CHILD SAFETY POLICY AND PROCEDURE

CONTENTS

1   PURPOSE

1.1   CQUniversity acknowledges that children and young people are part of the University community as students, residents, visitors, and through the University's activities in learning and teaching, research, community engagement, sport, and school outreach activities. All children in the University community, regardless of their gender, culture, religious beliefs, age, ability, sexual orientation, or family or social background, have equal rights to safety, participation, wellbeing and empowerment and protection from abuse.

1.2   This policy sets out CQUniversity's approach to child safety and ensures CQUniversity's activities are conducted in an environment that is safe for children and young people.

1.3   The objective is to ensure CQUniversity fulfils its responsibilities and obligations under the Commonwealth Child Safe Framework (second edition) as well as all applicable Working with Children legislation in each State and/or Territory of Australia where CQUniversity has a presence. In doing so, CQUniversity will take reasonable steps to promote and protect the wellbeing and safety of children and young people connected to the University community.

2   SCOPE

2.1   This policy and procedure applies to CQUniversity employees, students and volunteers as well as all contractors and service providers engaged in University activities either on or off-campus that involve contact with or impact on children and young people, including:

- direct physical contact
- face-to-face contact
- spoken communication
- written communication
- electronic communication.

2.2 CQUniversity has adopted the Commonwealth Child Safe Framework which is a comprehensive framework to support the delivery of a safe environment for children and young people connected to the University's community.

2.3 As an educational and research institution, CQUniversity, including its employees and students, are subject to the provisions of the *Working with Children (Risk Management and Screening) Act 2000* (Qld) or the relevant legislation relating to Working with Children in the State and/or Territory where the employees and students are undertaking the work, activity and/or placement.

3 POLICY STATEMENT

3.1 The University is an inclusive and safe environment in which all employees contribute to the development, learning, and wellbeing of children and young people and is committed to the safety and wellbeing of members of the University community, including children.

3.2 The University adopts the National Principles for Child Safe Organisations (Appendix A) and will:

- take a proactive approach to the prevention of harm to children and young people by identifying possible exposures and risks early and removing and/or reducing any risks to children or young people

- take prompt and appropriate action in response to any allegation or suspicion of child harm

- provide appropriate guidelines, processes, and support services for the reporting and handling of disclosures and suspicions of harm

- promote best practices in relation to child safety, and

- promote a culture of child safety and respect.

4 PROCEDURE

Requirements for blue cards (working with children checks)

4.1 The University is committed to following fair and equitable recruitment standards in the selection of employees that include the safety and wellbeing of children as a key consideration and will take all reasonable steps to engage suitably qualified individuals to work with children in the delivery of educational and research activities.

4.2 The University requires that employees, volunteers and students whose activities fall within the meaning of "regulated employment" under the *Working with Children (Risk Management and Screening) Act* (Qld) or who are required to work in a "regulated business" to obtain a blue card.

4.3 The University's overarching activities of teaching and learning fall under the business category of 'private teaching, coaching and tutoring.' As a statutory body established under the *Central Queensland University Act 1998* (Qld), the University is classified as an education provider and its primary functions are exempt under the *Working with Children (Risk Management and Screening) Act* (Qld) or the relevant legislation relating to Working with Children in the State and/or Territory where the employees and students are undertaking the work, activity and/or placement.

4.4 However, other University activities are considered to be regulated employment under the *Working with Children (Risk Management and Screening) Act* (Qld) and employees, students and volunteers in these areas are required to hold a valid blue card.

4.5 The University will regularly review employee positions to ensure that any positions required to have contact with children and young people as a normal part of work activities are required to obtain and maintain a blue card (or other equivalent child safety check) in order to be engaged in that position.

4.6 Supervisors are responsible for determining whether a position requires a blue card in consultation with the People and Culture Directorate and the University's Legal Office.

Reporting and disclosure

4.7 All members of the University community have a responsibility to respond to a disclosure or suspicion of harm to a child or young person by following the University's reporting processes and other mandatory reporting obligations where applicable as per the [Student Critical Incident Policy and Procedure](#).

4.8 The Chief Wellbeing Officer is the principal point of contact for child and young person safety matters, and is responsible for facilitating processes for responding to and reporting suspicions of harm to a child or young person.

Requirements

4.9 When interacting with children or young people, all members of the University community must never engage in inappropriate actions or behaviours, including:

- using language or behaviour towards children that is harassing, abusive, sexually provocative, demeaning or culturally inappropriate, either in person or online

- causing harm to a child or young person in any way including physical, psychological or emotional harm

- sexually abusing, exploiting or harassing children or young people in any way

- engaging in unauthorised personal contact with children or young people, including sexual or other inappropriate touching or invasive acts, or through social networking sites

- using any kind of physical force, or

- developing special relationships that could be seen as favouritism.

5   RESPONSIBILITIES

Compliance, monitoring and review

5.1 The Executive Director People and Culture is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.

5.2 University management:

- has overall responsibility for a [business area](#) that has a possibility or likelihood of contact with [children and young people](#) to conduct a risk assessment and/or provide appropriate controls to reduce any risks

- must be aware of this policy and procedure and role model behaviours that sustain the safety of children and young people, and

- must ensure that employees understand their obligations to protect children and young people when carrying out their work.

5.3 Employees must:

- comply with the requirements of the relevant Working with Children legislation in their state including:

  o attaining a working with children clearance when required

  o maintaining a [blue card](#) where required

  o notifying the University and the relevant regulator of any change in [police information](#)

  o advising the regulator of a change in personal circumstances, employment circumstances or a lost or stolen card

- be aware of this policy and procedure and ensure that child protection risk is considered and managed in accordance with this policy and procedure, including complying with the University's [Code of Conduct](#), and

- report any behaviour that is a suspected or alleged breach of this policy and procedure to their supervisor.

Reporting

5.4   No additional reporting is required.

Records management

5.5   Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.

5.6   University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).

6   DEFINITIONS

6.1   Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Blue card: the card issued by Blue Card Services once it has carried out a blue card check to see if a person is eligible to work in the areas of child-related work covered by the *Working with Children (Risk Management and Screening) Act 2000* (Qld) or the equivalent process in each State or Territory in Australia. If a person is eligible, they are issued a positive notice letter and a blue card.

Blue card check (or working with children check): national check undertaken by Blue Card Services to determine if a person is eligible to work in the areas of child-related work covered by the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

Blue Card Services: the Queensland government agency established to administer Queensland's Working with Children Check – the Blue Card system. The service provides screening and ongoing monitoring to people who work in industries which involve children and help organisations to create safe environments for children.

Children and young people: an individual who is under 18 years of age or a person apparently less than 18 years of age if the person's age cannot be proved.

Police Information: about a person, means the following:

a)   the person's criminal history

b)   investigative information about the person

c)   information as to whether the person is or has been

    i)   A relevant disqualified person

    ii)   The subject of an application for a disqualification order, or

    iii)   Named as the respondent to an application for an offender prohibition order.

Regulated employment: categories of employment regulated by the *Working with Children (Risk Management and Screening) Act 2000* (Qld). This does not include all work where there is a contact with children.

Volunteer: member of the community who provides their services in a voluntary capacity to the University, not for financial reward but who may receive reimbursement for out-of-pocket expenses. Volunteers are not employees of the University.

7   RELATED LEGISLATION AND DOCUMENTS

Child Protection (Working with Children) Act 2012 (NSW)

Child Safety (Prohibited Persons) Act 2016 (SA)

Children and Young People (Safety) Act 2017 (SA)

Civil Liability Act 2003 (Qld)

Commonwealth Child Safe Framework (second edition)

Criminal Code Act 1995 (Cwlth)

Working with Children (Risk Management and Screening) Act 2000 (Qld)

Working with Children (Screening) Act 2004 (WA)

Worker Screening Act 2020 (Vic)

8 FEEDBACK

8.1 Feedback about this document can be emailed to policy@cqu.edu.au.

9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
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Required Consultation	N/A
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Notes	

10 APPENDIX A: NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS

National Child Safe Principle	How the University demonstrates this principle
Child safety and wellbeing is embedded in organisational leadership, governance and culture	The University has zero tolerance for child exploitation and abuse. Any allegations and concerns for safety of children and young people will be treated seriously. The University enables and encourages the prompt reporting of allegations of child abuse and will take action to comply with its legal obligations to notify authorities of any reasonable suspicion of child abuse, exploitation and neglect. The University upholds Australia's obligations under the United Nations Convention on the Rights of the Child.
Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously	Children and young people enrolled in the University will be informed of the University's commitment to child safety and wellbeing and will be encouraged and supported to communicate their views or concerns. Where appropriate, the University will ensure that information is presented to children and young people in an age-appropriate manner.
Families and communities are informed and involved in promoting child safety and wellbeing	All members of the University community are responsible for promoting a culture of safety and wellbeing for children and young people by: • treating children and young people with respect • complying with all relevant laws, regulations, policies, processes and guidelines • reporting instances of suspected harm to a child or young person following reporting processes and other mandatory reporting obligations where applicable • complying with any child safety training, registration or accreditation requirements which may be relevant to their university duties or activities • undertaking risk assessments when planning interactions with children or young people in accordance with the University's Enterprise Risk Management Framework, and • developing relevant strategies to mitigate or manage the risks identified.
Equity is upheld and diverse needs respected in policy and practice	The University is an inclusive and welcoming environment that supports the safety, participation, empowerment and wellbeing of all children and young people. In particular, the University will: • promote the cultural safety of Aboriginal children and young people and children and young people from culturally and/or linguistically diverse backgrounds • provide a safe environment in which children with a disability can participate equally, and • where appropriate, the University will ensure that information is presented in a child-friendly, culturally sensitive, relevant and accessible manner.

National Child Safe Principle	How the University demonstrates this principle
People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice	The University is committed to preventing employees or students from engaging in University activities that involve contact with or impact on children and young people if those activities will or are likely to pose an unacceptable risk to children and young people. The University requires that employees, volunteers and students undertaking activities involving contact with children to obtain and maintain a blue card (see Requirements for Blue Cards (Working with Children Checks), above). The University will make training, education and/or information on child safety and wellbeing available to employees, students and volunteers as appropriate (adopting a risk-based approach). The University acknowledges that child protection is a shared responsibility between the University and the broader University community. The University will take steps to raise awareness of child protection and wellbeing across the University community.
Processes for complaints and concerns are child focused	The University takes all allegations of child abuse and child exploitation seriously and demonstrate this by: • maintaining appropriate policy and procedures that support the reporting of allegations of child abuse and child exploitation, such as the Student Critical Incident Policy and Procedure. • maintaining adequate record keeping of reports of alleged child abuse, child exploitation and child safety concerns.
Employees and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training	The University promotes child safety by ensuring training, education and/or information on child safety and wellbeing is available to employees, students and volunteers as appropriate (adopting a risk-based approach). The employee onboarding process requires all new University employees to complete mandatory induction training. This training addresses elements of equity, protection and responsibilities relevant to working with vulnerable people.
Physical and online environments promote safety and wellbeing, while minimising the opportunity for children and young people to be harmed	The University is committed to: • ensuring the physical environment of the University promotes safety and wellbeing and minimises the opportunity for children and young people to be harmed • ensuring the University's online environment promotes child safety and wellbeing and minimises the opportunity for children and young people to be harmed • ensuring any images of children and young people used in the University webpage, marketing material or other publications are appropriate and promote the safety and wellbeing of children and young people, and • promoting child safety and wellbeing and preventing unacceptable behaviour towards children and young people through education and training.

National Child Safe Principle	How the University demonstrates this principle
Implementation of the national child safe principles is regularly reviewed and improved	The University has undertaken a risk assessment of its operations as they relate to child safety and wellbeing and will identify and implement appropriate measures to continue to mitigate identified risks via the Child Safe Risk Register. As part of the risk assessment the University will consider: • types of contact • types of risk factors, and • mitigation factors or controls. The Child Safe Risk Register and this policy and procedure will be reviewed annually to ensure it complies with the Child Safe Framework and all other relevant legislation.
Policy documents how the organisation is safe for children and young people	The University meets this requirement through the following policy documents: • Child Safety Policy and Procedure (this document) • Code of Conduct • Complaints Policy and Procedure • Human Research Ethics Procedure • Student Accommodation including International Students under 18 Policy and Procedure • Student Conduct Policy and Procedure • Student Critical Incident Policy and Procedure • Visitors to CQUniversity Facilities Policy.