



Mandatory Reporting

Reporting Obligations

Protection for children and young people is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered. Catholic schools are entrusted with the holistic education of the child, in partnership with parents, guardians and caregivers who are the primary educators of their children.

In Victoria, a joint protocol, Protecting the safety and wellbeing of children and young people, involving the Department of Human Services Child Protection, The Department of Education and Training (DET), the Catholic Education Commission of Victoria and licensed children's services, exists to protect the safety and wellbeing of children and young people.

All teachers, other staff, parish priests, and governing authorities of Catholic schools in the Diocese of Ballarat must understand and abide by the professional, moral and legal obligations to implement child protection and child safety policies, protocols and practices.

Mandatory Reporting

Mandatory reporting is a legal requirement under the Children, Youth and Families Act 2005 (Vic.) (Act) to protect children from harm relating to physical injury and sexual abuse. A child, for the purpose of the relevant parts of the Act, is any person 17 years of age or younger.

School personnel mandated under this Act who, in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from physical harm, and that the child's parents are unwilling or unable to protect the child, must report that belief to Child Protection. A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief. If a belief is formed by any adult that a child or young person has been a victim of or is in danger of sexual abuse then they must report this to Victoria Police.

Child Protection Reporting Obligations for Schools in the Diocese of Ballarat

Reporting Child Protection Concerns

All school staff members who believe on reasonable grounds that a child or young person is in need of:

- protection from physical harm must report their concerns to Child Protection
- protection from sexual abuse must report their concerns to Victoria Police
- protection from harm that is not believed to involve physical harm or sexual abuse - are encouraged to report their concerns to Child Protection.
- therapeutic treatment - are encouraged to report their concerns to Child Protection or Child FIRST

Child Protection is the Victorian Government Agency, provided by Child Protection, which protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

Child FIRST is the Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Victoria Police has the responsibility to investigate sexual abuse of children, young people and adults.

New Criminal Offences to Improve Responses to Child Sexual Abuse

Three new criminal offences have been introduced as a response to The Betrayal of Trust report, Victoria. (November 2013)

- failure to disclose offence, which requires adults to report to police a reasonable belief that a sexual offence has been committed against a child (effective 27 October 2014) Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to police. Failure to disclose the information to police is a criminal offence and applies to all adults in Victoria.
- failure to protect offence, which applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but failed to do so (effective 1 July 2015)
- grooming offence, which targets communication with a child or their parents with the intent of committing child sexual abuse. (effective 9 April 2014)