



# Risk of Significant Harm - Mandatory Reporting Fact Sheet

*Children and Young Persons (Care and Protection) Act 1998 (the Act)*

Information for those in child-related roles in the Diocese of Broken Bay

Under the *Children and Young Persons (Care and Protection) Act 1998* (NSW), certain persons are Mandatory Reporters who are under a legal obligation to make a report to the Department of Communities and Justice if they have reasonable grounds to suspect that a Child is or may be at Risk of Significant Harm (ROSH).

## Who are Mandatory Reporters in NSW?

In NSW Mandatory Reporting applies to persons who deliver the following services wholly or partly to children as part of their professional work or other employment, and those in management positions in organisations that deliver these services

Health care, welfare, education, disability services, children's services, residential services, law enforcement.

Persons in *religious ministry or persons providing religion-based activities to children* and registered psychologists providing a professional service as a psychologist are also Mandatory Reporters.

## What does this mean in our Chancery and Parishes?

A Mandatory Reporter is anyone who provides *religious ministry or persons providing religion-based activities to children*. (including those that have a WWCC Exemption). Some examples of who is a Mandatory Reporter include Clergy, Children's Liturgy volunteer or a Youth Group leader. Examples of who are not Mandatory Reporters are Parish Secretaries, Chancery Safeguarding staff. If you are unsure, please contact the Safeguarding Office.

## When is a Mandatory Reporter required to make a report?

A Mandatory Reporter must make a report when they have reasonable grounds to suspect that a Child is at Risk of Significant Harm, and those grounds arise during their work or role.

## When is a Child at Risk of Significant Harm?

A Child is at Risk of Significant Harm if there are current concerns for their safety, welfare or wellbeing because of the significant presence of one of the following Harm Circumstances:

- the Child's basic physical or psychological needs are not being met or are at risk of not being met;
- the Child's parents or other guardians have **not arranged and are unable or unwilling to arrange for the Child to receive necessary medical care;**
- in the case of a Child who is required to attend school, the parents or other guardians have **not arranged and are unable or unwilling to arrange for the Child to receive an education;**
- the Child has been, or is at risk of being, **physically or sexually abused or ill-treated;**



- the Child is living in a household where there have been **incidents of domestic violence** and, as a consequence, the Child is **at risk of serious physical or psychological harm**; or a parent or other care giver has behaved in such a way towards the Child that the Child has suffered, or is at risk of suffering, serious psychological harm.

### What support is available to help Mandatory Reporters decide whether to make a report?

Mandatory Reporters may seek guidance from their Parish Priest or the Safeguarding Office. you may consult the Mandatory Reporter Guide, which is a tool that assists to assess whether a Child is at Risk of Significant Harm and whether a report should be made.

The Safeguarding Office can be contacted at [safeguarding@bbcatholic.org.au](mailto:safeguarding@bbcatholic.org.au) or phone **02 8379 1605**.

The Mandatory Reporter Guide can be accessed via the following link:  
[reporter.childstory.nsw.gov.au/s/mrg](http://reporter.childstory.nsw.gov.au/s/mrg)

### To make a report

Reports can be made to the Department of Communities and Justice (DCJ) by either:

Submitting an e-report:

[reporter.childstory.nsw.gov.au](http://reporter.childstory.nsw.gov.au) or

b) Calling the Child Protection Helpline:  
**132 111** (24/7)

The Safeguarding Office must be immediately notified of all reports made to the DCJ and should be sent a copy of either the e-report or the RoSH Form regarding a telephone report.

### Other Supports

Reporting concerns to the Child Protection Helpline may not always be necessary if it does not reach a significant threshold to report, however, if you hold concerns for a child consider how else you may be able to support them.

### Reporting Unborn Babies

Reporting a concern that an unborn child will be at risk of significant harm after birth is not mandatory, however making a report may enable DCJ and/or other Agencies to mobilise service provision to allow adequate preparation of protective or statutory intervention to ensure the safety of the child following birth.

### References

*The following documentation is available from the Diocesan Intranet.*

Diocesan Mandatory Reporting Policy  
When is a Child at Risk of Significant Harm? Fact Sheet

Risk of Significant Harm Mandatory Reporting Flowchart

Risk of Significant Harm Form

### More information

For more information on Mandatory Reporting you can visit the Department of Communities and Justice website at

[facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/about](http://facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/about)

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