

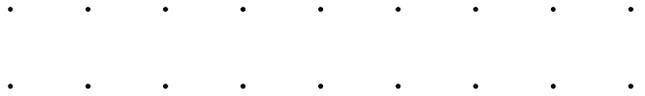


Responding to Child Safety Concerns Framework

Made by the Safer Community Team

swinburne.edu.au/safercommunity

Our commitment



Swinburne University of Technology is committed to child safety and facilitating a child safe environment, where the word child refers to children and young people under the age of 18 years.

Through identifying risks early, and mitigating these risks, Swinburne seeks to protect any child associated with a University-related activity. The University has zero tolerance for child abuse and all forms of harm to children, and concerns or allegations are treated very seriously.

It is a shared and collective responsibility of all University staff, students, volunteers, and contractors to prevent child abuse. Every person connected to the University has a duty of care to children: child safety is everyone's responsibility. This document outlines Swinburne's child safety framework to ensure children associated with Swinburne are safe and supported.

What is Swinburne committed to?

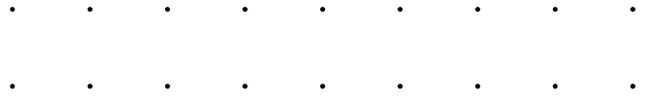
Swinburne is committed to supporting the eleven Child Safe Standards by:

- Treating all allegations and safety concerns seriously and managing any reports consistently with our policies and procedures.
- Upholding legal and moral obligations to contact relevant authorities when we have reasonable concerns about a child's safety, or reasonably believe that a child has been abused or harmed.
- Establishing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

- Ensuring that child safety and wellbeing is embedded in organisational leadership, governance, and culture.
- Ensuring children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
- Ensuring families and communities are informed and involved in promoting child safety and wellbeing.
- Ensuring that equity is upheld, and diverse needs respected in policy and practice.
- Ensuring people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
- Ensuring that there are processes for complaints and concerns which are child focused.
- Ensuring staff, contractors and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
- Ensuring that physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Regularly reviewing and improving implementation of the Child Safe Standards.
- Ensuring we document how the organisation is safe for children and young people.



Legal obligations



Swinburne has a legislative and moral duty to take reasonable measures to prevent and respond to the abuse of a child by a person associated with Swinburne while the person is under the care, supervision, or authority of the University. To achieve this, the University has in place a structured process for reporting and acting on concerns or allegations of child abuse and harm.

Who is required to report?

Child safety reporting obligations apply to all staff and associates of Swinburne University of Technology including:

- Swinburne leaders, employees, researchers, students, representatives, and volunteers.
- Contractors, tenants, licensees or lessees, and service providers where there is a connection with Swinburne or when attending Swinburne premises or affiliated activities.
- Customers and visitors when engaged in activities with or for Swinburne, or when attending Swinburne premises.
- Partner organisations or people acting for or on behalf of Swinburne in relation to our students and staff (including clubs and societies, and student representative organisations).
- Any person who is a [mandatory reporter](#) must also comply with their mandatory duties to report.

What are the reporting requirements?

At Swinburne, all staff, students, contractors, visitors, and volunteers are bound by the reporting obligations outlined in the Child Safety Statement of Commitment and Practice, which requires them to:

- Contact Emergency Services and/or Swinburne Security if there is a belief that a child or young person is in immediate harm or danger.
- Report any concern or allegation child abuse and harm, and breaches to the Code of Conduct to Safer Community.

Individuals and the university must also comply with the following legislative reporting requirements where relevant:

Failure to disclose

Reporting child sexual abuse is a community-wide responsibility. Under the [failure to disclose offence](#), all adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.

Failure to protect

The [failure to protect offence](#) stipulates that:

- where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of the University will become a victim of a sexual offence committed by an adult associated with the University
- any person of authority in the University will commit an offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

Mandatory reporter

Any person who is a mandatory reporter under the [Children, Youth and Families Act 2005 \(Vic\)](#) must comply with their duties to report a reasonable belief of child physical or sexual abuse to child protection authorities. Examples of mandatory reporters include doctors, nurses, registered teachers, school principals, youth justice workers, psychologists, and religious and spiritual leaders.

Reportable conduct scheme

If a concern or allegation of child abuse or harm relates to a Swinburne employee, volunteer or contractor, the university has additional reporting obligations. The [Reportable Conduct Scheme](#) requires certain organisations to notify the Commission for Children and Young People (CCYP) about allegations of child abuse and child related misconduct made against their employees, volunteers, or contractors. It also requires organisations to undertake an investigation into any allegations and allows the CCYP to oversee those investigations.

There are five types of 'reportable conduct' listed in the [Child Wellbeing and Safety Act 2005 \(Vic\)](#):

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

Refer to the CCYP information sheet on ["What is reportable conduct?"](#) for further information.



Responsibilities

Child safety is everyone's responsibility. The following sections outline the various responsibilities held by different areas of Swinburne.

All students, staff, contractors, and associates

All students, staff, contractors, volunteers, and visitors of Swinburne are responsible for:

- not disregarding the signs of child abuse and how to respond to them.
- following appropriate reporting processes when a concern, report or disclosure of child abuse arises.
- following best practices as outlined in the Child Safety Statement of Commitment and Practice when engaging with children.
- calling Emergency Services (000) and/or Swinburne Security where a child is in immediate danger, and then notifying Safer Community as soon as possible.

Safer Community

Swinburne's [Safer Community](#) team provides support, advice, intervention and risk management of inappropriate, concerning and/or threatening behaviours within the university relating to student conduct, including child safety concerns.

Safer Community is responsible for:

- maintaining oversight of reported concerns or allegations of child abuse and harm.
- receiving and responding to reported concerns or allegations of child abuse and harm.
- investigating any reports involving the conduct of students, including those who are leaders, volunteers and/or researchers.
- referring reports involving the conduct of Swinburne staff, contractors and volunteers to the Behavioural Risk Assessment and Management (BRAM) team for review and follow-up.
- ensuring child-friendly complaints mechanisms are in place.
- supporting Swinburne staff and children, young people and families who have identified, responded to, or reported child abuse by ensuring they are linked in with appropriate internal and community supports.
- reviewing, managing and continually improving Swinburne's child safe reporting practices.
- collating, reviewing, and reporting organisational incidents and outcomes on a quarterly basis.
- providing training to students, staff, contractors, visitors and volunteers around child safety matters, including recognising and responding to indicators of child abuse and harm.
- engaging with and creating resources for children and their families, students, staff, contractors, visitors and volunteers around child safety policies and procedures.
- ensuring the university's compliance with the Child Safe Standards.

Behavioural Risk Assessment and Management (BRAM) Committee

The BRAM Committee is an advisory body comprised of subject matter experts to provide guidance on the management of high risk and/or complex student behavioural risk concerns. The Committee is responsible for:

- monitoring student behavioural risk trends and incidents.
- endorsing programs aimed at preventing problem student behaviour and promoting a safer university
- reviewing related frameworks and procedures, such as child safety.

The Vice-Chancellor and the Vice Chancellor's Delegate

The Vice-Chancellor is the head of Swinburne. The Vice-Chancellor and the Vice Chancellor's delegate are responsible for:

- compliance with reporting obligations associated with the Reportable Conduct Scheme, including:
 - notifying the [Commission of Children and Young People](#) within three days of becoming aware of a reportable allegation.
 - providing certain detailed information about the allegations and the proposed response to the [Commission](#) within 30 calendar days after becoming aware of a reportable allegation.
 - Providing updates to the Commission about who will conduct the investigation, the outcomes, and the actions to be taken as a result of the outcomes.



Reporting process

What and when to report?

All incidents, disclosures, suspicions, reasonable beliefs of abuse, harm (or threat of) or misconduct involving a child or young person must be reported to the university as soon as practical.

A reasonable belief of child abuse

A reasonable belief is:

- a belief based on reasonable grounds that child abuse or harm to a child or young person has occurred.
- formed if a person in the same position would have formed the belief on the same grounds.
- not the same as having proof but is more than mere rumour or speculation.
- A deliberately low threshold. This enables authorities to investigate and take action where appropriate.

A reasonable belief might be formed if:

- a child / young person states that they have been abused or harmed.
- a child or young person states they know someone who has been abused or harmed (sometimes the child may be talking about themselves).
- someone who knows a child or young person has stated that the child has been physically or sexually abused.
- observations of the child or young person's behaviour lead to the belief that the child has been abused. This observation could be made in person, online or in writing.

Things to remember:

- Incidents or concerns do not have to be witnessed by the reporter to be raised with the university.
- Incidents or concerns do not have to constitute an emergency or pose an immediate threat to be reported.
- Incidents do not have to come via formal complaint processes to be responded to by the university.
- Individuals do not need proof to make a report. A concern, suspicion or reasonable belief is enough to make a report.

How to make a report?

Action 1: Responding to an emergency

If there is no risk of immediate harm go to ACTION 2.

If a child or young person affiliated with the university is in immediate danger, a report must be made to:

- Emergency Services on 000 and/or Campus Security (03) 9214 3333
- Followed by a report to Safer Community ([Online reporting form](#)) or via saferscommunity@swin.edu.au)

Action 2: Reporting to authorities

If the source of suspected abuse is from within the university:

- Once immediate health and safety concerns are addressed, a report must be made to Safer Community ([Online reporting form](#)) or via saferscommunity@swin.edu.au).

- The person who identified the child safety concern or received a disclosure from a child should be the one making the report.
- Safer Community will facilitate and support a report to the Police and/or Child Protection authorities.
- Safer Community will provide support and advice to ensure the safety and wellbeing of the parties concerned including the person making the report.
- Safer Community will keep a confidential record of the incident.
- Where relevant, Safer Community will escalate the concerns to the BRAM (Behavioural Risk Assessment and Management) Committee for guidance.

If the source of the suspected abuse is from within the family or community:

- a report must be made to Child Protection.
- all instances of suspected sexual abuse (including grooming) must also be reported to Victoria Police.
- Safer Community must be notified within 24 hours of making a report of intra-familial risk to either the Police or Child Protection.

What happens after a report?

Contacting parents/carers

Safer Community will consult with Child Protection or Police (with cases reported to them) to determine what information is appropriate to be shared with parents/carers. They may advise either:

- **Not to contact** the parents/carers (e.g., in circumstances where the parents/carers are alleged to have engaged in the abuse, or the child is a mature minor and does not wish their parent/career to be contacted).
- **To contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day the concern arises).

Investigation and risk management

If the source of suspected abuse is from within the university:

- Safer Community will investigate concerns involving student conduct, and escalate concerns involving staff, volunteer and contractor conduct to the BRAM Committee for investigation (e.g., referring the matter to Human Resources).
- Individuals who are the subject of an allegation which Swinburne is investigating will be afforded procedural fairness, including the opportunity to respond, an unbiased decision maker and decisions based on evidence.

Reporting process



Investigation and risk management continued...

- Pending the assessment and management of a child safety matter, the university may suspend an alleged staff member of concern with pay, remove alleged student perpetrators and/or victims from class, or establish any other temporary arrangements, without judgement.
- Where an allegation of child abuse or harm is substantiated, the university will initiate disciplinary and misconduct proceedings towards the alleged staff or student of concern to mitigate further risks.

Working with authorities

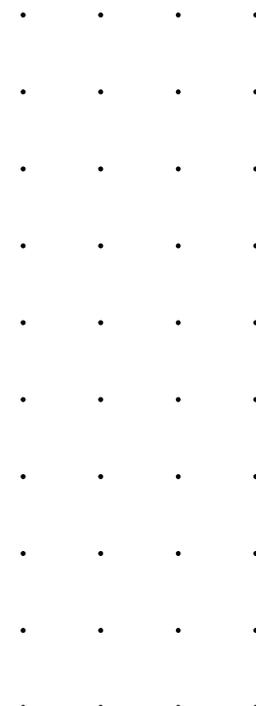
- All staff members involved in the reporting of a concern are to cooperate with Police, Child Protection, or other authorities in relation to outcomes of external investigations. Staff members will be supported by Safer Community in this process.
- Safer Community and the Vice Chancellor's delegate will liaise with the Vice Chancellor to ensure any reporting to the Commission for Children and Young people is completed according to the Reportable Conduct Scheme.

Providing ongoing support

- Swinburne will provide age and culturally appropriate support for children/young people within the Swinburne community impacted by abuse or harm.
- The support provided/facilitated will vary dependent upon the case. It may be direct intervention, advice, advocacy for special consideration or referral to internal or external processes and services.

How do we ensure privacy and confidentiality?

- Swinburne University of Technology acknowledges and respects the privacy of individuals. Much of the information that may have been or asked to be provided to Swinburne is 'personal information'.
- All information, including contact details will be kept confidential. Personal information is not released by Swinburne to other organisations, except in response to legal requirements such as a subpoena, and information regarding an individual will not be disclosed to a third party without the individual's consent, except where the third party is directly acting as our agent.
- In exceptional circumstances, confidentiality may be broken. This may occur in situations where the university assesses someone to be a direct danger to themselves or others.
- Reports relating to persons under 18 cannot remain anonymous due to the university's reporting obligations.
- Safer Community may receive reports anonymously, but you will not receive any update on these reports. It's important to note that it is difficult to verify or investigate anonymous reports as gathering all the information that may be required is challenging.
- You can view Swinburne's privacy policies [here](#).



Supports

On campus

Safer Community

Safer Community offers advice, support, intervention, and risk management for students who experience or witness inappropriate, concerning, or threatening behaviours on or off campus. You can get in touch with the team via email or the online reporting form. You can also access relevant contact details via the [Swinburne app](#) under the 'staying safe' section.

safercommunity@swin.edu.au
swin.edu.au/incident-reporting-form
swin.edu.au/safercommunity

Swinburne Security

Contact campus security services for emergencies on campus, after hours assistance or for a security escort. You can access relevant contact details via the [Swinburne app](#) under the 'staying safe' section.

03 9214 3333 (available 24/7)

After-Hours Support Line

If you are feeling anxious or distressed, the Swinburne after-hours support line is available to help 24 hours a day on weekends and public holidays, and outside business hours on weekdays (before 9am and after 5pm).

Call 1300 854 144 or text 0488 884 145

Swinburne Health Service (Counselling and Psychological Services)

If you are struggling with a personal, emotional, or mental health difficulty, whether related to your studies or your life away from university, counselling may help. Register and make an appointment with the counselling service.

03 9214 8483
swin.edu.au/counselling

International Student Advisory & Support

Provides personal advice, support, and referral for international students in any adjustments to their life circumstances in Australia.

03 9214 6741 (also available outside of business hours for critical incident support)
isa@swin.edu.au

AccessAbility service

Provides information and develops Education Access Plans to students living with a disability, medical or mental health condition, or students who have primary carer responsibilities.

03 9214 5234 (available 9am-5pm)
accessability@swinburne.edu.au

Further information

Email safercommunity@swin.edu.au

Web swin.edu.au/safercommunity

Canvas swinburne.instructure.com/enroll/LBX38D (for staff and students)



Independent Advocacy Service

Swinburne Student Life provides policy advice, support and guidance on academic issues, and advocates for best outcomes in complaints, grievances, appeals and misconduct hearings.

03 9214 5445
advocacy@swin.edu.au
swin.edu.au/advocacy

Off campus

In an emergency, please contact 000.

Lifeline

Free crisis support and suicide prevention service.

13 11 14 (available 24/7)
lifeline.org.au

Kids Helpline

Free, private, and confidential phone and online counselling service for young people aged 5 to 25.

1800 551 800 (available 24/7)
kidshelpline.com.au

Headspace

Telephone helpline and online service for teenagers and young people aged 12–25 who are worried about their mental health. Support is also available to concerned parents or carers.

1800 650 890 (9am-1am)
headspace.org.au

Parentline

Telephone counselling service for Victorian parents and carers of children up to 18 years of age. The service is available from 8 am to midnight, seven days a week.

13 22 89 (8am – midnight, 7 days a week)
services.dffh.vic.gov.au/parentline

