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Child Protection - Allegations Against Staff, Other Employees and Volunteers

Allegations of Misconduct by Staff, Volunteers and Others

Schools have a duty of care to investigate and act on allegations of employee misconduct or conviction which relate to their ability to perform their functions.

Reportable Conduct and Mandatory Reporting

Under the Teacher Registration (Northern Territory) Act 2004 (NT), schools have a duty to notify the Teacher Registration Board (the Board) in certain circumstances about the conduct of registered teachers.

The Reportable Conduct obligation covered in this policy is separate and distinct from the Mandatory Reporting obligation under the Care and Protection of Children Act.

Internal Reporting of Allegations of Staff Misconduct

Any allegation of staff misconduct must be immediately reported to the Campus Principal, or the Network Principal should the allegation involve the Campus Principal. If the allegation involves the Network Principal, it should be reported to the (EREA Regional Director Central Western). A person who reports any allegation will not be relieved of any mandatory reporting obligations if they apply (see the Mandatory Reporting obligations).

Internal Investigation of Allegations of Misconduct

Once an allegation of misconduct has been made (which does not require reporting to Territory Families under the Mandatory Reporting obligations) an internal investigation, led by the Network Principal, or delegate, will be conducted in such a manner as the particular circumstances demand.

It is important to note that an internal investigation must not be conducted in relation to an allegation that is the subject of Mandatory Reporting until clearance is given by the relevant authorities (Police or Territory Families).

Reporting Obligation to the Board

The Flexible Learning Centre must notify the Board if:

- They dismiss the person;
- The person resigns or leaves the employment of the Flexible Learning Centre in circumstances that call into question the person's competence or fitness to teach; or
- The Flexible Learning Centre takes any action against the person in relation to serious misconduct, lack of competence or unfitness to teach.

When to Notify the Board

The Board should be notified of the action taken against a teacher within 28 days of the process initiated by the Flexible Learning Centre.

The Board's Response

The Board on receiving the notification, will usually initially attempt to contact the teacher in question and will invite them to make submissions to respond to the notification. The Board has the power to initiate an investigation, which can lead to serious consequences such as the cancellation or amendment of the teacher's registration.

Workers' Responsibility

All workers are responsible to ensure:

- Reports of staff misconduct are made as soon as possible to the Campus Principal or Network Principal;
- The Campus Principal and Network Principal are notified of any matters which relate to Reportable Conduct;
- Co-operation in any internal investigation;
- Confidentiality is maintained throughout the process; and
- Records of all verbal and written communications are maintained and stored securely

Implementation

This policy is implemented through a combination of:

- Staff training;
- Effective communication and incident notification procedures;
- Effective record keeping procedures; and
- Initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy the Flexible Learning Centre may take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Child Protection - Abuse, Grooming and Neglect Identification and Initial Reporting](#)
[Child Protection - Mandatory Reporting](#)
[Child Protection - Mandatory Reporting \(of Domestic and Family Violence\) to Police](#)
[Child Protection - Working With Children Clearance \(Ochre Card\)](#)
[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)
[Child Protection - Information Sharing under Part 5.1A of the Care and Protection of Children Act 2007 \(NT\)](#)
[Child Protection - Information Sharing under Chapter 5A of the Domestic and Family Violence Act 2007 \(NT\)](#)