Fact Sheet

Reportable behaviour and reportable conduct: What's the difference?

What is reportable behaviour?

Reportable behaviour is acting in a way that poses a risk of harm to vulnerable people, including children. This can include neglect, abuse or other conduct.

Reportable behaviour falls under the Registration to Work with Vulnerable People (RWVP) Scheme and its laws. The RWVP Scheme assesses, registers and monitors those working or volunteering with vulnerable people, including children, in Tasmania.

Who reports it?

The following organisations **must** notify the RWVP Scheme of any actual or suspected reportable behaviour:

- state government departments and agencies
- Tasmania police
- organisations that register, licence or authorise people to work or volunteer.

Members of the public may also notify the RWVP Scheme if they have concerns about a person's behaviour, through the RWVP website.

What is it used for?

The RWVP Scheme uses reportable behaviour notifications as part of the background checks and risk assessments done when someone applies for a RWVP, and in the ongoing monitoring that occurs over the period of someone's registration.

The RWVP Scheme does *not* use reports of reportable behaviour to investigate specific allegations.

What is reportable conduct?

Reportable conduct falls under the Reportable Conduct Scheme, which is one part of Tasmania's Child and Youth Safe Organisations Framework and its laws. The Reportable Conduct Scheme holds organisations accountable for how they respond when there are reportable conduct concerns raised about how a worker has treated a child. It is administered by the Office of the Independent Regulator (OIR).

Reportable conduct includes the following behaviours by workers towards, or in the presence of, children and young people: grooming, physical violence, sexual offences or misconduct, significant psychological or emotional harm, significant neglect, and relevant offences.

Who reports it?

Certain organisations (those providing services specifically for children and young people) must notify the OIR when a concern is raised that someone working with children has caused harm or abuse.

These organisations include but are not limited to childcare, health services, education services, Tasmanian Government departments and state authorities. For more information see 'Who must comply with the Child and Youth Safe Organisations Framework' on the OIR website at https://oir.tas.gov.au/about/the-child-and-youth-safe-organisations-framework/scope-tester.

The OIR can also receive reports from anyone, including children, parents and workers, through the OIR website.

How does the reporting process work?

When notified of reportable conduct, the OIR contacts the organisation and oversees and monitors its investigation.

The OIR does not investigate all reportable conduct itself, but supports organisations to conduct their own investigations. The OIR also builds the capability of organisations to prevent, identify, and respond to harm to children and young people.

Is there a link between the RWVP Scheme and the OIR?

Keeping children safe depends on effective information sharing between agencies. Sharing information is a fundamental part of both schemes.

The RWVP Scheme and the OIR may share:

- information about reportable conduct, related investigations and risks to child safety
- advice about reportable behaviour notifications and related risk assessments.

This information sharing also enables others (such as Tasmania Police) to take action to protect children and young people. Neither scheme replaces the other. Where both schemes apply, organisations and leaders must report under each scheme as required.

Laws

You can find the Registration to Work with Vulnerable People Act 2013 and Regulations 2024 and relevant orders at www.justice.tas.gov.au/rwvp

Further information

You can find other fact sheets and further detail on reportable behaviour, offences, and more at www.justice.tas.gov.au/rwvp

This document is based on the *Registration to Work with Vulnerable People Act 2013* (the Act). It was prepared as a plain English guide to the law relating to Registration to Work with Vulnerable People in Tasmania. No responsibility is accepted for any errors or omissions it may contain. For precision, reference should be made to the Act. This guide is not intended to replace independent legal advice.