Ballarat & Clarendon College is implementing this policy to ensure compliance with the Children and Young Persons Act 1989, and the Department of Human Services Mandate July 1994, and to ensure the health and well being of all Ballarat & Clarendon College students.

The legislation states that employees, with a duty of care for students, must notify the Department of Human Services when they form a belief on reasonable grounds that a child is in need of protection from physical abuse or neglect, including, but not limited to, injury or sexual abuse. The legislation does not make it mandatory for any professional to notify the department if the child is suffering from emotional abuse or neglect.

It should be noted that the term "belief formed on reasonable grounds" refers to a situation where it is believed that the abuse of a student is likely to be occurring or to have occurred, based on observed behaviour and discussion with the student or other parties. The person reporting the suspicions does not have to be able to prove that this has occurred but, rather, to have formed a belief that it is likely.

When dealing with what constitutes abuse, staff should keep in mind that protective services is mandated to deal with situations that are either of a physical, sexual or psychological nature. The standard used is that abuse has occurred or is likely to occur.

If any staff member forms an opinion that a situation warrants a protective notification, he/she should consult with the House Teacher, Learning Mentor, School Psychologist, Co-Head of School or Director of Health, Welfare & Counselling prior to any action being taken. The Co-Head of School, House Teacher, Learning Mentor, School Psychologist or Director of Health, Welfare & Counselling may assist with the reporting of the situation to the Department of Human Services. Ballarat & Clarendon College offers counselling services to provide support for the staff member and child who are the subject of the notification.