

Our ref: C/2010/8999
Contact: Jan Coughlan
Telephone: (02) REDACTED

14 February 2013

CHD

Director

CEG

REDACTED

FILE COPY

Dear

CHD

Ombudsman notification concerning

CDM

REDACTED

CEG

Thank you for your investigation report in relation to the above matter, which we received on 14 December 2012 and the additional information received on 4 February 2013.

As you are aware, we decided to monitor this matter in accordance with section 25E of the *Ombudsman Act 1974* (the Act). Section 25F of the Act requires the head of agency to provide the Ombudsman with relevant information to enable him to assess whether the reportable allegations have been properly dealt with. I have assessed the information provided and I am satisfied that this matter was handled appropriately and do not require any further information in relation to this matter at this time. I also note your intention to adopt the recommendations made by the independent investigator.

In relation to the Commission for Children and Young People (CCYP), I note that you have made a 'not sustained – insufficient evidence' finding in relation to allegations involving CEG. Therefore you have a legislative requirement to make a Category Two notification to the CCYP now the relevant employment proceedings have been completed. I suggest you have further discussions with the CCYP in this regard.

Additionally, I noted that the parents of the alleged victims have not been informed of the outcome of the Centre's investigation into allegations of reportable conduct against CDM. It is best practice for agencies to advise the alleged victim's parents of the outcome of its employment based investigation. It is not necessary to provide full details of the investigation and outcome, but you should provide general advice to them that the matter has been investigated by an external investigator and the necessary regulatory agencies have been provided with copies and advice as to the outcome. You can also provide them with information on this office's complaint handling role in matters such as these. However, we would expect any complaint to be made to the Centre, in the first instance, and should the complainant remain dissatisfied they can be referred to this office.

Finally, once you have completed the above, it is suggested that you make contact with the Early Childhood Education and Care Directorate who are responsible for the licensing of childcare centres and advise them that you have completed the investigation into the reportable allegations against CDM and matter is completed.

We will not be taking any further action in regard to this matter at this time. Thank you for your ongoing cooperation in this matter. If you have any questions about this letter, please contact me on (02) REDACTED

Yours sincerely



Jan Coughlan
Investigation Officer
for the Ombudsman
