

# ACT Reportable Conduct Public Statement to Designated Entities

Public statement – 31 January 2025

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The recent conviction of a former early childhood educator for the sexual abuse of children in his care at early childhood education services in Queensland and New South Wales dating back to 2003, serves as a timely reminder to all designated entities of the importance of child protection and your responsibilities under the ACT Reportable Conduct Scheme.

There has been a multitude of media reports on these heinous crimes against children. One article highlights the victims' parents asking how this happened. One father is reported to have said:

*'There are businesses, staff and regulators who ignored the signs and didn't follow through on reports and failed to follow through on our children.'*

Prevention is critical to ensuring the safety and wellbeing of children and young people.

Under the ACT Reportable Conduct Scheme, designated entities are required to have policies and procedures in place to prevent and respond to allegations and convictions of reportable conduct. These policies and procedures should:

- include pre-employment screening and periodic review of the status of Working with Vulnerable People registrations
- provide employees and volunteers with guidance on appropriate conduct
- provide regular reportable conduct training and awareness raising opportunities, and

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<sup>1</sup> <https://www.news.com.au/national/queensland/courts-law/ashley-paul-griffith-to-be-sentenced-for-vile-child-abuse-against-multiple-victims/news-story/e7d6f6ac901520931abf0e411913c0d3>

- include comprehensive risk assessment and investigation planning documentation for use when responding to allegations of reportable conduct.

Developing and fostering a positive reporting culture is another important element of ensuring the safety and wellbeing of children and young people. Designated entities are responsible for creating this culture and establishing systems that enable employees to notify the employer (or delegate), of any concerns, allegations or convictions of reportable conduct involving an employee, of which they become aware.

Designated entities must ensure all allegations of reportable conduct are taken seriously and are appropriately managed.

Where a designated entity becomes aware of an allegation or conviction of reportable conduct involving an employee (in either their professional or private lives), it **must** notify my Office by submitting a s 17G Notification as soon as possible, and no later than 30 days after it becomes aware of the conduct. My Office actively monitors whether designated entities comply with this legislated timeframe.

Designated entities must also consider, document and mitigate the risks associated with any reportable conduct allegation or conviction. Designated entities should also share information with other relevant entities (including ACT Policing, Child Youth and Families, Access Canberra, Teacher Quality Institute, Children's Education and Care Assurance and the ACT Human Rights Commission).

The documented risk assessment and investigation plan must be provided to my Office with the s 17G notification. The investigation plan should include the timeframes, all the possible lines of inquiry and procedural fairness steps for the person subject of the allegation.

My Office needs this information to effectively oversee investigations. We need to assess the reasonableness of the planned investigation and whether all potential risks have been adequately addressed.

Once designated entities have investigated allegations, they must provide a final report to my Office that includes evidence gathered during the investigation, the findings based on the balance of probabilities and the reasoning to support these findings.

My Office's oversight of reportable conduct processes ensures designated entities take the allegations seriously and conduct thorough investigations. This provides confidence in the findings and actions taken and provides protection for all parties.

Completing the investigation does not end the designated entities' responsibilities. It is not a 'set and forget' process. Designated entities must use the information gathered during investigations into reportable conduct allegations to adjust their policies and procedures and educate employees.

My ACT Reportable Conduct team is available to assist you with any reportable conduct allegations and matters. We have a wide range of resources available to designated entities to assist with all aspects of reportable conduct from obligations to risk assessments, conducting investigations and providing final reports.

For more information, [visit our website](#).

**Iain Anderson**  
**ACT Ombudsman**