


Reporting 'reportable allegations' and 'findings' to the Office of the Children's Guardian

1. When you receive an allegation	2. Allegation stage – Carers Register	3. At the completion of your investigation, when a final determination is made	4. Carers Register exchange of information
<p>The Principal Officer of a designated agency must notify the Children's Guardian in writing within 14 days of receiving an allegation of sexual misconduct or serious physical assault towards a child or young person in statutory out-of-home care, committed by a child-related worker.</p> <p>Complete notification of allegation form and email to the Office of the Children's Guardian.</p> <p>This will be followed up by the accreditation and monitoring team of the Office of the Children's Guardian.</p> 	<p>Where the allegation is reportable within the meaning of S 25A of the Ombudsman Act OR the allegation relates to conduct of a class or kind exempted.</p> <p>The current reportable allegation flag must be recorded on the Carers Register:</p> <ol style="list-style-type: none"> 1. For class or kind matters the agency must enter the information on the Carers Register within 14 days of the Principal Officer becoming aware of the allegations 2. Where the matter requires notification to the Ombudsman – if the Ombudsman advises the agency that the information may be entered into the Register, the agency must do so within 14 days of receiving that advice. <p>OR</p> <p>No earlier than 21 days and no more than 35 days after making the notification to the Ombudsman. Only the allegation date is recorded on the Carers Register at this stage.</p>	<p>WWCC system: If you make a finding that sexual misconduct or serious physical assault has occurred against a child or young person you must report this to the Office of the Children's Guardian by updating the WWCC system.</p> <p>Your organisation must be registered with the WWCC system to do this.</p> <p>Carers Register: At the finalised stage, if an agency has information that may relate to the ongoing safety, welfare or wellbeing of a child or children in OOHHC the agency must record the finalised reportable allegation and select 'contact agency' so the sharing flag is retained.</p> <p>For matters exempted under the Class or Kind provisions, update the Carers Register within 14 days of the Principal Officer being satisfied the investigation has concluded.</p> <p>When updating the Carers Register determine if you need to select 'finalise reportable allegation – contact agency' OR select 'finalise reportable allegation – no record'.</p> <p>Where you see 'Contact the NSW Ombudsman's Office' flag on the Carers Register against a reportable allegation you MUST seek advice from the Ombudsman before you proceed.</p>	<p>Where an individual has a CURRENT or FINALISED reportable allegation flag on the Register, your agency should contact the agency responsible for investigating the allegation.</p> <p>Now you use Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 to request and exchange information relating to the safety, welfare or wellbeing of a child or children in OOHHC. This should occur when:</p> <ol style="list-style-type: none"> 1. A designated agency is assessing a carer applicant or undertaking probity checks on adult household members <p>OR</p> <ol style="list-style-type: none"> 2. Your agency has received an automatic alert advising you that a reportable allegation has been lodged on the Carers Register about an individual your agency has a relationship with.

Note: the above process does not preclude any agency from their responsibilities of reporting allegations, convictions and incidents to the NSW Ombudsman or any other regulatory body i.e. Family and Community Services, NSW Police Force. The above chart outlines the main processes involved in reporting allegations and findings to the OCG, please refer to the following Fact sheets and resources for specific detail.

Reference Fact sheets to assist you in meeting your obligations can be found on the OCG website under the relevant heading i.e. Child safe organisations or Statutory out-of-home-care and adoption / NSW Carers Register.

Please refer to the NSW Ombudsman website fact sheet titled 'Defining Reportable Conduct' for specific information on S25A Ombudsman Act 1974. You will find further information relating to NSW Ombudsman about reportable allegations if you choose the following sequence on the OCG website: Statutory out-of-home-care and adoption / NSW Carers Register / Exchange of information / NSW Ombudsman contact details.

How to register with the Working With Children Check system – Please refer to fact sheet titled 'Information for reporting bodies, Reporting certain misconduct involving children' (link below). You can also contact WWCC direct on 02 9286 7219.

http://www.kidsguardian.nsw.gov.au/ArticleDocuments/183/Reporting_certain_misconduct_involving_children_April2014.pdf.aspx?Embed=Y

Carers Register – Business rules and timeframes are detailed in the 'Carers Register Reportable Allegation Information' fact sheet (link below).

For further information please contact 02 8219 3600 and select option 4 or carers-register@kidsguardian.nsw.gov.au

http://www.kidsguardian.nsw.gov.au/ArticleDocuments/620/OMBO_CarerRegisterBusinessRules.pdf.aspx?Embed=Y

Making a Notification of an allegation to the Accreditation and Monitoring Team – Please find the link to Notification form below. You can contact the Accreditation and Monitoring Team on 02 8219 3600 and select option 3 or oohcnotifications@kidsguardian.nsw.gov.au

<http://www.kidsguardian.nsw.gov.au/statutory-out-of-home-care-and-adoption/notifications-to-the-childrens-guardian>

Chapter 16A information:

<http://www.community.nsw.gov.au/kts/guidelines/info-exchange/responding>

http://www.community.nsw.gov.au/data/assets/pdf_file/0006/336192/information_response_checklist.pdf