

The ACT Reportable Conduct Scheme S17G Notification

This form is to be used by employers (designated entities under the ACT Reportable Conduct Scheme) for notifying the ACT Ombudsman of a reportable conduct allegation or conviction.

Reportable conduct is defined in s 17E of the *Ombudsman Act 1989*. An employer must provide a notification to the Ombudsman about:

1. an allegation¹ of reportable conduct against a person, whether or not in the course of employment with the entity (See ACT Ombudsman Practice Guide: Reportable Conduct, including offences and convictions), or
2. a conviction, finding of guilt or an offence involving reportable conduct.

The *s 17G Notification* requires details about an allegation of reportable conduct or an offence or conviction and the people involved. The report also documents the designated entity's initial response to the matter.

This notification must be sent to the Ombudsman's office **as soon as possible but within 30 days of the head of the employer (designated entity) becoming aware** of the reportable allegation or conviction against an employee. The Ombudsman encourages contact as soon as possible after an employer learns of an allegation or conviction or reportable conduct to allow for early consultation.

If an employer (designated entity) has written a report, for example to a regulator, outlining the details requested in the *s 17G Notification*, that report may be submitted. There is no need to fill the *s 17G Notification* out in the order of the questions asked. If a risk analysis or other document contains the necessary information, those documents may be submitted in lieu of filling out the *s 17G Notification*.

A signed version of *s 17G Notification*, or the documents which contain the requested information, should be sent to the ACT Ombudsman at the email below. An email confirming receipt will be sent in return.

If the employer (designated entity) has completed the investigation within those 30 days, the employer should also file a *s 17J Report* which details the findings of the investigation. The *s 17J Report* should be accompanied by copies of all documentation relevant to the investigation and decision making. This material should be provided via email to the address below.

¹For purposes of the notification, the term allegation refers to express assertions that reportable conduct has happened or may have happened (including a statement or declaration with or without proof).

1. Designated Entity (employer) details

- 1.1 Your case/reference number:
- 1.2 If this notification relates to any other notification(s) or inquiries made to the Ombudsman, please provide reference number(s) or other details:

1.3 Designated entity name (employer):

1.4 Head of designated entity:

1.5 Position title:

1.6 Telephone:

1.7 Email address:

1.8 Postal address:

1.9 Signature:

Date:

If an officer other than the head of entity is the preferred contact for the Ombudsman, please provide their details below:

1.10 Contact officer/delegate name

1.11 Position title

1.12 Address (if different to above)

1.13 Telephone

1.14 Email address

2.9b Date of alleged incident:

Or period: from: _____ to _____

2.9c Detailed description of allegation or conviction (for example, the conviction number)

2.9d How and when the allegation or conviction came to the attention of the employer?

2.9e Please attach an initial risk analysis. Include what action has been taken or is proposed in respect to the employee while the current allegation is being investigated until final decisions are made. If no action is proposed, state why that is the case.

No action is proposed

2.9f Is the employee aware that a reportable allegation has been made against them?

Yes No

2.9g If the employee has made any written submission to the employer about the allegation or conviction that the employee has asked the employer to take into account when deciding upon appropriate action, the employer must provide those to the Ombudsman with this report.

2.10 If yes, include the date informed and how the employee was informed.

2.11 If no, explain why the employee has not been informed.

3.2 Does the child have a disability? If yes, please provide details.

Yes No Unknown

3.3 Does the child have other vulnerabilities?

Yes No Unknown

3.4 Who has parental or carer responsibility for the child?

Specify if parental responsibility for the child with the Community Services Directorate

3.4a Is the child's parent or guardian aware of the allegation? If not, why not?

Yes No

3.5 Has support been provided/offered to the alleged victim?

Yes No

If yes, what type of support and when did it commence? If no, why not?

4. Prior allegation or conviction details

4.1 Have prior allegations/convictions, which would have amounted to reportable conduct under the scheme, been made against the employee in the past?

Yes No

4.2 If yes, please answer the following for each allegation/conviction:

4.2a When was the allegation made?

4.2b What was the finding?

4.2c What action was taken

4.2d Reference number

4.2e If no action was taken, state the reason for this decision.

4.2f Has the employee been suspended pending investigation? Yes No

4.2g If so, is the employee on a leave with pay or without pay status? Yes No

4.2h Has the employee not been re-engaged? Yes No

5. Other reporting obligations

5.1 Has Child and Youth Protection Services been informed of this allegation? for example, through a mandatory report? Yes No

If yes: Date of report Report identifying number

5.2 If no, why not?

5.3 Has this allegation been reported to ACT Policing? Yes No

5.3a If yes: Date of report Event number

What was the response?

If no, why not?

5.4 Has Access Canberra (WWVP) been informed of the investigation or any disciplinary proceeding?

Yes No

5.5 Have other regulators (such as the Teacher Quality Institute, the Children’s Education and Care Assurance (CECA), the Public Advocate, the Human Services Registrar, AHPRA or the Health Services Commissioner) been notified?

Yes No

If so, which regulator was contacted and when was a report made?

This is the final page of the s 17G Notification.
Please email this form to: act@ombudsman.gov.au