

Geelong Grammar School

Failure to Protect Policy

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Approved By: Principal

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Obligation to remove or reduce a substantial risk of child sexual abuse by a person associated with the School

Obligation to remove or reduce risk

This obligation applies to **employees** at Geelong Grammar School who by reason of the position they occupy have the power or responsibility to reduce or remove a substantial risk that a student or child under our care, supervision or authority will become the victim of a sexual offence committed by an adult (a person of or over the age of 18 years) who is associated with the School.

If an **employee** to whom this obligation applies knows that a substantial risk exists then they must take steps to reduce or remove that risk. It is an offence for such a person to fail negligently to do so. This offence, often referred to as the "failing to protect" offence, is under the Crimes Act 1958 and carries a maximum imprisonment term of 5 years.

The obligation to take steps to reduce or remove the risk will arise if it is known that there is a substantial risk that a person **associated** with Geelong Grammar School will commit a sexual offence against a student or child in our care (being under the age of 16 years). A person who is **associated** with Geelong Grammar School includes:

- all staff members including the Principal, teaching and non-teaching staff, whether full-time, part-time or casual;
- Council and Foundation Board members;
- volunteers such as parents and past students; and
- all contractors engaged by the School, such as maintenance contractors and employees of outsourced functions such as the canteen, gardens, camps and sports coaching.

For this obligation to exist, it is not necessary to prove that a sexual offence has been committed. It is the failure to remove a substantial risk of a sexual offence being committed to which this obligation is directed.

We would also expect that all staff at Geelong Grammar School will assist in reducing or removing any such substantial risks and to report any concerns that they might have to the Principal or their Head of Campus.

What is a sexual offence?

A sexual offence for the purposes of this obligation includes the following offences committed against a child under the age of 16 by an adult and includes:

- rape,
- indecent assault,
- sexual penetration of a child under the age of 16,
- indecent act with a child under the age of 16,
- administration of a drug with the intention of rendering the child incapable of resistance to enable a person to take part in an act of sexual penetration or commit an act of indecency with the child, or

- grooming.

Concerns about persons who are not associated with the School

A person is not associated with Geelong Grammar School for the purpose of this obligation if the person only receives services from Geelong Grammar, such as parents who are not volunteers and students who are 18 years of age. Nevertheless, if such persons are known to present a substantial risk of committing a sexual offence against a student of the School or a child under our care, then a report should be made to the Head of Campus or Principal.

Reporting your concerns

As soon as you become aware of a substantial risk of child sexual abuse by a person associated with Geelong Grammar School you are required to report your concerns immediately to the Head of Campus, who in turn will report it to the Principal. In certain circumstances it may be appropriate to report your concerns directly to the Chair of the Board.

Stephen Meek
Principal

1st July 2015