

# Mandatory Reporting Victoria

 Systems, policies, and procedures

## STANDARD 6

### EFFECTIVE COMPLAINTS MANAGEMENT

#### Criteria 6.1

The entity's Complaints Handling Policy outlines the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements.

#### Indicators

6.1.1 Policies and procedures address mandatory reporting obligations

*Mandatory Legislation in VIC falls under The Children, Youth and Families Act 2005 (Vic)*

The health, safety and wellbeing of children is paramount in all organisations providing services to children across Australia. The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for improvement in the processes and outcomes of reporting child abuse. NCSS Standard 6 focuses on effective complaints handling and reporting obligations and supports organisations to implement robust and transparent reporting procedures. This fact sheet provides information on mandatory reporting in Victoria.

#### WHO ARE MANDATORY REPORTERS?

Victoria has an extensive list of mandatory reporters.

- registered medical practitioners
- nurses
- midwives
- registered teachers and early childhood teachers
- school principals
- school counsellors
- police officers
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- people in religious ministry

**With regard to the Catholic Church specifically, mandatory reporters include clergy, religious, lay ministers, church elders and religious brothers and sisters, who provide services to children.**

## WHAT REQUIRES REPORTING?

Mandatory reports are required to report if during the course of their professional duties they form a reasonable belief that a child is in need of protection from harm from the following:

- Sexual abuse
- Physical abuse

Any adult may choose to make a report if they believe a child is at risk of other types of significant harm. These can include neglect, psychological abuse, lack of parental capacity or abandonment.

## HOW DO I MAKE A REPORT?

Reports must be made to the child protection intake service in the local government area (LGA). Details of LGAs can be found [here](#). Reports cannot be made online and must be made via phone.

Reports can be made during business hours (Mon to Fri 8.45am – 5.00pm) on the numbers below:

- North Division intake: 1300 664 977
- South Division intake: 1300 655 795
- East Division intake: 1300 360 391
- West Division intake - metropolitan: 1300 664 977
- West Division intake - rural and regional: 1800 075 599

If you have immediate concerns that a child is in imminent danger you must contact the Police on 000.

After-hours and weekend reports can be made to the After-Hours Child Protection Emergency Service on 13 12 78.

## WHAT HAPPENS AFTER A REPORT IS MADE?

Child Protection caseworkers will determine the next course of action based on the best interests of the child. This may include providing advice to the reporter, progressing the matter to investigation, referring the family to support services in the community, or taking no further action.

## WILL THE CHILD OR FAMILY BE INFORMED THAT I HAVE MADE A REPORT?

The identity of a reporter or referrer must remain confidential unless in the following circumstances:

- the reporter chooses to inform the child or family they have made a report
- the reporter consents in writing that their identity can be disclosed
- a court or tribunal requests it in order to ensure the safety of a child
- a court or tribunal decides evidence need to be given

## WHAT ARE THE CONSEQUENCES FOR NOT REPORTING CONCERNS ABOUT THE SAFETY, WELFARE AND WELLBEING OF A CHILD?

Mandatory reporters are legally required to report any concerns about the safety, welfare and wellbeing of a child. In Victoria, the *Failure to disclose* offence was legislated. If any adult fails to report information, they have regarding the sexual abuse of a child the maximum penalty is 3 years imprisonment. Further information on penalties can be found [here](#).

Mandatory reporting must be included in child safeguarding policies and procedures including the Code of Conduct. Failing to report regarding concerns about the welfare, safety and wellbeing of a child could also lead to disciplinary action within an organisation.

**WHAT IF I AM CONCERNED ABOUT THE WELLBEING OF A CHILD BUT I DO NOT BELIEVE THEY ARE IN NEED OF CHILD PROTECTION?**

If you do not believe a child is at risk of significant harm of their immediate safety is not compromised you can make a referral to [The Orange Door](#).

Further information regarding mandatory reporting in Victoria can be found on the Department of Families, Fairness and Housing website: <https://providers.dffh.vic.gov.au/mandatory-reporting>