

Child Protection for Australian Aid Projects Procedure (MPF1266)

GOVERNING POLICY

This procedure is made under the [Responsible Conduct of Staff Policy](#).

SCOPE

This procedure applies to individuals who have been appointed to projects being undertaken by the University funded by Australian aid. This may include University staff, honorary appointments, visitors, independent contractors, volunteers and students.

PROCEDURE

1. Responsibilities

1.1. The University recognises that there are potential risks to children arising from the management of Australian aid projects. The University will assess any risks to children prior to implementing a new Australian aid project and will pro-actively manage those risks in accordance with this procedure.

1.2. In undertaking Australian aid projects, project supervisors will:

- institute child safe practices within project systems
- ensure that personnel assigned to relevant projects are informed of this procedure and that they have signed the associated code of conduct (Schedule A) before commencing work on the projects
- not knowingly assign anyone who does not hold or cannot obtain a Working with Children Check, or in the case of personnel based outside Australia who are not Australian nationals, such equivalent government certification as exists and which can verify that a person has no history of sexual offences or offences related to the harm or mistreatment of a child or other criminal history, who will not adhere to this procedure, or who will not sign the associated code of conduct (Schedule A) to a relevant project
- maintain up to date project files which include copies of this procedure, signed codes of conduct, Working with Children Checks and related documents
- implement reporting procedures that can be applied to projects in countries other than Australia
- consider and take steps to comply with the legal position and specific laws and penalties regarding child abuse and protection in each country of operation.

1.3. Personnel will:

- act to ensure the safety and security of children
- work to protect the health and wellbeing of children
- not engage in abuse or exploitation of children.

2. Pre-employment, Recruitment, Selection and Appointment

2.1 In addition to the requirements of the University's pre-employment, recruitment, selection and appointment policies and procedures (such as the Recruitment and Appointment Policy MPF1152) that apply to applicants generally, the following requirements apply in relation to pre-employment, recruitment selection and appointment of applicants to projects undertaken by the University funded by Australian aid.

2.2 All interviews of applicants for positions on an Australian aid project will include behavioural based questions.

2.3 Before an applicant is appointed to an Australian aid project:

- the applicant must supply the contact details for at least two referees with whom verbal reference checks are carried out
- the University will carry out at least two verbal referee checks in respect of the applicant and the checks will include questions relating to conduct and behaviour.

2.4 Applicants will obtain a police record check in accordance with the Pre-Employment Procedure (MPF1158) and checks are to be conducted for each country in which the applicant has lived for 12 months or longer over the last five years, and for the applicant's country of citizenship. If it is not possible to obtain a reliable police record check or local legal equivalent, a statutory declaration outlining efforts made to obtain a foreign police check and disclosing any charges and spent convictions related to child exploitation may be accepted in lieu.

2.5 Applicants must be informed by the University of the purpose for which the resulting police clearance certificate is to be used and that the police record check may be sighted by DFAT.

3. Working With Children Checks

3.1. Australian personnel must supply a satisfactory Victorian Department of Justice [Working with Children Check](#) before being appointed to a relevant Australian aid project. Anyone who refuses to undergo this check or who is not subsequently issued with a Working with Children Check card will not be assigned to a relevant project.

3.2. Project supervisors for Australian aid projects will record details of Working with Children Checks for all personnel in the project files. In instances where personnel are staff members, project supervisors will also forward a copy to local human resources for placement on the staff member's personnel file.

4. Partners

4.1. Where the University works with partners on relevant Australian aid projects where the project supervisor has assessed the project as having credible risks of child abuse, it will require that the partners have appropriate child protection policies in place or that the partners adopt this procedure and code of conduct (Schedule A) for the specific project.

5. Reporting

5.1. Anyone may report an allegation, disclosure or observation of child abuse or exploitation in accordance with the [Child Protection for Australian Aid Projects Procedure - Reporting Management Guidelines](#). These guidelines apply to incidents occurring within Australia or overseas.

5.2. University staff who report suspected abuse or exploitation of children are subject to the [Protected Disclosure Act 2012 \(Vic\)](#).

6. Investigation and response

6.1. The project supervisor will make an initial assessment of allegations of child abuse or exploitation based on the quality and reliability of the information. The project supervisor will give primary consideration to:

- protecting the child from further exploitation, abuse and victimisation, including arranging for a safe place, medical care and/or counselling if appropriate
- distancing the alleged perpetrator from the child acknowledging that a due process needs to be implemented to ensure natural justice and that penalties should not be imposed without clear justification.

6.2. The project supervisor must report allegations of child abuse or exploitation to the relevant lawful authority (such as the police) as soon as practicable where evidence or allegations suggest the law has been breached.

7. Disciplinary action

7.1. Disciplinary action for a breach of this procedure and/or the Child Protection Code of Conduct (Schedule A) may include:

- immediate removal from the relevant project
- disciplinary action under the provisions of the [University of Melbourne Enterprise Agreement 2013](#), including termination of employment for University staff found to have committed serious misconduct.

7.2. Individuals who make deliberately false or malicious allegations of child abuse or exploitation may be subject to disciplinary action in accordance with the [Misconduct Procedure](#).

8. Documentation and confidentiality

8.1. Project supervisors must:

- document actions, discussions and responses relating to allegations of child abuse or exploitation
- keep records relating to allegations of child abuse or exploitation securely in a location to which access is restricted
- minimise the number of people who are informed about allegations of child abuse or exploitation
- take care with written communications relating to allegations of child abuse or exploitation, including to ensure that confidentiality is maintained and the communication is received by the intended recipient only.

SCHEDULES

- [Schedule A - Child Protection Code of Conduct](#)

RELATED DOCUMENTS

- [Australian Government, Australian aid, Child Protection Policy \(Jan 2013\)](#)
- [Child Protection for Australian aid Projects - Reporting Management Guidelines](#)
- [Child Wellbeing and Safety Act 2005 \(Vic\)](#)
- [Children, Youth and Families Act 2005 \(Vic\)](#)
- [Misconduct Procedure](#)
- [Responsible Conduct of Staff Policy](#)
- [Pre-Employment Procedure](#)
- [Protected Disclosure Act 2012 \(Vic\)](#)
- Save the Children Australia Reporting Procedure
- [University of Melbourne Enterprise Agreement 2013](#)
- University of Melbourne, Nossal Institute for Global Health, Child Protection Policy

- [Victorian Working with Children Check website](#) (including [comparison with police check](#))
- [Working with Children Act 2005 \(Vic\)](#)

DEFINITIONS

Term	Definition
abuse	Includes physical abuse, neglect, emotional abuse or sexual abuse.
Australian aid	Funds or aid provided by the Australian government for international development (formerly facilitated by the Australian Agency for International Development, currently managed by the Department of Foreign Affairs and Trade).
Australian aid project	Any project undertaken by the University funded by Australian aid that involves children.
child or children	In accordance with the United Nations Convention on the Rights of the Child, 'child' means every human being under the age of 18 unless under the law applicable to the child, majority is attained earlier. For the purposes of this Policy, the University considers a child to be a person under the age of 18 years.
child protection	An activity or initiative designed to protect children from any form of harm, particularly arising from child exploitation and abuse.
contact with children	Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment.
police record check	A check of an individual's criminal history record. In Australia, national criminal record checks are available through state and territory police departments. They take around 20 working days. Individuals need to consent to a criminal record check and should be informed of the purpose for which resulting police clearance certificate will be used.
DFAT	The Commonwealth of Australia Department of Foreign Affairs and Trade.
partner	Organisations working in partnership with the University on projects funded by Australian aid.
personnel	Individuals who have been appointed to projects being undertaken by the University funded by Australian aid. They are either employed by the University, engaged by the University on a subcontract basis, or engaged by the University of Melbourne on a voluntary or unpaid basis. This may include staff at the University, honorary appointments, visitors, independent contractors, volunteers attached to the University of Melbourne and students.
police clearance certificate	The certificate showing the results of a police record check, which is issued by the police or other authority responsible for conducting such checks.
project supervisor	The University staff member considered the most senior member of the project.

IMPLEMENTATION OFFICER

The Director, Employee Relations and Engagement is responsible for the promulgation and implementation of this procedure in accordance with the scope outlined above. Enquiries about interpretation of this procedure should be directed to the implementation officer.

REVIEW

This procedure is to be reviewed by 30 June 2015.

VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Vice-Principal Administration and Finance on behalf of Senior Vice-Principal	14 Mar 2014	14 Mar 2014	N/A
2				Version 2 created in error.
3	Vice Principal Administration and Finance and CFO	19 Jan 2016	20 Jan 2016	Include new section 2, definitions relating to children and police clearance certificate. Renumbering of remaining sections, update Related Documents and Implementation Officer.