

What is an allegation of reportable conduct?

Point 1: A current ‘worker’ (paid employee, a volunteer, a clergy/religious, contractor or sub-contractor) who has a Working with Children Check, has engaged in some form of conduct as described in the Act;

Point 2: Types of Reportable Conduct include:

- a sexual offence (*may involve sexual touching, grooming, child abuse material*)
- sexual misconduct (*when the alleged conduct is sexual in nature but is not a sexual offence*)
- ill-treatment (*unreasonable; and seriously inappropriate, improper, inhumane or cruel*)
- neglect (*including supervision*)
- assault (*physical intentional or reckless unwarranted touching or apprehension of physical force being used*)
- an offence under section 43B (*failure to protect*) or section 316A (*failure to report*) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.

Point 3: Towards or with a person under age 18 years

Point 4: The alleged conduct may have occurred at any time, and anywhere in the world. That is, it does not have to have arisen from the persons current work/ministry.

An Allegation of Reportable Conduct:

- Can come in various forms. For example, directly reported (someone says it happened to them) or indirectly reported (may be heard or observed by someone else)
- Can be anonymous;
- May initially be ‘grey’ or unclear and need further clarification to assess if it is an allegation. Advice on these types of matters can be obtained from your manager/supervisor.



What is a reportable conviction?

A reportable conviction is a conviction (including a finding of guilt without the court proceeding to a conviction) in NSW or elsewhere, of an offence of reportable conduct (as defined in Point 1 above).

A reportable conviction also needs reporting to the NSW Office of Children's Guardian within 7 days. If you receive information about such a conviction, inform your manager/supervisor to enable the necessary notification to be made.