



Child Safe Policy

Drafted by:	Principal	Approved by Council on:	5 Dec 2024
Responsible person:	Principal	Scheduled review date:	5 Dec 2026
		Version:	1

1. Introduction

Jane Franklin Hall ('the College') commits to the wellbeing and safety of all students and acknowledges its special responsibility to children and young people. While predominantly a place of residence for young adults, the College nonetheless values the contributions made by children and young people to College life and will make every effort to protect them from harm.

The College recognises its legal obligations to children and young people and commits to maintaining a child-safe environment within the Tasmanian State Government's *Child and Youth Safe Standards and Universal Principle for Aboriginal Cultural Safety*¹. The College also commits to fulfilling its obligations to underage international students, as outlined in Standard 5 of the *National Code of Practice for Providers of Education to Overseas Students 2018* ('the National Code')².

2. Purpose

This policy outlines the College's approach to managing the wellbeing and safety of children and young people at the College.

3. Application

This policy applies to:

- 3.1 Everyone who can reasonably be considered as connected to the current College community;
- 3.2 Visitors and guests to the College;
- 3.3 Contractors and consultants to the College;

¹ <https://www.oir.tas.gov.au/about/child-and-youth-safe-standards> established under the Tasmanian *Child and Youth Safe Organisations Act 2023*.

² <https://www.education.gov.au/esos-framework>, established under the Commonwealth *Education Services for Overseas Students (ESOS) Act 2000*

- 3.4 Conduct which:
- 3.4.1 Occurs on land or property owned or occupied by the College;
 - 3.4.2 Occurs in relation to any project, program or event which has a significant connection to the College;
 - 3.4.3 Has the potential to affect an individual's suitability to remain connected to the College having regard to the wellbeing and safety of the College community;
 - 3.4.4 Occurs through online communications such as phones, computers, social media or other communication platforms or devices.

4. Guiding Principles

- 4.1 All children, young people and underage students at the College, regardless of their gender, culture, religious beliefs, age, ability, sexual orientation or background, have the right to safety, participation, wellbeing, empowerment and protection from abuse.
- 4.2 The College recognises that particular consideration needs to be paid to the cultural safety of Aboriginal and Torres Strait Islander children and young people.
- 4.3 The College will not tolerate any child abuse, exploitation, grooming or harm of children by any person living at, or visiting the College or while engaged in College activities.

5. Policy

- 5.1 The College will not knowingly engage directly or indirectly anyone who poses a risk to its students, especially to children and young people.
- 5.2 All members of the College community are responsible for the care and protection of underage students.
- 5.3 All members of the College community will meet the standards of behaviour outlined in the Child Safe Code of Conduct and must demonstrate the practices, behaviours and relationships consistent with the College's values, Culture Statement, policies and procedures.
- 5.4 All staff and volunteers must actively discourage and immediately report behaviour of or against a child, young person or underage student which may constitute a breach of College policies and procedures, Student Code of Conduct, College Obligations and Terms of Residence (COTR) or Child Safe Code of Conduct.
- 5.5 It is mandatory for all staff or volunteers to immediately report to the Dean of Students or to the Principal any circumstance which may construe sexual misconduct directed towards an underage student.

- 5.6 As far as possible, the College will keep open lines of communication, provide information and seek feedback with parents, guardians or equivalent of underage students unless a young person expressly asks the College not to.³
- 5.7 The College will equip staff and volunteers with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- 5.8 All staff and volunteers are required to attend mandatory training sessions offered in relation to the College's Child safe policies, procedures and compliance obligations, including training intended to foster culturally safe practices.
- 5.9 The College commits to a culture of reflective practice and continuous improvement to ensure a child safe environment.
- 5.10 The College empowers all students to openly express their views, participate in discussions and activities, and encourage them to participate in decision making processes related to their time at College.
- 5.11 The College recognises the obligations of the University to maintaining a child safe environment and when a critical incident regarding an underage international student occurs, the College will involve relevant personnel at the University.
- 5.12 The College will report breaches of the College's Child Safe Framework to external agencies under both state and Commonwealth laws and to the University as relevant.
- 5.13 The College will ensure that child safety is part of its overall risk management approach which is monitored by the College Council and sub-committees of the Council.
- 5.14 Excluding the requirements of state government, Commonwealth and University reporting requirements, the College will make every effort to ensure the privacy of parties to a child safe matter.
- 5.15 Where one party to an allegation (either a child /young person or the respondent) is not a member of the Jane Community, the College will act according to its Child Safe Framework to ensure the safety and wellbeing of children and young people.

³ Under the Tasmanian state *Child and Youth Safe Organisations Act 2023* people who are aged 16 to 18 must give consent to involving parents or guardians in matters related to investigating reportable conduct.

6. Consequences for breaches of the College's Child Safe Framework

- 6.1 Any member of the College community found to be in breach of the Child Safe Framework may face disciplinary action including but not limited to: expulsion, termination of employment; required resignation from leadership or governance roles; exclusion from College grounds and activities; refusal to re-engage in work; cancellation of lease.
- 6.2 Disciplinary action will be dealt with on a case-by-case basis and will be at the discretion of the Dean of Students, the Principal or the Principal's Delegate and/or the College's CMC.
- 6.3 Any member of the College community found to be in breach of the College's Child Safe Framework will be referred to Tasmania Police and/or a reporting entity.

7. Definitions

(the) College	Jane Franklin Hall, 6 Elboden Street, South Hobart 7004
Child/children	A person who has not attained the age of 18
Child abuse	Any act committed against a child involving physical violence or threats of physical violence, sexual abuse, serious emotional or psychological abuse or serious neglect
Child-safe environment	Respectful and protective physical and online environments where children and young people can participate safely from harm in College activities.
Child Safe Framework	The College's Child Safe Code of Conduct, Child Safe Policy and Child Safe Procedures.
CMC	Crisis Management Committee. It is an ad hoc sub-committee of the College Council comprising the Chair of Council, the Deputy Chair of Council, the Principal and other members appointed when relevant to the situation.
College Community	Residents, including occupants of College apartments and their family members, who are living at the College as part of a residential agreement, staff, volunteers including Council members and Fellows and sub-committee members.

Contractor/Consultant	An employee of third-party organisation that is engaged by Jane Franklin Hall to perform specific work.
Critical incident	An event of intense difficulty or danger where immediate actions may ensure individual and collective safety and well-being. Such events include but are not limited to: accidents, serious illnesses and medical emergencies, death, psychosocial harm/assault, missing students, criminal matters that do not directly relate to reportable conduct matters and emergencies related to natural disasters.
Cultural safety	A product of working and learning environments that acknowledge, respect and empower the unique cultural identity and wellbeing of an individual, that enable safe services and care and which is determined by the individual.
Grooming	Conduct such as displaying favouritism, isolating a child or young person from others, encouraging secrecy, or giving gifts, undertaken to establish trust in preparation for child abuse at a later time.
Guardian or equivalent	Adult responsible for ensuring the safety and wellbeing of a child or young person while they are living at or engaging with the College.
Underage international students	Students aged under 18 who hold a passport from a country other than Australia, have a visa to study at the University of Tasmania and an approved Confirmation of Appropriate Accommodation and Welfare (CAAW) ⁴ letter to reside at Jane Franklin Hall.
Reporting entity	Safe and Fair Community Unit (SAFCU) at the University of Tasmania, Tasmania Police, Tasmanian Office of the Independent Regulator (OIR), Registrar of the Registration to Work with Vulnerable People (RWVP) scheme
Resident/student	Any student currently residing at the College on a residential agreement or lease arrangement
Respondent	An individual about whom an allegation related to breaching the College's Child Safe Framework is made

⁴ <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500/welfare-arrangements-students-under-18>

Staff	Any current employee of Jane Franklin Hall, including full time, part time and casual workers. This also includes, interns, work experience placements and trainees.
Tenant	A person or people who holds a lease arrangement for occupancy of a self-catered accommodation at the College.
Underage student	A student who is resident of Jane Franklin Hall and is under the age of 18
University	University of Tasmania
Visitors/guests	People who do not reside at the College on a residential agreement or lease. These include but are not limited to parents, family members and friends of students, study or school groups, those attending meetings or events at the College and alumni.
Young person/youth	A person who has attained the age of 16 but has not yet reached 18.

8. Relevant legislation and standards

- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Commonwealth)
- *Education Services for Overseas Students (ESOS) Act 2000* (Commonwealth)
- Child and Youth Safe Standards and Universal Principle for Aboriginal Cultural Safety (State)
- *Child and Youth Safe Organisations Act 2023* (State)

9. References – Jane Franklin Hall policies and procedures

- Child Safe Code of Conduct
- Child Safe Procedures
- Alcohol at Jane Statement
- Complaints Policy and Procedures
- Inclusion and Diversity Policy
- Sexual Misconduct Policy and Procedures
- Statement on the College Culture
- Student Code of Conduct
- College Obligations and Terms of Residence (COTR)
- Critical Incident Policy and Procedures

10. Other

- University of Tasmania Child Safety Policy
- University of Tasmania Under 18 Student Support and Accommodation Procedure
- University of Tasmania and Jane Franklin Hall Deed of Affiliation and MOU

11. Review

This policy will be reviewed every two years from date of approval and/or upon closure of a matter related to the College's Child Safe Framework.