



ST THERESE'S PRIMARY SCHOOL

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PROTECTION OF CHILDREN – GROOMING POLICY

1.0 INTRODUCTION

Protecting children and young people against sexual abuse is a community wide responsibility. Schools have a moral and legal responsibility to ensure children and young people are safe in their care and to ensure that all forms of abusive behaviours towards children are prevented.

The *Crimes Act 1958 (Vic)* and the *Crimes Amendment (Grooming) Act 2014* comprises the offence for grooming for sexual conduct with a child under the age of 16 years. The new grooming offence became law in July 2014.

A grooming offence is committed if the offender communicates by words or conduct with a child under the age of 16 years, or the child's carer or supervisor, and intends to commit a sexual offence involving the child.

It is imperative to prevent, reduce and minimise child abuse and exploitation in all their forms.

2.0 PURPOSE

This policy outlines St Therese's responsibilities in relation to this amendment, providing a definition for grooming and how it can occur. The specific behaviours and actions of an offender grooming a child, and the impact it will have on these victims, need to be understood by school staff.

This policy acknowledges the particular duty St Therese's employees have towards children in their care. It respects the dignity of children and school employees and it outlines their rights and responsibilities.

3.0 PRINCIPLES

- 3.1 The dignity of each person, made in the image of God, is a fundamental tenet of the Catholic Church and therefore of St Therese's school.
- 3.2 A safe environment is required to protect children from harm and to prevent staff from abusing their position of authority and trust.
- 3.3 Grooming is a serious offence. Staff need to be informed of the criminal intent in grooming behaviours and be fully self-aware of their professional obligations and responsibilities.
- 3.4 All children have the right to a thorough and systematic education in personal safety, including safety in relationships.

- 3.5 Abuse of children by persons in positions of trust or authority is a serious matter. All allegations must receive a response and be dealt with promptly.
- 3.6 After a disclosure, any ongoing harm to the child and the employee is minimised by:
- adherence to agreed procedures
 - provision of appropriate social and emotional support and pastoral care
 - appropriate confidentiality.
- 3.7 The child's ongoing safety and wellbeing should be the primary focus of decision making.

4.0 DEFINITIONS

For the purposes of this policy, the following definitions apply:

- 4.1 **Child:** A child is legally defined as a person under the age of 16 years.
- 4.2 **Confidential:** Being entrusted with private and restricted information that must be treated as such, both in written and verbal form.
- 4.3 **Grooming:** The term 'grooming' refers to actions deliberately undertaken with the aim of befriending and influencing a child, and, in some circumstances, members of the child's family, for the purpose of sexual activity with the child. These actions are designed to establish an emotional connection in order to lower the child's inhibitions and gain access to the intended victim. In this respect, grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated' (Victorian Parliamentary Inquiry 2013). Grooming can also occur online.
- 4.4 **Grooming Behaviours:** There is no one set of actions or behaviours that are used to groom a child. Grooming behaviours include:

- persuading a child or group of children that they have a special relationship, for example by:
 - spending inappropriate special time with a child
 - inappropriately giving gifts
 - inappropriately showing special favours to one child but not other children
 - inappropriately allowing the child to over step the rules
 - testing boundaries, for example, by undressing in front of the child.

Grooming occurs both before the offence in order to access the child, and after the offence to maintain that access for future abuse and ensure the child's silence. Grooming also seeks the parent or carer's continued trust (Randhawa and Jacobs, 2013).

- 4.5 **Duty of Care:** Staff or volunteers working in St Therese's school have a duty of care to support and protect the children with whom they are professionally involved. When staff members form a reasonable belief that a child has been harmed or is at risk of harm, they are ethically bound to take action to protect the safety and wellbeing of that child. For some staff members this obligation is legally mandated (*cf* DEECD and DHS 2010).

Duty of care is breached if a person:

- does something that a reasonable person in that person's position would not do in a particular situation
- fails to do something that a reasonable person in that person's position would do in the circumstances
- acts or fails to act in a way that causes harm to someone to whom the person owes a duty of care
- fails to report when mandated.

4.6 **Reasonable belief:** A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

5.0 PROCEDURES

This policy should be read in conjunction with the Pastoral Care and Child Protection Policies. The successful implementation of this policy will include the following:

- Regularly communicating this policy to staff
- Educating children in personal safety and about grooming
- Educating school staff to identify possible grooming behaviours
- Taking action that is timely, respectful and coordinated when a staff member forms a belief that a child is at risk of being harmed through grooming. The matter must be reported to the DHHS and then the Principal
- If a mandated staff member, reporting to DHHS unless otherwise advised by the police
- Ensuring the child and the child's family have access to appropriate services in order to reduce any long-term effects of the grooming abuse
- Documenting all allegations and retaining records in a secure area, ensuring their confidentiality.

6.0 EXPECTED OUTCOMES

6.1 St Therese's employees are informed of the criminal intent in grooming behaviours and expected to be self-aware of their professional obligations and responsibilities.

6.2 A thorough and systematic education in personal safety, including safety in relationships, will be provided for all children.

6.3 Approved professional learning in providing education in personal safety will be undertaken by all staff.

6.4 All allegations of grooming will receive a prompt response and be clearly documented.

7.0 REFERENCES

- Parliament of Victoria 2014, Crimes Amendment Grooming Bill, online, <http://www.austlii.edu.au/cgi-bin/download.cgi/cgi-bin/download/au/legislation>, retrieved 2 July 2014.
- Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, Final Report, Betrayal of Trust, November 2013.
- Randhawa T and Jacobs S 2013, Child Grooming – 'Offending all the way through from the start' : Exploring the call for law reform, Report prepared for Child Wise.

- DEECD and DHS 2010, Protecting the Safety and Wellbeing of Children and Young People, A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children’s Services and Victorian Schools.

8.0 RELATED POLICIES

- Pastoral Care Policy
- Child Protection and Safety Policy
- Child Protection – Failure to Protect Policy
- Child Protection – Failure to Disclose Policy

9.0 REVIEW

Draft Review: September 2015
Implementation Date: XXX 2015
Review Date: September 2017