Child Safe Environment Policy

Section 1 - Purpose and Scope

(1) All children who interact with University staff, students and volunteers have the right to feel and be safe. The University is committed to ensuring that this is the case.

(2) The purpose of this policy is to set out the University's commitment to ensuring the safety and wellbeing of children with whom University staff, students and volunteers interact in the course of their employment or study, and to ensure that the University fulfils its obligations under the: Child Protection (Working with Children) Act 2012 (NSW); Working with Children (Risk Management and Screening) Act 2000 (Qld); and, any other State or Territory based equivalents.

Scope

(3) This policy applies to all University staff, students and volunteers who are required in the course of their work or study, to work with children or within a designated child-related sector.

(4) This policy does not apply in the limited circumstances where staff and students are permitted to bring their own children into University workplaces and premises, under the Children on Campus Policy (currently being drafted).

(5) Enrolled university students are not 'children' for the purposes of this policy, even if they are under 18 years of age. Staff whose only involvement with children is the teaching of enrolled university students aged under 18 will not require a working with children clearance (except in South Australia).

Section 2 - Definitions

(6) For the purpose of this policy and the associated procedures:

a. 'Blue Card' means a card issued by the Qld Public Safety Business Agency - Blue Card Services, following a national check to determine if a person is eligible to work in the areas of child-related work covered by the Act. The card is valid for 3 years.
b. 'Category of Regulated Employment' means categories of employment that are regulated by the Act in Qld.
c. 'Child-Related Work' means study or work that puts the staff member or student in face-to-face contact with children, work in a 'Designated Child-Related Sector', or work in a 'Category of Regulated Employment'. It may be paid or unpaid.
d. 'Children' means persons under 18 years of age.
e. 'Designated Child-Related Sector' means sectors of employment that are automatically deemed by the Act in NSW to involve working with children, whether or not there is actual contact with children.
f. 'Professional Placement' means all student placements within a workplace setting, including clinical and practical placements and community engaged learning.
g. 'Relevant Delegate' means any person authorised under the University's policy or procedures with the responsibility for ensuring compliance under this policy or specific parts under this policy.
h. 'Staff' means all persons employed by the University, including but not limited to: full time employees; part-

time employees; fixed-term employees; casual employees; joint, visiting and adjunct academics; and independent contractors.

i. 'Student' means any person who is enrolled for study at the University.
j. 'The Act' means Child Protection (Working with Children) Act 2012 (NSW) or the Working with Children (Risk Management and Screening) Act 2000 (Qld) or the relevant State or Territory based equivalent.
k. 'Volunteer' means a person who provides their services to the University, without remuneration or other compensation. Volunteers are not staff of the University.
l. 'Working with Children Check' means a background checking process, including a police check for child-related offences.
m. 'Working with Children' means study or work that puts the staff member or student in face-to-face contact with children, work in a 'Designated Child-Related Sector', or work in a 'Category of Regulated Employment'. It may be paid or unpaid.
n. 'Working with Children Clearance' means an authorisation from the NSW Children's Guardian, that an individual is able to engage in child-related work. The clearance is valid for 5 years.

Section 3 - Policy statement

Working with children

(7) The University requires the following University staff, students and volunteers to have a Working with Children Clearance, Blue Card or other State or Territory based equivalent:

a. those who have face-to-face contact with children; and
b. those who are otherwise required to do so under the relevant Act (see Child Safe Environment Procedures for further information on who needs to apply).

(8) All staff, students and volunteers who are required to hold a Working with Children Clearance, Blue Card or other State or Territory based equivalent must:

a. advise the University of their Working with Children Clearance number, Blue Card number or other State or Territory based equivalent; and
b. apply for a new Working with Children Clearance, Blue Card or State or Territory based equivalent prior to the relevant expiry date.

(9) Staff are responsible for meeting the cost of their Working with Children Clearance or Blue Card.

(10) Working with Children Checks and Blue Cards are free of charge for students and volunteers.

Working with Children Agreements

(11) Staff, students or volunteers who are required to hold a Working with Children Clearance and/or Blue Card are, before commencing any work with children, required to read and sign a Working with Children Agreement, before commencing any work with children.

(12) The Working with Children Agreement sets out the University's stringent behavioural and ethical requirements and expectations of all staff, students and volunteers who work with children.

Administration and monitoring

(13) The University will inform staff, students and volunteers of their obligations under the relevant Act.

(14) The relevant delegate in conjunction with HR Services, if required, will determine whether a position, duties or professional placement:

a. necessitates or is likely to involve face-to-face contact with children;
b. is within a Designated Child-Related Sector; or
c. is within a Category of Regulated Employment, prior to undertaking any recruitment, appointment or placement.

Child-safe recruitment

(15) The University has a child-safe recruitment and screening process, including the requirement for current Working with Children Checks and verbal reference checks for all staff who will be working with children.

(16) The University will not permit University staff, students or volunteers to work with children in the course of their employment or studies where they have been demonstrated to pose an unacceptable risk to children's safety or wellbeing, resulting in them being ineligible to hold a Working with Children Clearance, Blue Card (or state/territory based equivalent).

Child-safe research

(17) The University requires any research or proposed research to be approved and monitored by the University's Human Research Ethics Committee, and comply with all relevant University and external policy and legislation including the SCU Research Responsible Conduct Policy and the Australian National Health and Medical Council's National Statement of Ethical Conduct in Human Research.

Reporting allegations of abuse, neglect or exploitation of children

(18) The University has an obligation to report to the Police and any other agencies required under the Act, any allegation that a staff member, student or volunteer has engaged in sexual misconduct committed against or in the presence of a child, accessing of child pornography through any medium, child neglect and/or any physical assault on a child.

(19) All staff, students and volunteers must:

a. immediately report any allegations of child abuse, child neglect or child exploitation to their Head of Work Unit;
b. if they suspect, on reasonable grounds that a child is being abused, neglected or exploited, report it to the Child Protection Helpline (133 627); and
c. treat all such allegations confidentially and ensure that information is shared only between people involved with the reporting and investigation of the allegations.

(20) Heads of Work Units must:

a. immediately inform the relevant Executive Member of any allegations, complaints or incidents of abuse, neglect or exploitation of children; and
b. in consultation with the relevant Executive Member immediately contact HR Services and the Legal Office, so that allegations may be assessed for the need for referral to the Police and/or other relevant external agencies. If allegations concern the behaviour of staff or students overseas, the Legal Office may refer the matter to the Australian Federal Police.

Zero tolerance of child abuse/exploitation

(21) The University will not tolerate any form of child exploitation or abuse including child sexual abuse, psychological

abuse, and/or the possession of or access to child pornography or child exploitation material. Any such behaviour will be addressed in accordance with the appropriate criminal, civil and disciplinary sanctions, and may include termination of employment.

(22) Deliberately false or malicious allegations by University staff or students will be dealt with under the misconduct clauses of the current Southern Cross University Enterprise Agreement, and the Code of Conduct.

Risk planning and management

(23) A risk management plan will be developed (using the University's Risk Management Assessment Tool) approved and implemented for activities involving children. The purpose of risk management in the context of protecting children, is to remove or minimise potential risks to the safety and wellbeing of children involved in activities with University staff or students, or on University premises.

Section 4 - Guidelines

For further information regarding working with Children in NSW, see the Office of the Children's Guardian website.

For further information regarding working with Children in Qld, see the Qld Government Blue Card Services website.

For further information about working with Children requirements outside NSW and Qld, see the University information page: Working with Children Checks - National Obligations.

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