

## People & Culture

# Child Safe Policy and Code of Conduct

<b>Date approved:</b>	October 2024	<b>Date Policy will take effect:</b>	October 2024	<b>Date of Next Review:</b>	October 2025
<b>Approved by:</b>	Chief Executive Officer				
<b>Custodian title:</b>	Head of People & Culture				
<b>Author:</b>	Head of Early Education				
<b>Responsible Unit:</b>	People & Culture				
<b>Supporting documents, procedures &amp; forms of this policy:</b>	<a href="#">UOW Pulse Grievance Policy</a> <a href="#">UOW Pulse Privacy &amp; Data Breach Policy</a> <a href="#">UOW Pulse Code of Conduct</a> <a href="#">UOW Pulse Serious Wrongdoing Reporting Policy</a> <a href="#">UOW Pulse Work Health and Safety Policy</a> <a href="#">Kids' Uni Child Wellbeing Policy</a>				
<b>References &amp; Legislation:</b>	<a href="#">Children and Young Persons (Care and Protection) Act 1998 (NSW)</a> <a href="#">Children's Act 2019 (NSW)</a> <a href="#">Crimes Act 1900 (NSW)</a> <a href="#">Privacy and Personal Information Protection Act 1998 (NSW)</a> <a href="#">Education and Care Services National Law Act 2010 (Cth)</a> <a href="#">Child Protection (Working with Children) Act 2012 (NSW)</a> <a href="#">Children's Guardian Amendment (Child Safe Scheme) Bill 2021 (NSW)</a>				
<b>Audience:</b>	External				
<b>Expiry Date of Policy (if applicable):</b>	Not Applicable				

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## **1 Statement of Commitment to Child Safety**

UOW Pulse fundamentally believe all children and young people have the right to a life that is free from harm. Our priority will always be the safety and wellbeing of children and young people in our organisation. We want all children and young people involved with UOW Pulse to have a safe and happy experience (Article 19, UN Convention on the Rights of the Child).

UOW Pulse has zero tolerance for child abuse. We will be proactive in meeting our reporting requirements around children and young people who are at risk. We will treat all reports seriously and consistently in line with our robust policies and procedures.

We will create a reflective culture within our team, where we are continuously improving and we are brave in advocating for children and young people. We encourage staff, families, children and young people to speak up to make sure that our policies, practices, philosophy and decision making are always in the best interests of children. (Article 3, UN Convention on the Rights of the Child).

We support and respect children, young people, their families and our team. We give all stakeholders the right to share in decision making within our organisation. We will listen to and believe children because we understand the importance of children and young people having a voice in their world. (Article 12, UN Convention on the Rights of the Child).

Every person involved with children and young people at UOW Pulse has a responsibility to understand the important and specific role they play to ensure the wellbeing and safety of all children. Children and young people's wellbeing is at the forefront of what we do, and the decisions that we make. We are committed to regularly training and educating our staff to identify, manage and report child abuse.

We are committed to having processes in place to identify risks to children and young people's safety and wellbeing early, and to remove or manage these risks to children and young people promptly.

We have particular awareness of the needs of vulnerable children and young people. We are committed to the cultural safety of Aboriginal children and young people, the cultural safety of children and young people from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children and young people with a disability or additional needs.

We have specific policies, procedures and training in place to support our leadership team, staff and volunteers to achieve these commitments. These include thorough human resources and recruitment processes to ensure that suitable people are present with children at UOW Pulse.

## **2 Introduction**

- 2.1. This policy and Code of Conduct, along with other related documents listed above, offer guidance to our staff, volunteers and visitors on how to behave when interacting and engaging with children and young people in the UOW Pulse work environments outlined below:
  - 2.1.1. In attendance at a UOW Pulse place of work.
  - 2.1.2. Utilising UOW Pulse businesses or facilities.
  - 2.1.3. Participating in any activity as a representative of UOW Pulse (including but not limited to field trips, conferences, clubs and sporting activities).
  - 2.1.4. Carrying out functions or participating in events in connection with UOW Pulse, including at places external to University premises.

### 3 Scope

3.1. This policy applies to all UOW Pulse staff and volunteers.

### 4 Purpose

4.1. UOW Pulse have processes in place to be proactive in responding to children and young people's wellbeing, and we have a culture of intolerance to the mistreatment of children and young people. We will take all measures to keep children and young people safe.

### 5 Definitions

Word/Term	Definition
Child	The definition of a child under this policy and Code of Conduct is any person who is under 16 years of age.
Young person	The definition of a young person under this policy and Code of Conduct is any person who is over the age of 16 and under the age of 17.
Staff	All persons employed by UOW Pulse. For the purpose of this policy, 'staff' includes the UOW Pulse Board of Directors.
Volunteers	A person who freely offers to assist with UOW Pulse run activities and events.
Working with Children Check	The Working with Children Check (WWCC) is a requirement for anyone who works or volunteers in child-related work in NSW.



This symbol indicates children and young person's contributions to policy development. UOW Pulse have consulted with children in our care at Kids' Uni and young people employed by UOW Pulse.

### 6 Forms of Abuse

#### 6.1. Physical Abuse

- 6.1.1. Physical punishment
- 6.1.2. Pushing, shoving, punching, slapping, kicking, biting
- 6.1.3. Threats of abuse to create fear

#### 6.2. Neglect

- 6.2.1. Lack of supervision
- 6.2.2. Not providing adequate nourishment
- 6.2.3. Not providing adequate clothing or shelter

#### 6.3. Psychological Abuse

- 6.3.1. Bullying
- 6.3.2. Threatening language
- 6.3.3. Intimidation
- 6.3.4. Shaming
- 6.3.5. Ignoring and isolation of a child

#### 6.4. Sexual Abuse

- 6.4.1. Inappropriate physical contact
- 6.4.2. Grooming
- 6.4.3. Inappropriate conversations of a sexual nature
- 6.4.4. Crossing professional boundaries

#### 6.5. Ill-Treatment

- 6.5.1. Unreasonable, inappropriate, inhumane or cruel treatment of a child

## 7 Key Prevention Strategies

- 7.1. Child Safe National Principles improvement action plans and the NSW Office of the Children's Guardian self-assessment tool.
- 7.2. Risk assessment and management processes in place in each business unit. These risk assessments are maintained in line with our WHS responsibilities.
- 7.3. Thorough vetting and on-boarding processes for new employees and volunteers.
- 7.4. Staff training and awareness, including on this policy and Code of Conduct.
- 7.5. Clear and available grievance management processes.
- 7.6. Community engagement and consultation, including with children and young people.
- 7.7. Child safety and wellbeing are standing agenda items for the UOW Pulse Ltd. board, senior management and relevant business unit meetings.
- 7.8. Strong commitment to continuous improvement.
- 7.9. The appointment of a Child Safety Officer to offer support and guidance for staff and families and advocacy for children and young people.



*Kids' Uni Educator: "Why is keeping children safe so important?"*

*Olympia, 4 years, Kids Uni iC: "So we feel good".*

## 8 Children and young people's Voices and Vulnerability

- 8.1. We understand that it is important for children to be listened to, and to have avenues to raise concerns. Children and young people across UOW Pulse will be given opportunities to have a say in matters that affect them and their world.
- 8.2. We also understand that some children and young people are more vulnerable to abuse. Some examples of children and young people who may feel particularly vulnerable may include children or young people who:
  - 8.2.1. Are living with disability
  - 8.2.2. Come from specific religious or cultural backgrounds
  - 8.2.3. Are very young
  - 8.2.4. Have been exposed to trauma
  - 8.2.5. Feel vulnerable because of their gender identity or sexuality
  - 8.2.6. Come from diverse family backgrounds
  - 8.2.7. Live remotely

## 9 Ensuring appropriate adults are working with children in our organisation

- 9.1. We will maintain WWCC screening processes through the NSW Office of the Children's Guardian for all staff working in child-related roles across UOW Pulse.
- 9.2. In consultation with the Child Safety Officer, the UOW Pulse Head of People and Culture will determine which employees are required to have a WWCC. The People & Culture team will maintain these records for all UOW Pulse departments. WWCC records for Kids' Uni will be maintained by the Head of Early Education.
- 9.3. All employees will be vetted by UOW Pulse as part of their recruitment process.
  - 9.3.1. All employees working in child-related roles at UOW Pulse will be required to provide a valid WWCC for paid employment prior to commencing employment. Young people employed in child-related roles will not be able to obtain a WWCC until they reach 18 years of age.
  - 9.3.2. All UOW Pulse interview processes involve questions relating to child safety.
  - 9.3.3. All reference checks ask question/s directly related to working with children and young people.
- 9.4. UOW Pulse will support all staff to be informed and confident to support children, and to respond appropriately to child protection matters. We will do this through:
  - 9.4.1. Informative induction processes
  - 9.4.2. Training
  - 9.4.3. Clear, up to date and accessible policies

- 9.4.4. Providing employees with clear guidelines around what is acceptable and unacceptable in working with children and young people
- 9.4.5. A culture committed to continuous improvement and accountability



*Retail Assistant: "I feel grateful to work for an organisation that cares about my safety and wellbeing" – Ilara, 17 years*

## 10 Working with young people in our organisation

- 10.1. Pulse will maintain a register of employees under the age of 18 years in order to offer additional support and guidance around their safety.
- 10.2. Young people employed by UOW Pulse are encouraged to have their parent/guardian review this policy and Code of Conduct and contact anyone listed in Section 13 for more information.
- 10.3. Young people will be consulted on any changes to this policy and Code of Conduct, in addition to any change within UOW Pulse that may impact them. UOW Pulse will inform young people of how their feedback informed policy and procedural changes.



*Trainee Early Childhood Educator: "Pulse is open to feedback and genuinely listens to me" – Lucy, 17 years*

## 11 Management of Allegations, Complaints and Reporting

- 11.1. All complaints, allegation and reports can be made in accordance with the UOW Pulse Grievance Policy or the UOW Pulse Serious Wrongdoing Reporting Policy.
- 11.2. Given the serious nature of child wellbeing concerns, complaints relating to child wellbeing or safety should be directed to:
  - 11.2.1. UOW Pulse Chief Executive Officer; or
  - 11.2.2. UOW Pulse Head of People and Culture; or
  - 11.2.3. UOW Pulse Child Safety Officer (Head of Early Education).
- 11.3. The following steps will be taken under the guidance of the UOW Pulse Chief Executive Officer if a complaint or allegation is made relating to child safety or wellbeing:
  - 11.3.1. Clarify the basic details of the allegation.
  - 11.3.2. Protect the child/ren from ongoing or immediate danger where possible.
  - 11.3.3. If necessary, UOW Pulse may stand staff down from their employment, pending an outcome of an investigation into the alleged misconduct or wrongdoing.
  - 11.3.4. Immediately report allegations to appropriate Government agencies:
    - 11.3.4.1. NSW Police
    - 11.3.4.2. NSW Department of Communities and Justice
    - 11.3.4.3. NSW Office of the Children's Guardian (for allegations involving staff employed in child-related roles that require a WWCC
    - 11.3.4.4. NSW Department of Education (for allegations related to Kids' Uni)
    - 11.3.4.5. NDIS Quality and Safeguards Commission (for allegations related to Kids' Uni Early Intervention)
  - 11.3.5. Protect the alleged offender from victimisation.
  - 11.3.6. Follow the instructions issued by any authority listed in 11.3.4.
  - 11.3.7. Manage communication with all parties involved in an incident or report while internal and/or external investigations take place.
  - 11.3.8. Implement disciplinary action as required once an investigation has concluded.
- 11.4. Any incidents, disclosures or reports that are of a serious or criminal nature will be reported to NSW Police immediately (if not already reported in section 11.3.4).
- 11.5. Confidentiality is critical when an allegation is made. Please refer to the UOW Pulse Privacy & Data Breach Policy, UOW Pulse Grievance Policy and UOW Pulse Serious Wrongdoing Reporting Policy for more information on our commitment to confidentiality.

- 11.6. Allegations, reports or concerns can be raised by children and young people and will be taken seriously, investigated and reported accordingly.
- 11.7. All Kids' Uni staff are mandatory reporters and are required by law to report children and young people who are at risk of harm.
- 11.8. All adults in NSW are required to report information to police if they know, believe or reasonably ought to know that a child has been abused (Crimes Act 1900).
- 11.9. All community members have a responsibility to keep children and young people safe by acting as advocates for them. It is important to speak up on behalf of children and young people if you see or hear something that indicates that a child is at risk of harm. Concerns can be raised anonymously at any time by calling The Child Protection Helpline on 13 21 11.

#### 11.10. Reporter Safeguarding

- 11.10.1. In order to create a culture of speaking up and to encourage reporting, the Children's Guardian Act 2019 includes whistleblower protection. Section 64 of the Act protects whistleblowers who provide information about a reportable allegation in good faith.
- 11.10.2. UOW Pulse is equally committed to fostering a culture of honest and ethical behaviour. UOW Pulse recognises the importance of ensuring a safe, supportive and confidential environment where people feel confident about reporting wrongdoing and are supported and protected throughout any process. Refer to UOW Pulse Serious Wrongdoing Reporting Policy for further guidance.

## 12 Awareness and Support: UOW Pulse Staff and Community

- 12.1. This policy and Code of Conduct will be shared with all new staff at induction and they will be required to complete section 13 – Staff/Volunteer Declaration to confirm that they have read and understood it.
- 12.2. The contact details for the Child Safety Officer will be made available through this policy to ensure that questions, clarifications, allegations and reports can be received from the UOW Pulse community easily and confidentially.
- 12.3. The UOW Pulse Child Safety Officer, Head of People and Culture, or another delegated training provider, will conduct training around this policy for the UOW Pulse team. This will raise awareness and understanding of current legislation and the expectations of our organisation.
- 12.4. All staff, volunteers and customers are encouraged to ask questions and contribute to the continuous improvement of child safe policies and practices within UOW Pulse.
- 12.5. UOW Pulse conducts an annual staff survey which includes questions specifically related to child safety.
- 12.6. Families and children and young people engaging in our services will be provided with information relating to our commitment to child safety and complaints management.
- 12.7. Where relevant, public documents representing UOW Pulse will contain statements and/or information around our commitment to child safety. This may include but not be limited to job advertisements, job descriptions, annual report, promotional materials, presentations, information booklets, staff induction materials, enrolment forms.
- 12.8. Our commitment to child safety will be displayed in areas across UOW Pulse that are frequented by children and young people and their families.



*Kids' Uni Educator: "What can adults do to help keep children safe?"*

*Riley, 5 years, Kids Uni North: "Always know where you are".*

### **Statement from UOW Pulse's Child Safety Officer – Louise Windisch**

All children are entitled to protection from abuse and neglect, and have the right to participate in decisions that concern them. As vulnerable members of society, it is crucial for adults to implement safeguards that nurture and protect children, ensuring their voices are heard in decision making processes.

As the Child Safety Officer at UOW Pulse, I work to empower management and staff in fostering a safe environment for children. I encourage staff, children, families and community members to contact me at any time for assistance or to share their feedback.

## **13 Contact Information**

<b>Role</b>	<b>Contact Information</b>
Chief Executive Officer	Alfonso Maccioni Email: <a href="mailto:alf@uow.edu.au">alf@uow.edu.au</a> Phone: 4221 8002
UOW Pulse Child Safety Officer	Head of Early Education Louise Windisch Email: <a href="mailto:windisch@uow.edu.au">windisch@uow.edu.au</a> Phone: 4221 8037
Head of People & Culture	Nicholle Costanzo Email: <a href="mailto:nicholle@uow.edu.au">nicholle@uow.edu.au</a> Phone: 4221 5912

## **14 Child Safe Code of Conduct – Expected Behaviours**

13.1. This Code of Conduct outlines positive behaviours that are expected to be adhered to by UOW Pulse staff and volunteers at all times. It also outlines concerning behaviours that can place children and young people at risk. The concerning behaviours will not be tolerated within our organisation and may result in the need for investigations, reporting and disciplinary action.

### **Positive behaviours**

#### **Our staff and volunteers will:**

- Treat all children and young people with respect and take all reasonable steps to protect them from abuse.
- Act with integrity to raise concerns in line with the UOW Pulse Grievance Policy if risks to child safety are identified (*and in line with the Kids' Uni Child Well Being Policy for Kids' Uni staff*).
- Reduce risk by limiting time alone with a child, either in person, or online. If you are alone with a child try to remain in public spaces and avoid enclosed spaces such as offices or change rooms.  
(*In line with the Kids' Uni Child Well Being Policy, Kids' Uni Early Education and Care staff must ensure that they are never alone with children. Adults need to always be within sight and sound of other adults.*)
- Report and act on any concerns or observed breaches of this policy and/or Code of Conduct.
- Listen to children and young people, value their opinions and ideas and, most importantly, take a child seriously if they disclose harm or abuse and follow reporting processes.



- Our staff and volunteers will value the safety of children and young people over competitiveness. We will use positive and encouraging language and encourage learning and growth over winning.
- Engage in appropriate physical contact that supports children and young people's safety and wellbeing and ensure that is undertaken in open, public areas where possible, such as:
  - Assisting to develop, or demonstrating, sports skills or techniques.
  - Responding to or preventing an injury.
  - Hand shaking, high fives or a tap on the back to offer encouragement or congratulations.

*(Kids' Uni staff also need to refer to the Kids' Uni Child Wellbeing Policy for guidance around appropriate physical contact and providing personal care)*
- Respect the privacy of children, young people and families by only discussing child protection information with relevant and appropriate people, in accordance with UOW Pulse's reporting procedures.
- Work as a team, to ensure that the needs and safety of children and young people are always put first.
- Create inclusive environments and ethos so that all children, young people and families feel culturally safe, included and are encouraged and able to raise concerns.
- Declare any conflict of interest to ensure professional relationships are maintained with children, young people and families who meet through working at UOW Pulse. This includes, but is not limited to, not contacting children and families outside of work, not creating babysitting arrangements, not connecting with families or children on social media, and declaring secondary employment that may be a conflict of interest. Pulse does not prohibit young people employed by Pulse from building relationships with their peers outside of work. They may be required to contact other staff or be a part of group chats for work purposes.
- Seek appropriate consent from families and/or children and young people to take photographs, videos or other images of children and young people.
- Be proactive in ensuring that children and young people are safe in public and/or shared spaces across UOW Pulse, by enacting this policy and Code of Conduct, by being aware of what other adults and members of the public are doing in UOW Pulse spaces, and by speaking up to stop inappropriate behaviour.
- Create safe and respectful workplaces when adults are working alongside young people in any context (that is staff and volunteers under 18 years of age).

## Concerning behaviours

### Our staff and volunteers will not:

- Condone or participate in illegal, unsafe or abusive behaviour towards children and young people, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming (as outlined in section 6 of the Child Safe Policy).
- Ignore or disregard any concerns, suspicions or disclosures of child abuse.
- Engage in unwarranted and inappropriate touching involving a child or young person. For example:
  - Corporal punishment, such as smacking or other forms of physical discipline.
  - Initiating, permitting or requesting unacceptable physical contact with a child or young person, such as massages or kisses.
  - Facilitating situations which unnecessarily result in close physical contact with a child or young person, such as wrestling or tickling.
  - Undertaking a task of a personal nature for a child if they can do it for themselves, such as changing clothes.  
*(Kids' Uni staff also need to refer to the Kids' Uni Child Wellbeing Policy for guidance around appropriate physical contact and providing personal care)*
- Verbally assault a child or young person or create a climate of fear or intimidation.
- Offer children and young people alcohol, cigarettes or other drugs.
- Show children and young people pornographic images or use sexual language or gestures in the presence of children and young people.
- Encourage a child or young person to communicate in a private setting (e.g. text messages or social media) where open or group communication is possible through other means.
- Create situations where staff or volunteers are alone, either in person or online, with a child or young person when there is no professional reason to do so.  
*(in line with the Kids' Uni Child Wellbeing Policy, Kids' Uni Early Education and Care staff must ensure that they are never alone with children. Adults need to always be within sight and sound of other adults.)*
- Use a computer, mobile phone, camera or other device to exploit or harass a child or young person.
- Engage in grooming behaviours such as showing favour, offering gifts or excess attention to a particular child or young person.
- Travel alone in a vehicle with a child unless there is a professional reason to do so and there is a written risk management plan in place that has been created in collaboration with and signed by the UOW Pulse Child Safety Officer. Young people may be required to travel alone in a vehicle with other UOW Pulse staff or volunteers for work purposes. This does not require a written risk management plan. Young people are encouraged and empowered to speak up if they feel uncomfortable at any time.

## 15 Staff/Volunteer Declaration

<p>I have read this Code of Conduct and I agree to abide by its terms at all times during my employment with UOW Pulse.</p> <p>I acknowledge that if I am under the age of 18, I have read and understand my rights and am aware of who I can contact if I have any questions or concerns.</p> <p>I understand that breaching this policy and/or Code of Conduct may result in:</p> <ul style="list-style-type: none"><li>• UOW Pulse undertaking disciplinary action, which may include termination of employment or engagement; and/or</li><li>• Police or other government agency investigations which may result in criminal charges.</li></ul>	
Name	
Signature	
Date	

## 16 Version Control Table

Version Control	Date Released	Approved By	Amendment
1	March 2022	CEO	Policy created.
2	August 2023	CEO	Updated position titles of People & Culture Manager and Head of Early Education. Updated induction process. Minor grammatical changes.
3	October 2024	CEO	Addition of “young people” to reference under 18s. Updated position titles to Head of Early Education and Head of People & Culture. Addition of Section 10 to highlight UOW Pulse’s commitment to consulting and supporting employees under the age of 18. Addition of declaration for employees under the age of 18.