Melbourne Archdiocese
Catholic Schools

Informing Staff of Reporting Obligations

PROTECT Procedure

1. Introduction

Melbourne Archdiocese Catholic Schools (MACS) schools operate with the consent of the Catholic Archbishop of Melbourne and are owned, operated and governed by Melbourne Archdiocese Catholic Schools Ltd.

2. 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.

3. Scope

Under duty of care obligations, all staff are mandated to report child abuse disclosed to them or when 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 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.

4. Informing staff

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 Code of Conduct for MACS Staff
  - 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

5. Definitions

Refer to the Protect Policy or Glossary of Terms for definitions of terms used in this procedure.

6. Support

MACS Legal seeks to provide schools with support and advice on legal matters.
Phone: 9267 0228
Email: legal@macs.vic.edu.au

MACS Student Wellbeing Information and Support Service (SWISS) seeks to address matters that impact the wellbeing and educational outcomes of young people arising using a solution-focused framework, and empower and enhance the capacity, competence and confidence of staff to address matters related to the wellbeing of young people.
Phone: 9267 0228
Email: swb@macs.vic.edu.au

Child Safety supports schools with child safety and wellbeing matters and complaints handling.
Phone: 9267 0288

Reportable Conduct supports schools with implementation of the Reportable Conduct Scheme and related matters.
Phone: 9267 0288

7. Related policies and documents

Supporting documents

Police or DFFH Child Protection interviews at school: PROTECT Procedure
Police or DFFH Child Protection interviews at school – Student Interview Template
Responding to all forms of child abuse: PROTECT Procedure:
Responding to offences under the *Crimes Act 1958* (Vic): PROTECT Procedure
Responding to police and Child Protection requests for further information: PROTECT Procedure
Responding to student sexual offending: PROTECT Procedure:

Related MACS policies and documents

Child Safety and Wellbeing Policy
Child Safety and Wellbeing Policy – Schools
Child Safety and Wellbeing Recordkeeping Procedures
Child Safe Recruitment Procedures
Code of Conduct for MACS Staff

PROTECT: Identifying and Responding to Abuse – Reporting Obligations Policy
Reportable Conduct Policy

Resources

Charter of Human Rights and Responsibilities Act 2006 (Vic) Child Information Sharing Scheme
Child Information Sharing and Family Violence Reforms on the CEVN website DET Mature Minors and Decision Making (2020)
Family Violence Information Sharing Scheme
Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse
Four Critical Actions for Schools: Responding to Student Sexual Offending National Framework for Protecting Australia's Children 2021–2031
PROTECT on the CEVN Website (schools only, log in required)
PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools PROTECT: Identifying and Responding to Student Sexual Offending
PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools PROTECT: Responding to Student Sexual Offending: Principal Checklist
PROTECT: Responding to Student Sexual Offending: A Template for all Victorian Schools

8. Legislation and standards

Child Wellbeing and Safety Act 2005 (Vic)
Children, Youth and Families 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)
VIT Code of Conduct
Working with Children Act 2006 (Vic)
Wrongs Act 1958 (Vic)

Policy information table

Approving executive	Director, Child Safety and Risk
Procedure owner	General Manager, Child Safety
Approval date	1 July 2025
Review by	July 2027
Related policy	Protect: Identifying and Responding to Abuse – Reporting Obligations Policy
Publication	MACS, CEVN, Gabriel, school website
Superseded documents	Protect Procedure: Informing staff of reporting obligations – v1.0 – 2023 Protect Procedure: Informing staff of reporting obligations – v2.0 – 2024