

STRATEGIES FOR MANAGEMENT TO DEAL WITH ALLEGATIONS OF REPORTABLE CONDUCT BY A STAFF MEMBER

The Nominated Supervisor must have completed a course in child protection approved by the Director-General.

The Nominated Supervisor must immediately implement the notification procedure, that is s/he must notify without delay:

1. If the allegation is made by a parent to the Nominated Supervisor,
the Child Protection Helpline
and the Licensee
2. If notified by Department of Education and Communities that an allegation is made against a staff member:
the Licensee

A file must be created in which all details of all contacts made or actions taken in regard to the allegation are recorded. This file must be kept in a secure place and is only accessible to:

- the Licensee
- the Nominated Supervisor
- the Authorised Officer of the investigation body
- a person Authorised by law to have access to that particular file

This file should record:

- the date and time of contact or action
- persons involved in contact or action
- a person authorised by law to have access to that particular file

It is solely the responsibility of the Licensee to stand down the staff member from duties: this must be done immediately.

The Nominated Supervisor should also be present as a witness to this meeting. A staff member can only be informed that s/he has been stood down until such time as an investigation has been completed into the allegation.

A suggested format is:

“there has been allegation made against you and you are to be immediately stood down until such time as an investigation into the allegation is completed. At this time I have been advised that I cannot give you any further information about the allegation, as the investigating body will undertake this. During the stand down period, you cannot return to the premises nor is it advisable for you to be seen in the general vicinity of the centre.”

Neither the Licensee nor the Nominated Supervisor should elaborate further on the allegation, either to its content or the person making the allegation as such action could be detrimental to the outcome of the investigation and the staff members' interactions with the person making the allegation.

The Licensee must inform the staff member of their workplace rights during the stand down as their salary will be paid and their employment continues.

The Licensee should consider possible alternate usage of the staff member's time during stand down and continuation of employment if allegation is unproved.

The process of dismissal, if the charge is proven, is under the industrial relations legislation and the issue of warnings will be both verbal and written.

The training of the staff member and the monitoring of performance to ensure the opportunities of reportable conduct are minimized or the process necessary to expedite the dismissal of the staff member if behaviour is repeated.

The Licensee and Nominated Supervisor must respect the privacy and rights of the staff member and the need for discretion in providing a reference for the staff member should a dismissal or resignation ensue.

A statement of service could be issued instead.

The confidentiality of the information must be respected. Neither the Licensee nor the Nominated Supervisor shall divulge the basis of the allegation to any other persons, irrespective of their position within the service, that is, staff member, management, committee member, or union/professional association representative.

Any inquiry about the absence of the staff member should be answered by a neutral response: "...has needed to stand down for a short time. It is s personal matter, so I cannot tell you anymore."

If the staff member chooses to tell other staff that there has been an allegation made against him'/her, the Licensee and Nominated Supervisor cannot share this information with the staff and any response must be neutral".

"I'm sorry I have been instructed not to speak about anything to do with the allegation until the investigation has been completed."

The Licensee and Nominated Supervisor must maintain contact with the Child Protection Helpline so that they can be informed about appropriate actions to take in regard to this issue but should not enter into any discussions with the person making the allegation regarding any aspects of the matter while the allegation is being investigated.

"I'm sorry I have been instructed not to speak about anything to do with the allegation until the investigation has been completed."

To protect staff from mischievous and false allegations:

The Nominated Supervisor is responsible to ensure that there will always be two staff members in attendance whenever a child is at the school, they must be within viewing distance from each other.