



TRINITY COLLEGE

THE UNIVERSITY OF MELBOURNE

TRINITY COLLEGE CHILD SAFE POLICY

PURPOSE

The purpose of this policy is to:

- promote child safety in Trinity College;
- promote the cultural safety of Aboriginal and Torres Strait Islander children;
- promote the cultural safety of children from culturally and/or linguistically diverse backgrounds;
- promote the safety of children with a disability;
- comply with and promote relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards and compliance with other legislative instruments as outlined below;
- set standards about the ways in which employees and contracted third party providers working in the College are expected to behave and conduct themselves when interacting with our students; and
- outline the consequences of a breach of this Policy.

SCOPE

All individuals who are working, volunteering or living at Trinity College are required to comply with this policy. Such individuals, referred to as staff, volunteers, visitors, contractors and third-party providers in this policy, include those who are:

- directly engaged or employed by Trinity College, such as staff, residential and non-residential tutors;
- a College volunteer including College council and committee members, and other individuals who volunteer their time to College pursuits including residential tutor partners or other persons living in residence;
- student volunteers, elected members of the 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.

Trinity College is any physical or virtual place made available or authorised by the College for use by a child, and includes:

- All buildings or campuses of Trinity College;
- Any photographs or video taken for educational purposes or other social activities;
- College managed online environments including our College email, social media and intranet systems; and
- other locations provided by the College for our student's use, including locations used for College celebrations, dinners, sporting and cultural, and other events.

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 Charter of Human Rights and Responsibilities; and
- *Working with Children Act 2005* (Vic);

STATEMENT OF COMMITMENT

Trinity College is committed to providing a safe, secure, disciplined and quality learning and residential environment in which all students can develop their individual talents, interests and abilities through a curriculum that fosters the intellectual, physical, social and moral development of the student. The College is committed to the safety of all children, including those from culturally and/or linguistically diverse backgrounds.

Trinity College has a zero tolerance of child abuse and all allegations and safety concerns will be treated with utmost gravity. The College will listen to and respect children and what they have to say.

Trinity College provides educational opportunities for international and domestic students, some of whom are under 18 years old.

Trinity College is an affiliated college of the University of Melbourne and the University of Divinity.

Trinity College has three educational divisions: the Residential College, Pathways School and Theological School. Trinity College reserves the right to review and make changes to this statement from time to time.

Trinity College will fulfil its legal and moral obligations to contact authorities when we are concerned about a child's safety.

All staff, volunteers, visitors and contractors of Trinity College are required to observe child safe principles and expectations for appropriate behavior towards and in the company of children as per the Trinity College *Staff Code of Conduct*.

STANDARDS OF CONDUCT

Trinity College staff, tutors and student volunteers charged with positions of leadership are responsible for supporting the safety, participation, wellbeing and empowerment of children and are expected to behave in full accordance with the Trinity College *Codes of Conduct*.

STUDENT SAFETY AND PARTICIPATION

All students are encouraged and expected to openly express their views about all matters supporting and affecting their education. In order for them to feel comfortable about giving voice to the things that are important to them, the College has established mediums for student voice to be enhanced. 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 unrestrictive consideration to concerns raised and acts on any matters threatening or affecting the safety of all students.

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 is situated at the end of this document, and 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. 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 and student report documents as shown in the appendix.

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

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. We document, implement, monitor and review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

SCREENING AND RECRUITMENT OF TRINITY COLLEGE STAFF

Trinity College will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. All staff 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 such 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*.

CHILD SAFETY – EDUCATION AND TRAINING FOR TRINITY COLLEGE STAFF

Trinity College provides employees, volunteers and clergy with regular and appropriate opportunities to develop their knowledge of, openness to, and ability to address child safety matters. 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 and neglect. The *Staff Code of Conduct* provides a point of reference for staff throughout their employment at the College.

BREACH OF THIS POLICY

Employees, volunteers, contractors, third party providers, and residential partners who breach 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, they 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 a young person enrolled as a student within Trinity College.

Child Abuse:

(a) any act committed against 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
- 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) A campus or building of the College
2. (b) Online College environments (including email and intranet systems)

(c) 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. (a) Directly engaged or employed by the College governing authority
2. (b) A volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)
3. (c) 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 staff, tutors and 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. develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific individuals)
2. exhibit behaviours with children which may be construed as unnecessarily or inappropriately physical
3. put children at risk of abuse
4. enter a student's bedroom without permission
5. entertain or invite under 18 students into their own College bedroom or residence (students attending corridor events may enter the tutor flat but there must be two or more students in attendance, and the door must remain open)
6. invite students to visit their off-campus home without first obtaining approval from the relevant Dean / or their Deputy
7. use inappropriate language in the presence of children
8. provide alcohol to a child or failure 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)
9. express personal views in a discriminatory or demeaning way on cultures, race or sexuality in the presence of children
10. discriminate against any child, because of (but not limited to) culture, race, sex, ethnicity or disability
11. initiate contact with a child or family outside of the usual administrative practices involved in residential or academic life
12. violate or compromise their unique position, hold of influence and trust in their relationship with students
13. ignore or disregard any suspected or disclosed child abuse.