

Incident Reporting and Reportable Conduct Policy

Purpose

This policy outlines the ECMS approach to reporting, managing and responding to incidents involving children, as well as fulfilling our obligations under the *Education and Care Services National Law Act 2010*, the *Education and Care Services National Law Regulations 2011*, the *Occupational Health and Safety Act 2004 (Vic)*, the *Education and Training Reform Act 2006 (Vic)*, and the Victorian Reportable Conduct Scheme.

This policy operates in alignment with the ECMS organisational frameworks and policies, including the *Child Safety and Wellbeing Policy*, reinforcing our shared commitment to protecting children's safety, dignity and rights.

Scope

This policy applies to:

- The Approved Provider, persons with management or control, Centre Director, Nominated Supervisor, and persons in day-to-day charge.
- Early Childhood teachers, educators, staff, contractors, students, volunteers, parents/guardians, children, and others enrolled and participating in ECMS programs and services, including during offsite excursions and activities.
- All ECMS-operated Early Learning Centres and Kindergarten programs.

Definitions

Term	Definition
Incident	An event that results in or poses risk of injury, illness, trauma, or harm to a child.
Notifiable Incident	An incident that must be reported to the Regulatory Authority under Regs 85–87.
Reportable Conduct	Any allegation of sexual offence, sexual misconduct, physical violence, significant neglect, or grooming by an employee, volunteer, or contractor, as defined by the Commission for Children and Young People (CCYP).
Harm	Harm to children may include physical abuse, sexual abuse, emotional or psychological harm, neglect, exposure to family violence, grooming or the cumulative

	impact of multiple risk factors, including harm that is culturally or spiritually unsafe.
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Reporting and Notification Pathways

Internal concerns are raised via 1Place or directly to line managers. The Risk & Compliance Team triages incidents and determines required notifications. External bodies may include:

- **Regulatory Authority (DE/QARD)** – Notifiable incidents under Regs 85–87 of the *Education and Care Services National Law Regulations 2011*
- **Child Protection or Victoria Police** – Where a child is at immediate risk and/or criminal activity is suspected or has been identified
- **Commission for Children and Young People (CCYP)** – Allegations of reportable conduct
- **Victorian Institute of Teaching (VIT)** – If the subject is a registered teacher (Section 2.6.30 of the *Education and Training Reform Act 2006*)
- **WorkSafe Victoria** – If the subject is an employee, other persons at work and members of the public (Sections 37–39 of *Occupational Health and Safety Act 2004*)

All concerns must be responded to with urgency, compassion and confidentiality ensuring the dignity and emotional safety of children and reporters.

Failure to report is a breach of professional and legal obligations.

Supporting Children to Disclose Harm

ECMS is committed to creating environments where children feel safe, heard, empowered to speak up, and share their perspectives. We recognise that children disclose harm in different ways depending on their age, developmental stage, communication needs and cultural background. ECMS educators use the Classroom Assessment Scoring System (CLASS), alongside certified trainers, to reflect on their responsive teaching practices and regard for children's views within their day-to-day practice. Through training programs, such as CLASS, Circle of Security and trauma informed practice, educators develop strong intentional teaching capabilities to observe children's behavioural cues, to use open-ended, non-leading language and respond calmly and appropriately to all forms of disclosure, including verbal, non-verbal and play-based expressions. ECMS actively promote a culture of trust, inclusion and safety through everyday interactions and child-friendly mechanisms for raising concerns.

Timeframes and Escalation Matrix

Timely action is critical to ensuring the safety, wellbeing and protection of children and to meeting our legal and ethical obligations.

- Within 24 hours: Internal incident report submitted (via 1Place)
- Within 3 business day: CCYP must be notified of reportable conduct allegations
- As soon as practicable: Notifiable incidents to be reported to DE

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- Within 30 days: Investigation findings submitted to CCYP
- Immediately: notify VIT if the employer takes any action against a registered teacher
- Immediately: notifiable workplace incidents reported to WorkSafe Victoria (with a written notification within 48 hours)

Investigation Process

Investigations will be conducted in line with the ECMS *Incident Investigation Procedure*. All investigations will:

- Prioritise child safety, procedural fairness and trauma-informed approaches that uphold the dignity of all involved.
- Be timely, confidential and trauma-informed.
- Follow the guidance in the *Reportable Matters Handbook* and comply with CCYP expectations.

Confidentiality and Recordkeeping

All reports, notes and investigation records will be securely stored. Access is restricted to authorised personnel. Information will be shared in accordance with the Child Information Sharing Scheme (CISS), Family Violence Information Sharing Scheme (FISS) and privacy legislation, balancing the child's right to safety with respectful information handling.

Continuous Improvement and Learnings

Incident data and investigation findings will be analysed regularly to identify systemic risks and inform training, practice improvement, and policy review. This data is also used to inform service-level planning and team development. Insights are used to strengthen and implement preventative strategies through practice and systems, ensuring children remain safe, seen and heard.

Roles & Responsibilities

Approved Provider/ Executive Team	<ul style="list-style-type: none"> • Oversee policy governance, implementation and compliance. • Ensure systems are in place to implement this policy consistently across all ECMS services. • Provide resources, training, and support to services.
Risk and Compliance Team	<ul style="list-style-type: none"> • Oversee triage, escalation and coordination with regulators.
Centre Directors/ Nominated Supervisors	<ul style="list-style-type: none"> • Must ensure timely notification to internal ECMS Departments or Support Services. • Ensure families are notified as soon as practicable.

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Educators, Staff, Students
on Placement, Volunteers
and Contractors

- Must report suspected harm, abuse or safety risks without delay.
- Must complete annual Protecting Children - Mandatory Reporting and Other Obligations (PROTECT) training.
- Create a culture where all children are safe, seen, heard, and valued.

Related Legislation and Regulations

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Privacy Act 1988 (Cth)
- Child Wellbeing and Safety Act 2005 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Health Records Act 2001 (Vic)
- Information Privacy Act 2000 (Vic)
- Occupational Health and Safety Act 2004 (Vic)
- Public Health and Wellbeing Act 2008 (Vic)
- Public Health and Wellbeing Regulations 2019 (Vic)
- National Quality Standard: QA2, QA3, QA6, QA7
- Child Safe Standards – Standard 2: Child Health and Safety
- Victorian Reportable Conduct Scheme

Related Organisational Frameworks

- Assurance Framework
- Child Safeguarding Practice Framework
- Compliance Management Framework
- Incident and Complaint Management Framework
- Risk Management Framework

Related Policies and Procedures

- Acceptable Use of IT and Online Safety Policy
- Child Safe Handbook
- Child Safety and Wellbeing Policy
- Code of Conduct
- Complaints and Feedback Policy
- ECMS Reportable Matters Handbook
- Interactions with Children Policy
- Participation of Students and Volunteers Policy
- Privacy and Confidential Information Policy
- Supervision of Children Policy
- Work Health & Safety Policy

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Related Resources

- ACECQA - [Child Safety Guides](#)
- ACECQA - [Managing and Responding to Injury, Trauma, Illness and Incidents](#)
- ACECQA - [Reporting Requirements about Children](#)
- ACECQA - [Updated Guidance on Incident Notifications](#)
- Commission for Children and Young People - [Reportable Conduct Scheme](#)
- Department of Education (Vic) - [Protecting children: Mandatory reporting and other obligations](#)
- Victorian Institute of Teaching (VIT) – [Conduct reporting guide](#)
- WorkSafe Victoria – [Report health and safety incidents](#)

Document Version History			
Version	Reason for Amendment	Approved by	Approval date
1.0	New policy	ECMS Executive	June 2025

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