



TRINITY COLLEGE
THE UNIVERSITY OF MELBOURNE

TRINITY COLLEGE

CHILD SAFE POLICY

REVISED JULY 2020



TRINITY COLLEGE
THE UNIVERSITY OF MELBOURNE

TRINITY COLLEGE CHILD SAFE POLICY

Policy Type:	College wide Policy
Policy Number:	CS 1.2
Date Approved:	30 July 2020
Previous Policy:	Child Safe Policy 2018
Review Date:	30 July 2021

PURPOSE

The purpose of this policy is to:

- provide the appropriate standards of behaviour expected by staff, students, volunteers and contractors towards children and young people at the College, whom we have a responsibility to protect and ensure they are always safe;
- ensure that everyone associated with Trinity College is aware of the College's commitment and obligation to creating a child safe organisation;
- ensure that all staff and volunteers are aware of their responsibility for creating a child safe culture and supporting the College's obligations and commitment to child safety;
- guide the development of systems and processes that support the prevention and management of child abuse risks; and
- outline the consequences of a breach of this policy.

SCOPE

This policy applies to all members of the Trinity College community, including College staff, students, visitors, and all other individuals engaged in activities that could reasonably be connected to the College.

The policy applies within and outside of the College grounds, (during organised excursions or camps), including any physical or virtual place made available or authorised by the College governing authority.

For the purposes of this policy, a child is an individual under the age of 18 years.

AUTHORITY

This policy supports compliance with the:

- Child Wellbeing and Safety Act 2005 (Vic);
- Crimes Act 1958 (Vic);
- Department of Foreign Affairs and Trade Child Protection Policy;
- Education Services for Overseas Students Act 2000 (Cth);
- United Nations Convention on the Rights of the Child;
- Victorian Child Safe Standards;
- Victorian Charter of Human Rights and Responsibilities;
- Working with Children Act 2005 (Vic);
- Betrayal of Trust report Victoria 2013;

- Wrongs Amendment (Organisational Child Abuse) Act 2017; and
- National Principles for Child Safe Organisations 2019 (*National Principles*)

STATEMENT OF COMMITMENT

Trinity College is committed to providing a safe, inclusive, and welcoming environment where all students are empowered to develop their talents, interests, and abilities through a curriculum that fosters the intellectual, physical, social, emotional, and moral & spiritual development of the student.

To uphold this commitment, the College will promote the safety of all children and in particular will:

- promote inclusivity and diversity amongst our students and young people within the College environment;
- promote reporting of unacceptable behaviour and practices towards children and young people;
- promote involvement from families of our students in our decisions pertaining to the student's wellbeing and prevention of any harm or abuse to our students;
- ensure Trinity College regularly reviews our child safe policy and practices;
- ensure that young people have a voice and are encouraged to speak up about their role, in ensuring a safe and welcoming environment to learn and thrive in.
- invite students of the College to be members of the Child Safe Committee to provide valuable input on how the College can make improvements and strengthen our child safe programs and procedures.
- promote the cultural safety of Aboriginal & Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds;
- promote the safety and participation of children living with a disability;

The College has zero tolerance of child abuse. To uphold this commitment, the College will:

- empower children to have their voice heard;
- implement strategies to prevent child abuse by identifying, removing and mitigating risks to child safety;
- treat allegations of child abuse and child safety concerns with the utmost gravity;
- fulfil its legal and moral obligations to contact authorities when concerns about child safety are raised; and
- require all members of the Trinity College community to observe child safe principles, child safe standards, and expectations for appropriate behaviour towards and in the company of children as per the Trinity College Staff Codes of Conduct.

CODE OF CONDUCT

Members of the Trinity College community must behave in full accordance with the relevant Codes of Conduct, including:

- Trinity College Staff Code of Conduct
- Trinity Residential College Student Code of Conduct
- Trinity College Pathways School Code of Conduct

All Codes of Conduct will be made available to the Trinity College Community and all College staff and students must sign their agreement to adhere to them at all times. The standards and expectations of the Trinity College community in relation to child safety are further articulated

in the Appendix of this Policy.

HUMAN RESOURCE PRACTICES

Trinity College will apply thorough and rigorous screening processes in the recruitment of employees, volunteers and contractors involved in child-connected work. All College staff, volunteers and contractors are required to have a current Working with Children Check. Our commitment to child safety and our screening requirements are included in all advertisements for employee, contractor, third party providers and volunteer positions. All applicants are provided with copies of the Trinity College Child Safe Policy. See Recruitment and Selection Policy.

Trinity College provides staff and volunteers with regular and appropriate opportunities to develop their knowledge and skills in relation to preventing and responding to child abuse. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse.

College staff will be provided with formal and informal supervision appropriate to the requirements of their position. The Staff Code of Conduct provides a point of reference for staff throughout their employment at the College.

REPORTING AND RESPONDING

All staff must read and understand the *What to do when an allegation of child abuse is made fact sheet* (produced by the Victorian State Government), which can be located [here](#), and must act upon it.

Any child safety complaints, disclosures or breaches of the Child Safety Policy, will be recorded and filed in accordance with the legal obligations that relate to managing the risk of child abuse under the Children, Youth and Families Act 2005 (Vic), the Crimes Act 1958 (Vic) and the recommendations of the Betrayal of Trust report (2013).

The College will report all conduct as required under the Reportable Conduct Scheme as outlined by the Commission for Children and Young People in Victoria.

Staff are to familiarise themselves and use the Trinity College Child Safe Standard Incident staff report documents as shown in the appendix.

Although child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements, any matter investigated and acted upon will be reported and recorded as required by the law.

Managers will outline clear escalation procedures to direct staff on how to take action on any issue that impacts on child safety.

RISK MANAGEMENT

Trinity College is committed to proactively and systematically identifying and assessing risks to student safety and reducing or eliminating all potential sources of harm. The College will document, implement, monitor and review its risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

EMPOWERING CHILDREN

Trinity College empowers all students to openly express their views about all matters supporting and affecting their education. The College promotes student agency and participation by fostering a culture of inclusivity and establishing systems of accountability which provide opportunities for student voice in all aspects of the College operations, including the implementation of this policy.

The College will provide culturally sensitive and accessible information for all students, outlining their rights and responsibilities and encouraging them to participate in all decisions that impact them during their time at the College. Students will be provided with support from staff to enable them to participate fully, including access to advocacy support.

The Student Code of Conduct, Student Complaint Procedures and Student Handbooks provide points of reference for students throughout their studies at Trinity College. The College gives consideration to concerns raised and acts on any matters threatening or affecting the safety of all students.

BREACH OF THIS POLICY

Any member of the Trinity College community who breaches this policy may be referred to the Victoria Police and/or a regulatory body including the Commission for Children and Young People. Staff and volunteers will be liable to disciplinary action in accordance with Trinity College's disciplinary procedures and in accordance with legislative requirements. Such disciplinary action will be dealt with on a case by case basis and will be at the discretion of the relevant Dean, Divisional Head or their delegate.

Additionally, a staff member who breaches this policy may face termination of their engagement with Trinity College. Employees of contractors or sub-contractors may also be refused permission to continue working in the College.

MANAGEMENT OF THIS POLICY

This policy will be reviewed annually as Trinity College is committed to continuous improvement of our child safe systems and practices. The overall responsibility for the implementation and development of this policy is borne by the Warden. The day-to-day supervision of the policy is in the hands of the Deans or their delegate of each College Division.

Related College Policies

- Contractor Induction Policy
- Critical Incident Policy and Procedure
- Faithfulness in Service: A National Guide for Personal Behaviour and the Practice of Ministry by Clergy and Church Workers (2017)
- Historical Incidents Policy
- Pathways School Student Code of Conduct
- Recruitment and Selection Policies
- Residential College Student Code of Conduct
- Staff Code of Conduct
- TCPS Accommodation Service Standards
- TCPS Curfew Safety Policy
- TCPS Excursions Policy
- TCPS Student Complaint Policy and Procedure
- TCPS Younger Student Policy & Procedure (under 18 years of age)

Theological School Student Code of Conduct

APPENDIX

Definitions

Student: A child or adult enrolled as a student within Trinity College.

Child is an individual under the age of 18 years.

Child Abuse:

(a) any act committed against, with or in the presence of a child involving:

1. a sexual offence
2. an offence under section 49B(2) of the Crimes Act 1958 (grooming)

(b) the infliction, on a child, of:

1. physical violence
2. serious emotional or psychological harm

(c) serious neglect of a child.

Child Safety encompasses 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 Neglect: The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.

Child Physical Abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.

Child Protection: Statutory services designed to protect children who are at risk of serious harm.

Child Sexual Abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- Any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- Grooming – which is befriending and establishing an emotional connection with a child, and sometimes the family, to lower the child's inhibitions with the objective of [sexual abuse](#).
- Any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- Sexual activity between peers that is non-consensual or involves the use of power

- or coercion
- Non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Consensual sexual activity between adolescents at a similar developmental level is not considered abuse.

College environment means any physical or virtual place made available or authorised by the college governing authority for use by a child during or outside school hours, including:

1. A campus or building of the College
2. Online College environments (including email and intranet systems)
3. Other locations provided by the College for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

College staff means an individual working in a school or residential environment who is:

1. Directly engaged or employed by the College governing authority
2. A volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)
3. A Minister of religion.

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

Reasonable Belief: When staff members are concerned about the safety and wellbeing of a child or young person, and they assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

Reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People will be aware of every allegation of certain types of employee misconduct involving children in relevant organisations. The College must investigate an allegation subject to police clearance on criminal matters; advise the Commission who is undertaking the investigation and manage the risks to children. The College must provide the Commission within 30 days information about the reportable allegation and any action taken. The Scheme does not replace the need to report allegations of child abuse to Victoria Police.

Trinity College community refers to those who are:

- directly engaged or employed by Trinity College, such as staff
- a volunteer including College Council, Board and Committee members, and other individuals who volunteer their time to College pursuits including residential tutor partners or other persons living in residence;
- College students, student volunteers, elected members of the residential student club executive or leaders of sub committees or other positions of leadership within the student body;
- visitors facilitating or attending programs or events using College facilities;
- a contracted, third party service provider to the College or associated organisation; or

- a minister of religion.

CHILD SAFETY CODE OF CONDUCT

Trinity College staff and over 18 students (charged with positions of leadership, must not engage in specific inappropriate behaviors with children that include but are not limited to the following:

1. developing any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific individuals)
2. exhibiting behaviours with children which may be construed as unnecessarily or inappropriately physical
3. putting children at risk of abuse
4. entering a residential student's bedroom without another student or staff member present.
5. entering a non-residential student's bedroom or private residence without another staff member present.
6. entertaining students in or inviting students into their own College bedroom or residence (students attending corridor events may enter the relevant tutor flat but there must be two or more students in attendance, and the door must remain open)
7. inviting students to visit their off-campus residence under any circumstances
8. using inappropriate language in the presence of children
9. providing alcohol to a child or failing to report the consumption of alcohol by the child (policies around the service of alcohol to student is outlined fully in the Trinity College Provision of Alcohol Policy which is provided in the Residential College Student Handbook)
10. expressing personal views in a discriminatory or demeaning way on cultures, race or sexuality in the presence of a child or children
11. discriminating against any child, due to (but not limited to) culture, race, sex, ethnicity or disability
12. initiating contact with a child or family of a child outside of the usual administrative practices involved in residential or academic life
13. violating or compromising their unique position, hold of influence and trust in their relationship with children and young people

Please see the Trinity College incident report forms as per below:

- U18 Child Safe incident – staff report.
- U18 Child Safe incident – Student report.

These documents are saved within the College portal under policies located [here](#).