't have a reasonable belief the conduct happened).

If action is taken against the registered teacher, schools *must* report it to VIT. Reportable conduct issues that occur outside the education setting *must* be reported to CCYP.

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Teacher registration concerns

The following scenario has been developed to assist schools in understanding who to report to regarding the conduct of a 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).

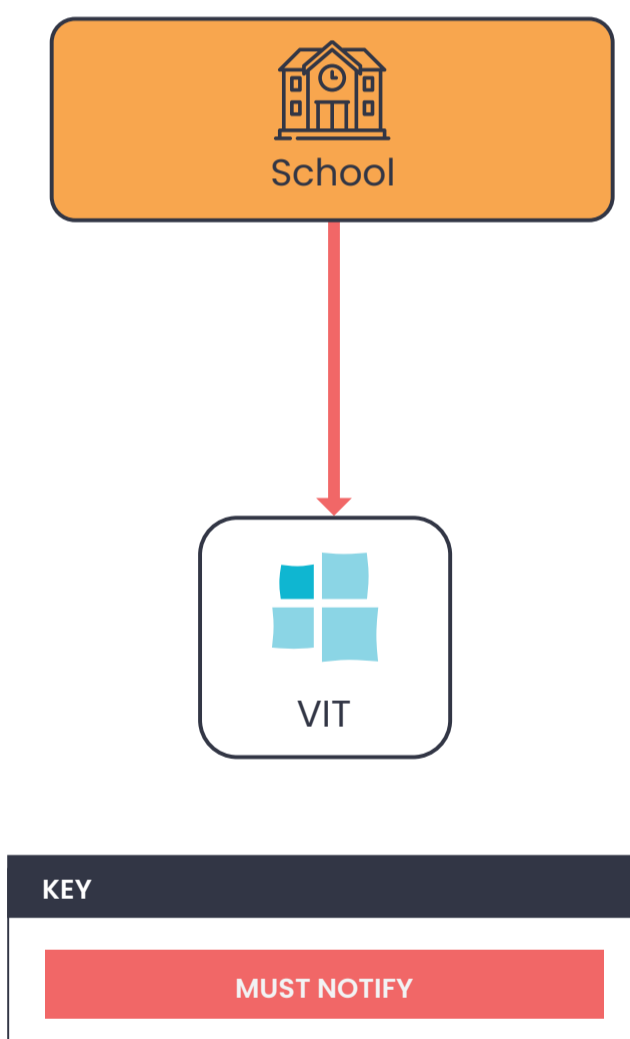
Scenario

We have a concern about a 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
- we have concerns about a teacher's behaviour outside the school setting which may impact their role as a teacher, and/or
- we have concerns that a teacher may not be registered.

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The above examples could amount to breaches of the Victorian Teaching Profession's Code of Conduct and/or the *Education and Training Reform Act 2006*, and *must* be reported to VIT.