

Reportable Conduct NSW



This guideline is to assist congregations of the Uniting Church Synod of NSW and ACT with understanding how to identify and notify reportable conduct in New South Wales.

1. What is a reportable conduct scheme?

From 1 March 2020, the Reportable Conduct Scheme will be transferred to the Office of the Children’s Guardian from the NSW Ombudsman under the new *Children’s Guardian Act 2019*.

The scheme requires allegations and convictions that involve child abuse or child-related misconduct against employees of designated non-government agencies to be reported to the NSW Office of Children’s Guardian.

2. How does the scheme apply to the Uniting Church in NSW?

- Religious bodies are covered by this scheme in line with recommendations of the Royal Commission into Institutional Response to Child Sexual Abuse.
- Individuals engaged by the church to provide services to children (including in the capacity of a volunteer) are included under the scheme.
- The purpose of the scheme is to ensure that appropriate systems and processes are in place for:
 - Preventing reportable conduct from occurring;
 - Ensuring the NSW Office of Children’s Guardian is

notified of allegations and convictions involving reportable conduct; and

- Handling investigations into reportable conduct.

3. What is reportable conduct?

Under the *Children’s Guardian Act 2019* (NSW) section 19, reportable conduct is defined as:

Reportable conduct means the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded—

- (a) a sexual offence,
- (b) sexual misconduct,
- (c) ill-treatment of a child,
- (d) neglect of a child,
- (e) an assault against a child,
- (f) an offence under section 43B or 316A of the Crimes Act 1900,
- (g) behaviour that causes significant emotional or psychological harm to a child.

Reportable conduct includes conduct alleged to have occurred inside or outside the course of a person’s employment or engagement with the Uniting Church

4. What to do if you are or become aware of an allegation or conviction involving reportable conduct

What	Why	How
1. Immediately notify the Synod General Secretary	All allegations or convictions involving reportable conduct must be made known to the General Secretary as the head of entity for congregations of the Synod. This is to enable the General Secretary to report to the NSW Office of Children’s Guardian and respond as necessary.	Directly contact Rev. Jane Fry <ul style="list-style-type: none"> • Email: janef@nswact.uca.org.au • Mail: Addressed as “Confidential” to General Secretary, Uniting Church Synod of NSW and ACT, PO Box A2178, Sydney South NSW 1235.
2. Support and assist	As head of entity for congregations, the General Secretary is required to report any allegation within 7 business days, then investigate and provide findings to the NSW Office of Children’s Guardian within 30 days.	A minister, Safe Church Contact Person and/or Church Council representative responds to any requests for information from the General Secretary’s Office, Synod Risk and Compliance Team and/or legal counsel.
You can Speak Out in confidence about anything relating to the protection of children.	The General Secretary’s office need to know about any issue relating to the safety of any child in our care. As the whole church, we have a duty to protect children and to respond well when an issue or allegation is present.	Speak out in confidence by: <ul style="list-style-type: none"> • Inform your minister or church council directly • Call the Speak Out hotline 1800 951 145 or Complete the Speak Out form on the Synod website www.nswact.uca.org.au/speak-out-in-confidence/

** If you have any questions about how reportable conduct applies to Uniting Churches in NSW, please contact the Synod Safe Church Team (02 8267 4242).