

Staff and volunteers who work in the early childhood education and care sector have reporting obligations to protect children from abuse or other harm that may occur while they are in the care of the organisation or elsewhere. Reports often need to be made to more than one agency, as summarised in the chart below.

### I am concerned about a child's safety. What should I do?

Take action to make the child safe, including risk to the child or children in the care of the organisation



Call WA Police Force on 000 if you have immediate concerns for a child's safety



#### WA Police Force

You should notify the WA Police Force immediately if you believe criminal conduct or suspected criminal conduct is occurring, has occurred, or if you have immediate concerns for a child's safety.



#### Department of Communities

If you are a mandatory reporter and you form a belief, on reasonable grounds, that a child has been sexually abused, or is the subject of ongoing sexual abuse, you must make a report to the Department of Communities. If you are not a mandatory reporter and are concerned that a child has been abused or neglected, you should report your concerns to the Department of Communities on 1800 273 889.



#### Education and Care Regulatory Unit (ECRU)

The approved provider must notify the ECRU of incidents, complaints, and allegations via the National Quality Agenda IT System (NQA ITS).



#### Teacher Registration Board of Western Australia (TRBWA)

An employer at an educational institution, including a childcare or centre-based service, must give written notice to the TRBWA within seven (7) days, where the employer has reasonable grounds to suspect that a registered teacher may have engaged in serious misconduct or may have taught with serious incompetence in circumstances where the teacher is dismissed or suspended from teaching or has resigned or has ceased teaching at the educational institution.



#### Ombudsman Western Australia

The Reportable Conduct Scheme (**the Scheme**) operates alongside, and does not replace, other reporting obligations. The Scheme applies to all Western Australian early childhood education and care services from 1 January 2023. The Scheme includes allegations of, and convictions for, certain types of child abuse involving **employees** (including contractors and volunteers) of the organisation. Conduct which occurs both within and external to your organisation is covered by the Scheme.

There are five categories of reportable conduct:

Sexual offences against, with or in the presence of a child

Sexual misconduct against, with or in the presence of a child

Physical assault against, with or in the presence of a child

Significant neglect of a child

Behaviour that causes significant emotional or psychological harm to a child

#### Notification to the Ombudsman

If you form a belief on reasonable grounds that reportable conduct has occurred, follow your organisation's reporting procedures by notifying your Head of Organisation. The Head of Organisation has obligations to notify the Ombudsman and undertake an investigation. Heads of organisations and employees can contact the Ombudsman's office if they require further information on how to proceed.

This information sheet summarises reporting obligations and is provided for general guidance purposes – it is not intended to provide advice on legal obligations to any person or organisation. Employees who are unsure about their reporting obligations should speak with their manager as a priority.

**Acknowledgement:** Ombudsman Western Australia wishes to thank the New South Wales Office of the Children's Guardian and the Victorian Commission for Children and Young People for use of their publications relating to their reportable conduct schemes and their continuing advice and assistance.