Child Protection Policy

Version	Approved by	Approval date	Effective date
1.0	Vice-Chancellor	30 March 2023	30 March 2023

Policy Statement	
Purpose	This Policy sets out the University's commitment to the safety, protection and wellbeing of children who are involved in University activities. It provides an overarching framework to ensure a child safe culture and practice at the University and sets out the University's commitment and approach to protecting children from all forms of exploitation, harassment, neglect and abuse when delivering its activities both in Australia and overseas.
Scope	This Policy applies to all employees, volunteers, students, and affiliates (including contractors) of the University.
Policy Provisions	

1. Introduction

1.1 To ensure the safety, welfare and wellbeing of all children who are involved in University activities, all activities that involve children must be conducted in accordance with the principles and requirements outlined in this Policy.

2. Principles

2.1 The best interests of the child shall be the paramount consideration in the operation of this Policy.

2.2 Children must be treated with respect, and all individuals participating in a University activity involving children must adhere to the standards of behaviour set out in this Policy.

2.3 The University has zero tolerance of child exploitation, abuse and harassment, and zero tolerance for inaction in respect to such exploitation, abuse or harassment.

2.4 The University will mitigate and reduce the risks of child exploitation and abuse by ensuring risk assessment, training and screening measures for any activity that involves work or potential contact with children.

2.5 The University will prevent any person from contacting or working with children if they pose an unacceptable risk to children. The University will not knowingly engage, directly or indirectly, any individual that poses a risk to children.

2.6 The University will receive and respond to complaints or reports concerning children in a manner that is child-focused.

3. Requirements

Behaviours

3.1 Individuals participating in a University activity involving children must adhere to the following behaviours:

(a) treat all children with respect

(b) ensure that another adult is always present when working with or near children

(c) ensure that valid consent is obtained from a child's parent or guardian prior to undertaking filming or photography involving the child

(d) not use physical punishment towards any child

(e) not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate

(f) not engage children under the age of 18 in any form of sexual intercourse or sexual activity including paying for sexual services

(g) never use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium

(h) ensure that information about children is managed in accordance with the University's data handling guidelines reflecting the classification required under the Data Classification Standard.

Reporting and Complaints Management

3.2 Individuals subject to this Policy must report immediately any suspected or alleged case of child exploitation, abuse, or non-compliance with this Policy, using the appropriate University reporting mechanism – see Complaints at UNSW.

3.3 The University's complaint and report handling functions must have clear mechanisms to:

(a) ensure that information about an actual or suspected child abuse offence is brought to the attention of the NSW Police Force as soon as it is practicable to so, as required under the *Crimes Act 1900* (NSW)

(b) ensure the University notifies the NSW Children's Guardian of reportable conduct as required under the *Children's Guardian Act 2019* (**CG Act**)

(c) receive and respond to complaints or reports in a child-focused manner

(d) ensure procedural fairness when making decisions that affect a person's rights or interests when responding to concerns or allegations of child exploitation and abuse

(e) ensure that mandatory reporting to external regulatory and funding bodies is made in a timely manner

Child protection risk assessments

3.4 Where a University activity involves potential contact with children, impacts on children, or working with children, a child protection risk assessment should be undertaken and documented prior to the commencement of the activity, and reviewed annually where the activity continues for greater than 12 months, to:

(a) identify the level of responsibility for work and contact with children,

(b) identify and evaluate the level of risk of harm or abuse to children,

(c) develop and implement an appropriate management strategy to prevent identified risks to children, and

(d) identify when a valid Working with Children Check (WWCC) or other form of background check is required for individuals participating.

Training

3.5 Individuals participating in a University activity involving children should be trained in child protection and fully understand their obligations to protect children when carrying out the activity.

Screening and Background Checking

3.6 Individuals participating in a University activity involving children must have a valid

WWCC, however described, where:

(a) the University activity constitutes "child-related work", or

(b) the child protection risk assessment of the University activity identifies that an individual involved in the activity must have a valid WWCC (even if the WWCC is not required by law).

Note – regular teaching for University degree programs (which may include enrolled students who are under 18 years of age) is not "child-related work" and therefore a WWCC is not a requirement for such activities.

3.7 Individuals involved in a University activity involving children must have a valid Criminal Record Check where the individual will be in a position that involves contact with children, either under the position description or due to the nature of the work environment, and that:

(a) the criminal record checks are subject to review by the individual's manager on an annual basis as an ongoing condition of employment to re-validate suitability

(b) the criminal record checks include all countries in which the individual has lived for 12 months or longer over the past five years and all countries of citizenship.

3.8 Additional screening measures (such as interview plans that incorporate behavioural-based interview questions) are used when candidates are applying for positions that involve contact with or working with children

Breach of Policy

3.9 An individual who is under investigation for conduct in breach of this Policy must not participate in any University activity involving children while such investigation is in progress.

3.10 Conduct that is contrary to this Policy is a contravention of the ***Code of Conduct*** and ***Student Code of Conduct*** (as applicable) and the University may take disciplinary action against the individual concerned in accordance with such Codes.

4. Roles and Responsibilities

4.1 The **Deputy Vice-Chancellor Planning and Assurance** has overall responsibility for:

(a) the implementation and review of this Policy

(b) the communication of the Policy to all applicable individuals

(c) the implementation of training on child protection awareness for all individuals within the scope of this Policy

4.2 The **Deputy Vice-Chancellor Academic Quality** is responsible for ensuring that there are procedures and processes implemented to support this Policy in respect to all University teaching and education activities involving children.

4.3 The **Deputy Vice-Chancellor Research and Enterprise** is responsible for ensuring that there are procedures and processes implemented to support this Policy in respect to all University research activities involving children.

4.4 The **Vice-President External Engagement** is responsible for ensuring that there are procedures and processes implemented to support this Policy in respect to all University external engagement activities involving children.

4.5 The **Chief HR Officer** is responsible for ensuring that the University's recruitment and human resources procedures and processes support and are consistent with this Policy.

4.6 The **Director, Conduct and Integrity** is responsible for ensuring the University's complaint and report handling functions are equipped to:

(a) ensure that information about an actual or suspected child abuse offence is promptly brought to the attention of the NSW Police Force as soon as it is

practicable to so

(b) ensure the University promptly notifies the NSW Children's Guardian of reportable conduct as required under the CG Act

(c) handle complaints involving children in a manner that is child-focussed, and

(d) ensure that mandatory reporting to any other external regulatory body or funding bodies is made in a timely manner.

4.7 **Heads of Schools, Research Centres and Administrative Units** are responsible for ensuring that all activities involving children conducted by their School/Centre/Unit are managed in accordance with this Policy.

4.8 **Managers of University activities involving children** are responsible for being aware of and comply with the obligations under this Policy and ensuring that all University procedures and processes implemented to support this Policy are followed in the course of conducting such activities.

4.9 **Employees, students and affiliates** involved in activities involving children are responsible for being aware of and comply with the obligations under this Policy.

Accountabilities	
Responsible Officer	Deputy Vice-Chancellor Planning and Assurance
Contact Officer	Compliance Manager, Legal & Compliance
Supporting Information	
Legislative Compliance	This Policy supports the University's compliance with the following legislation: *Child Protection (Working with Children) Act 2012* (NSW) *Children and Young People Act 2008* (ACT) *Children's Guardian Act 2019* (NSW) *Crimes Act 1900* (NSW) *Education Services for Overseas Students Act 2000* (Cth)
Other Compliance	This Policy supports the University's compliance with obligations imposed by external funding organisations in relation to child protection, including, but not limited to: *National Principles for Child Safe Organisations* *DFAT Child Protection Policy*
Supporting Documents	
Related Documents	Code of Conduct Student Code of Conduct
Superseded Documents	Nil
File Number	2023/031471
Definitions and Acronyms	
Abuse	Includes physical abuse, emotional abuse, sexual abuse, ill-treatment and neglect.
Affiliate	Conjoint and visiting appointees; consultants and contractors (including sub-contractors); agency staff; emeriti; members of University committees; and any other person appointed or engaged by the University to perform duties or

	functions for the University
Child exploitation	One or more of the following: (a) committing or coercing another person to commit an act or acts of abuse against a child (b) possession, controlling, producing, distributing, obtaining or transmitting child exploitation material (c) committing or coercing another person to commit an act or acts of grooming or online grooming (d) using a minor for profit, labour, sexual gratification, or some other personal or financial advantage.
Child or children	In accordance with the UN Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this Policy, the University considers a child to be a person under the age of 18 years.
Child Protection	An activity or initiative designed to protect children from any form of harm, particularly that arising from child exploitation and abuse.
Child-related work	Has the definition as set out in section 6 of the *Child Protection (Working with Children) Act 2012* (NSW)
Contact with children	Means working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment
Employee	Includes permanent, fixed term and casual employees, and part-time and full-time employees
Grooming	Generally, refers to behaviour that makes it easier for an offender to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualise that relationship (for example by encouraging romantic feelings, or exposing the child to sexual concepts through pornography)
Harm on children	Any detrimental effect on a child's physical, psychological or emotional wellbeing. Harm may be caused by financial, physical or emotional abuse, neglect, and/or sexual abuse or exploitation whether intended or unintended.
Impact	The overall long-term effect produced by an investment. This includes positive and negative changes produced by an investment (directly or indirectly, intended, or unintended).
Student	A person enrolled as a student at the University or undertaking courses or programs at the University.
University activity	Any activity engaged in by or on behalf of the University in the exercise of the functions of the University (as established by s 6 of the *University of new South Wales Act 1989* (NSW)).
Work with children	Means being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid works

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1.0	Vice-Chancellor	30 March 2023	30 March 2023	This is a new Policy