Child Protection Policy

Responsible Officer
Vice-Chancellor

Approved by
Vice-Chancellor

Approved and commenced
Month, 2011

Review by
Month, 2014

Relevant Legislation, Ordinance, Rule and/or Governance Level Principle
Australian Crimes Act 1914 (Cwlth)
Education Act 1994 (Tas)
Children, Young Persons and Their Families Act 1997 (Tas)
Child Care Act 2001 (Tas)
UN Convention on the Rights of the Child

Responsible Organisational Unit
All organisational units

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1 Objective

The Child Protection Policy articulates the University's approach to the protection of children not enrolled at the University, with whom University members interact in the course of their employment or study.

2 Scope

The Child Protection Policy applies to University staff and students who interact with children not currently enrolled in a University of Tasmania unit, course or award through the course of their employment or study. The policy also applies to volunteers engaged in University of Tasmania activities.

The Child Protection Policy does not cover:

- children enrolled in a University of Tasmania unit or course;
- situations where a University of Tasmania staff member, student, volunteer or member of the community brings a child under their care onto a University campus other than for an activity which will involve another staff member, student or volunteer accepting responsibility for the welfare of the child.

3 Policy Provisions

The University will implement child-safe recruitment and screening processes, including criminal record checks prior to engagement as per the Police Checks Policy (Staff), targeted interview questions and verbal referee checks for all personnel (including volunteers) who will be working with children.

The University will include a provision in all employment contracts that the organisation has the right to dismiss or transfer to other duties personnel who breach University policy, including the Child Protection Policy, or Working with Children Conduct Agreement.

The University will require all University staff or students working with non-enrolled children in the course of their employment or studies to sign the Working with Children Conduct Agreement (Appendix 1) prior to any interactions. Volunteers working on Universities activities involving interactions with children will also be required to sign this agreement.

The University will implement the Police Checks Policy (Students) to mitigate risks associated with enrolled University of Tasmania students working with children in the course of their studies.

The University will not permit University staff or students 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.
The University requires all staff and students to adhere to provisions of the ICT Security Framework suite of policies, principally including the *ICT Services and Facilities Use Policy*.

The University requires all staff and students to adhere to the *Social Media Guidelines* when undertaking online communication and activities using social media services.

The University will require that research projects involving interactions with children be scrutinised by an appropriate human ethics committee in accordance with the *Research Ethics Policy*.

The University will manage complaints regarding breaches of child protection legislation or the *Child Protection Policy* under provisions of the relevant industrial instrument or Ordinance 9 – Student Discipline. Complaints regarding breaches by volunteers must be directed to the Director, Governance and Legal.

The University will provide child protection training, as required, for University staff and students interacting with children in the course of their employment or studies.

The University will implement a risk management approach in accordance with the *Risk Management Policy* in relation to child-related activities. In particular, consideration should be given before undertaking:

- work in a direct and unsupervised capacity with a child/children, especially those under 16 years of age;
- work with abandoned, orphaned, abused or sexually exploited children; and children with heightened vulnerability such as children with disabilities;
- work in remote locations, such as activities located away from community or in isolated or secluded or inaccessible locations;
- activities involving visiting a child’s home or vice versa; and activities located in shelters, orphanages or schools;
- performing high risk tasks with children including one-on-one activities; personal hygiene tasks; swimming, bathing, changing; and working alone or unsupervised; and
- work funded by agencies with interests in child protection and advocacy.

The University will monitor compliance with child protection legislation and the *Child Protection Policy* through internal audit, review and compliance monitoring systems.

### 4 Definitions and Acronyms

**Child (plural children)**

In accordance with the United Nations Convention on the Rights of the Child, ‘child’ means every human being below the age of 18 years.

### 5 Supporting Documentation

- *Police Check Policy (Staff)* (under development)
- *Police Check Policy (Students)* (under development)
- ICT Security Framework
- *ICT Services and Facilities Use Policy*
- *Social Media Guidelines*
6 Versioning

<table>
<thead>
<tr>
<th>Current Version</th>
<th>Version 1 – Child Protection Policy; DRAFT.</th>
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- Industrial agreements (Academic Staff Agreement, Professional Staff Agreement, English Language Centres Staff Agreement)
Attachment 1 – Working With Children Conduct Agreement (Template)

I, [insert name], engaged by the University of Tasmania, agree that while implementing [insert title of project/activity] activities, I will:

- treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage children in any form of sexual activity or acts, including paying for sexual services or acts, where under the law(s) applicable to the child (including Part IIIA of the Australian Crimes Act 1914 (Cwlth) as amended), the child is below the age of consent or the act(s) are an offence under relevant laws;
- wherever possible, ensure that another adult is present when working in the proximity of children;
- not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger;
- not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also ‘Use of children’s images for work related purposes’);
- refrain from physical punishment or discipline of children (excluding my own children);
- refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- comply with all relevant Australian and local legislation, including labour laws in relation to child labour;
- immediately report concerns or allegations of child abuse in accordance with appropriate procedures.

Use of children’s images for work related purposes

When photographing or filming a child for work related purposes, I must:

- before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images;
- before photographing or filming a child, obtain consent from the child or a parent or guardian of the child. As part of this I must explain how the photograph or film will be used;
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and the facts;
- ensure file labels do not reveal identifying information about a child when sending images electronically.

I understand that the onus is on me, as a person engaged by the University of Tasmania, to use common sense and avoid actions or behaviours that could be construed as child abuse when implementing [insert] activities.

Signed:

Date:
Attachment 2 - AusAid Requirements (Category 1 – Contractors)

1. Must have their own child protection policy with these elements as a minimum:
   a. child-safe recruitment and screening processes, including criminal record checks prior to engagement, targeted interview questions and verbal referee checks, for all personnel (including volunteers) who will be working with children
   b. a documented child protection complaints management procedure
   c. regular provision of child protection training
   d. a child protection code of conduct (covering, as a minimum, the content in the sample …), that must be signed by all personnel implementing AusAID-funded activities in-country
   e. a commitment that the organisation will not permit personnel to work with children if they pose an unacceptable risk to children’s safety or wellbeing
   f. a provision in all employment contracts that the organisation has the right to dismiss or transfer to other duties personnel who breach the child protection code of conduct
   g. a documented policy compliance regime, including specified sanctions for breaches
   h. provision for policy review every five years, or earlier if warranted.

2. Where the contractor is responsible for risk assessment for an AusAID activity (including sub-activities of a facility) that involves working with children, the risk assessment must cover risks to children.

3. Must comply with all contractual requirements relating to AusAID’s Child Protection Policy.