

Child Safe Environment Policy

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1. Purpose

This policy aims to:

- a. promote the safety and wellbeing of children accessing services offered by the University, and
- b. ensure that the University complies with legal requirements for screening of people working with children, as specified under the:
 - i. *Children and Young People (Safety) Act SA 2017*
 - ii. *Child Safety (Prohibited Persons) Act SA 2016*
 - iii. *Education Services for Overseas Students Act 2000 (Cth)*
 - iv. *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, and
 - v. any relevant child safety legislation in other jurisdictions in which the University operates, and
- c. outline the roles and responsibilities for compliance with the policy and relevant legislation.

2. Scope

This policy applies to all members of the [University community](#), in the specific context of their work or studies for Flinders and their actual or potential interaction with children, whether in physical or digital environments.

3. Definitions

Child and children	Person(s) under 18 years of age.
Harm	As defined in the <i>Children and Young People (Safety) Act SA 2017</i> , refers to physical harm or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

Prescribed position	<p>a. a position in which a person works, or is likely to work, with children, or</p> <p>b. any other position, or a position of a class, prescribed by the <i>Child Safety (Prohibited Persons) Regulations 2019</i>.</p>
Prohibited person	A person who is prohibited from working with children in accordance with the <i>Child Safety (Prohibited Persons) Act SA 2016</i> .
University community	<p>For the purposes of this policy, University community includes:</p> <ul style="list-style-type: none"> i. enrolled Flinders students, including cross-institutional students and students on exchange from another institution ii. employees and exchange staff iii. employees of controlled entities, Centres and Institutes, and affiliated clubs and associations iv. contractors and consultants performing work on University sites or on behalf of the University v. visiting academics or persons with academic status vi. the Council and its committees vii. any volunteer in the workplace and study environment.
Working With Children Check or WWCC	A check undertaken in accordance with the <i>Child Safety (Prohibited Persons) Act SA 2016</i> .

4. Policy statement

4.1. Safety, welfare and participation of children

- a. Flinders is committed to promoting and maintaining a safe, welcoming and empowering environment for children and young people.
- b. Everyone in the University community is responsible for ensuring that children and young people are safe from all forms of [harm](#) when accessing Flinders services and activities. The University's [Child Safe Environment Code of Conduct](#) (Schedule 1) establishes the behavioural expectations that help ensure children are protected, welcomed and considered.
- c. The University commitment means:
 - i. **Promoting the participation of children and young people.**
 - Where appropriate, actively seeking the feedback of children and young people and providing them with appropriate information regarding raising concerns, making complaints or letting someone know if they feel unsafe, experience or observe actual or potential harm.
 - ii. **Applying consistent and compliant processes for recruitment and employment screening.**
 - Taking appropriate steps to establish whether a position is a prescribed position in accordance with the *Child Safety (Prohibited Persons) Act* and Regulations.

- Ensuring that employees who require a Working With Children Check are covered at the time of recruitment and maintain coverage throughout their employment.
- iii. **Educating and supporting the University community in their responsibilities regarding child safety.**
- The [Child Safe Environment Procedures](#), [Child Safe Environment Code of Conduct](#) and training for staff in relevant positions support members of the University community to understand their role in promoting a child-safe environment at the University, reducing the risk of harm and knowing how to respond if they receive a disclosure or have a suspicion of harm.
 - Clearly and openly communicating our commitment to child safety in a range of forums and formats.
- iv. **Adopting a zero-tolerance position with respect to harm to children.**
- Treating all allegations and safety concerns raised with Flinders seriously and consistently, following processes outlined in relevant University policies, procedures and industrial instruments that govern staff and student conduct.
- v. **Applying a risk management framework to minimise the potential for child harm to occur.**
- Taking a risk management approach and prioritising actions which have the greatest potential for preventing, or reducing the risk of, child harm.
 - Child safety is a consideration within general risk and WHS management. Actions to address child safety-related risks may be additional to those required to deal with general work health and safety related risks.
- vi. **Adopting a culturally appropriate and nuanced approach to the needs of children and young people.**
- Consistent with University's [Equal Opportunity Policy](#), recognising that children from culturally and linguistically diverse backgrounds, children with diverse sexualities and gender identities, children with Aboriginal heritage, and children with disabilities, may have different needs.
 - At all times, when interacting with children and young people, empowering them to communicate their needs and preferences, and be active participants in their own experience at Flinders.

4.2. Underage students on international visa

The University's compliance framework for the protection of international students aged under 18 years, as required by the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, is detailed in the [Under 18 International Student Procedures](#).

4.3. Reporting harm to children

- a. If a member of the University community suspects, on reasonable grounds, that a child or young person with whom they have contact through Flinders activities is being or has been harmed, that person should report the matter via the State Government's Child Abuse Report Line, or equivalent in other jurisdictions.
- b. Some members of the University community have a legal obligation to make such reports, defined by the laws of the relevant jurisdiction. In the Northern Territory every adult is a mandated notifier. In South Australia, mandated notifiers are defined by section 30 of the *Children and Young People (Safety) Act SA*. In the context of the University, this includes those:
 - i. involved in the counselling or provision of other welfare services to people under 18 years

- ii. whose roles include the provision of services directly to children or young people
 - iii. who hold a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children or young people, and
 - iv. any other person in a profession specified under section 30 who works in their professional capacity for the University (e.g. medical practitioners, pharmacists, social workers).
- c. The University also requires members of the University community who suspect, on reasonable grounds, that a child has been, is being or may be harmed by a member of the University community during or as a result of their association with Flinders, to report this internally as set out in the [Child Safe Environment Procedures](#).

4.4. Work Integrated Learning Placements

- a. All students undertaking work integrated learning activities (see [Work Integrated Learning Procedures](#)) that involve contact with children must comply with this policy and will be provided with information on requirements relating to working with children, such as Working With Children Checks and legislative obligations to report on child harm.
- b. Arrangements for work integrated learning activities for students aged under 18 must ensure that the work integrated learning partner or placement partner has appropriate policies and procedures relating to child safety.

4.5. Children on University premises

The University's [Children on University Premises guidelines](#):

- a. recognise the University's responsibilities for protecting visitors, including children, from exposure to risks to their health and safety on University premises, and
- b. provide information about activities, areas and supervision arrangements to ensure the safety of children.

5. Responsibilities

Director, People and Culture	<ul style="list-style-type: none"> a. Overseeing the WWCC process as it applies to staff, in liaison with Vice-President and Executive Deans and Portfolio Heads. b. Overseeing the provision of support and advice to the University community about WWCC.
People and Culture	<ul style="list-style-type: none"> c. In conjunction with supervisors, determining whether a position requires a WWCC. d. Checking validation of the WWCC has occurred before a person is engaged for a position. e. Where a check is recorded in Workday, generating a reminder to the individual, their supervisor and People and Culture. f. Notifying the Screening Unit via the portal if Flinders becomes aware of any employee who: <ul style="list-style-type: none"> i. is prohibited from working with children in another State or Territory. ii. is, or becomes, a registrable offender under the Child Sex Offenders Registration Act 2006.

	<ul style="list-style-type: none"> iii. makes a disclosure to the employer under section 66 of the Child Sex Offenders Registration Act 2006. g. Notifying the Screening Unit if Flinders becomes aware of any assessable information in relation to the person. This includes any serious criminal offence, child protection information or disciplinary or misconduct information.
Supervisors	<ul style="list-style-type: none"> h. In conjunction with People and Culture Business Partners, determining whether a position requires a WWCC. i. Ensuring staff and other individuals who report to them have a current WWCC where required. j. Ensuring that employees understand, and comply with, their obligations under this policy.
Persons in prescribed positions	<ul style="list-style-type: none"> k. Obtaining and/or providing evidence to the University of a valid WWCC. l. Notifying the Screening Unit and the University if there is a change in the assessable information since the person's most recent WWCC was conducted. This includes notifying the Screening Unit of "information that relates to offences with which the person has been charged" (see section 8(1)(b)). m. Undertaking relevant steps to progress a WWCC/OCHRE Card renewal to ensure currency is retained.
College Deans (People and Resources), Director of College Services, Directors of Divisions or equivalent	<ul style="list-style-type: none"> n. Overseeing the application of this policy in their respective College / division for: <ul style="list-style-type: none"> i. employees, volunteers, contractors, sub-contractors and agents who occupy or are engaged in prescribed positions ii. students who are undertaking work integrated learning or other activities that involve contact with children iii. ensuring appropriate policies and procedures are in place at work integrated learning or placement partners where Flinders' students aged under 18 are involved.

6. Supporting procedures

Supporting procedures are part of this policy and provide additional detail to give practical effect to the policy principles.

[Child Safe Environment Procedures](#)

7. Related documents

[Flinders University Code of Conduct](#)

[Recruitment Procedures](#)

[Under 18 International Student Procedures](#)

[Volunteer Safety Procedures](#)

[Work Integrated Learning Procedures](#)

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Schedule 1—Child Safe Environment Code of Conduct

All members of the Flinders University community has an obligation to promote and protect the safety of children and young people, in all activities and all physical and digital environments where they are involved with the University.

This Code sets out obligations with regard to child safety, and related behavioural expectations to meet those obligations.

A. Promote the safety and wellbeing of children and young people

Everyone in the University community is responsible for working actively to ensure that children and young people will be safe from all forms of harm when accessing Flinders services and activities.

All members of the University community must:

- Take all reasonable steps to reduce the risk of harm to children and young people when planning activities and programs through early identification, management and mitigation strategies to reduce the risk of harm.
- Ensure Working With Children Checks are current and correctly lodged with the University.
- Provide appropriate supervision for children and young people based on their age and the activity.
- Ensure in-person and online contact with children and young people is in accordance with the Acceptable Use of Technology Procedures.
- Communicate openly and transparently with other relevant adults about the activities and programs children and young people are taking part in.
- Use cameras, video, computers, phones, social media and other forms of communication appropriately.

In alignment with the [Close Personal Relationships Policy](#), all members of the University community must not:

- Engage in any rough physical games with a child or young person.
- Engage in any form of sexual contact with a child or young person.
- Do things of a personal nature that a child or young person can do for themselves, such as changing clothes.
- Have any inappropriate conversations of a sexual nature with a child, including making suggestive comments or sharing sexually suggestive content with a child, including online.
- Possess, control, produce, distribute, obtain or share child exploitation material.
- Commit, or coerce another person to commit, any act of abuse against a child or young person.
- Develop inappropriate or 'special' relationships with children or young people, such as giving inappropriate gifts, preferential treatment or other forms of favouritism.
- Have personal contact with a child or young person, or their family, encountered solely through a Flinders program outside of the approved activity or program context unless this is transparent and part of the program, e.g. responding to an email enquiry.
- Post any information, online or in another public forum, about a child that could reveal their identity, without the informed consent of a parent or guardian.
- Hire a child or young person for labour which is inappropriate for their age or developmental stage.

B. Treat children and young people with respect and encourage their feedback and participation

In alignment with the [Equal Opportunity Policy](#), all members of the University community must:

- Enable children and young people to provide feedback about their participation in the University community.
- Treat children and young people with respect.
- Listen to children and young people with interest and an open mind, taking their ideas and concerns seriously. Where relevant, share with them how their feedback is being used to make changes.
- Respect a child or young person's privacy and treat sensitive matters, such as health or family issues, with confidentiality unless there is a lawful requirement to report.

All members of the University community must not:

- Belittle, shame, oppress or degrade children and young people.
- Ignore or inappropriately dismiss the concerns or ideas of a child or young person.
- Use inappropriate or discriminatory language towards, or in the company of, a child or young person.

C. Create an environment where all children feel welcome and included, with respect for their cultural, emotional and social safety

All members of the University community must:

- Promote the cultural safety and inclusion of all children and young people including: Aboriginal children, children with a disability, children from culturally and linguistically diverse backgrounds and children who identify as LGBTQI.
- Promote the cultural safety of Aboriginal children. Cultural safety is the positive recognition and celebration of cultures, where Aboriginal children's connection to culture, kin, community, cultural practices and Aboriginal identity are supported.
- Consider children and young people's cultural and disability needs when planning and delivering programs, services and events, which may include children and young people as participants.
- Where photographs or video are taken of children and young people at events, ensure notice of intent is given and that informed consent is obtained, and that children and young people are presented respectfully and with dignity.

In alignment with the [Equal Opportunity Policy](#), members of the University community must not:

- Discriminate against any child or young person on the basis of their race, religion, ethnicity, culture, gender, age, disability or sexuality.
- Express disrespectful personal views on race, religion, ethnicity, culture, gender, age, disability or sexuality in the presence of children or young people, whether it is in relation to the children or to anyone else.
- Question, or attempt to change or influence, a child or young person's self-identification related to their race, religion, ethnicity, culture, gender, age, disability or sexuality.

D. Manage and respond to child safety concerns, allegations and reports

All adults in the Flinders community are required to report if they have a reasonable belief that child harm has or is occurring, or if a child discloses harm.

All members of the University community must:

- Take all reasonable steps to protect children and young people from harm and be vigilant for signs of harm.
- Listen, take it seriously and respond if a child tells you that they or another child has been harmed, or that they are worried about themselves or another child.
- If you suspect, on reasonable grounds, that a child or young person is being or has been harmed, you should report it to the relevant internal and external authorities, according to the [Child Safe Environment Procedures](#).
- Immediately inform the University if you are investigated for, charged or convicted with a child sex offence in Australia or any other jurisdiction or if you become ineligible to work with children because of a criminal conviction or other relevant finding, including but not limited to a negative assessment for a Working With Children Check.

All members of the University community must not:

- Disregard, dismiss or ignore any concerns, suspicions, allegations or disclosures of child harm.
- Wait until there is certain proof before acting on or reporting an allegation or suspicion of harm, if you have a reasonable belief that the harm has occurred or is occurring.

The Department of Human Services provides further details on reporting child harm:

<https://www.sa.gov.au/topics/education-and-learning/health-and-wellbeing/child-abuse/report-child-abuse>