

CHILD SAFE STANDARD FRAMEWORK

A comprehensive framework to support the delivery of a safe environment for all children at Monash.

February 2021



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FROM THE PRESIDENT AND VICE-CHANCELLOR

All children have the right to be and feel safe and to be heard on decisions that affect them.

Preserving the care, safety and dignity of children must be at the core of any Monash University activity. Each one of us at Monash has an obligation to provide a healthy environment for young people associated with this University, and each one of us must set the standard for exemplary behaviour.

This Framework, developed in response to the Child Safe Standards introduced by the Victorian Government, sets out the requirements that all members of our University community must follow to provide a safe environment for children.

I encourage each of you to read this document carefully. Only through the support and advocacy of many individuals throughout our University can we continue to grow as the safe, caring and empowering community to which we have always aspired.

Professor Margaret Gardner AO
President and Vice-Chancellor



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BACKGROUND TO THE CHILD SAFE STANDARDS

The Betrayal of Trust report

In April 2012, the Victorian government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The inquiry's final report, *Betrayal of Trust*, contained 15 recommendations. In responding to the recommendations the Victorian Government introduced the Child Safe Standards to ensure child safe environments in organisations that work with children.

The University supports these Standards, and this framework is designed to:

- drive cultural change and embed a focus on child safety by placing children's rights at the forefront of the University's mind
- avoid scope for doubt and indecision, which can lead to inaction and tolerance of poor behaviour
- provide a foundation upon which the University's policies and practices can be built
- enable staff and volunteers to feel empowered to act in the best interests of children when they have safety concerns
- give parents comfort and confidence in the kind of culture, environment and experience they can expect for their child
- benefit the University as it gains valuable information about how children experience the University.

The University has developed the Child Safe Standards Framework to support the delivery of educational and research activities by University employees, students, title holders, Council members, contractors and volunteers (for the purpose of this Framework and the Code of Conduct, hereinafter collectively referred to as "**University Individuals**") with the aim of:

- protecting children from exploitation and abuse of all kinds
- creating and maintaining a protective environment for children
- dealing with child abuse concerns appropriately.

SCOPE

This framework applies to all people who engage with the University - whether they are employees, contractors, Council members, title holders, students or volunteers.

For the purpose of this framework, a child is defined as a person under the age of 18 years, and the term child abuse encompasses:

- sexual abuse (including but not limited to grooming with the intent to sexually abuse a child)
- physical abuse or violence
- serious psychological or emotional abuse
- serious neglect.

THE SEVEN CHILD SAFE STANDARDS

The University is committed to supporting the seven flexible and principle based Child Safe Standards:

1. Strategies to embed a culture of child safety, including through effective leadership arrangements.
2. A child safe policy or statement (framework) of commitment to child safety.
3. A code of conduct that establishes clear expectations for appropriate behaviour with children.
4. Screening, supervision, training and other human resources practices that reduce the risk of child abuse and child exploitation by new and existing University Individuals.
5. Processes for responding to and reporting suspected child abuse.
6. Strategies to identify and reduce or remove risks of child abuse and child exploitation.
7. Strategies to promote the participation and empowerment of children.

LEGAL RESPONSIBILITIES

The University takes our legal and moral responsibilities seriously, including:

Responsibility to protect

Protecting children is everyone's responsibility: parents, communities, governments and business all have a role to play. This includes the University and its representatives. We all have a role to play in making a child's ongoing safety and wellbeing a priority.

When a person forms a reasonable belief that a child or young person has been harmed or is at risk of harm, they are morally bound to take action to protect the safety and wellbeing of that child or young person.

In addition to moral obligations, a University Individual who has the power to remove a substantial risk that a child will become the victim of a sexual offence by a person associated with the University, must act to remove or reduce that risk. Failure to do so is a criminal offence¹.

The University owes a legal duty to take all reasonable care to prevent the abuse of a child by a person associated with the University while the person is under the care, supervision or authority of the University².

Responsibility to disclose

Reporting child sexual abuse and child exploitation is the responsibility of University Individuals and the University community as a whole.

All adults in Victoria (and therefore all adult University Individuals) who have any reasonable belief that a sexual offence has been committed by another adult (over 18) against a child under the age of 16 must report that belief to a police officer as soon as practicable unless there is a **reasonable excuse**³ or an **exemption**⁴ applies⁵. It is a criminal offence to fail to do so.

Mandatory reporting

Although everyone has a moral responsibility to report concerns about child abuse, some professionals are legally required to make a report to Child Protection Services, for example, teachers, principals, doctors, nurses, midwives, police, youth workers, social workers and psychologists are mandated to report concerns of child abuse to Child Protection Services⁶. The obligation to report arises when a person is such a profession, and in practising his or her profession, forms the belief on reasonable grounds that a [child](#) is in need of protection. A report must be made where there is a reasonable belief a child has suffered or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected or are not likely to protect, the child from that harm⁷. It is a criminal offence to fail to do so. The report must be made as soon as practicable to Child Protection Services.

The University must report a sexual offence, sexual misconduct, physical violence, behaviour causing mental harm or neglect to a child involving a University Individual to the Commission for Children and Young People within 3 days of becoming aware, and then investigate the allegations⁸.

¹ See Section 49C Crimes Act 1958 (Vic)

² See Part XIII Wrongs Act 1958 (Vic)

³ A **reasonable excuse** includes: a fear for safety, either to the victim or another person as a result of the disclosure; the information has already been disclosed to police. It does not include a "perceived interest" such as reputation, legal liability or financial status.

These exemptions are prescribed by the *Crimes Act 1958* (Vic) section 327.

⁴ Other **exemptions** include: the victim requests confidentiality (exemption does not apply if the victim is under 16 at the time of disclosing the abuse, or has an intellectual disability and is unable to make

an informed decision about the disclosure); the person is a child when they formed a reasonable belief; the information would be privileged (for example, client legal privilege); the information is confidential communication; the information is in the public domain; where police officers are acting in the course of their duty.

⁵ See Section 327 Crimes Act 1958 (Vic)

⁶ See Section 184 of Children, Youth and Families Act 2005 (Vic)

⁷ See Section 162(i)(c) and (d) of Children, Youth and Families Act 2005 (Vic)

⁸ See Section 16(m) of the Child Wellbeing and Safety Act 2005 (Vic)

Advice about a legal duty to report

University Individuals who are concerned that they may be legally required to report actual or suspected abuse or harm to a child should seek advice from the [Safer Community Unit](#) and/or the [Office of the General Counsel](#) to assist them to understand whether they are required to report and, if so, to make a report.

Information found at the link below may also assist University Individuals: [Department of Human Services - Reporting Child Abuse](#).

Procedural fairness

The safety and wellbeing of children is our primary concern. In acting on this concern, the University will use fair procedures when making decisions that affect a person's rights or interests.

Individuals who are subject of an allegation which the University is investigating, will be afforded:

- the opportunity to respond
- an unbiased decision maker
- decisions based on evidence.

We record all allegations of child abuse, child exploitation and inappropriate behavior relating to children including investigation information in a secure manner.

Grooming for sexual conduct with a child under the age of 16 years

Many perpetrators of sexual offences against children purposely create relationships with victims, their families or carers in order to create a situation where abuse can occur. This may be a criminal offence called grooming.

The offence of grooming occurs when a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 years or with a person who has care, supervision or authority for a child, with the intention of facilitating the child's engagement in or involvement in a sexual offence with that person or another person over the age of 18 years⁹.

Victorian Legislation underpinning this framework

- [Child Wellbeing and Safety Act 2005 \(Vic\)](#)
- [Crimes Act 1958 \(Vic\)](#)
- [Wrongs Act 1958 \(Vic\)](#)
- [Worker Screening Act 2020](#)
- [Children, Youth and Families Act 2005 \(Vic\)](#)
- [Education and Training Reform Act 2006 \(Vic\)](#)

Relevant Commonwealth Legislation

- Criminal Code Act 1995
- Crimes Act 1914

References

- [United Nations Convention on the Rights of the Child](#)
- [Overview of the Child Safe Standards](#)
- [Commission for Children and Young People](#)
- The [Victorian Child Safe Standards](#) at the Department of Human Services.
- Telephone: (03) 9096 0000
Email: childsafestandards@dhhs.vic.gov.au

⁹ See Section 49B Crimes Act 1958 (Vic)

STANDARD 1 - STRATEGIES TO EMBED AN ORGANISATIONAL CULTURE OF CHILD SAFETY, INCLUDING THROUGH EFFECTIVE LEADERSHIP ARRANGEMENTS.

The University is committed to building on existing systems and establishing new ways to embed and improve on a culture of child safety as well as ensuring that this Framework is implemented to demonstrate zero tolerance of child abuse.

The University will continue to:

- Review existing policies and practices such as this Framework, the Code of Conduct, our employment checks procedure, recruitment and selection practices and compliance requirements within relevant position descriptions;
- Review risk management plans such as the Position Assessment Tool, compliance training and clauses within contractor agreements;
- Review reporting mechanisms via our central reporting mechanism;
- Review responsibilities for individuals, managers and supervisors, Deans and executive directors, Human Resources, Office of General Counsel and the Safer Community Unit;
- Require University Individuals to report any criminal charge or allegation against them; and
- Review communications and key messages to ensure consistency with this Framework

STANDARD 2 – A CHILD SAFE POLICY OR STATEMENT OF COMMITMENT TO CHILD SAFETY.

The University's guiding principles, including this Framework and the Child Safe Code of Conduct, will underpin the actions and decisions of individuals of the University. Individuals and volunteers are expected to support and demonstrate these principles in the way we treat each other and in the way we conduct ourselves.

The University is committed to:

- Child safety and ensuring our actions and decisions relating to children support these guiding principles. We want children to be safe, happy and empowered.
- Ensuring all necessary steps are taken to realise the rights of children and to actively safeguard all children that we interact with from harm in both Australia and overseas (also in support of the Convention on the Rights of the Child).
- Ensuring individuals support the prevention of child abuse and child exploitation by setting boundaries for personal interactions with children, identifying risks early, and implementing measures to remove and reduce these risks as the University has a zero tolerance of child abuse and child exploitation.
- Encouraging reports of suspected child abuse, including from children themselves, and treating these reports seriously and consistently with our procedures.
- The cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse background, and to providing a safe environment for children with a disability.
- Communicating this Framework and the Child Safe Code of Conduct publicly as the University's response to the Child Safety Standards.
- Communicating this framework in a child friendly language;

Ensuring that University Individuals and the families, carers and guardians of any children who come into contact with University Individuals are aware of the Framework and its key provisions.

STANDARD 3 – A CODE OF CONDUCT THAT ESTABLISHES CLEAR EXPECTATIONS FOR APPROPRIATE BEHAVIOUR WITH CHILDREN.

The University has established a Code of Conduct (Child Safe Standards) which details clear expectations for appropriate behaviour when in the company of children, including online conduct.

University Individuals are expected to comply with the Code of Conduct (Child Safe Standards).

Breaches of either the Code of Conduct (Child Safe Standards) or relevant procedures will be dealt with under the [Conduct and Compliance Procedure – Disciplinary Action and Dismissal](#) provision or the [Monash University \(Council\) Regulations, Part 7 - Student Discipline](#) or termination of contract.

Failure to comply may be deemed serious misconduct warranting dismissal, exclusion or termination of contract or association with the University. Similarly, contractors and volunteers not covered by the above will face equivalent sanctions for non-compliance.

Refer Appendix A.

STANDARD 4 – SCREENING SUPERVISION, TRAINING AND OTHER HUMAN RESOURCES PRACTICES THAT REDUCE THE RISK OF CHILD ABUSE BY NEW AND EXISTING PERSONNEL.

The University is committed to following fair and equitable recruitment standards in the selection of staff that include the safety and wellbeing of children as a key consideration.

Recruitment & Selection Practices

The University is committed to taking all reasonable steps to engage suitably qualified individuals to work with children in the delivery of educational and research activities.

When recruiting and selecting staff, contractors and volunteers involved in child related work, the University will make all reasonable efforts to:

- confirm the applicant's Working with Children Check (and National Police Check status where appropriate) and/or professional registration (as relevant);
- obtain proof of personal identity and any professional or other qualifications;
- obtain references that address the applicant's suitability for the job and working with children;
- inform applicants of the University's requirement for disclosure of any active investigation, charge or conviction of a criminal conviction or other relevant finding;
- ensure that positions of medium or high interactive nature with children have clauses included in the position descriptions in respect of this Framework;
- incorporate renewing employment checks in the University's employment checks procedure; and
- regularly assess organisational child safety training needs, through questionnaires or as part of a regular performance review process.

Privacy

The University acknowledges that criminal history and other information considered during background checking is personal information. The privacy of this information will be respected in accordance with our Privacy Procedure.

Contractor Management

Individual units/schools/departments will manage contractor engagement using clauses, specific agreements and the Code of Conduct (Child Safe Standards) to disseminate compliance requirements and to ensure that contractors understand their obligations whilst representing the University.

Units/schools/departments should seek support, where appropriate, from the Office of the General Counsel and other relevant offices.

Training

Training and education is important to ensure individuals working with children at the University understand that child safety is everyone's responsibility.

The University aims for individuals to feel confident and comfortable to discuss any allegations of child abuse, child exploitation or child safety concerns.

Units/schools/departments are able to develop personalised training or seek assistance from Monash HR (Organisational Development).

Compliance Training

All University Individuals are expected to develop an awareness of our legal obligations, and responsibilities relating to the protection of children and young persons.

The University requires staff to complete modules which includes content specific to behaviour and ethics when working with children. By completing this training staff will understand what conduct is expected and who can help if there are questions, or incidents to report.

By completing all the University compliance modules, our staff will help us to maintain a healthy, safe, fair and ethical working environment that accommodates the particular needs of children.

STANDARD 5 – PROCESSES FOR RESPONDING TO AND REPORTING SUSPECTED CHILD ABUSE.

Responding to a child disclosing (or suspected) incident/s of abuse

- It is important that University Individuals provide a supportive environment for children, personnel or families of children to report allegations of abuse or child safety concerns.
- Where a child approaches you to make a complaint or raise a concern in relation to child abuse, try and separate them from the other children discreetly and listen to them carefully. If you are separating children from a group it is important to do so in a way that makes them feel safe.
- If a child approaches you, let the child use their own words to explain what has occurred.
- It is important that you reassure the child that you will take what they are saying seriously, and that you confirm that it is not their fault and that they are doing the right thing to seek help.
- Never blame or interrogate the child if an issue of abuse or suspected abuse is raised.
- Explain to the child that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police or child protection services.
- Do not make promises such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them and make arrangements for them to go to another place where they feel of will be safe.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to Safer Community Unit.
- The Safer Community Unit will make recommendations about mandatory reporting requirements, and how best to support the child. They will also make recommendations about whether an investigation should be carried out in accordance with the Child Safe Code of Conduct.
- It is important that you assist the Safer Community Unit to arrange for appropriate support to be provided to the child.

Reporting Allegations

The University takes all allegations of child abuse and child exploitation seriously and is committed to:

- providing processes for reporting allegations of child abuse and child exploitation;
- ensuring thorough and quick investigation/ referral where required;
- maintaining adequate record keeping of reports of alleged child abuse, child exploitation and child safety concerns;
- our individuals knowing what to do and who to tell if they observe child abuse, child exploitation or if they notice inappropriate behaviour towards children; and
- the responsibility of reporting an allegation of child abuse or child exploitation to appropriate authorities if we have a reasonable belief that an incident took place.

Good Faith Reporting

It is not unprofessional conduct for a report to be made in good faith. The law generally protects those that report in good faith from legal repercussions and in some cases also prevents the disclosure of the name or any information likely to lead to the identification of the person who has made a report. University Individuals should feel it is safe for them to make a good faith report relating to alleged child abuse, child exploitation and/or child safety concerns where they are legally obliged to do so.

When and what to report

Concerns must be reported as soon as practical.

Individuals must report when they observe or suspect that a child is or has been the subject of abuse, including physical violence, sexual abuse, serious emotional or psychological abuse and serious neglect.

A suspicion may exist if:

- a child tells an individual of conduct that could constitute abuse or neglect; or
- a child displays indicators of abuse or neglect and there is no other satisfactory explanation.

Staff are also required to report general concerns such as:

- physical environment risks to children
- inadequate staff-child ratios (where relevant)
- breaches of the Code of Conduct (Child Safe Standards)
- feeling uncomfortable about interactions between an adult and a child
- observations of concerning changes in the child's behaviour

How and who to report to

In an emergency or where it is believed that there is an immediate risk to the child's safety, emergency services should be immediately contacted on 000. Individuals should also report to campus security (when on campus).

A report must also be made to the University's Safer Community Unit either by phone or email (as below).

Campus Security

+61 3 9905 3333 or
ext 333 from a Monash phone

Safer Community Unit

+61 3 990 51599 or safercommunity@monash.edu
Hours: 9am to 5pm (Mon – Fri)

Emergency Services

Dial 000

Communications will be treated according to privacy procedures and shared on a 'need to know basis'.

Safer Community Unit

The Safer Community Unit encourages early identification of observable behaviour that presents a risk to the safety and wellbeing of self or others, including children.

The Investigation & Risk Assessment Officers are investigators, and problem behaviour risk assessment and management professionals, who are skilled in managing reports of child abuse/neglect.

The Investigation & Risk Assessment Officers discuss the information required for logging an incident, make an initial assessment and determine how the incident will be responded to.

Staff from the Safer Community Unit will, where appropriate, provide information, advice, support, and (where necessary) intervention for Monash Individuals impacted.

The Safer Community Unit provides an investigation, risk management and coordination role to reduce the risk to staff, students, children and the organisation of inappropriate, concerning and threatening behaviour. This is done in collaboration with a multi-disciplinary team and in accordance with current research, best practice, University policy and procedures.

The notification of child abuse or suspected child abuse to the Safer Community unit does not detract from an individual's mandatory reporting obligations as discussed above. This means that the Safer Community Unit will advise you about legal obligations you have to report and assist you to make that report. It is still each University Individual's obligation to report child abuse or suspected child abuse.

Maintaining records

The University will maintain records of any child safety complaints, disclosures or breaches of the Code of Conduct (Child Safe Standards) and stores these records in accordance with security and privacy requirements.

Personal information

Personal information provided will be handled according to the [University's Conduct and Compliance Procedure - Privacy](#), and in accordance with the [Privacy & Data Protection Act 2014](#) and the [Health Records Act 2001 \(Vic\)](#) where these Acts are applicable.

Warning Signs of Child Abuse

The following will help individuals to identify some warning signs of child abuse, however this list is not exhaustive and there may be various reasons why a child is displaying certain behaviour.

We recommend individuals seek advice from the Safer Community Unit.

Physical abuse signs and symptoms

- Unexplained injuries, such as bruises, fractures or burns
- Injuries that don't match the given explanation
- Untreated medical or dental problems

Sexual abuse signs and symptoms

- Sexual behavior or knowledge that's inappropriate for the child's age
- Pregnancy or a sexually transmitted infection
- Blood in the child's underwear
- Statements that he or she was sexually abused
- Trouble walking or sitting or complaints of genital pain
- Abuse of other children sexually

Emotional abuse signs and symptoms

- Delayed or inappropriate emotional development
- Loss of self-confidence or self-esteem
- Social withdrawal or a loss of interest or enthusiasm
- Depression
- Headaches or stomach aches with no medical cause
- Avoidance of certain situations, such as refusing to go to school or ride the bus
- Desperately seeks affection
- A decrease in school performance or loss of interest in school
- Loss of previously acquired developmental skills

Neglect signs and symptoms

- Poor growth or weight gain
- Poor hygiene
- Lack of clothing or supplies to meet physical needs
- Taking food or money without permission
- Eating a lot in one sitting or hiding food for later
- Poor record of school attendance
- Lack of appropriate attention for medical, dental or psychological problems or lack of necessary follow-up care
- Emotional swings that are inappropriate or out of context to the situation
- Indifference

STANDARD 6 – STRATEGIES TO IDENTIFY AND REDUCE OR REMOVE RISKS OF CHILD ABUSE.

Individual units/schools/departments will manage risk through communications, monitoring activities and conducting risk assessments.

The University is committed to identifying, assessing and taking steps to minimise child abuse and child exploitation in the delivery of educational and research activities by University individuals. In addition to this, the University is committed to conducting periodic reviews to ensure that policies, procedures and this Framework are adapted to meet child safety risks.

Breach of Framework

Where any University individual is suspected of breaching any obligation, duty or responsibility within this Framework, including obligations under the Social Media: Staff and Associates Use Procedures, the University may take action, in accordance with this policy/procedure.

Cyber, online and mobile phone safety

Although the use of technology provides enormous opportunities, children are particularly vulnerable in the online environment. They can be very trusting of what they are told, and may not yet understand how their own online behaviour can harm other people.

Social Media

The University embraces the use of social media by staff to connect with students, researchers, business partners, alumni, colleagues and other stakeholders such as children. Staff and contractors of the University are expected to comply with the [Use of Social Media procedure](#).

Cyberbullying

Cyberbullying is using an internet service or mobile technology with the intention of harming another person.

Cyberbullying can include but is not limited to:

- abusive texts and emails
- pranking
- forwarding or sharing unflattering or private images without permission
- hurtful messages, images or videos
- imitating others online
- excluding others online
- nasty online gossip and chat
- trolling, which is intentionally causing distress by abusing or posting inflammatory statements or intimidating others online
- grooming (which is defined below) conducted online

Online grooming

Grooming, conducted online or over the internet, may include but is not limited to:

- asking a child inappropriate or personal questions
- sending a child offensive, confronting or obscene content
- asking a child to send intimate pictures or do things online that make them feel uncomfortable
- singling a child out for a 'special' relationship.

If it is found that any University Individual is reasonably suspected of engaging in online grooming or cyberbullying, the University may take action in accordance with the Use of Social Media Policy.

Risk identification

The table in Appendix B is an overview of child interactive work at the University. It assists the University to make a prompt initial assessment of the risk level of a position.

The comprehensive Position Assessment Tool builds on this table and assists individuals to:

- identify the interactive nature of a position relating to children;
- undertake an assessment of the activities of a position relating to children; and
- minimise risk arising from activities relating to children.

The Position Assessment Tool assists individuals to consider particular risks that arise when children are involved in an activity and ways to mitigate those risks.

STANDARD 7 – STRATEGIES TO PROMOTE THE PARTICIPATION AND EMPOWERMENT OF CHILDREN.

As part of the University's commitment to the Child Safe Standards, the University believes that children should be empowered and that their voices should be heard and their rights promoted. By feeling safe and empowered, children will feel confident enough to report their concerns regarding their safety and welfare and that they are taken seriously.

All students, regardless of being a child legally or an adult will be reminded by the University, at various times of relevant resources such as (but not limited to):

- the Safer Community Unit
- Student Associations
- Disability services
- LGBTIQ services through the Ally network
- Indigenous support
- Spirituality and chaplains
- Student rights officers
- Security
- OHS unit
- Counselling support
- Clubs and associations etc.

The University can provide various training/education opportunities for staff, contractors, volunteers and to all University Individuals on matters such as (but not limited to) respectful relationships, mindfulness for wellbeing, mindfulness of culture, resilience, performance, recruitment, supervision and the University's requirements under this Framework.

Where a child raises concerns, they will be encouraged to talk to the Safer Community Unit. The Safer Community Unit staff are professionally skilled in managing reports of child abuse/neglect and in dealing directly with children. The Safer Community Unit will ensure their approach is 'child friendly', differentiated to allow younger and older children, children with a disability, or those from different cultural backgrounds, to raise their concerns.

The University will continue to monitor and develop practices, procedures and guidelines to ensure that the University has the welfare of children as a key concern.

RESPONSIBILITIES

Individuals are responsible for:

- Being familiar with the content of this Child Safe Framework and their legal obligations with respect to reporting of child abuse/exploitation.
- Complying with all screening and background checks, including working with children checks that apply to the activities of a position, including any requirement to alert the Secretary of the Department of Justice of the child related activities engaged in at the University.
- Complying with the Code of Conduct (Child Safe Standards).
- Contributing to an environment where children are respected and are encouraged to discuss their concerns and rights.
- Reporting suspicions of child abuse, child exploitation or inappropriate behaviour towards children irrespective of whether the source of the suspected conduct is from within or outside the University, an adult or a child, or from within or outside the child's family or social network.
- Assisting in an investigation of concerns or allegations.
- Risk assess child related activities.
- Advising Workplace Relations if you are under investigation, charged with or convicted of an offence in Australia or any other jurisdiction (including internationally), including child related offences.

Managers and Supervisors are responsible for:

- Complying with the Code of Conduct (Child Safe Standards).
- Ensure individuals are aware of and adhere to the Code of Conduct and this Framework.
- Promoting the Code of Conduct and this Framework to University Individuals, volunteers and contractors.
- Identifying positions (and position incumbents) involved in working with a child using the Position Assessment Tool to ensure appropriate action is taken to minimise risks.
- Coach individuals on managing risks.
- Monitoring individuals who are assessed as requiring to comply with this Framework or who require a Working with Children check to ensure appropriate behaviour and compliance with the Code of Conduct (Child Safe Standards).
- Providing support and advice to individuals in reporting allegations as well as report any allegations they are aware of.

Deans and Executive Directors are responsible for:

- Complying with the Code of Conduct (Child Safe Standards).
- Supporting and complying with the Framework in their respective schools or functions.
- Reporting to the Vice-Chancellor (or their delegate) periodically as requested on the topic of Child Safety Standards.
- Ensuring child protection measures are implemented within their areas of responsibility should they have individuals in positions whose activities interact with children (as per the Position Assessment Tool). They may delegate their responsibilities to managers and supervisors.
- Incorporating risk planning and monitoring of this requirement, and continuous improvement analysis, should they manage individuals in high child interactive positions.
- Providing support and advice to individuals in reporting allegations as well as report any allegations they are aware of.
- Promote a child safe environment at the University and in other dealings when representing the University.
- Ensure processes are in place that the parents, guardians and carers of children who come into contact with the University are aware of this Framework.

Human Resources are responsible for:

- Complying with the Code of Conduct (Child Safe Standards).
- Providing advice and assistance with regards to recommendation for appropriate action arising from a reporting process, together with the Office of General Counsel.
- Implementation of recruitment related matters including compliance training.
- Providing workforce analysis on training completion as it relates to recruitment and selection.
- Communicating this Framework to University Individuals and volunteers.
- Providing support and advice to individuals in reporting allegations as well as report any allegations they are aware of.



Office of General Counsel is responsible for:

- Complying with the Code of Conduct (Child Safe Standards).
- Providing advice and assistance with regard to any recommendation for appropriate action and reporting.

Safer Community Unit is responsible for:

- Complying with the Code of Conduct (Child Safe Standards).
- Receiving, and where appropriate or required by law, referring reports of child abuse to the authorities or otherwise as well as investigating allegations of child abuse, child exploitation or child safety issues.
- Ensuring someone is appointed or available to provide comfort and care for the child during this process.
- Advising on mandatory reporting obligations.
- Ensure appropriate record keeping.

TERMS AND DEFINITIONS

Term	Definition
Child abuse	For the purposes of this Framework, any act committed against a child involving physical violence, sexual offence, serious emotional or psychological harm and/or serious neglect.
Child exploitation material	The material, irrespective of its form, which is classified as child abuse material or child pornography material.
Child or children	A person who is under the age of 18 years.
Child safety	In the context of the Child Safe Standards, child safety means the measures to protect children from abuse or exploitation.
Emotional and psychological abuse	This occurs 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. (Commission for Children and Young People) This behaviour may be in the form of harm or abuse (and can also be repeated) but nevertheless is not in the best interest or promoting the safety and wellbeing of children.
Neglect	This means failing (or continuing to fail) to meet a child's basic needs, such as providing adequate food, drink, shelter, clothing, supervision, hygiene and medical attention. (Commission for Children and Young People) This behaviour is to the extent that the child's health, safety and or development is, or is likely to be jeopardized
Physical	This means intentionally causing, or threatening to cause, physical injury to a child, or inadvertently causing injury as a consequence of physical punishment or physically aggressive treatment of a child. (Commission for Children and Young People)
Racial, cultural, religious abuse	This is conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture. (Commission for Children and Young People)
Relevant Enterprise Agreement	The Enterprise Agreement that applies to a particular individual's member. The Monash University Enterprise Agreement (Academic and Professional Staff) 2019, will apply to academic and professional individuals at the University and, depending on the services provided by a trades and services individuals member, the Monash University Enterprise Agreement (Trades and Services individuals - Building and Metal Trades individuals) 2009, and the Monash University Enterprise Agreement (Trades and Services individuals – Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services individuals) 2005 will apply.

<p>Sexual abuse</p>	<p>A child is sexually abused when any person uses their authority over the child to involve the child in sexual activity. Child sexual abuse involves a wide range of sexual activity including fondling genitals, masturbation, vaginal or anal penetration by a finger, penis or any other object, voyeurism and exhibitionism.</p> <p>Sexual exploitation is considered a specific form of sexual abuse because children, by virtue of their age and development, are unable to give informed consent. Sexual exploitation of children takes different forms. It can include children being involved in sexually exploitive relationships, exposing a child to pornography, receiving money, goods, drug or favours in exchange for sex with one or more adults, or being exploited in more 'formal' forms of sex work. In all cases, those exploiting the children have power over them by virtue of their age, gender, physical strength, economic or other resources, such as access to drugs or gifts. (Commission for Children and Young People).</p>
<p>Working with Children Check (WWCC)</p>	<p>The <i>Worker Screening Act 2020</i> requires that people who work or volunteer in certain child-related work, obtain a current and valid Working with Children (WWC) check. A WWC check considers certain offences and makes an assessment of the level of risk an individual poses to children's safety. A WWC Check is valid for five years (unless revoked). In addition, the University may require a WWC check for all individuals engaged in child related work.</p>
<p>University Individual</p>	<p>Means any person who has a connection with the University, whether that be through employment, a contracting arrangement, as a student, a Council Member, title holders, or through the delivery of any service whatsoever to the University who has an obligation under the Framework.</p>

ADMINISTRATION

Review of this Child Safety Framework

The University is committed to continuous improvement of child safety systems and practices. The University intends the framework to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

History

Term	Definition
Version & Effective Date	Version 5 – 1 February 2021
Historical Versions	Version 4 – 14 February 2020 Version 3 – 24 October 2018 Version 2 – 9 May 2018 Version 1 – 1 June 2017
Author	Director, Workplace Relations
Owner	Chief Human Resource Officer
Contact	ask.monash or phone HR on 9902 0400
Next Review	August 2019



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