



PROTECTION OF CHILDREN – ANTI-GROOMING POLICY

Aim

Pioneer Village School (PVS) aims to help protect children and young people against sexual abuse and understands it to be 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 all forms of abusive behaviours towards children are prevented.

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.

Purpose

This policy informs staff and families of their responsibilities in relation to this amendment, providing a definition for grooming and how it can occur. All school staff must be familiar with the specific behaviours and actions of an offender grooming a child/young person, and the impact it will have on these victims.

This policy acknowledges duty of care PVS employees have towards children/young people in their care. It respects the dignity of children/young people and PVS employees, and it outlines their rights and responsibilities.

Principles

1. The dignity of each person is paramount.
2. A safe environment is required to protect children/young people from harm and to prevent staff from abusing their position of authority and trust.
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.
4. All children/young people have the right to a thorough and systematic education in personal safety, including safety in relationships.
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.
6. After a disclosure, any ongoing harm to the child or young person and the employee is minimised by:
 - adherence to agreed procedures;
 - provision of appropriate social and emotional support and pastoral care;
 - appropriate confidentiality.
7. The child/young person's ongoing safety and wellbeing should be the primary focus of decision making.

Definitions

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

Child and Young Person: A child is legally defined as a person under the age of 16 years. A young person is any person who comes under or may come under the care, supervision or authority of the school.

Confidential: Being entrusted with private and restricted information that must be treated as such, both in written and verbal form.

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/young person's family, for the purpose of sexual activity with the child/young person. These actions are designed to establish an emotional connection in order to lower the child/young person'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.

Grooming Behaviours: Grooming behaviours include persuading a child/young person or group of children/young people they have a special relationship, for example by:

- spending inappropriate special time with a child/young person;
- inappropriately giving gifts;
- inappropriately showing special favours to one child/young person but not other children/young people;
- inappropriately allowing the child to over step the rules; and/or
- testing boundaries, for example, by undressing in front of the child/young person.

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

Duty of Care: Staff or volunteers working at Pioneer Village School have a duty of care to support and protect the children and young people with whom they are professionally involved. When staff members form a reasonable belief a child or young person has been harmed, or is at risk of harm, they are required to take action to protect the safety and wellbeing of that child or young person. For some staff members this obligation is legally mandated (cf DEECD and DHS 2010).

Duty of care is breached if a person:

- does something a reasonable person in that person's position would not do in a particular situation;
- fails to do something 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; and/or
- fails to report when mandated.

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 they have been sexually abused;
- a child states they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states 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; and/or
- signs of sexual abuse leading to a belief the child has been sexually abused.

Procedures

This policy should be read in conjunction with the Pastoral Care and Mandatory Reporting Policies.

The successful implementation of this policy will include the following:

- Constant revision of school-based policy and procedures to respond to grooming laws and behaviours;
- Regularly communicating this policy to staff;
- Educating children in personal safety and about grooming;
- Educating school staff to identify possible grooming behaviours, and in the reporting system;
- Taking action that is timely, respectful and coordinated when a staff member forms a belief that a child/young person is at risk of being harmed through grooming. The matter must be reported to the Police and the Principal. Police have primary responsibility for conducting investigations into alleged matters;
- Ensuring the child/young person and the child's/young person's family have access to appropriate services in order to reduce any long-term effects of the grooming abuse; and
- Documenting all allegations and retaining records in a secure area, ensuring their confidentiality.

Expected Outcomes

- Pioneer Village School adheres to this policy and procedures to respond to the Crimes Amendment (Grooming) Act 2014.
- Pioneer Village School employees are informed of the criminal intent in grooming behaviours and expected to be self-aware of their professional obligations and responsibilities.
- A thorough and systematic education in personal safety, including safety in face-to-face and online relationships, will be provided for all children/young people.
- Approved professional learning in providing education in personal safety will be provided to all staff.
- All allegations of grooming will receive a prompt response and be clearly documented.

References

- Parliament of Victoria 2014, Crimes Amendment Grooming Bill, online, <http://www.austlii.edu.au/cgi-bin/download.cgi/cgi-bin/down;oad/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.

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