Introduction
The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children are critical preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Policy Intention
Borinya, Wangaratta Community Partnership is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Borinya, Wangaratta Community Partnership believes that, protecting children against sexual abuse is a community wide responsibility. Schools have particular moral and legal responsibilities to ensure children are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. We recognise that there are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Rationale
This policy applies to the whole school community in supporting a safe environment for all children.

It concerns the Crimes Act 1958 (Vic) and the Crimes Amendment (Grooming) Act 2014 which commenced in Victoria on 9 April 2014, introducing the offence of Grooming for sexual conduct with a child
under the age of 16 years. The Crimes Amendment (Grooming) 
offence provides that the offence of grooming concerns:

a. predatory conduct designed to facilitate later sexual activity 
   with a child.

b. an adult communicating, in person or electronically, by word or 
   conduct, with a child under the age of 16 years or with a person 
   who has care, supervision or authority for the child with the 
   intention of facilitating the child’s involvement in sexual 
   conduct, either with the groomer or another adult.

c. sexual conduct which constitutes an indictable offence.

Note: Grooming does not necessarily involve any sexual activity or 
even discussion of sexual activity – for example it may involve 
establishing a relationship with a child, parent or carer for the 
purpose of facilitating sexual activity at a later time.

The offence can be committed by any person aged 18 years and 
over. It does not apply to communication between people who are 
both under 18 years of age.

The offence applies to communication with children under 16 years, 
but not to communication with 16 and 17 year old children. This 
distinction between children aged below 16 and those aged 16 or 17 
reflects the general age of consent (16 years) recognised by the 
criminal law in relation to sexual offences.

Key Principles

- A safe environment is required to protect children from harm 
  and to prevent staff from abusing their position of authority and 
  trust.

- The child's ongoing safety and wellbeing must be the primary 
  focus of all decision making.

- School leaders and staff must be fully self-aware of, and comply 
  with, their professional obligations and responsibilities.

- The commitment to protecting children is embedded in 
  Borinya’s culture and responsibility for taking action is 
  understood and accepted at all levels of the organisation.

Definitions of Terms

Child A child is legally defined as a person under the 
age of 16 years.

Grooming Grooming refers to predatory conduct undertaken 
to prepare a child for sexual activity at a later 
time. It may involve communication, in person or 
electronically, by words or conduct, with a child 
under the age of 16 years or with a person who
has care, supervision or authority for the child with the intention of facilitating the child’s involvement in sexual conduct either with the groomer or another adult. There may be no sexual activity or even discussion of sexual activity. The sexual conduct must constitute an indictable sexual offence.

**Indictable sexual offence**  
This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as up-skirting and indecent behaviour in public.

Note: The committing of these offences does not come under the definition of grooming, rather grooming is conduct in preparation of these offences.

**Person in authority**  
A person in authority is someone who, by reason of their position within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a child under the age of 16 years, who is under their care, supervision or authority, may become the victim of sexual abuse committed by an adult associated with the organisation. The role may be a formal, management role but may also apply to less formal roles such as a volunteer coach for a sports team.

**Reasonable belief**  
A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds. A ‘reasonable belief’ is not the same as having proof.

**Sexual abuse**  
Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

**Implementation of the Policy**  
This policy applies to the whole school community in supporting a safe environment for all children.

- It applies to all persons in positions of authority, care or supervision, all employees of the school and students of 18
years or over to ensure they understand their role and responsibility in protecting the safety and wellbeing of children under the age of 16 in accordance with the Crimes Act 1958 (Vic).

- It applies to any member of the school community aged 18 and over who becomes aware of grooming behaviour by a person aged 18 years or over, they should notify the police and/or the Principal immediately.
- Staff will be fully informed annually of their obligations and responsibilities to proactively protect children from abuse and renew their commitment to those obligations and responsibilities.
- This policy and its requirements will be communicated annually to staff and the wider community.
- This policy and its requirements will be communicated to new staff during induction.
- School staff will be trained in personal safety and the identification of possible sexual abuse, including the recognition of ‘grooming’.
- Thorough and systematic education in personal safety including safety in relationships, provided for all children.
- Senior students will be educated of their obligations under ‘Grooming’ legislation once they are over eighteen years of age.
- Prompt and full responses to any allegations will be undertaken with well-documented records retained securely and confidentially.
- Risks associated with ‘Grooming’ will be included, assessed and mitigated against an ongoing risk identification and management processes.
- Under ‘Failure to Protect’ requirements, the Principal or others with authority or responsibility, will take action upon becoming aware of suspected grooming behaviour, regardless of the time or location of that behaviour.

**Related Documentation**

This policy should be read in conjunction with the other policies and procedures of Borinya, Wangaratta Community Partnership concerned with Child Safety and Pastoral Wellbeing:

- Charter of Sandhurst School Improvement (CoSSI)
- Care, Safety and Wellbeing Policy
- Child Safe Policy
- Child Protection – Mandatory Reporting Policy

Child Protection: Grooming Policy & Procedure
June 22, 2016
• Child Protection – Failure to Disclose Policy
• Child Protection – Failure to Protect Policy
• Child Protection – Working With Children
• Catholic Education Sandhurst Information for Schools – Child Safe Organisations

References
• Managing The Risk of Child Abuse In Schools Ministerial Order No. 870

Policy Authorisation
Borinya Board of Management have ratified this policy on June 22, 2016

Review of this Policy
This policy is to be reviewed at least every three years.

Review Date: June 22, 2016