



# Procedures for Handling Allegations of Staff Misconduct and Reportable Conduct

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## Scope

This procedure covers all employees, volunteers and contractors engaged to deliver services on behalf of the College.

Complaints involving allegations of staff misconduct and reportable conduct are managed in a different manner to other complaints received by the College. This is because often, these complaints are of a sensitive nature and raise potential privacy and confidentiality issues.

The College requires all staff to comply with Codes of Conduct and standards of professional behaviour that are intended to prevent staff misconduct and reportable conduct from happening. Staff are required to report any breaches of these Codes or standards.

It is also critical that the broader College community reports incidents of or concerns about staff misconduct and reportable conduct (both defined below) to ensure the safety and wellbeing of students, and that the College complies with its legislative reporting obligations. The safety and wellbeing of all students and staff is of





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conduct, please contact the Chairperson of the Board of Directors <a href="mailto:chairperson@atwa.edu.au">chairperson@atwa.edu.au</a>	allegation of misconduct or reportable conduct, please contact the Chairperson of the Board of Directors <a href="mailto:chairperson@atwa.edu.au">chairperson@atwa.edu.au</a>
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## Investigating and Managing Staff Misconduct and Reportable Conduct

The College initially investigates all complaints and allegations to determine whether the conduct in question amounts to staff misconduct, as defined in this policy, or reportable conduct that must be further investigated and reported to the NSW Children's Guardian (OCG). All investigations uphold the principles of procedural fairness and confidentiality; information is only shared with those who need to know.

Section 57 of The Children's Guardian Act 2019 (NSW) outlines some prohibitions this College is responsible to keep when an investigation is being conducted and external authorities are involved. In some scenarios, this can mean families and/or the affected child are not involved in any information exchange.

### Staff Misconduct

When a complaint or allegation does not include conduct that is defined as reportable conduct following the College's initial investigation and it is determined through the College's investigation that staff misconduct has occurred, the College will notify the complainant of the finding and any corrective actions that will be taken. Staff misconduct is managed through our People and Policies and procedures relating to



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## Making a Finding of Reportable Conduct

If the College's investigation results in a finding of reportable conduct, following the College's notification to the NSW Children's Guardian, we will conduct a final risk assessment of the conduct, the member, and the circumstances and take action to mitigate ongoing risks. Any external consequences will be applied via the OCGNSW Police and the justice system.



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# Procedures for Handling Allegations of Staff



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