

# SEXUAL ASSAULT

## POLICY

### Rationale:

- Sexual assault is defined as any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation. Sexual assault has the potential to cause significant physical and emotional trauma to the victim, and as such, students must be protected from sexual assault, and all allegations of sexual assault must be reported and acted upon appropriately.

### Aim:

- To ensure that all allegations of sexual assault are managed in a supportive and professional manner, consistent with Dept of Education procedures.

### Implementation:

- All instances or allegations of sexual assault or inappropriate sexual behaviour must be reported by staff as soon as possible to the principal. This must be on the same day as the disclosure occurred, or the same day as the teacher became aware of the issue.
- The principal (or delegate) will take immediate action in relation to the matter.
- In doing so, the principal (or delegate) will consult the Responding to Allegations of Student Sexual Assault [Flow Chart](#).
- Key points to remember include:-
  - The school is not the investigating body – the school simply communicates with and manages the process.
  - The alleged victim, alleged perpetrator (if available) and any other involved students should be isolated with a supportive, caring and reassuring staff member each.
  - The student will be informed that confidentiality cannot be maintained and that the Dept of Education, the Police and possibly Dept of Human Services will be informed
  - Principal may have to cordon off, or secure areas of the school to preserve evidence.
  - The Emergency and Security Management Unit will be contacted who will contact the Student Critical Incident Advisory Unit and Regional Office.
  - The principal will work in partnership with both units to manage the situation.
  - Following advice from the Student Critical Incident Advisory Unit the principal may inform the police Sexual Offenders and Child Abuse (SOCA) unit, who may carry out the investigation.
  - Any sexual assault or sexual misconduct allegation relating to a staff member must also be reported to the Conduct and Ethics Branch.
  - The parents of the alleged victim will be contacted by the principal unless he/she believes that this will not be in the best interests of the child. The parents of the alleged perpetrator may be contacted by the principal only after approval from the Student Critical Incident Advisory Unit and the police.
  - All interviews with parents/carers will be documented on a 'Contact Card', all actions will be recorded on a 'Log of Actions', all discussions and all procedures followed will be documented as appropriate and filed in a secure cabinet marked 'confidential'. All parents will be provided with ['What to do if Your Child Tells You About a Sexual Assault'](#) pamphlet.
  - A response to the school community, if needed, will be managed by the principal in consultation with the Student Critical Incident Advisory Unit and Regional Director.
  - The principal will provide a long term response and support strategy for all involved, including staff, media, the wider community, responding to concerns etc.

- An individual ‘*Management Support Plan*’ must be specifically developed for each student involved in an allegation of sexual assault.
- All requests from the media in relation to the matter will be coordinated by the Regional Director and the Media Unit.
- Primary school aged children often experiment with sexual play as part of their natural development. Children exhibiting such play at school must be advised that this behaviour is not appropriate at school, and their behaviour monitored.
- The principal will consult with parents of children involved unless he/she believes that this will not be in the best interests of the child.
- If a less than 10 year old student’s sexual behaviour is disturbing, age inappropriate or aggressive, a referral to a mental health professional or DHS Child Protection may be appropriate. Children under the age of 10 years can’t be criminally prosecuted.

This policy must be read in conjunction with the key reference for matters relating to allegations of sexual assault in schools - [‘Responding to Allegations of Student Sexual Assault’](#).

**Evaluation:**

This policy will be reviewed as part of the school’s three-year review cycle, after any sexual assault incident, or at any time consistent with changes of advice from the Department of Education.

This policy was last ratified by School Council in...

**March 2015**