



**JANE**  
FRANKLIN HALL

## Child Safe Procedures

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

### 1. Purpose

This procedure describes the processes for ensuring the College provides a child-safe environment for children and young people. The procedures are informed by requirements of:

- Standard 5, *National Code of Practice for Providers of Education to Overseas Students 2018*<sup>1</sup>
- Tasmanian State *Child and Youth Safe Standards and Universal Principle for Aboriginal Cultural Safety*<sup>2</sup>

### 2. Applicable College governance instruments

- Child Safe Policy
- Child Safe Code of Conduct
- College Obligations and Terms of Residence (COTR)
- Student Code of Conduct
- Inclusion and Diversity Policy
- Sexual Misconduct Policy and Procedures
- Critical Incident Policy and Procedures

### 3. Application and definitions

All applications and definitions as described in the Jane Franklin Hall Child Safe Policy are applicable to these procedures.

Other definitions applicable to these procedures:

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<sup>1</sup> <https://www.education.gov.au/esos-framework> , established under the Commonwealth *Education Services for Overseas Students (ESOS) Act 2000*

<sup>2</sup> <https://www.oir.tas.gov.au/about/child-and-youth-safe-standards> established under the Tasmanian *Child and Youth Safe Organisations Act 2023*.

International Student Advisor(s)	Employees of the University who provide support and oversight of international student concerns and compliance with visa conditions.
OIR	Office of the Independent Regulator, a Tasmanian state-based body that oversees compliance with the Child and Youth Safe Organisations' Framework. A reporting entity within the College's definition (see Child Safe Policy).
Reportable conduct	Reportable Conduct includes both criminal and non-criminal behaviour which is demonstrated by staff members, volunteers and contractors. It includes significant psychological or emotional harm, significant neglect, physical violence, sexual offence and/or sexual misconduct, grooming and relevant offences such as failing to report child abuse or female genital mutilation. <sup>3</sup>
RWVP	Registration to Work with Vulnerable People in Tasmania
SAFCU	Safe and Fair Community Unit at the University of Tasmania.
Unaccompanied underage student	A student enrolled at Jane Franklin Hall who is under the age of 18 and travels to the College without the supervision of a responsible adult.
Unapproved absence	An overnight absence of an underage student from the College which has not been approved by the Dean of Students, Registrar or Principal

#### 4. Employment practices

- 4.1 All College recruitment advertising including position descriptions will include an expectation of commitment to child safe practices from prospective employees.
- 4.2 All employees are required to undergo a National Police Check upon commencement of employment and every three years thereafter.
- 4.3 All employees and volunteers are required to have a current RWVP or equivalent.
- 4.4 All employees and volunteers are responsible for ensuring their National Police Checks and RWVP are current.
- 4.5 All employees and volunteers are required to agree to and sign the Child Safe Code of Conduct.
- 4.6 The College will maintain a register of employee and volunteer child safe credentials and will regularly review it for compliance.
- 4.7 All employees and volunteers are mandatorily required to undertake induction or training as specified from time to time in relation to child safe matters.

<sup>3</sup> <https://oir.tas.gov.au/about/reportable-conduct-scheme>

- 4.8 A failure to commit to or maintain any of the requirements for employment may result in termination of employment.
- 4.9 The College will share the register of employee and volunteer child safe credentials with the University.
- 4.10 The College will inform the University of all Child Safe training provided to staff, including attendance records.

## 5. Enrolment and arrival of underage students

- 5.1 All students must be at least 17 years of age upon entry to the College.
- 5.2 The College will provide written pre-departure information, including College contact details, for students, parents/guardians and, where relevant, agents of underage students. Where possible this information will be provided in the student's first language.
- 5.3 Parents, guardians or equivalent of underage students must sign all documents related to the underage student, for example, the Residential Agreement.
- 5.4 As far as possible, the College will provide accommodation for underage students in single sex areas of the College. In the unlikely event that this is not possible, underage students will be placed so as to have access to a single sex bathroom and to be near other underage students.
- 5.5 If an international underage student is not accompanied to Hobart by a parent/guardian, the College will arrange an airport pick up by an approved provider. If parents wish to nominate a Hobart contact to pick the student up at the airport, written permission must be provided to the College prior to departure. [RELEVANT FORM: *Underage International Student Arrival and Pick up Form*].
- 5.6 When in transit to the College, unaccompanied underage students must ensure they have a telephone with an Australian SIM card (or similar means of communicating in Australia) as well as College contact details.
- 5.7 Unaccompanied underage students, or their parents/guardians or agents must inform the College immediately should there be a delay in the student's arrival time.

## 6. Management of children or young people while at College

- 6.1 The Registrar is the first point of contact for underage students, their parents, agents and the University.
- 6.2 The Dean of Students is responsible for underage student matters.
- 6.3 All underage students must have an induction meeting with the Dean of Students and/or the Registrar as soon as practicable after commencing their residency at College.
- 6.4 Underage students are required to be on site and to check in with the Senior Resident (SR) on call between 6pm and 8pm each evening.

- 6.5 Following the check-in, SRs are required to provide a written report on any non-urgent concerns regarding an underage student's health or wellbeing to the Dean of Students for follow up the following day.
- 6.6 After hours, SRs will address any urgent health or wellbeing issues immediately, in line with College Policies and Procedures, including the Critical Incident Policy. During business-hours, the Dean of Students will address any urgent health or wellbeing issues with underage students.
- 6.7 Should an international underage student wish to stay temporarily off College premises, parents must provide written permission no later than seven days before the proposed stay. [RELEVANT FORM: *UI8 Away from Approved Accommodation Form*]
- 6.8 Underage students are strictly forbidden from consuming alcohol, taking illicit drugs, smoking or vaping.
- 6.9 Members of the College community are strictly forbidden to supply alcohol, drugs, cigarettes or vapes to an underage student.
- 6.10 Underage students are not permitted to attend an event where the serving of alcohol is subject to a liquor licence.
- 6.11 Staff meetings will contain a standing agenda item to discuss the welfare of each underage student.
- 6.12 All community members are required to report concerns related to children or young people who are residents, guests or temporary visitors to the College to the Dean of Students.
- 6.13 All underage students are required to attend Academic Mentor sessions to which they have been allocated by the College.
- 6.14 The rooms of all underage students will be inspected on a regular basis.
- 6.15 The College will inform the University of disciplinary actions undertaken by the College against an underage international student where poor behaviour affects the student's place at College.
- 6.16 The College will regularly communicate and share information with the International Student Advisors in regard to underage international students.
- 6.17 Children and young people who are guests of the College or of college community members, or who are children of tenants, are expected to be supervised by a responsible adult. The College accepts no responsibility for management of their behaviour, wellbeing, whereabouts or actions.

## **7. Managing an unapproved absence from College of an underage student**

- 7.1 All community members are required to report knowledge of any unapproved absences of an underage student to the Dean of Students immediately upon discovery of the absence.
- 7.2 Upon being notified of an unapproved absence, the Dean of Students will immediately initiate an investigation to determine the students' whereabouts. This may involve contacting parents and other known contacts.
- 7.3 If a students' whereabouts cannot be ascertained within a period of four hours, the Dean of Students will inform the Principal.
- 7.4 Once the matter is reported to the Principal, the student is considered missing.

- 7.5 The Principal will officially report the missing international student to Tasmania Police and the SAFCU. For domestic students, the Principal will report the missing student to Tasmania Police and to parents.
- 7.6 Once the matter is officially reported to police, the matter is considered a Critical Incident, and the Critical Incident Policy and Procedures will be enacted.
- 7.7 In the case of a missing international student, the Principal will liaise with the University to determine further actions including contacting parents and managing communications.
- 7.8 Where an underage student's unapproved absence from College warrants disciplinary action against the student and/or others who were complicit in facilitating the unexplained absence, the usual rules, processes and consequences as outlined in the COTR, the Student Code of Conduct and other College policies and processes will apply.
- 7.9 The same processes will apply should an unaccompanied underage student fail to arrive at College within four hours of their expected arrival time unless they have notified the College in advance of their arrival about a change in arrival time.

## **8. Managing College-related critical incidents involving children and young people**

- 8.1 All College-related critical incidents involving children and young people will be managed according to the College's Critical Incident Policy and Procedures.

## **9. Reporting and investigating allegations raised under the College's Child Safe Policy Framework**

- 9.1 All members of the College community are responsible for reporting breaches of the Child Safe Policy Framework to the Dean of Students or the Principal immediately upon becoming aware of the matter.
- 9.2 Reports may be made verbally or in written form.
- 9.3 In some cases it will be necessary to take precautionary measures upon receiving knowledge of a breach of the College's Child Safe Policy Framework. This is to ensure:
- The safety and wellbeing of the child or young person and College community members;
  - All reasonable risks or further inappropriate behaviours are removed;
  - the integrity or confidentiality of any process under these procedures;
  - reduce negative impacts on the College's reputation or on the reputation of any member of the College community.
- 9.4 Precautionary measures include but are not limited to: separation of parties; suspension of employment, College activities or residency; exclusion from College grounds and activities; direction to take leave from or resign from leadership or governance positions.
- 9.5 The CMC will make decisions about the suspension or expulsion of individuals.

- 9.6 In the event that respondent is suspended and then cleared of allegations, the CMC will determine if the respondent can return to the College community.
- 9.7 In making its decision, the CMC will consider a range of factors including but not limited to: the findings of the investigation; College members' safety and wellbeing; and the likelihood and potential severity of further risks.
- 9.8 Precautionary measures do not in any way pre-judge the outcomes of an investigation.
- 9.10 The Principal or the Principal's delegate will report critical incidents and/or reportable conduct related to underage international students to SAFCU.
- 9.11 When a matter relates to sexual misconduct, as defined in the College's Sexual Misconduct Policy and Procedures, and the complainant is under 18, or the matter is a suspected crime, the Principal or the Principal's delegate will report the matter to Tasmania Police.
- 9.12 Where an allegation relates to reportable conduct, the Principal or the Principal's delegate will report the matter to OIR and follow investigative procedures as required by the OIR.<sup>4</sup>
- 9.13 The College will also report matters related to reportable conduct to the Registrar of the RWVP scheme.
- 9.14 Depending on the allegations, the College may be required to report the matter to more than one reporting entity.
- 9.15 All members of the College community are encouraged to report reportable conduct directly to the OIR.
- 9.16 The College will engage parents/guardians of affected children or young people in conversations regarding allegations unless the child is between the age of 16-17 and has explicitly requested that parents/guardians are not contacted or the allegation pertains to the parent/guardian.<sup>5</sup>
- 9.17 When talking to children or young people regarding allegations, the College will make every effort to minimise trauma and provide a safe, comfortable environment for them to engage with College representatives, following the guidelines developed by the OIR.<sup>6</sup>

## 10. Processes for managing an allegation raised under the College's Child Safe Policy Framework

### 10.1 STEP 1: Initial assessment

- 10.1.1 Upon receipt of an allegation, the Dean of Students or the Principal will make immediate contact with the child or young person and, where appropriate, their parent/guardian to ensure their safety, establish facts and offer counselling support.

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<sup>4</sup> <https://oir.tas.gov.au/home>

<sup>5</sup> <https://oir.tas.gov.au/investigations/conducting-an-investigation>

<sup>6</sup> <https://oir.tas.gov.au/investigations/conducting-an-investigation>

- 10.1.2 Where the matter is an urgent one of safety, or the matter requires mandatory reporting or is a suspected criminal matter, the Principal, or the Dean of Students in the Principal's absence, will immediately contact the police.
  - 10.1.3 The Dean of Students will raise a casefile to keep records of all matters related to the allegation.
  - 10.1.4 The Dean of Students and/or Principal will promptly and fairly conduct an initial assessment with the intention of determining if and what precautionary measures are required.
  - 10.1.5 The Principal, or the Dean of Students in the Principal's absence, will inform the Chair of Council and they will jointly determine if the CMC should be convened.
  - 10.1.6 If an allegation relates to an underage international student, the Principal, or the Dean of Students in the Principal's absence, will report to SAFCU.
  - 10.1.7 If the matter relates to reportable conduct, the Principal, or the Dean of Students in the Principal's absence will report to the OIR within three days of receipt of the allegation and follow procedures as outlined by the OIR, including reporting to the Registrar of the RWVP scheme.
- 10.2 STEP 2: Precautionary measures
- 10.2.1 The CMC will decide if the respondent should be removed temporarily from the College community.
  - 10.2.2 For a resident, tenant or an employee who lives on-site who is suspended from residing at the College as a precautionary measure, the College will pay for offsite temporary accommodation while the investigation is being conducted.
  - 10.2.3 From the date of removal from the College, all fee or rent payments at Jane will cease and any prepaid fees will be refunded from the date of removal with no penalty.
- 10.3 STEP 3: Investigation
- 10.3.1 To reduce the risk of a conflict of interest, the College may employ an independent investigator to undertake an investigation.
  - 10.3.2 The College will render full assistance to any external investigation including but not limited to providing contact details for witnesses.
  - 10.3.3 During an investigation, the College will maintain regular and transparent contact with all parties to the matter.
  - 10.3.4 Where a matter must be investigated by the Police and/or SAFCU and/or the College, the College will communicate with all investigating and regulatory bodies to co-ordinate approaches and ensure there is no compromise of a criminal matter. This may mean the College's own investigation is paused while other investigations occur.

10.3.5 The College will use its best endeavours to conclude the investigation in a timely manner, noting that some matters may be beyond the College's control.

10.3.6 The child or young person and the respondent will be offered appropriate counselling at the College's expense while the investigation is being conducted.

#### 10.4 STEP 4: Post Investigation

10.4.1 The CMC will consider the findings of the investigator's report and consider what actions should be taken.

10.4.2 At the conclusion of the investigation, regardless of the recommendations of the investigation, the College may take either disciplinary or preventative action to ensure the continued wellbeing of the College community.

10.4.3 Should the respondent be charged by police with a crime related to the Child Safe Framework, the College will cease contact with the respondent. Depending on the respondent's relationship to the College actions to cease contact may involve, but are not limited to: expulsion; termination of lease arrangements; or resignation from governance or leadership positions.

10.4.4 Once cessation of contact occurs, the College will no longer take responsibility for the costs of supporting the respondent while he/she was under investigation.

10.4.4 For matters related to reportable conduct, the College will ensure appropriate reporting occurs to the OIR.

10.4.3 The College will review relevant policies and procedures in light of findings of the investigation.



Procedures for Managing Breaches of the College’s Child Safe Framework

