

Safety and Welfare of Children and Young People Policy

Section 1 - Purpose / Objectives

(1) Children and young people under 18 years of age are part of the Victoria University (VU) community. VU's educational, research and community-based activities and services such as vocational education and training, VCE and VCAL programs, foundations program, swim school, school holiday programs and sporting activities have participants who are under 18 years of age. Some commencing students in higher education courses are also under 18 years of age.

(2) VU is committed to the protection, welfare and support of children and young people under 18 years of age in accordance with -

- a. the Child Wellbeing and Safety Act 2005 (Vic) and the Child Safe Standards;
- b. the Children, Youth and Families Act 2005 (Vic);
- c. the [Education Services for Overseas Students Act 2000 \(Cth\)](#) (Cth) and the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#).

(3) This Policy relates to young people who are currently under 18 years of age. Therefore, adults who may have been impacted by childhood trauma or abuse are not covered by this Policy, although they will be offered access to appropriate VU support services.

Section 2 - Scope / Application

(4) This Policy applies to Adults and Young People involved in any Activity. Such Activities include children of Staff and Students visiting any campus.

(5) This Policy does not apply to children accessing services provided by the VU Children's Centres: Refer Children's Centre Child Protection Policy.

Section 3 - Definitions

(6) Aboriginal

(7) Activity - Means any VU activity including educational, research, recreational or other programs which are organised by VU or any other activities which take place on VU campuses or which are activities covered by the [Appropriate Workplace Behaviour Policy](#).

(8) Adult - Means anyone aged 18 years and over (and includes Staff Students, researchers, visitors, parents, carers and guardians).

(9) Young Person - Means a person who is currently under 18 years of age whether or not enrolled as a Student. The plural of 'young person' in this Policy is 'young people'.

(10) Child Abuse or Harm – Includes:

- a. any act committed against a child involving –
 - i. a sexual offence; or
 - ii. the offence of grooming under the Crimes Act 1958 (Vic);
- b. the infliction on a child of –
 - i. physical violence; or
 - ii. serious emotional or psychological harm;
- c. serious neglect of a child;
- d. racial, cultural or religious vilification or discrimination of a child.

(11) Child-Safe Environment – Means a respectful and protective environment in any physical or virtual place made available by VU as part of its Activities where Young People can participate safe from Child Abuse or Harm.

(12) Staff – Means -

- a. all employees of VU and those working at student residences;
- b. all contractors and consultants performing work on VU sites or on behalf of VU;
- c. visiting academics, honorary, adjunct and exchange staff;
- d. the Council and its committees;
- e. students as staff;
- f. any volunteer.

(13) Student – Means -

- a. a person enrolled at VU in a course leading to a degree, diploma, certificate, licence or other award; or
- b. a person whose study performance is being or is to be assessed by VU, notwithstanding that such a person is not enrolled at VU in a course leading to a degree, diploma, certificate, licence or other award.
(Reference: Academic Progress Regulations 2016)

Section 4 - Policy Statement

Commitment to Child Safety

(14) VU values Young People and is committed to their safety and wellbeing. VU wants Young People to be safe and happy. VU supports and respects all Young People.

(15) VU is committed to the safety, participation and empowerment of all Young People. To ensure the safety and best interests of Young People VU takes into account the needs of those with Aboriginal heritage, those from culturally and/or linguistically diverse backgrounds and those with a disability.

(16) VU has zero tolerance of Child Abuse or Harm, and all allegations and safety concerns made to VU will be treated very seriously and consistently in line with VU's [policies and procedures](#).

(17) VU has moral and legal obligations to contact authorities when it is concerned about a Young Person's safety and wellbeing.

(18) VU is committed to preventing Child Abuse or Harm by or through the early identification of risks and the removal and reduction of those risks.

(19) VU has robust human resources and recruitment practices for all Staff and is committed to regularly training and educating its Staff on the risks of Child Abuse or Harm.

(20) VU has policies and procedures to guide and support its leadership team and Staff to achieve these commitments to provide a Child-Safe Environment.

Safety and Participation of Children

(21) VU encourages all Young People who participate in its Activities to express their views about matters that directly affect them or are of importance to them.

(22) VU will ensure that Young People are provided appropriate information as to their rights and the standards of care to which they are entitled and provided guidance and support with regard to raising concerns, making complaints or letting someone know if they feel unsafe.

(23) VU will listen to and appropriately act on any concerns raised by a Young Person or any Adult concerning the safety and wellbeing of a Young Person.

Recruiting Staff

(24) VU applies the best practices and standards in the recruitment and screening of Staff and takes all reasonable steps to engage skilled and appropriate people to work with Young People.

Supporting Staff

(25) All Staff must abide by the VU [Appropriate Workplace Behaviour Policy](#) which specifies the standards of conduct required when interacting with Young People.

(26) VU will ensure that all Staff understand their roles in supporting a Child-Safe Environment at VU. Staff will receive induction and ongoing training, education and support relating to this Policy and [Safety and Welfare of Children and Young People Procedure](#).

Reporting Child Abuse and Child Safety Concerns

(27) VU has processes in place for responding to and reporting on suspected Child Abuse or Harm and concerns for the safety and wellbeing of a Young Person which are specified in [Appendix 1 - Child Safety Reporting Process](#).

(28) VU will work to ensure that all Young People and Adults involved in Activities know what to do or who to tell if they observe actual or potential Child Abuse or Harm.

Risk Management

(29) VU recognises the importance of a risk management approach to prioritise actions which have the greatest potential for reducing Child Abuse or Harm and to use this approach to inform its policies, procedures and the planning of Activities. Actions to address risks of Child Abuse or Harm may be additional to those required to deal with occupational health and safety related risks.

Fair Procedures

(30) VU, when recruiting, assessing incidents, and undertaking disciplinary action, will base its decisions on evidence and seek to be fair and reasonable, taking into account all of the circumstances.

(31) All allegations of Child Abuse or Harm or concerns for the safety and wellbeing of a Young Person raised through the Child Safety Reporting process will be recorded in the first instance using the [Online Reporting form](#). All records

will be securely stored in accordance with the VU [Records Management Policy](#) and [procedures](#).

(32) All personal information gathered in relation to reports of Child Abuse or Harm or concerns for the safety and wellbeing of a Young Person will be handled in accordance with the VU [Privacy Policy](#) and [Privacy Procedure](#).

(33) If an allegation of Child Abuse or Harm or a concern for the safety and wellbeing of a Young Person is raised, VU will provide updates to Young People and Adults as are appropriate in the circumstances.

Underage Students on International Visas

(34) The ESOS Framework, including the [Education Services for Overseas Students Act 2000 \(Cth\)](#) (Cth) and Standard 5 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#) pertains to the care and welfare arrangements for Young People who are students.

(35) Before a student visa can be granted to a Young Person who is a student, the Australian Government must be satisfied that there are appropriate accommodation, support and general welfare arrangements in place for the period that the student will be under 18 while in Australia.

(36) VU will ensure that it fulfils its obligations under Standard 5 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#) using the [Safety and Welfare of Children and Young People - International Student Welfare Procedure](#).

Work Integrated Learning/Practical Placements

(37) All Students undertaking Activities which are work integrated learning activities (see [Work Integrated Learning Policy](#) or VET practical placements (see [Work Integrated Learning - VET Practical Placement Procedure](#)) that involve contact with Young People must comply with this Policy and will be provided appropriate information on requirements relating to working with Young People such as Working with Children Checks and legislative obligations to report on Child Abuse or Harm.

(38) Arrangements for Activities which are work integrated learning activities (see [Work Integrated Learning Policy](#) or VET practical placements (see [Work Integrated Learning - VET Practical Placement Procedure](#)) for Young People who are Students will ensure that the work integrated learning partner or practical placement partner has appropriate policies and procedures relating to child safety.

Research Activities

(39) Research which falls within the Activities must have ethics approval. VU will ensure that research participants comply with ethics approval and this Policy.

Regular Review

(40) This Policy and accompanying [Safety and Welfare of Children and Young People Procedure](#) should be reviewed every 3 years and following significant incidents if they occur.

Section 5 - Procedures

(41) Refer [Safety and Welfare of Children and Young People Procedure](#).

(42) Refer [Safety and Welfare of Children and Young People - International Student Welfare Procedure](#).

Section 6 - Guidelines

(43) Refer [Appendix 2 - Child Safety Reporting Guidelines](#).

Status and Details

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Effective Date	15th May 2019
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Approval Authority	Vice-President, Planning and Registrar
Approval Date	8th March 2019
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Accountable Officer	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
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Glossary Terms and Definitions

"Aboriginal" - The use of the word Aboriginal throughout VU Policy and Procedure refers to Aboriginal and Torres Strait Islander people connected to and/or residing in South East Australia.