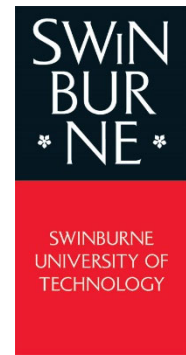# Child Safety Statement of Commitment and Practice

This University Child Safety Statement of Commitment and Practice provides a code of conduct, procedures and guidance to facilitating a child safe environment and protecting children from abuse and harm. This document supports the People, Culture and Integrity Policy.

Contents

Definitions

BRAM	Behavioural Risk and Assessment Management
	The BRAM framework is Swinburne's mechanism for reporting and responding to behavioural risks, such as child abuse. BRAM facilitates the assembly of a threat management team for assessing and managing behavioural risks. BRAM work includes assessments, referrals, de-briefs, case management plans, and coordinating different services, consulting on duty of care, with a focus also on prevention not only response.
Child	A person under the age of 18 years - aged 0 to 17.
Child Abuse	Child abuse includes:
	• Any act committed against a child involving a sexual offence or an offence considered 'grooming' under section 49B(2) of the Crimes Act 1958
	• The infliction on a child of physical violence or serious emotional or psychological harm
	• Serious neglect of a child
Child Safety	Matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
Child-connected work	Work authorised by Swinburne and performed by an adult in a Swinburne environment – including online – while children are likely to be present or engaged.
Harm to Children	Harm to children includes physical, emotional, and psychological harm, and acts defined under child abuse – including sexual abuse.
Mandatory reporter	Persons who have a mandatory reporting obligation as set out in Part 4.4 of *The Children, Youth and Families Act 2005*. Persons include (but is not limited to) registered teachers; registered medical practitioners; nurses; registered psychologists; youth, social and welfare workers with qualifications as prescribed in s182.
Swinburne community (as used in this document)	Swinburne University of Technology staff, volunteers, students, contractors, others who engage formally with Swinburne
WWCC	Working with Children Check

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SECTION ONE: University Statement of Commitment

Swinburne University of Technology is committed to child safety and facilitating a child safe environment, where the word *child* refers to children and young people under the age of 18 years. Through identifying risks early, and mitigating these risks, Swinburne seeks to protect any child associated with a University-related activity. The University has zero tolerance for child abuse and all forms of harm to children, and concerns or allegations are treated very seriously.

It is a shared and collective responsibility of all University staff, students, volunteers, and contractors to prevent child abuse. Every person connected to the University has a duty of care to children: child safety is everyone's responsibility.

Our organisational culture aims for all members of the Swinburne community, including children and their parents or guardians, to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. The University has in place a structured process for reporting and acting on concerns.

When recruiting staff and volunteers, we have social and ethical as well as legislative obligations to uphold child safety through robust screening and induction. Swinburne will always take all reasonable steps to employ skilled and suitable people for child-related duties, with a commitment to providing a safe, inclusive, and equitable environment for all. Swinburne is committed to facilitating training and education on child safety risks, to embed an inherent culture of protecting children.

As an education institution, Swinburne embraces the role it plays in the lives of our young people. The University supports and respects the participation and empowerment of all children, and wants children to feel safe and valued. Swinburne upholds an inclusive culture, and accordingly is committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

SECTION TWO: Child Safety Practice and Procedures

1. Child-Safe Code of Conduct

1.1. Fundamentals

- Recognise that our enrolled student cohort (and non-student groups) includes people under 18 years old. Children cannot always be easily identified when integrated into a tertiary education environment. All members of the Swinburne community may be interacting with children through standard work duties or student activities – on campus, online, or in other Swinburne-related environments. Child safety is everyone's business.

- Adhere to Swinburne's People, Culture and Integrity Policy, which outlines unacceptable behaviour for all members of the Swinburne community.

- Understand and promote Swinburne's statement of commitment to child safety (See section one). Your actions should always reflect Swinburne's standpoint of zero tolerance for child abuse.

- If you are required to hold a Working with Children Check (WWCC), you must renew your WWCC prior to expiry and inform HR and your supervisor of your new WWCC details. Positions requiring a WWCC are listed on our Working with Children HR webpage.

- If a member of the Swinburne community is participating in an activity, program, or task that involves direct contact with children but is not required to hold a WWCC, that person is required to be directly supervised at all times by a staff member holding a current WWCC.

1.2. Interacting with children in a child-safe manner

Best practices
- Listen and respond to the views and concerns of children and young people, particularly if they are telling you that they or a peer has been abused or that they have safety concerns
- Encourage children to have a say and participate
- Treat everyone with respect, valuing their ideas and opinions
- Promote the safety, cultural safety, participation and empowerment of:
  o Indigenous children – for example, by never questioning an Aboriginal or Torres Strait Islander child's self-identification
  o Children with culturally and/or linguistically diverse backgrounds – for example, by having zero tolerance of discrimination
  o Children living with a disability – for example, by having zero tolerance of discrimination
- Welcome all children and their families and carers, and be inclusive
- Model appropriate adult behaviour
- Work with children in an open and transparent way – other adults should always know about any work you are doing with children

Inappropriate behaviours
- Never discriminate on the basis of age, gender, race, culture, vulnerability or sexuality
- Never use prejudice or oppressive behaviour with children
- Be mindful of the content of discussions in the presence of a child and use appropriate language
- Refrain from developing any 'special' relationship with a child
- Do not exchange personal contact details such as phone numbers, social networking sites or email addresses with children
- Refrain from initiating unnecessary physical contact with children
- Do not have unauthorised contact with children online or by phone
- Ensure as far as practicable that an adult is not alone with a child

1.3. Protect children

- Take reasonable steps to protect children from abuse and harm
- Report any allegation of child abuse and concerns about a child's safety (see Section 2 for details of how to report)
- If an allegation of child abuse is made, ensure as quickly as possible that the child is safe
- If you become aware of issues affecting the wellbeing of a child or young person (for example: physical and mental health issues; alcohol and drug abuse; homelessness; criminal activity), encourage the child to make use of Swinburne's support facilities, such as counselling and SwinHealth.
- Refer children to **Swinburne's Safer Community Program**:
  - Email: safercommunity@swin.edu.au
  - Safer Community online form
- Raise observations of breaches to this Code of Conduct with a supervisor and report observations to Safer Community BRAM - safercommunity@swin.edu.au
- Act on breaches of this Code of Conduct, complaints or concerns that have been raised with you

1.4. Identify child abuse and other forms of harm

Know how to identify harm to children:

- **Physical**: injury may take the form of bruises, cuts, burns or fractures. It could be intentionally causing injury, threatening to cause injury or inadvertently causing injury as a consequence of a physical punishment or aggression.
  - **Possible Indicators:** unexplained injuries, fear of specific people; wearing certain clothes to hide injuries, showing wariness or distrust of adults, unexplained absences, academic problems.

- **Sexual**: Sexual activities and sexual exploitation, which can include children being involved in sexually exploitive relationships and activities, where those exploiting the children have power over them by virtue of age, gender, physical strength, economic or other resources.
  - **Possible Indicators:** pregnancy, sexually transmitted disease, bleeding, displays of sexual behaviour unusual for child's age, being withdrawn, fear of specific people, academic problems.

- **Emotional and psychological**: a kind of abuse that is often hidden and underestimated, it can occur when a person engages in inappropriate behaviours, such as rejecting, ignoring, humiliating, isolating, threatening or verbally abusing a child, or allowing others to do so.
  - **Possible Indicators:** delays in development, signs of self-harm, exhibiting low self-esteem and/or high anxiety, aggression, being withdrawn, passive or tearful, academic problems.

- **Neglect**: failing to meet a child's basic needs, such as providing adequate food, drink, shelter, clothing, supervision, hygiene and medical attention.
  - **Possible Indicators:** frequent hunger, poor hygiene, inappropriate clothing, stealing food, staying on-campus outside teaching hours, misusing alcohol and drugs, academic problems.

- **Racial, cultural, religious**: contempt, ridicule, hatred or negativity towards a child because of race, culture, or religion.

2. Reporting a concern or an allegation relating to child safety

2.1. How to report

- Do not ignore or disregard any suspected or disclosed child abuse
- Make detailed notes in relation to any concern about or allegation of child abuse and harm
- In the case of sexual abuse against a child, there are legal mandatory reporting obligations that MUST be abided by – review the section below.

2.1.1. Staff:

- Report concerns or allegations to **Safer Community**
  - Report all details to Safer Community as soon as possible: safercommunity@swin.edu.au
- If you believe a child is at immediate risk of abuse phone the **police** on **000**, and/or **Swinburne Security** on **9214 3333**, followed by a report to Safer Community.

2.1.2. Non-Staff and Students:

- Inform **Swinburne Security** on **9214 3333**, who will report to Safer Community.
- If you believe a child is at immediate risk of abuse **phone** the police on **000**
- Students can also utilise the Swinburne Safer Community Program to report concerns:
  - Email: safercommunity@swin.edu.au / online form: Safer Community online form

2.2. How Swinburne will respond

- Upon receiving a report through Safer Community, the BRAM (Behavioural Risk Assessment and Management) team will activate its BRAM protocol.

2.3. Mandatory reporting responsibilities

The Swinburne community has legal obligations to report suspected sexual abuse against a child:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- **Failure to protect:** Where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of the University will become a victim of a sexual offence committed by an adult associated with the University, any person of authority in the University will commit an offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any person who is a **mandatory reporter** must comply with their mandatory duties to report.

  Department of Justice and Regulation
  - ➤ Failure to Protect
  - ➤ Failure to Disclose

3. Specific responsibilities

3.1. Organisational Units

- Identify child safety risks within the organisational or business unit. Report and mitigate risks using the University risk management system.
- Identify staffing or volunteer positions that are likely to involve child-connected work, and ensure diligence in processes for recruitment, training, supervision, including ensuring currency of a WWCC and that such staff are aware of their relevant obligations.
- Ensure incidents, concerns and allegations are reported.

3.2. All staff

- Complete screening checks and induction and training required for your position
- Identify when you are likely to be undertaking child-connected work and ensure you are covered with a WWCC or under direct supervision of a person with a WWCC at all times.
- Report any concerns and allegations appropriately.

3.3. Researchers and others involved in research

- Ensure research involving children is conducted in compliance with the Australian Code for the Responsible Conduct of Research and National Statement on Ethical Conduct in Human Research, in particular the chapter Children and Young People
- Follow Swinburne's procedures to notify and seek approval for research involving children

3.4. Students working with children (Examples: student placements, volunteer positions, other academic activity of research students)

- Complete screening checks (such as WWCC where required) and any training.
- Comply with any code of conduct relevant to their placement, activity, or research as required by the external provider or Swinburne, before working with children.

3.5. Other persons: contractors, volunteers, agency staff

- Hold a current WWCC where it is required.
- Undertake induction training to be aware of obligations.
- Comply with Swinburne's policies and conduct requirements.

3.6. Safer Community and BRAM

- Facilitate a reporting system to capture and react to concerns and allegations received.
- Facilitate a centralised response to a threat, concern, or allegation of child abuse.
- Collaborate with HR where a staff member is involved in an allegation to ensure HR and BRAM processes run in coordination.

3.7. Human Resources

- Facilitate child-safe recruitment and monitor a robust WWCC process.
- Facilitate both a duty of care process or/and a disciplinary process, as required, where there are allegations of child abuse involving a staff member, in collaboration with the BRAM process.

4. Child Safe Recruitment Practices

4.1. Recruitment and Screening

Robust recruitment helps Swinburne identify suitable candidates who share the University's values in keeping children safe from harm. Child-safe recruitment should be practiced across Swinburne:

- Promote Swinburne's zero tolerance of harm to children throughout the recruitment process.
- For jobs that involve child-connected work, clearly set out the responsibilities regarding child safety and the essential qualifications, experience and attributes in relation to child safety.
- Assess potential employees with child safety in mind. Example: for a role that may work directly with children, assess an applicant's motivation to work with children.
- Refer applicants to Swinburne's Child Safety Statement of Commitment and Practice.
- Screen through reference checks with child safety in mind. Example: for a role that may work directly with children, include a referee question such as: "do you have any concerns about the applicant sometimes working alone with children?"
- Screen through the Working with Children Check, which prevents people who pose a risk to children from working with them. Note: while it is an important step, it does not assess someone's suitability to work with children in a particular role.
- Gather, verify and record applicable information about new employees who will perform child-connected work, including: WWCC; proof of ID and other qualifications; history of work involving children; references that address the person's suitability for working with children.

4.2. Induction, Supervision and Training

Strong induction processes and training opportunities ensure Swinburne staff are informed about their role to protect children and reduces risk of harm to children. Swinburne aims to:

- Provide induction, training and resources about child safety
- Provide supervision and support, monitoring and assessing a new job occupant's continuing suitability for child-connected work. It is good practice for new staff in child-connected work to be supervised to check that their behaviour towards children is appropriate.
- Monitor that WWCCs are still valid throughout a person's employment with Swinburne.

Review and approval of this Statement of Commitment and Practice

Review of this document is ongoing, and it can continue to be updated as is necessary.

Approval mechanism: Director of Governance and Integrity

Victorian government resources and links

Department of Human Services

➢ Victorian Child Safe Standards
➢ How to make a report to Child Protection