



CAPUCHIN
FRANCISCAN FRIARS
AUSTRALIA

Reportable Conduct
Policy & Procedures
Version 1 | February 2026

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1 Purpose

1.1 The Capuchin Friars Province of Australia (Capuchin Friars) have statutory obligations under the reportable conduct schemes in New South Wales, Victoria and Queensland¹ in connection with reportable allegations/convictions against employees/workers. The purpose of the Reportable Conduct Policy & Procedures is to explain our approach to meeting these obligations and the processes that will be followed to comply with them in each state.

2 Scope

2.1 The Reportable Conduct Policy & Procedures apply to all Capuchin Friars personnel (lay and religious), including volunteers and contractors, and should be read in conjunction with the following:

- *Complaint Handling Policy & Procedures*
- *Safeguarding Reporting Policy & Procedures*
- *Safeguarding Risk Management Plan*

3 Definitions

3.1 In this policy ‘child safety concern’ means any concern, whether current or historical, that relates to the actual or suspected abuse or harm of a child under the age of 18 years (or of a child who is now an adult) – see Safeguarding Policy for further information.

Definitions by jurisdiction (see Attachments 1-3 for definitions of types of reportable conduct in each state)			
	New South Wales	Victoria	Queensland
Employee/worker	Employee defined by section 16 of the <i>Children’s Guardian Act 2019</i> . For religious entities, it includes an individual who holds or is required to hold a working with children check clearance for the purpose of their	Employee defined by section 3 of the <i>Child Wellbeing and Safety Act 2005</i> . For religious entities, it means a minister of religion; a religious leader; a person over the age of 18 years who is employed whether or not in connection	Worker defined by section 8 of the <i>Child Safe Organisations Act 2024</i> as an individual who performs work of any kind for the entity, including an employee; volunteer; contractor; subcontractor; consultant; an

¹ Commencing 1 July 2026.

	engagement with the entity.	with any work or activities that relate to children; a person over the age of 18 years who is engaged as a volunteer, contractor, office holder or officer, whether or not they provide services to children.	individual supplied by a labour hire firm; an executive officer or person who takes part in the entity's management; a trainee; a minister of religion, religious leader or officer of the religious entity; a sole trader. Under section 32 of the Act a worker also includes a former worker of the entity if: <ul style="list-style-type: none"> • for a reportable allegation—the alleged conduct the subject of the allegation was engaged in during the period when the worker was performing work for the entity • for a reportable conviction—the worker was convicted during a period when the worker was performing work for the entity.
Regulator	Office of the Children's Guardian	Commission for Children and Young People	Family and Child Commission
Reportable allegation	For a religious entity, an allegation that the employee has engaged in conduct that may be reportable	Any information that leads a person to form a reasonable belief that an employee has committed – (a) reportable conduct;	An allegation or other information that leads a person to form a reasonable belief that a worker of a reporting entity has committed— (a)

	<p>conduct, whether or not the conduct is alleged to have occurred in the course of the employee's engagement with the religious entity.</p> <p>This includes an historical allegation (including an allegation about a child who is now an adult).</p>	<p>or (b) misconduct that may involve reportable conduct— whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.</p> <p>This includes an historical allegation (including an allegation about a child who is now an adult).</p>	<p>reportable conduct; or (b) misconduct that may involve reportable conduct – whether or not the conduct or misconduct is alleged to have occurred in the course of the worker performing work for the reporting entity.</p> <p>This includes an historical allegation (including an allegation about a child who is now an adult).</p>
Reportable conduct	<ul style="list-style-type: none"> a) a sexual offence b) sexual misconduct c) ill-treatment of a child d) neglect of a child e) an assault against a child f) an offence under section 43B (negligent failure to reduce or remove the risk of a child becoming the victim of child abuse) or 316A (concealing a child abuse offence) of the Crimes Act 1900 g) behaviour that causes 	<ul style="list-style-type: none"> a) sexual offences (against, with or in the presence of, a child) b) sexual misconduct (against, with or in the presence of, a child) c) physical violence (against, with or in the presence of, a child) d) behaviour that causes significant emotional or psychological harm e) significant neglect 	<ul style="list-style-type: none"> a) a child sexual offence b) sexual misconduct committed in relation to, or in the presence of a child c) ill-treatment of a child d) significant neglect of a child e) physical violence committed in relation to, or in the presence of a child, or f) behaviour that causes significant emotional or psychological harm to a child.

	significant emotional or psychological harm to a child		
Reportable conviction	A finding of guilt without the court proceeding to a conviction, in NSW or elsewhere, of an offence involving reportable conduct – whether or not the conduct occurred in the course of the employee’s employment with the entity.	N/A	A conviction for an offence committed by the worker against a law of a State or the Commonwealth that may involve reportable conduct – including a finding of guilt, and the acceptance of a plea of guilty, by a court, whether or not a conviction is recorded; a spent conviction, or a conviction that has become spent under a law of another State or the Commonwealth.

4 Key obligations

4.1 As a religious entity, the Capuchin Friars fall within the reportable conduct schemes legislated in New South Wales, Victoria and Queensland. While each scheme has differences, they all broadly require entities to:

- have systems in place for preventing, detecting and responding to reportable allegations/convictions²
- assess and manage risks arising from reportable allegations/convictions
- notify the relevant regulator of reportable allegations/convictions
- investigate reportable allegations affording procedural fairness
- ensure an appropriate level of confidentiality of information relating to reportable allegations, only disclosing information in circumstances required/permitted by legislation

² The requirements in relation to reportable convictions only apply in NSW and Queensland.

- make a finding for each reportable allegation
 - satisfy the requirements for cooperating with and reporting to the regulator
- 4.2 The Provincial Minister is the 'head of entity' with ultimate responsibility for ensuring the Capuchin Friars meet reportable conduct obligations in each state. He delegates day to day responsibilities for the functions associated with these obligations to the Provincial Delegate, Professional Standards and Safeguarding (Provincial Delegate).
- 4.3 In meeting our obligations the Capuchin Friars comply with the reportable conduct legislation in each state:
- [Children's Guardian Act 2019 \(NSW\) Part 4](#)
 - [Child Wellbeing and Safety Act 2005 \(Vic\) Part 5A](#)
 - [Child Safety Organisations Act 2024 \(Qld\) Chapter 3](#)
- 4.4 We also have regard to guidance material published by the regulators on their websites to assist entities to meet their reportable conduct obligations, and cooperate fully with any requests or directions from the regulators.

5 Initial response

- 5.1 All Capuchin Friars personnel are responsible for identifying and reporting child safety concerns in accordance with the Safeguarding Reporting Policy & Procedures.
- 5.2 **Identifying reportable allegations and convictions**
- 5.2.1 When the Provincial Delegate is notified of a child safety concern, he will complete the Safeguarding Concern Risk Management Form (Attachment 2 of the Safeguarding Risk Management Plan) and assess whether the concern meets the threshold of a reportable allegation/conviction in the relevant jurisdiction, having regard to the legislated definition and guidance provided by the regulator.
- 5.2.2 Within 24 hours of identifying the reportable allegation/conviction, the Provincial Delegate will advise the Provincial Minister and the relevant Diocese/Archdiocese. If the reportable allegation/conviction involves the Provincial Minister, the Provincial Delegate will instead advise the regulator and the Minister General.

5.1.6 If a child safety concern does not meet the threshold of a reportable allegation/conviction it will be handled in accordance with the process outlined in the Safeguarding Policy.

5.3 Risk assessment

5.3.1 Within 24 hours of becoming aware of a reportable allegation/conviction, the Provincial Delegate will complete a Safeguarding Risk Assessment Plan (Attachment 1 of the Safeguarding Risk Management Plan), in consultation with the relevant Diocese/Archdiocese, to identify and mitigate:

- any risk of harm to the alleged victim (AV)
- any risks to the person who is the subject of allegation (SOA)
- any risk of harm to other children who may have contact with the SOA
- any risks to the person who reported the allegation and/or witnesses
- any risks to the integrity of the investigation

5.2.2 The Provincial Delegate will then recommend to the Provincial Minister (within 48 hours of becoming aware of the reportable allegation/conviction) any immediate risk management action that should be taken in relation to the SOA.

5.2.3 When a child safety concern has been reported to police, police advice must be obtained before taking or communicating any risk management action to the SOA or commencing the reportable conduct investigation.

5.2.4 The Provincial Delegate will ensure the SOA, AV and other relevant individuals (e.g. the reporter and witnesses) are provided with appropriate support. The appropriate person to provide support to the SOA will be determined on a case-by-case basis and in consultation with the SOA taking into account their needs and preferences.

5.2.5 If the SOA needs to be stood down, the Provincial Minister will determine what information should be communicated to the relevant community in consultation with the Provincial Delegate and police (if relevant).

5.3 Notification to regulator

5.3.1 The Provincial Delegate is responsible for ensuring the reportable allegation/conviction is notified to the regulator within the required timeframe via the relevant online form:

	New South Wales	Victoria	Queensland
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Regulator	Office of the Children’s Guardian	Commission for Children and Young People	Family and Child Commission
Notification timeframe	Within 7 business days of the head of entity becoming aware.	Within 3 business days of the head of entity becoming aware.	Within 3 business days of the head of entity becoming aware.
Information required	See section 29(2) of <i>Children’s Guardian Act 2019</i> .	See section 16M(1)(a) of <i>Child Wellbeing and Safety Act 2005</i> .	See section 35(1) of <i>Child Safe Organisations Act 2024</i> .

5.3.2 In addition to notifying the regulator to external authorities (e.g. police and child protection) must be made as required, having regard to the Safeguarding Reporting Policy & Procedures.

6 Investigating the allegation

6.1 Appointment of investigator

6.1.1 All reportable allegations will be formally investigated unless an exemption is approved by the relevant regulator. The investigation will not start without the approval of the Provincial Minister.

6.1.2 The Provincial Minister is responsible for appointing a suitably qualified external investigator in consultation with the Provincial Delegate.

6.1.2 The external investigator must have relevant skills and experience and no conflict of interest.

6.2 Investigation principles

6.2.1 The investigation will comply with the principles of confidentiality, impartiality and procedural fairness, which are explained in the Investigation Policy & Procedures.

6.3 Investigation process

6.2.2 The investigator will plan and conduct the investigation in a way that is consistent with the process outlined in the Investigation Policy & Procedures.

6.4 Investigation findings

6.4.1 At the end of the investigation, the investigator will assess the evidence and recommend a finding for each reportable allegation on the balance of probabilities (the civil standard of proof). When recommending findings, the investigator must provide reasons, having regard to the legislative definition of the relevant type of reportable conduct, and relevant guidelines provided by the regulator.

6.4.2 If the investigator does not plan to recommend a finding of reportable conduct, they must still consider whether conduct has occurred that is in breach of established standards applying to the employee, having regard to the Capuchin Friars Safeguarding Code of Conduct, Integrity in Our Common Mission and any other relevant policies, and recommend a finding for each allegation.

6.5 Updating the regulator

6.5.1 During the investigation the Provincial Delegate is responsible for ensuring information is reported to the regulator within the required timeframes via the relevant online form:

	New South Wales	Victoria	Queensland
Reporting timeframe	An interim report (if the investigation has not been completed) within 30 calendar days of the head of entity becoming aware	Detailed information within 30 calendar days (if the investigation has not been completed) of the head of entity becoming aware	An interim report (if the investigation has not been completed) within 30 business days of the head of entity becoming aware.
Information required	See section 38 of <i>Children's Guardian Act 2019</i> .	See section 16M(1)(b) of <i>Child Wellbeing and Safety Act 2005</i> .	See section 35(2) of the <i>Child Safe Organisation Act 2024</i> .

6.5.2 The Provincial Delegate will also respond to any requests for information or action by the regulator within the timeframe specified.

7 Concluding the investigation

7.1 Making a final determination

- 7.1.1 The Provincial Minister will consider the investigator's recommended findings (and any additional recommendations) and make a finding for each allegation.
- 7.1.2 If the Provincial Minister decides not to endorse the investigator's recommendations, they will document the reasons for this decision and the alternative findings (and any additional recommendations).
- 7.1.2 If adverse findings against the SOA are proposed, the SOA will be notified in writing by the Provincial Minister of the proposed findings and reasons, together with the possible outcomes. Possible outcomes include disciplinary or management action, and any actions the regulator may take.
- 7.1.3 The person the subject of the allegation must be invited to respond within a minimum of 7 days. Any further submissions from them must be considered before the Provincial Minister makes a final determination.

7.2 Communicating the investigation outcome

- 7.2.1 The Provincial Minister or his delegate is responsible for communicating the investigation outcome (including reasons) to the person the subject of the allegations. They must be advised of their review options.
- 7.2.2 The Provincial Minister or his delegate is also responsible for communicating the investigation outcome to the involved child and their parents/carers, unless they believe it is not in the public interest to do so (in which case the reasons for this must be documented).
- 7.2.3 All parties must be advised of their right to complain to the regulator if they are not satisfied with the handling of the reportable allegation.
- 7.2.4 Communication with the SOA will follow the guidelines contained in the Investigation Procedure. The most appropriate way to initially communicate the investigation outcome to the involved child and their parents/carers will be determined on a case by case basis. Written confirmation of the findings and reasons must always be provided. This will be dated, signed by the Provincial Minister and a copy retained.
- 7.2.5 When communicating the outcomes of the investigation to the involved child and their parents/carers, consideration must be given to the child's

age and stage of development, together with any other relevant factors such as disability or trauma. Care must be taken not to disclose personal information about the person the subject of the allegation (e.g. the specific nature of any disciplinary action taken).

7.3 Reporting the investigation outcome to the regulator

7.3.1 The Provincial Delegate is responsible for ensuring the investigation outcome (including an analysis of the evidence and rationale for the findings made) is reported to the regulator via the relevant online form as soon as practicable after the investigation is completed.

	New South Wales	Victoria	Queensland
Information required	Final entity report. See section 37 of <i>Children’s Guardian Act 2019</i> .	Investigation outcome update. See section 16N(3) of <i>Child Wellbeing and Safety Act 2005</i> .	Report on findings and actions. See section 37 of <i>Child Safe Organisations Act 2024</i> .

7.4 Implementing outcomes

7.4.1 The Provincial Minister or his delegate is responsible for ensuring any recommendations arising from the investigation, including any made by the regulator, (e.g. changes to policies or systems) are implemented and documented. They may delegate related tasks.

8 Information sharing

8.1 Disclosing information to the affected child and their parents/carers

8.1.1 The Provincial Minister in consultation with police, the Provincial Delegate and the investigator, will determine what information about the reportable allegation will be shared with the affected child (including a child who is now an adult) and their parents/carers (if the child is not an adult).

	New South Wales	Victoria	Queensland
Disclosure of reportable conduct information	Section 57 of the <i>Children’s Guardian Act 2019</i> <u>requires</u> relevant information relating to a reportable allegation or	Section 16ZB of the <i>Child Welfare and Safety Act 2005</i> <u>permits</u> the sharing of relevant information relating to a reportable	Section 50 of the <i>Child Safe Organisations Act 2024</i> <u>permits</u> the sharing of relevant information

	conviction to be shared with the affected child to whom the information relates and their parent (and may provide to a carer), unless the disclosure would put a person's health or safety at serious risk; or put a person who made a report, complaint or notification, or other person, at risk of being harassed or intimidated; or prejudice an investigation or inquiry.	allegation with the child to whom the information relates and their parent/carer.	relating to a reportable allegation or conviction with the child to whom the information relates and their parent/carer, unless the disclosure would put the safety or wellbeing of the child or any other person at risk; or prejudice a proceeding or investigation.
What information can be provided	<ul style="list-style-type: none"> • the nature of the reportable allegation or conviction • the progress of the investigation • the findings of the investigation • action taken in response to the findings. 	<ul style="list-style-type: none"> • the progress of the investigation • the findings of the investigations • the reasons for the findings • the recommendations made at the conclusion of the investigation • any action taken in response to those findings 	<ul style="list-style-type: none"> • the progress of an investigation • the findings of the investigation • the reasons for the findings • any action that is to be taken in response to the findings

8.1.3 In Victoria and Queensland, where information disclosure is permitted rather than required, the Capuchin Friars will disclose relevant information relating to a reportable allegation/conviction to the child (including a child who is now an adult) to whom the information relates and their parent/carer. The Capuchin Friars will share such information unless there is a good reason not to do so.

8.1.3 Consideration of disclosing information to the affected child and their parent/carer will occur at the outset of responding to the reportable allegation as well as at key stages throughout the investigation process and at its conclusion. The investigator should be consulted about the nature and timing of information to be shared while the investigation is underway.

8.2 Sharing information with other entities

8.2.1 New South Wales, Victoria and Queensland have different provisions that relate to the exchange of (requesting and providing) information that relates to the safety, welfare and wellbeing of children.

	New South Wales	Victoria	Queensland
Who can information be shared with	Chapter 16A of the <i>Children and Young Persons (Care and Protection) Act 1998</i> allows relevant information to be shared between prescribed bodies (see section 245B of the Act) See Religious bodies and Chapter 16A information sharing	Part 6A of the <i>Child Wellbeing and Safety Act 2005</i> allows relevant information to be shared between the information sharing entities (see section 41R of the Act). Section 16ZC also allows reportable conduct information to be shared between the CCYP, relevant entities, a regulator, Victoria Police and others.	Chapter 4, Parts 2 and 3 of the <i>Child Safe Organisations Act 2024</i> allows relevant information to be shared between particular entities.

8.3.3 The Provincial Minister or his delegate, in consultation with the investigator, will determine if sharing information with another relevant body, in the context of a reportable conduct investigation, is required and ensure that information requests are appropriately prepared having regard to the relevant legislative provision.

9 Record keeping

9.1.1 The Provincial Delegate is responsible for ensuring that complete and accurate records of all reportable conduct matters are made and stored in

secure files, separate to any employee’s file, with appropriate access controls.

9.1.2 Reportable conduct records must be kept for at least 100 years.

10 Document control

The Reportable Conduct Policy will be formally reviewed every three years from the date of adoption or as required.

Governance use only:

Document	Reportable Conduct Policy	Uncontrolled Copy When Printed	
Custodian	Provincial Delegate, Professional Standards and Safeguarding	Version #	Version 1
Approved By	Provincial Minister		
Next Review Date	28 May 2027		

The below history of the document must be accurately updated. The Custodian must ensure that all previous versions have been appropriately removed from circulation.

Amended by	Changes made	Date
[Insert name]	[Describe reason for major changes]	Day Month, Year

Attachment 1: Reportable conduct in New South Wales

Legislative definitions below. Refer also to [guidance](#) published by the Office of the Children's Guardian

Assault

A type of reportable conduct defined by section 25 of the *Children's Guardian Act 2019* as:

- a) the intentional or reckless application of physical force without lawful justification or excuse, or
- b) any act which intentionally or recklessly causes another to apprehend immediate and unlawful violence.

The Act gives the following examples of assault:

1. hitting, striking, kicking, punching or dragging a child
2. threatening to physically harm a child

Serious physical assault

A sustained finding of 'serious physical assault' will result in an automatic assessment by the OCG of the employee's Working with Children Check clearance. 'Serious physical assault' is not legislatively defined but the OCG provides guidance to assist organisations. See Reportable Conduct Fact sheet 1: Identifying reportable allegations.

Behaviour causing significant emotional or psychological harm

A type of reportable conduct. Section 20 of the *Children's Guardian Act 2019* gives the following examples of behaviour causing significant emotional or psychological harm:

1. displaying behaviour patterns that are out of character, including anxiety that impairs functioning and self-harm
2. regressive behaviour

Ill-treatment

A type of reportable conduct defined by section 23 of the *Children's Guardian Act 2019* as: conduct towards a child that is unreasonable and seriously inappropriate, improper, inhumane or cruel.

The Act gives the following examples of ill-treatment:

1. making excessive or degrading demands of a child
2. a pattern of hostile or degrading comments or behaviour towards a child
3. using inappropriate forms of behaviour management towards a child

Neglect

A type of reportable conduct defined by section 24 of the *Children's Guardian Act 2019* as:

a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child, that causes or is likely to cause harm to a child, by—

- (a) a person with parental responsibility for the child, or
- (b) an authorised carer of the child, or
- (c) an employee, if the child is in the employee's care.

The Act gives the following examples of neglect:

1. failing to protect a child from abuse
2. exposing a child to a harmful environment, for example, an environment where there is illicit drug use or illicit drug manufacturing
3. failing to seek medical treatment for a child

Offence under section 43B

A type of reportable conduct. [Section 43B](#) of the *Crimes Act 1900* relates to negligent failure to reduce or remove the risk of a child becoming the victim of child abuse:

- (1) A person commits an offence if:
 - (a) the person is an adult who carries out work for an organisation, whether as an employee, contractor, volunteer or otherwise (a position holder), and
 - (b) the organisation is the employer of an adult worker who engages in child-related work, and
 - (c) there is a serious risk that the adult worker will commit a child abuse offence against a child who is, or may come, under the care, supervision or authority of the organisation, and
 - (d) the position holder knows that the risk exists, and
 - (e) the position holder, by reason of the person's position, has the power or responsibility to reduce or remove that risk, and
 - (f) the position holder negligently fails to reduce or remove that risk.

Offence under section 316A

A type of reportable conduct. [Section 316A](#) of the *Crimes Act 1900* relates to concealing a child abuse offence:

- (1) An adult—
 - (a) who knows, believes or reasonably ought to know that a child abuse offence has been committed against another person, and
 - (b) who knows, believes or reasonably ought to know that he or she has information that might be of

material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for that offence, and
(c) who fails without reasonable excuse³ to bring that information to the attention of a member of the NSW Police Force as soon as it is practicable to do so, is guilty of an offence.

Sexual misconduct

A type of reportable conduct defined by section 22 of the *Children's Guardian Act 2019* as:

conduct with, towards or in the presence of a child that—

- (a) is sexual in nature, but
- (b) is not a sexual offence.

The Act gives the following examples of sexual misconduct:

1. descriptions of sexual acts without a legitimate reason to provide the descriptions
2. sexual comments, conversations or communications
3. comments to a child that express a desire to act in a sexual manner towards the child or another child

Sexual offence

A type of reportable conduct defined by section 21 of the *Children's Guardian Act 2019* as "an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child." The Act gives the following examples of sexual offence:

1. sexual touching of a child
2. a child grooming offence
3. production, dissemination or possession of child abuse material
4. voyeurism

³ See section 316A(2).

Attachment 2: Reportable conduct in Victoria

Legislative definitions below. Refer also to published by Commission for Children and Young People [guidance](#) published by Commission for Children and Young People.

Behaviour that causes significant emotional or psychological harm	A type of reportable conduct towards a child. Significant, in relation to emotional or psychological harm or neglect is defined by section 3 of the <i>Child Wellbeing and Safety Act 2005</i> to mean that the harm or neglect is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.
Physical violence	<p>A type of reportable conduct committed against, with or in the presence of, a child. It is not defined by the <i>Child Wellbeing and Safety Act 2005</i> but the Commission for Children and Young People advises that it can include:</p> <ul style="list-style-type: none">• actual e.g. hitting, punching, kicking, pushing or throwing something that strikes a child or another person• apprehended e.g. words, gestures or actions that cause a child to believe physical force is about to be used against them, regardless of whether or not the worker or volunteer actually intended that any physical force would be applied
Significant neglect	<p>A type of reportable conduct. Neglect is not defined by the <i>Child Wellbeing and Safety Act 2005</i> but the Act defines significant, in relation to neglect of a child, means that the harm or neglect is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.</p> <p>The Commission for Children and Young People advises that significant neglect occurs when there is a significant, deliberate or reckless failure to meet the basic needs of a child in circumstances where the adult understood the needs of the child, or could have understood those needs if they had turned their mind to the question, and had the opportunity to meet those needs but failed to do so. Significant neglect can be supervisory; physical; educational; or emotional.</p>
Sexual misconduct	<p>A type of reportable conduct defined by section 3 of the <i>Child Wellbeing and Safety Act 2005</i> as conduct committed against, with or in the presence of, a child</p>

including behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

Sexual offence

A type of reportable conduct defined by section 3 of the Child Wellbeing and Safety Act 2005 as an offence (committed against, with or in the presence of, a child) referred to in clause 1 of Schedule 1 to the Sentencing Act 1991.

Attachment 3: Reportable conduct in Queensland

Legislative definitions below. Guidance materials not yet published by QCFC.

Behaviour that causes significant emotional or psychological harm	A type of reportable conduct. Section 26(5) of the <i>Child Safe Organisations Act 2024</i> defines emotional or psychological harm to a child, as detriment to the emotional or psychological wellbeing or development of a child. 'Significant' is not defined by the Act.
Ill-treatment	A type of reportable conduct defined by section 26(5) of the <i>Child Safe Organisations Act 2024</i> as conduct towards the child that is unreasonable and seriously inappropriate, improper, inhumane or cruel. The Act gives as examples of ill-treatment: <ul style="list-style-type: none">• making excessive or degrading demands• a pattern of hostile or degrading comments or behaviour• using inappropriate forms of behaviour management
Physical violence	A type of reportable conduct defined by section 26(5) of the <i>Child Safe Organisations Act 2024</i> as: (i) the intentional or reckless application of physical force to a person without lawful justification or excuse; or (ii) an act that intentionally or recklessly causes a person to anticipate immediate and unlawful violence to the person. It does not include the application of trivial, negligible or insignificant physical force to a person.
Sexual misconduct	A type of reportable conduct defined by section 26(5) of the <i>Child Safe Organisations Act 2024</i> as conduct committed in relation to, or in the presence of, a child that is sexual in nature, other than conduct that constitutes a child sexual offence. The Act gives as examples of sexual misconduct: <ul style="list-style-type: none">• inappropriate touching• voyeurism• use of sexual language without a legitimate reason
Sexual offence	A type of reportable conduct defined by section 26(5) of the <i>Child Safe Organisations Act 2024</i> as: (a) a child sexual offence under the Criminal Code, section 207A (b) an offence of a sexual nature committed in the presence of a child (c) an act or omission committed outside Queensland that would be an offence mentioned in

paragraph (a) or (b) if it were committed in Queensland.

Significant neglect

A type of reportable conduct. Section 26(5) of the *Child Safe Organisations Act 2024* defines neglect of a child, as a failure to meet the basic needs of the child that is deliberate or reckless. 'Significant' is not defined by the Act.