

# Application for Internal Review Form

This form can be:

- downloaded from the Commission for Children and Young People's (the Commission) Website and lodged by email to [contact@ccyp.vic.gov.au](mailto:contact@ccyp.vic.gov.au); or
- if you require assistance, completed by a Commission staff member over the phone by calling 1300 78 29 78.

## Information for Applicants

Some decisions made by the Commission under the *Child Wellbeing and Safety Act 2005* (the CWS Act) can be internally reviewed by the Commission. These are referred to as 'reviewable decisions'.

Further information about internal reviews can be found in [Information Sheet 16 - Reviews of Reportable Conduct Scheme and Child Safe Standards decisions made by the Commission](#), which is available on the Commission for Children and Young People's website.

Reviewable decisions, the people who may apply for internal review, and the time frames within which applications for review must be made are:

| Section         | Type of reviewable decision   | Who may seek review  | Deadline to lodge application   |
|-----------------|---|--|---|
| <b>s16ZI(1)</b> | Finding by the Commission in an <u>own motion</u> investigation under s16O into a reportable allegation under the Reportable Conduct Scheme | The subject of allegation (the person about whom the findings were made) | 28 days from the date the subject of allegation is given the notice of decision from the Commission |
| <b>s16ZI(2)</b> | Decision by the Commission to issue a notice to produce under s16ZG regarding the Reportable Conduct Scheme                                 | The organisation to which the Commission issued the notice               | 14 days from the date the organisation is given the notice from the Commission                      |
| <b>s41I(1)</b>  | Decision to issue a notice to produce under s 30 regarding the Child Safe Standards   | The organisation, or person to which the Commission issued the notice    | 14 days from the date the organisation or person is given the notice from the Commission            |
| <b>s41I(1)</b>  | Decision to issue a notice to comply under s 31 regarding the Child Safe Standards  | The organisation to which the Commission issued the notice               | 14 days from the date the organisation is given the notice from the Commission                      |
| <b>s41I(1)</b>  | Decision to issue an official warning under s 36A regarding the Child Safe Standards  | The organisation, or person to which the Commission issued the warning   | 14 days from the date the organisation or person is given the official warning from the Commission  |

| Section | Type of reviewable decision  | Who may seek review   | Deadline to lodge application  |
|---------|--|---|--|
| s411(1) | Decision to publish information under s 36I regarding non-compliance with the Child Safe Standards | The subject of the publishing (i.e. the non-compliant organisation) | 14 days from the date the organisation is informed of the Commission's decision to publish |

Note: Timeframes are calculated by calendar days. In exceptional circumstances the Commission may accept applications out of time.

An organisation or person who has been issued a Child Safe Standards infringement notice under section 36B of the CWS Act can also apply for review of the Commission's decision to issue the infringement notice. A separate internal review process under *the Infringements Act 2006* applies to infringement notice decisions. You can contact the Commission for further information.

If you require additional space in answering any of the questions below, please include a separate page.

## About You

Name:

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Address:

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Contact number:

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Email:

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Preference for contact (select one):      Phone      Email

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Confirm you wish correspondence to be directed to a Representative:      Yes      No

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## Representative's details (if any)

Representative name and organisation:

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Relationship to Applicant:

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Representative contact address:

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Representative contact number:

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Representative contact email:

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Preference for contact (select one):      Phone      Email

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What reviewable decision would you like reviewed?

Please provide details of the decision below including the Commission's reference number if known.

When was the decision made? (Please state date, month and year)

When were you given or informed of the decision? (Please state date, month and year)

Is this application for review made outside the deadline?  
(See applicable deadline in chart above)

Yes      No

If this application for review is made outside the deadline, please provide reasons why you were not able to make the application by the relevant deadline and why you think the Commission should accept your application out of time

## Why do you want the decision reviewed?

**Tell us why you want the decision reviewed.** For example,

- Are there facts you feel have not been considered or properly looked at?
- Is there information or evidence available at the time of the original decision that was not considered by the previous decision-maker?
- Is there new information you want the reviewer to consider?
- Do you disagree with the findings made by the previous decision-maker?

## What outcomes are you seeking? Please tell us what you want from this review

## Further information

**Please provide any further information relevant to this application below.**

After lodging this application, the Commission will provide you with a deadline when you need to provide all of the documents and material you would like the Commission to consider as part of the internal review.

However, you are welcome to attach documents or material to this application if you would like the Commission's internal reviewer to consider them. You do not need to provide documents you know the Commission already has in its possession.

If you do not have certain information or documents that were important to the reviewable decision, can you tell us who might have them?

## Privacy

The Commission uses this Form to collect information, including personal information, sensitive information and health information.

It collects this information for the purpose of the internal review process required under the CWS Act.

The Commission may use any information collected through the Form to fulfil its functions under the CWS Act, including to:

- conduct an internal review
- assess compliance with the Reportable Conduct Scheme or the Child Safe Standards Scheme
- educate and advise on the operation of both the Reportable Conduct Scheme and Child Safe Standards Scheme.

Any information that you provide to the Commission is confidential and can only be disclosed in limited circumstances.

This means that, in an appropriate case, information collected through this Form and during the internal review process, including your identity, may be disclosed to other persons or bodies to fulfil the Commission's statutory functions.

This is not an exhaustive list but at times, where necessary to fulfil the Commission's functions or otherwise permitted under the CWS Act, this information *may* be shared with:

- a child affected by the alleged conduct, their parents and carers or other persons with parental responsibility for the child
- the head of a relevant entity or entity to which the reportable conduct scheme applies, regulators or independent investigators
- another sector regulator or integrated sector regulator, if any, under the Child Safe Standards
- the Victorian Civil and Administrative Tribunal
- Victoria Police
- the Department of Government Services, in relation to Working with Children Checks
- other Victorian government entities, including the Department of Families, Fairness and Housing
- NSW Ombudsman, the Children's Guardian within the meaning of the *Children's Guardian Act 2019* (NSW) and the ACT Ombudsman, if the allegation has implications across jurisdictions
- Government Ministers and the Victorian Parliament
- any other prescribed person or body in relation to a prescribed matter, or a prescribed class of matters
- other Information Sharing Entities prescribed under the Family Violence Information Sharing Scheme or Child Information Sharing Scheme.

You have certain rights under privacy law that allow you to access your personal information.

If you do not provide the information requested in this Form, the Commission may be unable to conduct a review of the reviewable decision.