



Managing Reportable Conduct Allegations: Investigation Obligations for Queensland Organisations

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On 1 July 2026, the Reportable Conduct Scheme came into effect significantly expanding the legal and reporting obligations of approximately 40,000 organisations across Queensland.

The Reportable Conduct Scheme became fully operational under the Child Safe Organisations Act 2024 which is designed to mandate how child-serving entities investigate and report allegations of worker misconduct.

The Reportable Conduct Scheme covers allegations against workers who someone suspects has abused a child or has been convicted of an offence involving child abuse, while working for a reportable entity.

What is the role of the Queensland Family and Child Commission?

The Queensland Family and Child Commission is the regulator responsible for monitoring and reporting on the operation of Child Safe Organisations to ensure that organisations are meeting their legal responsibilities to prevent harm to children.

Given that the scheme is relatively new, the regulator is currently adopting an educative approach and working with organisations to support compliance during the early stages of implementation.

However, as the regulator, enforcement action can be taken where an organisation is not complying with their obligations, particularly where a failure to comply compromises a child's safety.

Who is covered by the reportable conduct scheme?

The head of an organisation subject to the Reportable Conduct Scheme has explicit legal obligations to ensure that any concerns are taken seriously, reported and investigated.

The scheme covers any entity that cares for, supervises or exercises authority over children, and that is one of the following:

- An accommodation or residential service.
- A religious body.
- An early childhood education and care service.
- A child protection service.
- A service for children with disability.
- An education service.
- A health service.
- A justice or detention service.
- A government entity.

More information on whether an entity is subject to the reportable conduct scheme and the allegations the scheme covers can be found here: [Queensland's reportable conduct scheme: how organisations must report and respond to child abuse](#)

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What happens after a reportable conduct notification is made?

After making an initial reportable conduct report, the head of an organisation is required to undertake an investigation, manage the risk and submit a report to the Queensland Family and Child Commission.

How do you conduct a compliant reportable conduct investigation?

During an investigation, reasonable steps should be taken to collect relevant and reliable evidence.

The investigation will require organisations to:

- Conduct interviews.

- Keep clear records.
- Ensure confidentiality.
- Communicate with the worker subject to the allegation.
- Update the child and their family.
- Prioritise cultural safety and inclusion.
- Manage any concurrent investigations.

Organisations should ensure that workers who are the subject of the allegations are afforded procedural fairness throughout the investigation process.

A legally compliant investigation requires more than collecting evidence. Organisations must balance child safety, procedural fairness, employment obligations and regulatory expectations.

Common Investigation Challenges

Organisations often undermine the complexity of reportable conduct investigations. While every matter is different, some common challenges include:

- Balancing child safety and procedural fairness.
- Preserving confidentiality.
- Collecting and preserving evidence.
- Managing actual or perceived conflicts of interest; and
- Maintaining appropriate records.

A failure to address these challenges can undermine confidence in the investigation process and increase the likelihood of regulatory scrutiny. Organisations should consider obtaining specialist advice where allegations are particularly serious, complex or sensitive.

Interim and Final Reports

Within 30 business days after an organisation becomes aware of an allegation or conviction, an interim report must be submitted. The Child Safe Organisations Act 2024 (Qld) specifies minimum requirements that interim reports must address.

As soon as reasonably practicable following the conclusion of an investigation, an organisation must take a number of steps to discharge its obligations under the Child Safe Organisations Act 2024 (Qld). These steps include preparing a final report that complies with the specific requirements prescribed by the Child Safe Organisations Act 2024 (Qld) and contains appropriate comments, findings and recommendations, including in circumstances where an allegation is ultimately found to be unsubstantiated.

Failure to properly complete all stages of an investigation may expose an organisation to regulatory scrutiny and undermine confidence in the outcome.

What happens after a final report?

After a final report is submitted, the regulator may assess whether:

- The investigation process was thorough, impartial and properly documented.
- Procedural fairness requirements were met.
- Findings and conclusions are supported by evidence.
- The investigation was thorough and evidence-based.
- Children's safety was prioritised.
- Risks were identified and managed appropriately.
- The reporting entity has taken or proposed reasonable actions to prevent recurrence.

Depending on the circumstances, the regulator may request more information, commence their own investigation, provide advice and recommendations on actions to improve the organisation's practices or capability to investigate future reports. Outcomes can also trigger an assessment of an organisation's Child Safe Standards.

Investigations under the scheme can become complex and resource-intensive, particularly where serious allegations, parallel investigations or procedural fairness issues arise.

When should an external investigator be appointed?

Organisations should carefully consider whether the complexity, sensitivity or potential consequences of a matter justify appointing an independent external investigator.

In many circumstances, appointing an experienced external investigator can help organisations demonstrate independence, manage actual or perceived conflicts of interest, and ensure compliance with regulatory expectations.

Need help with a reportable conduct investigation in Queensland?

In our experience, the most difficult investigations often involve balancing child safety obligations with procedural fairness and [employment law](#) considerations.

Gilshenan &Luton Legal Practice is experienced in conducting complex workplace and regulatory investigations for government, community and private sector organisations. Please contact our office if you would like assistance navigating investigations under the reportable conduct scheme.

If your organisation is facing a reportable conduct allegation, contact Gilshenan &Luton's Brisbane team to discuss how we can support a compliant and defensible investigation.

Contacting Gilshenan &Luton Lawyers

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