



**MARIAN
COLLEGE**

PROTECT Procedure – Informing Staff of Reporting Obligations

Purpose

To ensure that all staff are made aware of their reporting obligations and receive appropriate training to provide a child safe environment for students.

Scope

Under duty of care obligations, all staff are mandated to report child abuse when this has been disclosed to them or they have formed a reasonable belief that abuse has occurred.

Child abuse is defined in the Child Wellbeing and Safety Act 2005 (Vic.) to include:

- Sexual offences.
- Grooming.
- Physical violence.
- Serious emotional or psychological harm.
- Serious neglect.

The mandatory reporting obligation is set out in Part 4.4 of the [Children, Youth and Families Act 2005 \(Vic.\)](#). Section 184 imposes an obligation on teachers, principals and other persons listed in section 182 to make a mandatory report if they form a belief on reasonable grounds that a child is in need of protection on the grounds that the child has suffered, or is likely to suffer, significant harm because of physical injury or sexual abuse, and the child's parents have not protected, or are unlikely to protect the child from harm of that type.

Ministerial Order No. 1359 (MO 1359) sets out the specific actions that registered schools need to take to meet [the child safe standards](#). MO 1359 places accountability for managing the risk of child abuse with school governing authorities.

The [failure to disclose offence](#) requires any adult (subject to specific exemptions) who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 to report that information to the police. Failure to disclose the information to police is a criminal offence.

The [failure to protect offence](#) applies where there is a substantial risk that a child under the age of 16, under the care, supervision or authority of a school, will become a victim of a sexual offence committed by an adult associated with that school. A person in a position of authority in the organisation (including schools) will commit the offence if they know of the substantial risk of abuse and have the power or responsibility to reduce or remove that risk, but negligently fail to do so.

Procedures

All teachers, mandatory reporters and all other school staff will be made aware of reporting requirements (including Reportable Conduct) and potential offences for failing to make a mandatory report by:

- Addressing the school's policies and the mandatory reporting obligations at staff meetings on a regular basis (at least annually). This includes information on:
 - The Child Safety and Wellbeing policy.
 - The Child Safety Code of Conduct.

- Recognising indicators of child harm, including harm caused by other children and students and circumstances that increase children’s vulnerability to abuse.
 - Responding effectively to issues of child safety and wellbeing and managing a disclosure.
 - The Reportable Conduct Scheme and associated reporting procedures.
 - Vriminal offences under the Crimes Act 1958 (Vic.) including failure to disclose, failure to protect and grooming.
 - Mandatory reporting procedures.
 - Information sharing and record keeping responsibilities.
 - How to build culturally safe environments for children and students.
 - How to identify and mitigate child safety and wellbeing risks in the school environment.
 - Without compromising a child or student’s right to privacy, access to information, social Connections and learning opportunities.
- Using school-wide operational and classroom practices that embed a culture of child safety.
 - Ensuring all staff undertake mandatory reporting eLearning sessions annually and supply evidence of completion.
 - Ensuring any new or trainee staff have an induction regarding school issues, child safety, the Child Safety Code of Conduct, reporting responsibilities and information sharing.
 - Displaying posters of the Four Critical Actions for Schools (both all forms of child abuse and student sexual offending) in the staff room and other relevant, key locations for staff.
 - Requiring all staff to sign the Child Safety Code of Conduct that explains the expected and unacceptable behaviours for staff at appointment.
 - Assessing the ongoing understanding of child safety procedures, processes and expectations and suitability of staff through discussion as part of the annual review meeting process.

Definitions

For the purpose of this policy the following terms are defined as follows:

Child abuse:	Child abuse is conduct that results in a child being harmed. It can take many forms and includes: <ul style="list-style-type: none"> ● Physical abuse. ● Sexual abuse including grooming. ● Emotional and psychological abuse. ● Family violence. ● Serious neglect.
Child Information Sharing Scheme (CISS):	The Child Information Sharing Scheme (CISS) is an information sharing scheme established in the Child Wellbeing and Safety Act 2005 (Vic). It permits schools to share information to support child safety and wellbeing
Child Safety:	Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse (Ministerial Order No. 1359).
Family Violence:	Family violence is behaviour towards a family member of that person that is: <ul style="list-style-type: none"> ● Physically or sexually abusive. ● Emotionally or psychologically abusive. ● Economically abusive. ● Threatening. ● Coercive. ● Controlling or dominating the family member and cause that family member to feel fear for their Safety and wellbeing or another person. <p>Family violence is also behaviour by a person towards a family member that meets the description above and causes a child to hear or witness or be exposed to the effects of that behaviour.</p>



Legislation and Standards:

[Children, Youth and Families Act 2005 \(Vic.\)](#)

[Child safe standards.](#)

[Failure to disclose offence](#)

[Failure to protect offence](#)

Child Wellbeing and Safety Act 2005 (Vic.)

Crimes Act 1958 (Vic.)

Education and Training Reform Act 2006 (Vic.)

Education and Training Reform Regulations 2017 (Vic.)

Family Violence Protection Act 2008 (Vic.)

Information Privacy Act 2000 (Vic.)

Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises

Victorian Institute of Teaching Act 2001 (Vic.)

Working with Children Act 2006 (Vic.)

Wrongs Act 1958 (Vic.).

Document History

Written By:	Executive Team
Date of Approval:	June 2025
Approval Authority:	Executive Team
Next Review:	June 2028

