



MELBOURNE
GIRLS GRAMMAR
AN ANGLICAN SCHOOL

Child Sexual Abuse Response Policy

POLICY CATEGORY: CHILD SAFETY

POLICY CONTROL INFORMATION

POLICY RISK RATING	VERSION	OWNER	PUBLICATION
Very High	3.2	Chief Financial Officer	Internal, School Community (eVI) and Public (website)
MGGS APPROVER	MGGS APPROVAL DATE	COUNCIL APPROVAL DATE	NEXT REVIEW DATE
Principal	Version 3.1 24 October 2022 Version 3.2 21 July 2023	Version 3.1 23 November 2022 Version 3.2 13 September 2023	July 2024

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1. POLICY OBJECTIVE

The protection of children and young persons is the responsibility of everyone who works at Melbourne Girls Grammar (MGGS). We all share responsibility for promoting the wellbeing and safety of children and young people. MGGS has zero tolerance for child sexual abuse and is committed to acting in the best interests of children and young people and to keep them safe at all times.

The purpose of this policy is to outline the School's approach and response to survivors of child sexual abuse that occurred whilst attending MGGS or whilst under its care.

1.1. Scope

Our approach and response aims to be personal, supportive and trauma informed. This response is outlined in Clauses 1.2 and 1.3.

This policy applies to all school activities managed or conducted by MGGS during and outside of school hours. This includes school activities that are occurring on school campus, boarding residences, offsite, online, co-curricular, sport activities and programs, excursions, camps, interstate and overseas travel. In the application and implementation of this policy full consideration is required regarding the needs of our students including culture, diversity and age. The MGGS school environment is any physical or virtual place made available or authorised by MGGS for use by a child during or outside school hours, and includes:

- our Morris Hall Campus in Caroline Street, South Yarra;
- our Merton Hall Campus and ELC and Boarding House facilities in Anderson Street, South Yarra;
- our Glenhope campus on Punt Road, South Yarra;
- online school environments including our email and intranet systems; and
- other locations provided by MGGS for our students' use, including locations used for school camps, sporting events, excursions, competitions and other events.

1.2. National Redress Scheme

Melbourne Girls Grammar is a participant in the National Redress Scheme via the Anglican Participating Group. The Scheme was established as a response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

You can choose to apply for redress through the National Redress Scheme if you:

- experienced institutional child sexual abuse before 1 July 2018; and
- are aged over 18 or will turn 18 before 30 June 2028; and
- are an Australian citizen or permanent resident; and
- are applying about an institution that has joined the NRS (such as MGGS); and
- apply between 1 July 2018 and 30 June 2027.

The National Redress Scheme will be responsible for receiving applications under this policy and for ensuring that the applicant is treated respectfully and in a way that minimises potential re-traumatisation.

The contact details of the Scheme are:

Phone: 1800 737 377 Monday to Friday 8.00am to 5.00pm

Website: <http://www.nationalredress.gov.au>

The website provides instructions on how to submit an application. However, before you start an application for redress you can find out more about what's involved in filling out the application and

what happens after an application is submitted by referring to the National Redress Scheme website or by making contact with them directly.

1.3. Direct Approach to MGGS

MGGS seeks to provide a personal and supportive response to survivors who do not wish to apply for redress under the National Redress Scheme and to facilitate, as best as it can, such form of response that is desired by a survivor in accordance with the following guiding principles:

- re-engagement between MGGS and the survivor if and to the extent that the survivor desires it;
- survivors should have a clear understanding of what MGGS is willing to offer and provide to them by way of its direct personal response (this is outlined below);
- MGGS will accept and acknowledge the survivor's choice of representative or support person to engage with the School;
- claims for redress will be handled confidentially and as promptly as the circumstances permit; and
- MGGS will seek to avoid unnecessarily adversarial responses to claims.

For claims made directly to MGGS, the Principal will be responsible for receiving such claims and for ensuring that the survivor is treated respectfully and in a way that minimises potential re-traumatisation.

The contact details of the Principal are:

Dr Toni E. Meath
Principal
Melbourne Girls Grammar
86 Anderson Street
South Yarra VIC 3141

Telephone: +61 3 9862 9200
Email: Principal@mggs.vic.edu.au

The School Council will be advised of allegations of child sexual abuse that are received by the Principal and of any applications for redress, limited to information necessary for them to discharge their duties as directors.

The School will make a decision on a claim made directly to it as soon as it is reasonably able. The School may need to seek its own legal advice. Any response of the School or offer of redress will be subject to the approval of the School Council and may also be subject to and conditional upon the consent or direction of the School's insurer and other third parties who may have an interest in the outcome of the claim.

The School will also be open to attending in good faith a confidential conference with the survivor and their support person or adviser for the purpose of attempting to resolve the claim. The School will also give favourable consideration to the appointment of a conference convenor as nominated by the survivor.

In appropriate cases, MGGS will make an offer of redress to the survivor. If an offer of redress is made, the School will keep the offer open for acceptance for a reasonable period of time to enable the survivor to fully consider the offer, to seek their own advice, and to appreciate the consequences of accepting an offer. A reasonable period of time is considered to be six months.

An offer of redress may include any of the following:

- an acknowledgement
- an apology
- a monetary payment

- the opportunity to meet with senior school representatives and receive an acknowledgment of the impact of the abuse on them
- assurance that MGGS is committed to providing a safe school environment for the children and young people who are currently attending our School
- funding for counselling and psychological care services as needed by the applicant for their future care needs.

If the offer of redress includes a monetary payment, it will be for such amount as the School reasonably believes gives tangible recognition of the seriousness of the hurt and injury suffered by the survivor.

As a condition of making any monetary payment to the applicant, MGGS will require the survivor to release MGGS from any further liability for child sexual abuse by executing a deed of release. If the survivor is not represented by a lawyer, MGGS will fund, at a fixed price, a legal consultation for the survivor before they decide whether or not to accept the offer of redress and to execute the required releases.

In any offer of redress, MGGS will not require the survivor to agree to confidentiality obligations as a condition of resolving any claim, but the School will nevertheless maintain confidentiality of any settlement reached with the applicant.

In the application and implementation of this policy full consideration is required regarding the needs of our past and present students including culture, diversity and age.

1.4. Interaction with others

Whether a claim for redress is made directly to MGGS or under the National Redress Scheme, MGGS may be required to have interaction with others, such as the alleged abuser, Victoria Police and other regulatory organisations such as the Department of Families, Fairness and Housing and the Victorian Institute of Teaching.

The School's role will not be to make any "finding" that any alleged abuser was involved in any abuse. However, the School will have to investigate to assess any claim and, in relation to an application through the National Redress Scheme, to provide any additional information to the Scheme.

1.5. Record Keeping

All documentation and evidence received and collated by MGGS in relation to an allegation of child sexual abuse or an application for redress will be securely stored in files under the supervision of the Principal.

The Principal will also make a confidential record of the following information:

- the date when the School is first advised of the allegation of child sexual abuse;
- the name of the person making the allegations;
- details of the allegations of child sexual abuse including the identity of the alleged abuser/s and other persons involved (such as witnesses);
- a note of the procedures followed by the School in investigating a claim and the relevant time frames; and
- the outcome of an application for redress.

In certain cases the School's records and communications may be subject to legal professional privilege and therefore not subject to disclosure to others. All personal information collected, held and stored by MGGS will be managed in accordance with the *Privacy Act 1988* (Cth) and the *Australian Privacy Principles* (APPs).

1.6. Implementation

This policy is publicly available on the School website. It will also be communicated to the School Community via the newsletter as we continually reinforce the commitment of MGGS to child safety.

2. RESOURCES

Survivors may wish to consider accessing the following external support organisations:

1800RESPECT (1800 737 732)

This is a confidential 24/7 free domestic, family and sexual violence counselling, information and support service.

Blue Knot Foundation (1300 657 380 or helpline@blueknot.org.au)

Blue Knot provides phone and email support (9am – 5pm seven days per week) for adult survivors of childhood trauma and abuse, as well as for their supports and professionals who work with them.

Lifeline (131114)

Lifeline offer 24/7 confidential one-to-one short-term support with trained personnel for people who are feeling overwhelmed or are having difficulty coping.

3. DEFINITIONS

Survivor	<p>A survivor of child sexual abuse will be an individual who was under the age of 18 years and a student enrolled at MGGS or who was under its care at the time the abuse occurred.</p> <p>For the purpose of the National Redress Scheme, an applicant must have experienced institutional child sexual abuse before 1 July 2018 and have been born before 30 June 2010.</p>
Child safety	<p>Child safety encompasses matters related to protecting all children from child sexual abuse, managing the risk of child sexual abuse, providing support to a child at risk of child sexual abuse, and responding to incidents or allegations of child sexual abuse.</p>
Child sexual abuse	<p>Sexual abuse of a person who is a child (being a person under the age of 18) includes any act which exposes the person to, or involves the person in, sexual activities beyond the person's understanding or contrary to accepted community standards.</p>
Independent Decision Maker	<p>Appointed by the National Redress Scheme to decide if an applicant can access redress under the Scheme, and if so, what redress the School needs to make.</p>
Institutional context	<p>Child sexual abuse may have occurred in an institutional context in the following circumstances:</p> <ul style="list-style-type: none">(a) it happens in the school environment or in connection with the activities of MGGS(b) the abuse was perpetrated by an official of MGGS in circumstances where MGGS has, or its activities have, created, facilitated, increased or in any way contributed to the risk of abuse or the circumstances or conditions giving rise to that risk.
Redress	<p>Redress is support that acknowledges the damage done to people as children and holds institutions accountable.</p>

School environment	<p>The MGGS school environment is any physical, online or virtual place that is or was made available or authorised by MGGS for use by a child or young person during or outside school hours, and includes:</p> <ul style="list-style-type: none"> (a) our Morris Hall Campus in Caroline Street, South Yarra (b) our Merton Hall Campus, ELC and Boarding House facilities in Anderson Street, South Yarra (c) our Glenhope Campus on Punt Road, South Yarra (d) online school environments including email and intranet systems (e) other locations provided by MGGS for a child's and young person's use, including locations used for school camps, sporting events, excursions, competitions and other events.
Student	A person who is enrolled at, has attended or attends the School, or a student at the school boarding premises.

4. RELATED POLICIES, PROCEDURES AND LEGISLATION

4.1. MGGS policy and procedure alignment

- *Child Safety Policy*
- *Child Safety Code of Conduct*
- *Child Safety Response and Mandatory Reporting Procedure*

4.2. Related legislation

The following legislation, standards and regulations apply and this policy aligns with these mandated requirements:

- Child Safe Standards – Ministerial Order No. 1359
- Education Training and Reform Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Privacy Act 1988 (Cth)
- Crimes Act 1958 (Vic)
- Redress and Civil Litigation Report, Royal Commission into Institutional Responses to Child Sexual Abuse, 2015

Further information on this policy can be obtained from: the Chief Financial Officer and Deputy Principal.

5. POLICY COMPLIANCE

Compliance with this policy will be monitored by the Chief Financial Officer and Child Safety Team and this may include independent audits and reviews.

6. POLICY REVIEW AND APPROVAL

This Policy is rated very high risk. This Policy will be reviewed on an annual basis or more frequently, if required, to keep up-to-date with changes to laws and government policies. This Policy is to be reviewed by the Chief Financial Officer, Deputy Principal and Risk and Compliance Manager.

Any significant changes to this Policy must be approved by the Principal and the School Council.