Safety and Welfare of Children and Young People Procedure

Section 1 - Purpose / Objectives

(1) Refer Safety and Welfare of Children and Young People Policy.

Section 2 - Scope / Application

(2) Refer Safety and Welfare of Children and Young People Policy.

Section 3 - Definitions

(3) Activity – 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 Staff Code of Conduct.

(4) Accountable Person – Dean of Students.

(5) Adult – anyone aged 18 years and over (and includes Staff, Students, researchers, visitors, parents, carers and guardians).

(6) Young Person – a person who is currently under 18 years of age whether or not enrolled as a student. The plural of 'young person' in this Procedure is 'young people'.

(7) 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.

(8) Head of the Organisational Unit – the member of Staff with management responsibility for the organisational unit within VU which is organising the Activity.

(9) Responsible Person – the individual member of Staff who is responsible for the Activities within an organisational unit.

(10) Staff –

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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 the VU;
c. visiting academics, honorary, adjunct and exchange staff;
d. the Council and its committees;
e. students as staff;
f. any volunteer.

(11) Student –

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

(12) Refer Safety and Welfare of Children and Young People Policy.

Section 5 - Procedures

Part A - Roles and Responsibilities

Role	Responsibility
Accountable Person	- Ensure that VU complies with its legislative obligations relating to the safety and wellbeing of Young People. - Develop, review and revise policies and procedures relating to the safety and welfare of Young People at VU. - Coordinate the implementation of policies and procedures relating to the safety and welfare of Young People at VU. - Provide support and advice to the VU community about issues relating to the safety and wellbeing of Young People. - Maintain a central record of all VU Activities that involve Young People and which includes the Responsible Person for each such Activity. - Receive reports on child safety concerns raised through the Child Safety Reporting process and oversee implementation of any actions arising from such incidents. - Comply with the Reportable Conduct Scheme administered by the Victorian Commission for Children and Young People (hyperlink - http://www.ccyp.vic.gov.au/reportableconduct/index.htm)
Head of the Organisational Unit	- Within the organisational unit implement the Policy and this Procedure (and all legislative and regulatory obligations) relating to the safety and welfare of Young People. - Within their organisational unit implement the VU Recruitment and Selection Policy, Recruitment and Selection Procedure and practices applicable to the recruitment of Staff working with Young People. - Ensure that Adults and Young People participating in Activities conducted by the organisational unit are provided appropriate information and/or training relating to the Policy and this Procedure including the Child Safety Reporting process. - Receive and appropriately act on reports from each Responsible Person which they receive in accordance with the Policy and this Procedure.
P & C Policy Owner	- Ensure that Recruitment and Selection Policy, Recruitment and Selection Procedure and practices comply with VU's legislative obligations regarding child safety.

Responsible Person	- Ensure that all Activities involving Young People are conducted in accordance with the Policy and this Procedure and other related VU policies and procedures. - Conduct appropriate risk assessments in relation to all Activities (new or existing) involving Young People and adapt the Activities to mitigate risks. - Report child safety concerns to the - 1. Accountable Person 2. Head of the Organisational Unit in accordance with the Child Safety Reporting process.

(13) Before any Activity is conducted, the Head of the Organisational Unit must notify the Accountable Person in writing of each Activity involving Young People and the specific title and name of the Responsible Person (and must keep this information current). The Accountable Person can specify the level of detail required in such notification.

Part B - Managing Risks to Child Safety and Wellbeing

(14) The Responsible Person must ensure that all Activities involving Young People whether on-campus or off-campus, must be undertaken in accordance with the Policy and this Procedure and all other applicable policies and procedures.

(15) The Responsible Person must conduct appropriate risk assessments in relation to each Activity involving Young People and adapt the activity to mitigate risks of Child Abuse or Harm.

Please note that there are other risks such as those addressed in the Health Safety and Wellbeing Policy and procedures which also need to be addressed in any risk assessment.

Child safety risks are based on a range of factors including the nature of the Activities, the physical environments and online environments as well as the characteristics and needs of particular Young People and communities including Young People of Aboriginal and Torres Strait Islander heritage, culturally and/or linguistically diverse backgrounds and Young People with a disability. This covers both 'business as usual' risks and risks posed by specific Activities such as excursions and overnight trips.

(16) Where Adults have concerns about a Young Person based on an allegation or suspicion of Child Abuse or Harm or concerns for the safety and wellbeing of a Young Person they must follow the Child Safety Reporting process. (Refer Appendix 1 - Child Safety Reporting Process of the Policy).

(17) Please note that this does not displace the obligations to report occupational health and safety incidents involving Young People in accordance with the Health Safety and Wellbeing - OHS Incident Reporting and Investigation Procedure.

(18) Concerns about a Young Person which do not relate to child safety (e.g. unsatisfactory academic progress) are not covered by the Policy and this Procedure (and do not have to be reported using the Child Safety Reporting process).

Part C - Participation and Empowerment of Children

(19) In planning and conducting Activities involving Young People, the Responsible Person must ensure that -

a. Participation is designed to be:
    i. ethical;
    ii. age appropriate;
    iii. culturally respectful;
    iv. inclusive of a diverse range of Young People, demonstrating respect for Young People of all ages, abilities, social and cultural backgrounds;

v. positive and enjoyable;
vi. voluntary and with informed consent.

b. Opportunities are made available for Young People to provide feedback and express their views and concerns.
c. The Adults involved in the Activity are skillful in facilitating the participation of Young People.

Part D - Recruitment and Selection

(20) The Head of the Organisational Unit recruiting Staff who will have direct contact with Young People must ensure that the Recruitment and Selection Policy and Recruitment and Selection Procedure and any specific guidelines and practices relating to recruitment of persons working with Young People are followed.

(21) The P & C Policy Owner is responsible for ensuring that the Recruitment and Selection Policy and Recruitment and Selection Procedure appropriately address recruitment and selection practices that provide for child safety.

Working with Children Checks

(22) The Responsible Person must ensure that all Staff involved in an Activity, who come into direct contact with Young People (other than in the ordinary delivery of higher education by VU), have a Working with Children Check (WWCC). Please note that occasional direct contact with Young People that is incidental to the work is not considered child-related work for the purposes of the Working with Children Act 2005 (Vic) and does not require a WWCC.

(23) The Recruitment and Selection Procedure (refer clause 96 (i)) identify a number of categories of Staff who require a WWCC. In addition to Staff working in these categories the Responsible Person must (in consultation with the Head of the Organisational unit) make an assessment of their organisational unit to determine which specific additional roles require a WWCC.

Part E - Work Integrated Learning/Practical Placements

(24) The Responsible Person for Activities which are work integrated learning activities (Work Integrated Learning Policy (HE) or VET practical placements (see TAFE Practical Placement Procedure) for Students that involve contact with Young People must ensure that Students comply with the Policy and this Procedure and are provided with appropriate information on requirements such as Working with Children Checks and legal obligations to report on Child Abuse or Harm.

(25) Where the Students taking part in Activities which are work integrated learning activities (Work Integrated Learning Policy (HE) or VET practical placements (see TAFE Practical Placement Procedure) are under 18 years of age, the Responsible Person must ensure that the work integrated learning partner or practical placement partner has appropriate policies and procedures relating to child safety that meet the Victorian Child Safe Standards or equivalent.

Part F - Research Activities Involving Children

(26) The Responsible Person for Activities which comprise research involving interactions with Young People must ensure that those Activities are conducted in accordance with the Policy and this Procedure and the Australian Code for the Responsible Conduct of Research (hyperlink https://www.nhmrc.gov.au/guidelines-publications/r39), National Statement on Ethical Conduct in Human Research (hyperlink https://www.nhmrc.gov.au/guidelines-publications/e72) and any VU Human Research Ethics Committee (VUHREC) directions provided as part of the ethics approval.

Part G - Administrative Matters

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Students

(27) The Responsible Person must ensure that the permission of a parent or guardian is obtained for each Student aged 16 years and under to participate in Activities such as field trips, work integrated learning activities, work experience, sporting activities and student society camps.

Non-enrolled Persons

(28) The Responsible Person for Activities involving Young People who are not Students, (for example, where a school or other body is involved in the Activity) must be reasonably satisfied that those Young People's participation in the Activity has been appropriately authorised.

(29) The Responsible Person for Activities where groups of Young People are brought to VU as part of a school group, must ensure that the school provides adequate teaching or other staff to supervise the group, and that the school remains the responsible organisation for those Young People during the Activity. The school must ensure that required parental consents are obtained.

Privacy

(30) The VU Privacy Policy and Privacy Procedure applies in relation to all Students' personal information regardless of their age.

Record Keeping

(31) The Head of the Organisational Unit must maintain a separate register specifying -

a. Activities involving Young People;
b. Responsible Persons for such Activities.

(32) The information on each register maintained by the Head of the Organisational Unit must be provided to the Accountable Person for consolidation into a single database for the purpose of monitoring compliance with the requirements under the Policy and this Procedure.

(33) All incidents recorded through the Child Safety Reporting process must be maintained in accordance with the Privacy Policy and Privacy Procedure and Records Management Policy and associated procedures.

Section 6 - Guidelines

(34) Refer Appendix 1 - Child Safety Reporting Process and Appendix 2 - Child Safety Reporting Guidelines.

Section 7 - Associated Information

(35) Child Safe Standards - Department of Health and Human Services website (Victoria). (hyperlink - http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards)

(36) Child Safe Standards - Commission for Children and Young People website (Victoria). (hyperlink - http://www.ccyp.vic.gov.au/child-safe-standards/index.htm)

(37) An Overview of the Child Safe Standards (hyperlink – http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources) – Published by the Department of Health and Human Services (Victoria).

(38) A Guide for Creating a Child Safe Organisation (hyperlink - http://www.ccyp.vic.gov.au/downloads/creating-a-childsafe-organisation-guide.pdf) – Published by the Commission for Children and Young People (Victoria) [CCYP].

(39) Cultural safety for Aboriginal children (hyperlink - http://www.ccyp.vic.gov.au/downloads/tipsheets/tipsheet-cultural-safety-aboriginal-children.pdf) (CCYP - Tip Sheet for Child Safe Organisation)

(40) Safety of children from culturally and linguistically diverse backgrounds (hyperlink - http://www.ccyp.vic.gov.au/downloads/tipsheets/tipsheet-safety-children-cult-ling-diverse.pdf) (CCYP - Tip Sheet for Child Safe Organisation)

(41) Safety of children with a disability (hyperlink - http://www.ccyp.vic.gov.au/downloads/tipsheets/tipsheet-safety-children-disability.pdf) (CCYP - Tip Sheet for Child Safe Organisation)

(42) Empowerment and participation of children (CCYP - Tip Sheet for Child Safe Organisation) (hyperlink – http://www.ccyp.vic.gov.au/downloads/tipsheets/tipsheet-empower-participation-children.pdf

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Status and Details

Status	Historic
Effective Date	21st December 2016
Review Date	21st December 2019
Approval Authority	Provost
Approval Date	18th December 2016
Expiry Date	23rd August 2017
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