

MANDATORY REPORTING PROCEDURE

1.0 INTRODUCTION

This Mandatory Reporting Procedure applies to all primary and secondary Catholic schools managed and operated by Diocese of Sale Catholic Education Limited (**DOSCEL**). This Procedure also applies to the DOSCEL Secretariat.

2.0 PURPOSE

This Procedure provides clarity to ensure all DOSCEL employees are aware of their roles and responsibilities in protecting the safety and wellbeing of children and young people and, in particular, when mandatory reporting is required.

3.0 PROCEDURE

If a reasonable belief has been formed that a child or young person has been, is being, or is at risk of being abused, this must be reported (on each occasion they form a belief), even if an employee in a position of authority does not share this belief. In these instances, contact must be made with, and the report provided to, the DOSCEL Child Protection Officer.

All DOSCEL workplaces will remove the risk to children and young people of suspected abuse where practicable.

A mandatory reporter who fails to comply with these reporting obligations may have committed a criminal offence.

Where appropriate, consideration should also be given to whether a request for information should be made or whether any information should be voluntarily provided to another prescribed Information Sharing Entity under the Child Information Sharing Scheme and Family Violence Information Sharing Scheme, where this may improve child wellbeing or safety, or help to assess or manage the risk of family violence. These schemes complement existing mandatory reporting obligations. For more information, see: DOSCEL Child and Family Violence Information Sharing Schemes Policy and Procedure, [Information Sharing and Family Violence Reforms Contextualised Guidance](#) and [Toolkit Child Information Sharing Scheme Ministerial Guidelines](#), [Family Violence Information Sharing Guidelines](#), and [Family Violence Multi-Agency Risk Assessment and Management Framework](#).

3.1 Failure to Disclose

All adults, not just professionals who work with children or young people, have a legal obligation to report to Victoria Police where they form a reasonable belief that a child or young person is at risk of being abused.

3.2 Failure to Protect

Any employee in a position of authority who becomes aware that an adult associated with DOSCEL (employee, contractor, volunteer or visitor) poses a risk of abuse to a child or young person under the care, authority or supervision of DOSCEL, must take all reasonable steps to remove or reduce that risk.

If an employee in a position of authority fails to take reasonable steps in these circumstances this may amount to a criminal offence.

3.3 Child in need of protection

Any person can make a report to the Department of Families, Fairness and Housing (**DFFH**) if they believe, on reasonable grounds, that a child or young person is in need of protection for any of the following reasons:

- The child or young person has suffered or is likely to suffer significant harm as a result of:
 - physical injury and their parents are unable or unwilling to protect the child or young person
 - sexual abuse and their parents are unable or unwilling to protect the child or young person
 - emotional or psychological harm and their parents are unable or unwilling to protect the child or young person.
- The child or young person has been abandoned and there is no other suitable person who is willing and able to care for the child or young person.
- The child or young person's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child or young person.
- The child or young person's physical development or health has been, or is likely to be, significantly harmed and the parents are unable or unwilling to protect the child or young person.

DOSCEL requires all employees, who form a reasonable belief that a child or young person is in need of protection, to report their concerns to the principal or member of the school leadership team.

3.4 Child in need of therapeutic treatment

Any person who forms a reasonable belief that a child or young person (over ten but under 15 years of age) has been exhibiting sexually abusive behaviours, and may be in need of therapeutic treatment, should make a report to DFFH Child protection.

Sexually abusive behaviours can be exhibited when a child or young person uses their power, authority or status to engage another person in sexual activity that is

unwanted, or where the other party is incapable of giving informed consent. For example:

- other children, or young people who are younger
- other children or young people who have cognitive impairments.

In the case of student sexual offending, DOSCEL requires employees to also report to Victoria Police.

In the case of school employees these concerns must also be discussed with the principal or member of the school leadership team.

3.5 Significant concerns for the wellbeing of a child or young person

Any employee who has a significant concern for the wellbeing of a child or young person should report these concerns to DFFH Child Protection or refer the child and their family to DFFH Child FIRST and family services.

A significant concern for the wellbeing of a child or young person may arise where any of the following factors may have a significant adverse impact on a child or young person's care, welfare and development. For example:

- significant parenting problems
- family conflict or family breakdown
- pressure due to a family member's physical/mental illness, substance abuse, or disability
- vulnerability due to youth, isolation or lack of support
- significant social or economic disadvantage.

In the case of school employees these concerns must also be discussed with the principal or member of the school leadership team.

4.0 REFERENCES

- Child Information Sharing Scheme Ministerial Guidelines
- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Child Wellbeing and Safety (Information Sharing) Regulations 2018*
- *Children, Youth and Families Act 2005* (Vic.)
- *Crimes Act 1958* (Vic.)
- *Crimes Amendment (Protection of Children) Act 2014* (Vic.)
- *Family Violence Protection Act 2008* (Vic.)
- *Family Violence Protection (Information Sharing) Regulations 2018*
- Family Violence Multi-Agency Risk Assessment and Management Framework
- Information Sharing and Family Violence Reforms Contextualised Guidance

5.0 RELATED POLICIES

- DOSCEL Child and Family Violence Information Sharing Schemes Policy and Procedure
- DOSCEL Child Protection and Safety Policy
- DOSCEL Guide to Reporting Conduct under the Reportable Conduct Scheme
- DOSCEL Pastoral Care Policy
- DOSCEL Protection of Children – Anti-Grooming Policy
- DOSCEL Protection of Children – Failure to Protect Policy
- DOSCEL Protection of Children – Failure to Disclose Policy
- DOSCEL Protection of Children – Reporting Obligations Procedure