

2. SUMMARY OF ALLEGATIONS AND FINDINGS

Allegation Number	Allegation	Outcome
1	<p>It is alleged during class between [redacted] and [redacted] at [redacted] the respondent interacted inappropriately with [redacted] in which the respondent:</p> <ul style="list-style-type: none"> was completing [redacted] role as [redacted] Teacher at [redacted] was teaching [redacted] patterns during the task [redacted] was leaning on [redacted] chair approached [redacted] and grabbed [redacted] hand saying words to the effect of, "[redacted] you need to do the pattern." squeezed [redacted] hand hurting him actions caused [redacted] pain and to become distressed. <p>By engaging in this manner, the respondent:</p> <ul style="list-style-type: none"> did not undertake duties in a professional, competent and conscientious manner. engaged in an inappropriate interaction with [redacted] 	<p>No Breach Sustained as per [redacted] Policies and Procedures</p> <p>Not Reportable Conduct</p>

3. BACKGROUND

- 3.1 Between [redacted] and [redacted] at [redacted] [redacted] was participating with other students in the [redacted] [redacted] was the class teacher conducting the class.
- 3.2 During the week [redacted] at different periods supported [redacted] in the [redacted]
- 3.3 On [redacted] met with [redacted] and informed [redacted] of the incident that is subject of the allegation. [redacted] informed [redacted] who advised [redacted] to have [redacted] send [redacted] the details of the matter.
- 3.4 On [redacted] [redacted] forwarded an email detailing the incident that is subject of the allegation to [redacted] (Annexure 1)
- 3.5 On [redacted] determined the [redacted] would investigate the matter. [redacted] was assigned to investigate the matter.

- 3.6 On [redacted] obtained a short video that was a recording of [redacted] disclosing the alleged incident. The video was provided by [redacted] with the video recorded on [redacted] (Annexure 2 - transcript)
- 3.7 On [redacted] spoke with [redacted] informing [redacted] that an allegation had been received concerning [redacted].
- 3.8 On [redacted] spoke with [redacted] to clarify some information concerning the provided video footage. (Annexure 3)
- 3.9 On [redacted] attended [redacted] and spoke with [redacted]. [redacted] provided [redacted] with the details of the allegation and investigation process. [redacted] provided [redacted] with a notification of allegation letter and copy of [redacted]. [redacted] was also present during the meeting.
- 3.10 On [redacted] attended [redacted] and obtained a written statement from [redacted] (Annexure 6)
- 3.11 On [redacted] obtained a written statement from [redacted] (Annexure 7)
- 3.12 On [redacted] provided [redacted] a written response to the allegations via email. (Annexure 8) This included a number of other relevant documents.
- Item A – [redacted] Timetable and Class timetable (Annexure 9)
 - Item B – Maths Program (Annexure 10)
 - Item C – [redacted] Pattern worksheet (Annexure 11)
 - Item D – Copy of parent's messages through [redacted] (Annexure 12)
 - Item E – [redacted] Attendance record (Annexure 13)
- 3.13 On [redacted] had a phone conversation with [redacted]. [redacted] discussed the current position of the investigation, advising [redacted] due to [redacted] detailed written response an interview was not necessary unless [redacted] wished to proceed with the interview.
- 3.14 On [redacted] expressed that [redacted] agreed there was no need to participate in an interview.

4. METHODOLOGY

- 4.1 The allegation regarding [redacted] was assessed regarding the following policies and/or procedures:
- [redacted] Enterprise Agreement [redacted]
 - [redacted]

Under [redacted] of the Enterprise Agreement, the following professional duties and responsibilities is to be adhered to by all employees. In carrying out their duties and responsibilities all employees will:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

5. ALLEGATION ONE

5.1 It is alleged during class between [redacted] and [redacted] at [redacted] the respondent interacted inappropriately with [redacted] in which the respondent:

- was completing [redacted] role as [redacted] at [redacted]
- was teaching the [redacted] patterns
- during the task [redacted] was leaning on [redacted] chair
- approached [redacted] and grabbed [redacted] hand saying words to the effect of, "[redacted] you need to do the pattern."
- squeezed [redacted] hand hurting [redacted]
- actions caused [redacted] pain and to become distressed.

By engaging in this manner, the respondent:

- did not undertake duties in a professional, competent and conscientious manner.
- engaged in an inappropriate interaction with [redacted]

Based on the alleged conduct outlined above, [redacted] is suspected of breaching subsections [redacted] of the Enterprise Agreement and [redacted].

7. ANALYSIS:

7.1 If this is then examined the following observations are made:

- The evidence established during the week of [redacted] to [redacted] [redacted] was the [redacted] for the [redacted] class.
- The evidence of [redacted] and [redacted] confirm on [redacted] [redacted] commenced teaching the students about patterns for their literacy session.
- The evidence of [redacted] confirm the literacy session with the class occurs with the students seated on the floor and interact with [redacted].
- The evidence of [redacted] confirm that [redacted] was a student who did not lean on [redacted] chair in class.
- The evidence of [redacted] when they assisted in the class was that they have never witnessed [redacted] physically handle any student when addressing their behaviour.

7.2 If this evidence is assessed there are two different accounts of the alleged incident that occurred between [redacted] and [redacted] in the [redacted] class. The first account is that of [redacted] who stated on [redacted] randomly disclosed to [redacted] that [redacted] was swinging back on [redacted] chair while the class was meant to be learning about patterns. [redacted] came over to [redacted] and squeezed [redacted] hand, "gotten cross" with [redacted] and told [redacted] needs to do [redacted] patterns. [redacted] stated [redacted] squeezed [redacted] hand so hard that it caused [redacted] pain.

7.3 The alternative account is that of [redacted] who stated [redacted] taught mathematical patterns with the class, including [redacted] during the literacy session where all the students are seated on the floor and not on their chairs during these sessions. [redacted] stated [redacted] has never observed [redacted] lean on his chair. [redacted] stated [redacted] categorically denied squeezing [redacted] hand and at no stage has [redacted] ever had contact with [redacted] which would cause [redacted] pain or hurt [redacted].

- 7.4 It is assessed the evidence of [REDACTED] was [REDACTED] interpretation of what [REDACTED] disclosed to [REDACTED]
- 7.5 It is assessed the evidence of [REDACTED], being a video recorded by [REDACTED] was very brief with [REDACTED] being asked questions by [REDACTED] parents. [REDACTED] evidence was that [REDACTED] was leaning back on [REDACTED] chair with [REDACTED] walking up to [REDACTED] and grabbed [REDACTED] hand saying, [REDACTED] you need to do pattern.” [REDACTED] stated [REDACTED] hurt [REDACTED]. [REDACTED] wrapped [REDACTED] hand around [REDACTED]’s hand asking [REDACTED] if it was like this and [REDACTED] responded, [REDACTED]. Note: [REDACTED] enquired about speaking further with [REDACTED] to obtain further details. [REDACTED] informed [REDACTED] due to [REDACTED] disability [REDACTED] would not be able to provide further information and [REDACTED] wanted [REDACTED] to move forward, not wanting [REDACTED] spoken to further.
- 7.6 It is assessed [REDACTED] written response was detailed with a further interview not necessary. The evidence of [REDACTED] was that [REDACTED] vigorously denied squeezing [REDACTED] hand and at no stage has [REDACTED] ever had contact with [REDACTED] which would cause [REDACTED] pain or hurt [REDACTED]. [REDACTED] stated [REDACTED] has never observed [REDACTED] lean on his chair and the literacy sessions were conducted with the students seated on the floor and not in their chairs. [REDACTED] stated the mathematical pattern lessons were conducted during the literacy sessions.
- 7.7 It is assessed although [REDACTED] were not present in the [REDACTED] class during all sessions during the week. [REDACTED] evidence corroborates each other as well as corroborating parts of [REDACTED] evidence. [REDACTED] stated they have never observed [REDACTED] lean on [REDACTED] chair. [REDACTED] stated during the morning sessions [REDACTED] completes literacy with the class where they sit on the floor and [REDACTED] interacts with the students. [REDACTED] stated they have not observed [REDACTED] physically handling any of the students regarding addressing their behaviour.
- 7.8 It is assessed on the available evidence it cannot be determined what day the alleged incident occurred. Although it has been determined the alleged incident occurred during the week of [REDACTED] to [REDACTED]. It is assessed the evidence established [REDACTED] commenced teaching the class mathematical patterns on [REDACTED] during the literacy sessions. At the time of the alleged incident [REDACTED] stated [REDACTED] was leaning on [REDACTED] chair and [REDACTED] approached [REDACTED] stating, “ [REDACTED] you need to do the pattern.” It is assessed due to the allegation being disclosed on [REDACTED] also supports the allegation relates to the previous school week.
- 7.9 It is assessed there is insufficient evidence to establish [REDACTED] was leaning on [REDACTED] chair. It is assessed there is insufficient evidence to establish [REDACTED] approached [REDACTED] and squeezed [REDACTED] hand.
- 7.10 It is assessed there is sufficient evidence to establish at the time of when the alleged incident occurred [REDACTED] was completing a pattern activity. It is assessed the evidence established [REDACTED] would have completed pattern related activities whilst [REDACTED] was seated on the floor. It is assessed it can be established [REDACTED] may not have been seated at [REDACTED] desk and therefore would not have been able to lean on [REDACTED] chair when [REDACTED] allegedly squeezed [REDACTED] hand and stated, “ [REDACTED] you need to do the pattern.”
- 7.11 It is assessed there is a lack of evidence to establish a breach by [REDACTED] under:

- [REDACTED] Enterprise Agreement), [REDACTED]
- [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

It is assessed the evidence established there is a lack of evidence of weight to establish the alleged conduct of [REDACTED] occurred. This is defined by the ACT Ombudsman Office that it would warrant a finding, on the balance of probabilities, the conduct did not occur.

- 7.12 It is assessed other parts of [REDACTED] evidence [REDACTED] provided in [REDACTED] email cannot be confirmed. [REDACTED] stated as a result of the incident occurring, although the day the alleged incident occurred cannot be determined. [REDACTED] stated [REDACTED] had been showing a number of signs of anxiety around returning to the classroom with [REDACTED]. The evidence of [REDACTED] was [REDACTED] was a happy child and enjoyed attending [REDACTED] class.
- 7.13 [REDACTED] stated as a result of the incident [REDACTED] had not returned to school that week with [REDACTED] stating [REDACTED] attended class on [REDACTED] and at no stage did [REDACTED] observe [REDACTED] showing signs of distress or anxiety. [REDACTED] stated [REDACTED] enjoyed completing the pattern worksheet. This is corroborated by [REDACTED] attendance record (Annexure 13) identifying [REDACTED] was present at school on [REDACTED]
- 7.14 [REDACTED] stated [REDACTED] would likely not be going to school the following week and they had begun the process of looking into other schools. It is assessed this is possibly an alternate reason as to why [REDACTED] may have been feeling anxious with [REDACTED] associated behaviours at home.
- 7.15 It is assessed under [REDACTED] (Enterprise Agreement), [REDACTED] there is insufficient evidence due to a lack of evidence of weight to sustain a breach under those subsections.
- 7.16 It is assessed the evidence relating to the not sustained finding due to a lack of evidence under [REDACTED] Therefore, there is insufficient evidence to [REDACTED]

sustain a breach against

- 7.17 It is assessed under subsection 10.1 there is insufficient evidence to sustain a breach under that subsection.

Reportable Conduct

- 7.18 The alleged conduct was cautiously categorised as ill-treatment - hostile use of force/physical contact towards a child under the ACT Ombudsman Reportable Conduct Scheme and was reported under the scheme. This was assessed regarding alleged conduct toward potentially being unreasonable and seriously inappropriate, inhumane or cruel.
- 7.19 Upon consultation with the ACT Ombudsman the alleged conduct could be considered as conduct that was intended to exercise appropriate control over the child or prevent the child from harming themselves or others. This does not rise to the threshold of reportable conduct under the ACT Reportable Conduct Scheme.
- 7.20 It has been established this allegation is not reportable conduct.
- 7.21 Consideration was applied regarding the threshold for reporting and investigating an allegation being lower than the threshold for making a finding of reportable conduct.

8. FINDING

- 8.1 The allegation has been not sustained due to a lack of evidence of weight.
- 8.2 It is assessed the allegation is not reportable conduct under the ACT Ombudsman Reportable Conduct Scheme.

9. CONCLUSION

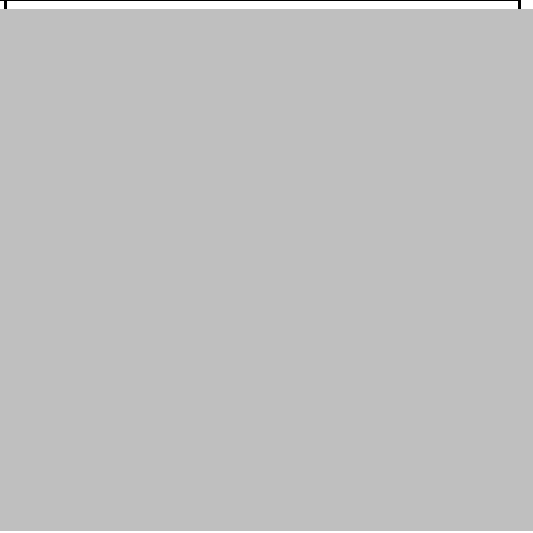
- 9.1 During the investigation it was ascertained when initially spoke with about the allegation reported the matter to the who informed to advise to contact about the complaint.
- 9.2 Throughout the investigation consideration was given to interviewing other students in the as possibly being in the vicinity at the time of the event. It was determined due to the day of when the alleged incident occurred not being known. These students would not be interviewed as their wellbeing outweighed the potential information they could provide. To cause these students and their family's anxiety and stress that would possibly be generated from submitting them to an interview outweighed the information believed they could potentially provide.
- 9.3 has not returned to with parents removing from the school.

- 9.4 It is recommended that [REDACTED] continue to provide [REDACTED] with support and training.
- 9.5 It is recommended [REDACTED] support all staff and identify a more suitable approach other than through the [REDACTED] application when corresponding with parents of [REDACTED] students regarding personal plans and additional supports.

KEY PARTIES			
Name	Position	Involvement in Incident	Evidence Provided
[REDACTED]		Respondent	Written response.
		Victim	Recording provided by parents
		Witness of first complaint	Email
		Witness	Written Statement
		Witness	Written Statement


Report Signatures / Authorities

Prepared by: (Investigator/Service Provider)

Signature:	
Name:	
Position:	
Date:	

Supported by: 

Approved by: (Agency Decision Maker)

Signature:	
Name:	
Position:	
Date:	

10. ANNEXURES

1.	Email provided by [redacted]
2.	Video recording of [redacted] recorded by [redacted] parents (Transcript)
3.	Investigation File note completed by [redacted]
4.	Allegation letter provided to [redacted]
5.	[redacted] Guidelines for Professional Conduct in Child Protection
6.	Written statement of [redacted]
7.	Written statement of [redacted]
8.	Written response from [redacted]
9.	Copy – [redacted] timetable and Class timetable
10.	Copy of [redacted] maths program
11.	Copy of [redacted] Pattern worksheet
12.	Copy of parent’s messages through [redacted]
13.	[redacted] attendance record

RE: NOTIFICATION OF FINAL FINDING

[REDACTED] has identified possible breaches by yourself of the [REDACTED] Enterprise Agreement (Enterprise Agreement), [REDACTED]

The process was communicated to you by letter on [REDACTED].

Allegation One

It is alleged during class between [REDACTED] and [REDACTED] you interacted inappropriately with [REDACTED] in which you:

- you were completing your role as [REDACTED] Teacher at [REDACTED]
- you were teaching the [REDACTED] class patterns
- during the task [REDACTED] was leaning on his chair
- you approached [REDACTED] and grabbed [REDACTED] hand saying words to the effect of, [REDACTED] you need to do the pattern”
- you squeezed [REDACTED] hand hurting [REDACTED]
- your actions caused [REDACTED] pain and to become distressed

By engaging in this manner, you did not:

- undertake duties in a professional, competent and conscientious manner
- engaged in an inappropriate interaction [REDACTED]

Based on the alleged conduct outlined above, you are suspected of breaching [REDACTED]

Findings

The findings are contained in the below table.

Allegation Number	Allegation	Outcome	Reportable Conduct breach
1	It is alleged during class between [redacted] and [redacted] you interacted inappropriately [redacted] in which you approached [redacted] and grabbed [redacted] hand saying words to the effect of, [redacted] You squeezed [redacted] hand hurting [redacted].	Not sustained Lack of evidence of weight.	Not Reportable Conduct

The allegation has been not sustained due to there being a lack of evidence of weight.

No breach regarding the Enterprise Agreement and Guidelines have been sustained. Furthermore, it has been assessed in consultation with the Act Ombudsman the matter does not rise to reportable conduct with the matter now finalised.

The ACT Ombudsman Office will be notified of the investigation and outcome of the matter, likewise, the ACT Teachers Quality Institute will be notified.

Confidentiality and Counselling

I again remind you that your confidentiality obligations in relation to this matter continue. You must also refrain from victimising or taking any detrimental action towards others who have participated in this matter. Assurances of confidentiality have also been sought from all persons involved in the investigation process.

If you have any questions or concerns or seek additional clarification, please contact me.

If you would like to access confidential professional counselling offered through [redacted]

Yours Sincerely

Regulatory Assessment Report

Notification under s.67 and s70B of the ACT Teacher Quality Institute Act 2010



Employers reporting obligation under s.67:

- the teacher has become mentally or physically incapacitated and the incapacity prevents the person from performing an inherent requirement of their job as a teacher;
- the teacher is given a negative notice under the Working with Vulnerable People (Background Checking) Act 2011 (WwVP), section 40;
- the teacher's registration under the WwVP Act has lapsed; or is made subject to a condition; or is suspended or cancelled; or is surrendered.

Employers reporting obligation under s.70B:

- The employer must notify TQI within 5 working days of a notification event.

Details of Teacher

Name: [REDACTED]	TQI Number: [REDACTED]
Date of notification: [REDACTED]	WwVP expiry date: Click here to enter a date.
Sector: [REDACTED]	School name recorded on TQI portal: [REDACTED]
Reported under s70C <input checked="" type="checkbox"/>	Reported under S67 <input type="checkbox"/>

Administration

- CRM record reflects POI and change made to records disposal 75 years, details added to Regulatory Matrix
- s70C request sent to employer

Date of request: [REDACTED]

Background

One allegation that relates to [REDACTED] taking hold of [REDACTED] hand, squeezing and hurting [REDACTED] hand whilst teaching the [REDACTED] class.

Evidence Provided: See case file

Initial Assessment

- Notified teacher to request meeting
- Meeting notes confirmed with teacher as accurate record
- Assessment of teacher response and final decision determined and documented

Date of meeting: [Click or tap to enter a date.](#)

Notice in writing to teacher regarding determination if an action is taken.

This is written with statements of reason and advice regarding teacher's right of appeal to ACAT in 28 days.

Note: A decision NOT to suspend or cancel is NOT appealable – ie no decision under s.65

Note: Suspensions must have a specific end date- they can be extended but not over a renewal period of 12 months.

Final Determination

Factors influencing final determination:

On [REDACTED] [REDACTED] commenced a formal investigation into the allegations. During the investigation information was obtained from [REDACTED] relating to the victim and [REDACTED] were interviewed as well as the respondent. It was established there is a lack of evidence of weight to sustain that the alleged conduct occurred. Therefore, it has been established that no breach has been sustained against the framework of the relevant [REDACTED] and School Policies and Procedures, most notably, those of professional standards, conduct and behaviour. The investigation has concluded the allegation is not reportable conduct upon assessing the allegation, in consultation with the ACT Ombudsman Office. The alleged conduct could be considered as conduct that was intended to exercise appropriate control over the child or prevent the child from harming themselves or others. This does not rise to the threshold of reportable conduct under the ACT Reportable Conduct Scheme.

- No action taken Formal Warning Condition Suspension Cancellation

*Document reviewed and updated [REDACTED]

Regulatory Assessment Report

Notification under s.67 and s70B of the ACT Teacher Quality Institute Act 2010



If decision to take no action was a letter of final determination sent:

Yes No

- Advised employers of determination
- Notified other jurisdictions in writing of determination (if suspended or cancelled)
- Updated regulatory Matrix
- Case identified for independent assessment

Review/Suspension
Date reviewed: Click or tap to enter a date.

Determination Date:
Click or tap to enter a date.

Case Closed
Date:

Name Delegate Finalised

Corale McAlister

Date:

Coversheet s 17J report

This coversheet is to assist organisations to report to the ACT Ombudsman at the completion of a reportable conduct investigation and meet those obligations under the Reportable Conduct Scheme. It is optional.

Summary of allegation information

ACT Ombudsman reference number	[REDACTED]
Organisation reference number	[REDACTED]
Name of the employee or volunteer who is the subject of the allegation	[REDACTED]
Name of the alleged victim(s)	[REDACTED]
Dates of allegations of reportable conduct	[REDACTED]
Date s 17G notification was made	[REDACTED]
Date s 17J report completed	[REDACTED]
<p>Category of reportable conduct – please mark the category/categories of reportable conduct that apply</p> <p>Learn more about categories of reportable conduct in ACT Ombudsman Practice Guide No. 2 – Identifying reportable conduct</p>	<input type="checkbox"/> sexual offence and conviction <input type="checkbox"/> offence against the person including physical assault <input checked="" type="checkbox"/> ill-treatment of a child <ul style="list-style-type: none"> <input type="checkbox"/> emotional abuse <input checked="" type="checkbox"/> hostile use of force/physical contact <input type="checkbox"/> inappropriate restrictive intervention <input type="checkbox"/> Neglect <input type="checkbox"/> psychological harm <input type="checkbox"/> misconduct of a sexual nature <ul style="list-style-type: none"> <input type="checkbox"/> crossing professional boundaries <input type="checkbox"/> sexually explicit comments and other overtly sexual behaviour <input type="checkbox"/> grooming behaviour

<p>Summary of allegation/s eg. what happened, where and when did it happen, who was involved.</p> <p>If there are multiple allegations of reportable conduct, please outline each allegation.</p>	<p><i>Summary of allegation 1:</i></p> <p><i>It is alleged during class between [redacted] and [redacted] at [redacted] the respondent interacted inappropriately with [redacted] in which the respondent:</i></p> <ul style="list-style-type: none"> • <i>was completing [redacted] role as [redacted]</i> • <i>was teaching the [redacted] class patterns</i> • <i>during the task [redacted] was leaning on [redacted] chair</i> • <i>approached [redacted] and grabbed [redacted] hand saying words to the effect of, [redacted] you need to do the pattern."</i> • <i>squeezed [redacted] hand hurting [redacted]</i> • <i>actions caused [redacted] pain and to become distressed.</i>
<p>Finding – please mark any findings that have been made in relation to each allegation.</p> <p><i>If there are multiple allegations of reportable conduct, we expect a finding be made in relation to each allegation.</i></p> <p>Learn more about findings in ACT Ombudsman Practice Guide No. 6 – Making a finding of reportable conduct</p>	<p><input type="checkbox"/> sustained</p> <p><input type="checkbox"/> not sustained – insufficient evidence</p> <p><input type="checkbox"/> not sustained – lack of evidence of weight</p> <p><input type="checkbox"/> not sustained – false</p> <p><input checked="" type="checkbox"/> not reportable conduct</p>
<p>Recommendations/consequences/action</p>	<p>Refer to Investigation Report</p>

Attached documents

s 17J report – the investigation report should provide an analysis of the evidence collected through the organisation’s investigation, contextual information that has assisted the organisation to fully consider the matter, the results of the investigation and any action taken. Learn more about reporting to the ACT Ombudsman in [ACT Ombudsman Practice Guide No. 7 – S17J Final Report](#) and [ACT Ombudsman Practice Guide No. 9 – How the Ombudsman assesses an organisation’s response/investigation](#).

Please attach any documents or related material that is referred to in the s 17J report:

- copies of evidence collected eg transcripts of interviews or interview notes, statements
- copies of primary evidence such as incident reports, photographs, medical reports
- copies of any notifications to and/or responses from Child and Youth Protection Services (CYPS), ACT Policing or other regulators
- letters of allegation, preliminary findings or final findings given to the person subject of the allegation
- updated risk assessment completed at the end of the investigation
- other (please list in box below)



More information is available at ombudsman.act.gov.au

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the ACT Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to legislation.act.gov.au.

Freedom of Information Schedule

– TEACHERS REGISTRATION S70

Scope: The records from within the time period of 17 February 2019 until 29 November 2021 specifically:

- 1. The document or documents which detail the reasons why any registered teacher has been issued with a formal warning, had conditions placed on their registration or been de-registered as a result of their conduct.*
- 2. Any information disclosed under s.70A (1) (a) and (b) of the TQI Act to the Institute, whether or not the teacher's registration was suspended, cancelled or had conditions placed upon it.*
- 3. Any information disclosed to the institute under s.70B of the TQI Act.*

DATE OF REQUEST: 29 NOVEMBER 2021 - FILE2021/5895

Record Number	Description	Record Date	Decision (Full release, Partial release, Non-release)	Reason for Partial release or Non-release
	2021 – Case 24			
24.1	Letter – Notice of Preliminary Assessment and Reportable Conduct Inquiry		Partial release	Schedule 2.2(a)(ii) and Management Function

24.2	Preliminary Assessment (PA) Report and Reportable Conduct Inquiry s17J Final Report	[REDACTED]	Partial release	Schedule 2.2(a)(ii), Confidential Information and Management Function Pages that are wholly redacted have been removed
24.3	Letter – Proposed Outcome of Preliminary Assessment and Reportable Conduct Inquiry	[REDACTED]	Partial release	Schedule 2.2(a)(ii), Confidential Information and Management Function
24.4	Section 70B Notification Form	[REDACTED]	Partial release	Schedule 2.2(a)(ii)
24.5	Section 70C Request for further information	[REDACTED]	Partial release	Schedule 2.2(a)(ii)
24.6	Email – FWD: Notes	[REDACTED]	Non-release	Schedule 2.2(a)(ii)
24.7	Section 70B Notification Form	[REDACTED]	Partial release	Schedule 2.2(a)(ii)
24.8	Regulatory Assessment Report	[REDACTED]	Partial release	Schedule 2.2(a)(ii)

Notice of Preliminary Assessment and Reportable Conduct Inquiry

On [REDACTED], when you were engaged by [REDACTED] as a Casual Relief Teacher, there was an incident involving you and a student [REDACTED]. I have received allegations of inappropriate behaviour by you in connection with this incident.

I am writing to advise that a preliminary assessment will be undertaken to assess the allegations. The process will be conducted in accordance with [REDACTED] Enterprise Agreement (the Agreement).

The assessment will assist me as the delegate to determine whether the matter warrants further investigation or can be resolved through remedial actions.

It is alleged that:

On [REDACTED] while on duty at [REDACTED] as a Casual Relief Teacher, you:

1. tried to snatch the stamp out of [REDACTED] hand when [REDACTED] refused to return it to you
2. grabbed [REDACTED] arm with your hand as a result of which [REDACTED] was hurt
3. discussed the incident with a number of teachers in the staff room at lunch time and during that time you informed a teacher that you had grabbed [REDACTED] you and then you pinched [REDACTED].
4. told a [REDACTED] that the student was lucky that you did not slap [REDACTED] back, as some people would have and that you had pinched [REDACTED] instead.

Reportable Conduct

[REDACTED] is required to notify the ACT Ombudsman of any allegations of reportable conduct in accordance with section 17G of the *Ombudsman Act 1989*. Due to the nature of the allegations, a notification will be made to their office in accordance with the requirements of the ACT Reportable Conduct Scheme.

It is important to understand that it is an allegations-based scheme and is not an indication that any judgement has been made.

You should be aware responses you provide as part of this process will be taken into consideration in determining a reportable conduct finding. Following conclusion of this matter a final report will be submitted to the ACT Ombudsman and you will be informed of the reportable conduct finding.

If you require any further information about the scheme you can access the ACT Ombudsman's website at www.ombudsman.act.gov.au.

Opportunity to respond

I acknowledge that you met with me on [REDACTED] and provided a statement with your version of the incident.

On [REDACTED] I attempted to make telephone contact with you to inform you of the preliminary assessment and reportable conduct inquiry and subsequently invited you via email to meet with me and formally respond to the allegations.

I acknowledge that you responded to my email notifying me that your statement was your full response and that you did not wish to further discuss this matter. Given the nature of the allegations, I would like to encourage you to utilise the opportunity to formally respond to the allegations. I am available to meet with you at a mutually convenient time to provide you another opportunity to respond to the allegations and provide any further information as part of the preliminary assessment and reportable conduct inquiry.

A tentative meeting has been organised at

Day/Date: [REDACTED]

Time: [REDACTED]

Venue [REDACTED]
[REDACTED]

You are entitled to have a support person or union representative present with you at this meeting. If you are unable to attend this meeting for any reason, please contact me before close of business on [REDACTED] to arrange a reasonable alternate date and time.

You should be aware that all responses you provide will be taken into consideration and following conclusion of the assessment, you will be informed of the preliminary assessment decision.

Confidentiality

I am directing you not to discuss the allegations or related matters with other staff, students or families without first seeking my permission. A breach of this direction may constitute misconduct and result in disciplinary action.

Support available

Should you require support in relation to this matter, the Employee Assistance Program (EAP) is available to provide confidential and professional counselling to you and members of your family. These services can be sought by contacting the below providers.

- [Redacted]

If you have any queries, please contact me on or alternatively you can contact

[Redacted]

Yours sincerely

[Redacted]

COMPLAINT/ALLEGATION

DATE RECEIVED: [REDACTED]			
BACKGROUND			
[REDACTED] Casual Relief Teacher on [REDACTED]			
[REDACTED]			
On [REDACTED] teach the year [REDACTED] class of which the AV – [REDACTED] was a student. The AV has a diagnosis of [REDACTED]			
On [REDACTED] witnessed the AV walk out of [REDACTED] class angry and followed [REDACTED] to deescalate and inquire into the matter. the AV informed [REDACTED] that [REDACTED] grabbed [REDACTED] with [REDACTED] hand around [REDACTED] elbow and used [REDACTED] nails under [REDACTED] veins and attempted to snatch a stamp lid out of [REDACTED] hands.			
[REDACTED] conducted a preliminary assessment to examine the alleged incident. The allegations examined were that on [REDACTED] while on duty at [REDACTED] Casual Relief Teacher, [REDACTED]			
<ol style="list-style-type: none"> 1. tried to snatch the stamp out of the AV's hand when [REDACTED] refused to return it to [REDACTED] 2. grabbed the student's arm with [REDACTED] hand and pinched it as a result of which the student was hurt 			
OFFICER CONDUCTING PA			
Officer name: [REDACTED]	Position title: [REDACTED]		
OFFICER DECLARATION OF ANY CONFLICT OF INTEREST			
<input checked="" type="checkbox"/>	No conflict of interest identified		
<input checked="" type="checkbox"/>	Officer to proceed with the process	<input type="checkbox"/>	Appoint alternative officer
DELEGATE (Maybe same as officer if appropriate)			
Delegate name: [REDACTED]		Position title: [REDACTED]	

DELEGATE DECLARATION OF ANY CONFLICT OF INTEREST			
<input checked="" type="checkbox"/>	No conflict of interest identified		
<input checked="" type="checkbox"/>	Identified delegate to remain	<input type="checkbox"/>	Appoint alternative delegate
METHODOLOGY FOR CONDUCTING PA			
<p>The following interviews were conducted:</p> <ol style="list-style-type: none"> 1. The AV - [REDACTED] 2. Student witnesses - [REDACTED] 3. Staff witnesses - [REDACTED] <p>The PSOA provided information for the RiskMan report and also provided a statement regarding [REDACTED] version of the incident with the AV on [REDACTED]</p> <p>On [REDACTED], the PSOA was contacted to inform [REDACTED] of the reportable conduct allegations and provide an opportunity to respond. The PSOA declined an opportunity to meet however provided a number of written responses via emails which were all taken into consideration as part this preliminary assessment.</p> <p>On [REDACTED], following examination of the PSOA's written responses to date, a risk assessment was completed and to mitigate some of the risks identified and consequently, the PSOA's [REDACTED] registration with the Directorate was suspended pending a preliminary assessment decision.</p>			
RESPONDENT INFORMED OF PRELIMINARY ASSESSMENT			
<input checked="" type="checkbox"/>	Yes – Record of communication attached		
<input type="checkbox"/>	No – Detail reasons below (or attach) for this decision		
DECISION			
<p>Following consideration of information available, the Principal/Manager will determine whether the matter can be resolved or whether further action is required.</p> <p>The Decision Matrix below can be used to assist with identifying possible options for resolution.</p> <p>All records of this PA must be appropriately filed in accordance with accepted record keeping structures (in accordance with the [REDACTED])</p>			
Following this process, the decision is that the allegation/s:			
<input checked="" type="checkbox"/>	The alleged conduct is an <u>allegation</u> of reportable conduct - REFER THE MATTER TO [REDACTED] TEAM		
<input type="checkbox"/>	Require no further action, then no further action needs to be taken Advise all parties of the outcome (if aware that a PA was being undertaken)		

Analysis of the evidence

The [REDACTED] indicates that the AV has a clinical diagnosis of [REDACTED]. There are some observations noted in [REDACTED] statement that the AV is known to be challenging and non-compliant however not aggressive or violent. It is noted [REDACTED] provided information that the [REDACTED] had never hit a teacher before this incident.

Evidence established that during the alleged incident the AV grabbed the PSOA's stamp and stamped

a number of students and [REDACTED] and was non-compliant with the instructions of the PSOA. It is also clear that the PSOA initially asked the PSOA to return the stamp multiple times and encountered non-compliance from the AV. The AV alleged that the PSOA made attempts to 'rip' the stamp out of [REDACTED] hands and grabbed [REDACTED] arm. The AV denied slapping the PSOA on [REDACTED] arm however the collective evidence of the student witnesses corroborated and supported the PSOA's statement and established that the AV did slap the PSOA at least once if not twice on [REDACTED] arm.

Student witnesses whilst [REDACTED] stated witnessing the PSOA trying to snatch the stamp out of the AV's hands, the [REDACTED] did not see the same. None of the witnesses say the PSOA grabbing the AV's arm. The evidence indicates physical contact however it is unclear whether there was any force applied at this juncture in attempting to snatch the stamp out of the AV's hands.

The AV alleged the PSOA had [REDACTED] hand around [REDACTED] elbow and used [REDACTED] nails under [REDACTED] veins which hurt [REDACTED]. None of the students saw the PSOA grab the AV's arm or use [REDACTED] nails on the AV's arm. However, [REDACTED] heard the AV yell, "You grabbed my vein" and [REDACTED] did see the PSOA's hand near the AV's arm subsequent to which the AV's eyes watered which is considered to lead to a conclusion that the AV was hurt by the PSOA. [REDACTED] who found the AV angry and walking out of the PSOA's classroom documented in the medical incident report that there were red marks on the AV's arm. There are no more reports of the AV engaging in another physical altercations that could have resulted in the red marks [REDACTED] sustained on [REDACTED] arm. Based on the cumulative evidence available, it is reasonable to conclude that the PSOA made physical contact with the AV's arm which resulted into the AV getting hurt and sustaining red marks.

The evidence from [REDACTED] was that the PSOA disclosed in the staffroom having pinched the AV. At that stage, there was no other evidence to indicate or support the allegation that the PSOA had pinched the AV. It is also noted that the AV did not use the term 'pinch' when describing the actions of the PSOA make contact with [REDACTED] arm. The student witnesses also could not provide much information relating to the alleged pinching of the AV.

The initial response of the PSOA during [REDACTED] interview on [REDACTED] was that whilst the AV yelled, [REDACTED] had hurt him, [REDACTED] only held [REDACTED] arm gently. [REDACTED] even demonstrated the pressure with which [REDACTED] grabbed/held the AV during [REDACTED] interview with [REDACTED] which appeared to illustrate that [REDACTED] did not hurt the AV. However, in contrast to [REDACTED] initial response, in an email dated [REDACTED], the PSOA admitted to have '*with forethought and precision pinched [REDACTED] right arm at the elbow*' after which the AV was '*compelled to loosen [REDACTED] grip on the stamp*' which is when the PSOA stated [REDACTED], '*took the stamp out of [REDACTED] right hand.*' The PSOA admitted pinching the AV's elbow in such a way, '*[REDACTED] no longer had full control of the stamp in [REDACTED] hand and it was relatively easy to access*' indicating likely pressure/force applied to loosen [REDACTED] grip of the stamp.

By the PSOA's own evidence it is established that the PSOA pinched the AV to the extent that [REDACTED] was compelled to loosen [REDACTED] grip of the stamp which [REDACTED] then retrieved easily. In a subsequent email dated [REDACTED] the PSOA argued that the AV was not hurt during the incident, [REDACTED] went back to class and [REDACTED] checked in on [REDACTED] and confirmed that [REDACTED] was 'good as gold.'

Despite the PSOA's argument and the fact that the AV deescalated and returned to class with another teacher, the evidence available clearly establishes that the AV was hurt by [REDACTED] pinching as [REDACTED] is witnessed to have yelled that the PSOA had hurt [REDACTED] with at least one student witness saw the AV's eyes water when the PSOA grabbed [REDACTED] and [REDACTED] witnessed red marks sustained by the

AV and contemporaneously documented in the medical incident report.

Early in the preliminary assessment, there was a level of uncertainty as to the chronology of the events that occurred during this incident. It was not clear as to whether the AV slapped the PSOA first or the PSOA grabbed and pinched the AV first. The PSOA was witnessed to have stated in the staffroom [redacted] had pinched [redacted] however it was not clear whether it was [redacted] reaction to the slap from the student or otherwise. It was considered crucial to examine whether it was a case of occupational violence which triggered the PSOA's reaction of grabbing the AV by the arm and potentially/accidentally hurting [redacted]. However, in [redacted] response dated [redacted] the PSOA made it clear that it was [redacted] who pinched the AV first to retrieve the stamp which was then followed by the AV had slapping [redacted] on [redacted] arm also leaving red marks.

Based on the above understanding, the AV slapping the PSOA is considered a spontaneous reaction to the PSOA's pinch. This is supported by the evidence of [redacted] that the AV whilst known to be challenging had not had any history of being violent towards any teachers. By the PSOA's own evidence, it has been established that the PSOA grabbed the AV first and pinched [redacted] at the elbow to loosen [redacted] grip which escalated the AV and led to [redacted] slapping the PSOA and walking out of the class angrily.

Conclusion

On the basis of the evidence, it was found that when the AV took the PSOA's stamps and did not return it upon request, the PSOA intervened by making physical contact and tried to snatch the stamp out of [redacted] hands. The PSOA then grabbed the AV's arm, pinched it at the elbow to loosen [redacted] grip and retrieved the stamp. The evidence also supported the allegation that the AV was hurt as a result of the PSOA's pinch sustaining red marks on [redacted] arm where [redacted] had grabbed him. The description of [redacted] own actions by the PSOA that [redacted] pinched the AV with forethought and precision in a manner that [redacted] was compelled to loosen [redacted] grip on the stamp and the red marks sustained indicate application of a degree of force that was sufficient to make the AV yell, [redacted] eyes water and sustain red marks.

It is fully acknowledged that the AV displayed challenging behaviours in class and was non-compliant and disruptive. However, the response of the PSOA is considered to be clearly disproportionate to the frivolous behaviour displayed by the AV which could have been managed by other behaviour management strategies or seeking executive teacher assistance. The actions of the PSOA as described in [redacted] own words pinching the AV with forethought and precision' are considered unnecessary, unreasonable, unprofessional, and seriously inappropriate in a way that is seen to be inhumane and cruel.

Concerns raised by the PSOA

It is acknowledged that the PSOA expressed concerns that [redacted] was not made provided class lists and information about the AV's [redacted] in advance to be equipped to manage [redacted] appropriately. [redacted] also raised concerns that [redacted] was not qualified to teach students [redacted]. It is to be noted that the PSOA had worked at [redacted] [redacted] prior to this incident and according to [redacted] it is procedural for the school to provide the relief teachers with a note with all the information pertaining to the information they would need during the course

of their work at the school. stated that each teacher is briefed at the beginning of their work day that there is a teacher folder in each class which has the class lists, medical information relating to the students in that class and any current action plans. This was reinforced to the PSOA when initially raised these concerns and the information provided by was not contested. responded to the PSOA that feedback would be taken on board and the teacher procedures will be reviewed.

Other Considerations

In addition to the sustained inappropriate conduct found, the following serious concerns have come to light during this preliminary assessment:

- The PSOA's stated ignored the AV had left the classroom continued to teach the class despite the AV leaving the class which can be viewed as a lapse in duty of care towards the AV.
- The school executive raised concerns that the PSOA during the preliminary assessment interview demonstrated a severe lack of understanding of the gravity of the incident and actions towards the AV and behaved in a seriously unprofessional manner.
- The PSOA has made disparaging and seriously inappropriate comments about the AV and students with special needs in the education system.
- The PSOA has conducted in a very unprofessional manner during and after the incident and throughout written correspondence with .
- The language, tone and content of the PSOA's emails to have been considered inappropriate and inconsistent with the
- The PSOA has emailed out of business hours with some emails arriving in inbox in between 5am and 7am. Many of these emails were unwarranted and unnecessary as the PSOA had already responded to the allegations multiple times and provided full and final responses to the allegations.
- The PSOA made comments to on the day of the incident that intended to tell other prospective teachers/colleagues about the incident and inform them not to accept work at School.
- On 22 March 2021 in response to email reminding the PSOA of obligations to maintain confidentiality, the PSOA blatantly refused to maintain confidentiality and stated that could discuss the matter and the allegations with anyone as was not the employee nor had signed a confidentiality agreement.

Preliminary Assessment Finding

The PSOA's actions during the incident were assessed to be disproportionate to the level of response required to manage the AV in class. The actions of the PSOA were additionally found to be

unnecessary, unreasonable, unprofessional, and seriously inappropriate in a way that is seen to be inhumane towards the AV that caused injury and escalated [REDACTED] behaviour.

In addition to the serious nature of [REDACTED] conduct towards the AV, the ongoing conduct of the PSOA towards the school executive, the preliminary assessment delegate and the process has been assessed to be inappropriate and inconsistent with the continuation of the PSOA's casual registration with the [REDACTED]

Reportable Conduct Inquiry – Finding

The alleged behaviour towards the AV was sustained. The PSOA's treatment of the AV during this incident has been considered to be unreasonable and seriously inappropriate, inhumane and cruel. The PSOA's own description of [REDACTED] actions as 'with forethought and precision' indicates the presence of intention in [REDACTED] decision to physical intervene to retrieve a stamp from the AV leading to injury to the AV and further escalation in [REDACTED] behaviour.

The inquiry found that the PSOA applied unreasonable and seriously inappropriate, inhumane or cruel force during the physical contact with the AV which was found to be disproportionate to the response deemed required to manage the AV's frivolous actions in the class. The alleged conduct resulted in the AV being injured with red marks sustained on [REDACTED] arm. The injury suffered was considered minor being able to be managed with in-house first aid at school however, the force/physical contact applied is associated with aggravating circumstances such as demeaning or threatening behaviour by the PSOA which triggered the AV to slap the teacher back which was said to be out of character for the AV.

Based on the above findings, reportable conduct in the category of Ill-treatment of a child – Hostile Use of Force/Physical Contact is sustained.

Recommended Remedial Actions and Future Risk Controls

1. The PSOA's Casual Teacher registration with the [REDACTED] to be cancelled.
2. Information to be shared with TQI and Access Canberra WWVP Risk Assessment team in accordance with the *Children and Young People Act 2008*.
3. The PSOA to be provided in detail the outcome of the preliminary assessment and reportable conduct finding and information sharing decision.
4. The PSOA to be provided with an opportunity to respond to the reportable conduct finding.
5. Support to be provided to school in reviewing the procedures for induction of casual teachers.

Delegate signature: [REDACTED]

Decision date [REDACTED]

COMPLAINANT/RESPONDENT ADVISED OF OUTCOME

(Information provided in accordance with the provisions of the Information Privacy Act 2014)

Date respondent advised of outcome:

Proposed Outcome of Preliminary Assessment and Reportable Conduct Inquiry

I refer to the Notice of Preliminary Assessment and Reportable Conduct Inquiry letter dated [REDACTED]. As detailed in the letter, a Preliminary Assessment was conducted in accordance with [REDACTED] Enterprise Agreement [REDACTED] (the Agreement).

The preliminary assessment was aimed to determine whether the allegations of inappropriate conduct against you during an incident at [REDACTED] on [REDACTED] warrant further investigation or can be addressed via other actions.

The allegations against you that were considered during the preliminary assessment were:

On [REDACTED], [REDACTED]
Casual Relief Teacher, you:

1. tried to snatch a stamp out of a student's hand when [REDACTED] refused to return it to you
2. grabbed a student's arm with your hand as a result of which the student was hurt
3. discussed the incident with a number of teachers in the staff room at lunch time and during that time you informed a teacher that you had grabbed the student, the student slapped you and then you pinched [REDACTED]
4. told a [REDACTED] that the student was lucky that you did not slap [REDACTED] back, as some people would have and that you had pinched [REDACTED] instead.

I am writing to inform you that the preliminary assessment and reportable conduct inquiry is now complete and hereby provide you with the proposed outcome of the process.

I acknowledge that you provided a number of written responses to the allegations in which you described the incident from your perspective including the disruptive behaviour of the student in question and [REDACTED] non-compliance with your instructions.

You explained then attempts to retrieve the stamp lid from the student failing which you stated, you pinched the student's right arm at the elbow with forethought and precision, and [REDACTED] was then compelled to loosen [REDACTED] grip on the stamp. You further explained that you then took the stamp out of [REDACTED] right hand. You stated you did not have to wrench the stamp out of [REDACTED] hand as the student, after your pinch, no longer had full control of the stamp in [REDACTED] hand and it was relatively easy to access.

Summary of Preliminary Assessment Decision

After careful consideration and analysis of the information collected in the preliminary assessment process including admissions from you, I have determined that the alleged behaviours did occur.

Your response to the student's non-compliance is considered to be disproportionate. Your actions towards the student are considered to be unprofessional, inappropriate and inconsistent with the [REDACTED]

In addition to your conduct towards the student, serious concerns have been identified in relation to the content of your emails addressed to [REDACTED] throughout the duration of this preliminary assessment. Specifically:

- you made several inappropriate comments about the student's [REDACTED] [REDACTED] and your perception of [REDACTED] ability to participate in the mainstream education system.
- you made inappropriate comments in relation to students with special needs in general and their rights in the education system.
- You refused to follow a lawful and reasonable direction in fulfilling your obligations in maintaining confidentiality as a participant in the preliminary assessment and reportable conduct inquiry.
- You made several inappropriate and unprofessional comments regarding the procedures of the preliminary assessment.

As the [REDACTED] in this matter, I have determined that the above concerns regarding your inappropriate conduct repeatedly displayed in your written correspondence with [REDACTED] are serious in nature and inconsistent with the [REDACTED] and general obligations of [REDACTED] employees.

Suspension of Casual Registration

Due to the nature and seriousness of your inappropriate conduct, your casual registration will be suspended until the outcome of the preliminary assessment and reportable conduct is finalised.

Proposed Cancellation of Casual Registration

I have determined that the nature and seriousness of your inappropriate conduct is inconsistent with the continuation of your casual registration with [REDACTED].

[REDACTED] of the Agreement stipulates that the [REDACTED] [REDACTED].’ Therefore, in light of the findings of the preliminary assessment, it is proposed that your casual teaching registration with [REDACTED] should be cancelled.

You have an opportunity to provide a written statement setting out the reasons why your casual teaching registration should not be cancelled. This written statement is in addition to any response you have already provided regarding the allegations and should be sent to [REDACTED] via email at [REDACTED] within 14 days of the date of this letter.

After due consideration of any written statement you provide, the decision regarding your casual teaching registration will be finalised and you will be notified of the final decision.

During the period of suspension of your casual registration, you will not have access to the casual bookings system, and you will be unable to undertake casual employment.

Proposed Reportable Conduct Finding

In the notice of preliminary assessment letter dated [REDACTED], you were informed that [REDACTED] is required to notify the ACT Ombudsman of any allegations of reportable conduct in accordance with section 17G of the Ombudsman Act 1989. I can confirm that due to the nature of the incident, the ACT Ombudsman was notified.

The information collected during the preliminary assessment including your responses was also used to conduct a reportable conduct inquiry aimed at determining whether or not your actions during the incident constitute reportable conduct.

After careful consideration and analysis of the information, the proposed reportable conduct finding is that reportable conduct in the category of Ill-treatment of a child – Hostile Use of Force/Physical Contact is sustained.

You have an opportunity to respond to the above proposed finding of sustained reportable conduct. Should you wish to do so, please forward your written response within 14 days of the date of this letter to [REDACTED]

[REDACTED] This written response is in addition to any response you have already provided regarding the allegations. Any further correspondence with [REDACTED] including your response to the proposed reportable conduct finding should be directed to the above nominated officer only.

After consideration of any response/s you provide or in the absence of the same within 14 days of the date of this letter, the reportable conduct finding will be finalised, and a detailed report will be provided to the ACT Ombudsman in accordance with the legislative requirements.

Further information regarding the reportable conduct scheme is available on the ACT Ombudsman's website www.ombudsman.act.gov.au should you require.

Reportable Conduct Information Sharing

The Commissioner for Fair Trading

Please be advised that [REDACTED] will share the outcome of the preliminary assessment and reportable conduct inquiry with the Commissioner for Fair Trading in accordance with section 863CA of the *Children and Young Peoples Act 2008*.

Teacher Quality Institute (TQI) Notification

[REDACTED] is required to notify TQI under section 70B of the *ACT Teacher Quality Institute Act 2010* where [REDACTED] removes, cancels or ends the access of the teacher to casual employment. A notification will be made to TQI in accordance with the requirements of the quoted legislation.

Confidentiality

I would like to remind you that you have an obligation to maintain confidentiality in relation to this incident and related matters. You must not discuss these matters with any staff or students without first seeking my permission. You can however discuss the matter with a nominated support person or an industrial representative. Any breach of this direction will be recorded and treated seriously.

Support

Should you require support in relation to this matter, you can contact [REDACTED]
[REDACTED]

If you have any questions in relation to this letter please contact [REDACTED],
[REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

Section 70B Notification Form

Record 24.4



Office Use Only
TQI Reference:

Under section 70B of the *ACT Teacher Quality Institute Act 2010*, it is the employer's obligation to notify TQI of a notification event.

Email TQINotification@act.gov.au

Details of Teacher

Name:

Employment Status:

Date of Notification Event:

TQI Number:

Sector:

School name:

Cause for reporting a notification event under section 70B

the employer of an approved teacher tells the teacher that the employer has decided to begin a formal investigation;

the employer takes disciplinary action against the teacher under the terms of the teacher's employment;

Tick if the following information is available:

- At time of notification the teacher's employment has been terminated Yes No
- At time of notification a formal investigation has been completed or full admission by the teacher has occurred and the teacher has select

the employer removes, cancels or ends the access of the teacher to casual employment;

an approved teacher, who is the subject of a formal investigation or preliminary factual inquiry by the employer, resigns.

Details of notifier for the reported matter:

Name:

Telephone:

Email:

The employer must notify TQI within 5 working days of a notification event. The employer commits an offence (with a maximum penalty of 50 points) if they fail to notify a 'notification event' within the 5 working days timeframe.

Section 70C

Request for further information

Record 24.5



ACT
Government



Office Use Only
TQI Reference: [REDACTED]

Under section 70C of the *ACT Teacher Quality Institute Act 2010*, an employer must respond to a request for further information in relation to a notification event within a stated timeframe.

Email TQINotifications@act.gov.au

Details of Teacher

Name: [REDACTED]

TQI Number: [REDACTED]

Date of Notification Event: [REDACTED]

Employment Status: [REDACTED]

Sector: [REDACTED]

School name: [REDACTED]

Information to be sent to TQI by [REDACTED] close of business

Cause for reporting a notification event under section 70B

the employer removes, cancels or ends the access of the teacher to casual employment;

Information requested under s70C of the TQI Act:

Provide the following:

- a description of the notification event
- investigation report
- any other information related to the notification event

Details of notifier for the reported matter:

Name: [REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]

Details of TQI officer managing case:

Name: Claudia Hale

Telephone: 62058207

Email: Claudia.Hale@act.gov.au

This record is not released in accordance with Section 17 of the
Freedom of Information Act 2016, Schedule 2.2(a)(ii)

Section 70B Notification Form



Record 24.7



Office Use Only
TQI Reference:

Under section 70B of the *ACT Teacher Quality Institute Act 2010*, it is the employer's obligation to notify TQI of a notification event.

Email TQINotification@act.gov.au

Details of Teacher

Name:

Employment Status:

Date of Notification Event:

TQI Number:

Sector:

School name:

Cause for reporting a notification event under section 70B

the employer of an approved teacher tells the teacher that the employer has decided to begin a formal investigation;

the employer takes disciplinary action against the teacher under the terms of the teacher's employment;

Tick if the following information is available:

- At time of notification the teacher's employment has been terminated Yes No
- At time of notification a formal investigation has been completed or full admission by the teacher has occurred and the teacher has select

the employer removes, cancels or ends the access of the teacher to casual employment;

an approved teacher, who is the subject of a formal investigation or preliminary factual inquiry by the employer, resigns.

Details of notifier for the reported matter:

Name:

Telephone:

Email:

The employer must notify TQI within 5 working days of a notification event. The employer commits an offence (with a maximum penalty of 50 points) if they fail to notify a 'notification event' within the 5 working days timeframe.