



## Office for Safeguarding – Diocese of Parramatta

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### Mandatory Reporting Responsibilities

On 1 March 2020 amendments to the *Children and Young Persons (Care and Protection) Act 1998* will expand mandatory reporter groups. These amendments are part of the NSW Government's response to recommendations made by the Royal Commission.

Mandatory reporting is a legislative requirement to make a report to certain government authorities. In NSW, mandatory reporting is primarily regulated by sections 27 and 27A of the *Children and Young Persons (Care and Protection) Act 1998*. From 1 March 2020, mandatory reporter groups in NSW will be expanded to include:

- Persons in religious ministry or persons providing religion-based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, religious brother or sister)
- Registered psychologists providing a professional service as a psychologist.

### Implications for workers

This change to legislation means that clergy, deacons, religious brothers and religious sisters are legally required to make a report when they have reasonable grounds to suspect that a child is at risk of significant harm. It also means that employees, volunteers, contractors and sub-contractors in Parishes and Ministries of the Diocese who are engaged in child related activities are also legally required to make a report when they have reasonable grounds to suspect that a child is at risk of significant harm. A reporter has a duty to report, as soon as practicable, the name or a description of the child and the grounds for suspecting that the child is at risk of significant harm.

**Risk of significant harm** is any one or more of the following circumstances:

- a. the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- b. the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care
- c. the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated
- d. the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- e. a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm.

Before making a report to the Department of Communities and Justice (DCJ), please discuss the concern with your Leader/Manager. You may also contact the Office for Safeguarding Diocese of Parramatta who can assist you to understand and carry out your reporting responsibilities. Reports to the DCJ are made by calling the NSW Child Protection Helpline on 132 111.