 MACQUARIE University	Responding to Allegations Against Employees	Work Area:	Campus Life
		Contact Officer:	GM Programs and Partnerships
		Revision Number:	3
		Last Modified:	May 2021
	Policy		

PURPOSE	<p>This policy will ensure that</p> <ul style="list-style-type: none"> • Children have access to a safe and caring environment and, to the best of our ability, be protected from harm or risk of harm • Employees will have access to a transparent and fair process if a complaint is made against them • All legal obligations regarding keeping children safe will be fully met
OVERVIEW	<p>Child Safe Commitment</p> <p>Campus Life is committed to the safety, well-being and empowerment of all children and young people engaging in our programs and to protect them from foreseeable harm.</p> <p>Campus Life treats all allegations and complaints about the safety and wellbeing of children seriously and is committed to ensuring that its staff, volunteers, and contractors understand the legal obligations to report child abuse and neglect to government authorities.</p> <p>Campus Life employees have a responsibility to understand the important and specific role they play, individually and collectively, to ensure that the well-being and safety of all children and young people is at the forefront of all they do.</p> <p>Campus Life believes it is important to have adequate systems in place to protect children in our care and to ensure that the rights and responsibilities of staff are recognized and understood.</p>
RESPONSIBILITY/SCOPE	All Campus Life employees, volunteers (if providing services to children) and contractors (if holds or is required to hold a WWCC for the purposes of the engagement).
THE POLICY	


Under the Children's Guardian Act 2019, U@MQ Ltd (Campus Life) is required to have systems in place to prevent reportable conduct and to meet the [Reportable Conduct Scheme](#) responsibilities to promote the wellbeing and safety of children.

Campus Life will record and respond to all allegations as required by law. The immediate response to an allegation will be one that, to the best of our ability, ensures the safety of the child and/or other children.

All employees must report any reportable allegation as soon as they become aware of it. This means reporting any allegation, disclosure, complaint, concern, incident, or observation involving alleged misconduct of a worker (including volunteers and contractors) with, towards or in the presence of a child.

If the conduct to be reported is against the CEO of U@MQ Ltd (CEO), then the report must be made directly to the Office of the Children's Guardian by sending relevant details to reportableconduct@kidsguardian.nsw.gov.au.

Protections apply for people who make reports under the Reportable Conduct Scheme in good faith.

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Process

The process for responding to allegations against employees will follow the advice and recommendations of the Office of the Children's Guardian, summarised in the Campus Life *Responding to Allegations Against Employees – Work Instruction and Flowchart*. This includes specific requirements regarding:

- Clarifying the Allegation
- Informing relevant parties
- Risk management
- The investigation
- Making a finding and taking action

Offences

In addition to all other legislative requirements, Campus Life employees should be aware of the following:

- Failure to report offence – imposes criminal liability on all adults who know, believe, or reasonably ought to know that a child has been physically or sexually assaulted and fail to report this information to the police.
- Failure to protect offence – applies to adults working in organisations that engage in child-related work who know that another adult working in that organisation poses a serious risk of abusing a child, have the power to reduce or remove this risk, and negligently fail to do so.
- Duty to prevent – organisations that have children under their care must take reasonable precautions to prevent an individual associated with the organisation from perpetrating child abuse.

Support

Support and professional counselling may be organised for children, the employee who is the subject of an allegation, family members and, if appropriate, any witnesses.

All employees involved in a response to an allegation will have access to, and be encouraged to access, the Employee Assistance Program.

Procedural Fairness


Principles of procedural fairness (or 'natural justice' as it is otherwise known) will be strictly followed. The process will be transparent, accountable, and treated as highly confidential in order to protect the alleged victim, the person making the allegation, and the employee.

Employees are entitled to have:

- A fair hearing
- An impartial decision
- A decision based on evidence

Unless the Police have advised that by doing so it would compromise the investigation or put a person's health or safety at serious risk, any person likely to be affected by a decision or action will be given:

- Notice of the issues in enough detail for the person to be able to respond meaningfully
- A reasonable hearing i.e. an opportunity to respond to adverse material such as proposed adverse comment and/or recommendations

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The persons investigating an allegation, preparing a case, or making a decision relevant to the case must act impartially in considering the matter.

All parties will be advised of the need for confidentiality during the investigation. Any breaches of this should be reported to the CEO.

The Macquarie University [Public Comment Policy](#) will be followed where the media becomes aware of an allegation against an employee.

Rights of Parents/Carers

Unless it is not in the public interest, the following information about the response to the report relating to the child who is the alleged victim, and their parent/carer must be disclosed:

- Information about the progress of the investigation
- Information about the findings of the investigation
- Information about action taken in response to the findings

Any information that is disclosed and any public interest reasons for information not being disclosed should be documented and provided to the Children's Guardian.

Empowering Children

Campus Life encourages the active participation of children in our organisation. Staff will listen to the views of children, respect what they say, and involve them in decision making that involves them. Children are therefore more empowered within the environment with the intent that they will feel more comfortable to speak up.

Guidelines for expected behaviours will apply to both adults and children, be visible, and easy to interpret. For example, the Early Learning Centres may have a guideline such as "We are kind to each other and will tell other adults if anyone is unkind to us."

Record Keeping

All documentation relating to the investigation of allegations against employees is regarded as highly confidential and will be kept securely with access only to authorised persons.

Relevant records will be submitted to the Children's Guardian.


If U@MQ Ltd ceases to exist, all records related to Reportable Conduct not already lodged with the Office of the Children's Guardian must be lodged before the entity ceases to exist.

Professional Standards

Campus Life employees are always expected to act professionally and to uphold the CARES values of the organisation.

Daily operations will incorporate practices designed to protect children and minimise opportunities for unprofessional and inappropriate behaviour by employees including:

- minimising opportunities for employees to be alone with, or out of visual contact from other employees/general public of, children and young people
- ensuring the physical layout/design does not result in 'hidden' spaces
- educating employees about what constitutes appropriate interactions with children and young people

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- providing relevant training for employees

Employees will also be required to:


- Ensure they are familiar with the Code of Conduct and expectations of appropriate ways for their role to interact with children, particularly where some physical contact with children might be expected
- Keep interactions with children professional at all times, even in less formal environments
- Avoid paid or unpaid work outside of their role, such as babysitting and transportation of children, for parents/carers (outside of family or legitimate social circles) with children enrolled in/attending any Campus Life program/service/activity unless approved by their Business Unit Leader
- Ensure they receive adequate induction into their role, and if not, raise this with their supervisor
- Avoid interacting with children one-on-one in an area not visible to others, unless it is required in their role and other strategies to mitigate this risk are in place
- Have any role as mentor of a child to be recognised and approved by their Business Unit Leader, with a clear understanding of appropriate boundaries in that role
- Not engage with children (outside of family or legitimate social circles) through social media
- Avoid engaging with parents/carers (outside of family or legitimate social circles) through social media, with the exception of professional platforms such as LinkedIn
- Follow Campus Life's guidance on appropriate communication if they engage with children through electronic media (e.g. email) as part of their role

General

Contact will be maintained with the Office of the Children's Guardian for the duration of any investigation into an allegation against an employee.

Policy Information

Contact Officer (Role Title)	General Manager, Programs and Partnerships
Date Approved	May 2021
Approval Authority (Role Title)	CEO of U@M Ltd. (Campus Life)
Date of Commencement	2014
Amendment History	2014, 2017
Date for Next Review	May 2023
Related Documents	<ul style="list-style-type: none"> • Responding to Allegations Against Employees – Work Instruction and Flowchart • Performance & Disciplinary Action Policy • Grievance & Dispute Resolution Policy • Keeping Children Safe Policy • Children's Services Code of Conduct • U&MQ Ltd Code of Conduct • Child Safety Officer – Role and Responsibilities
Policies superseded by this	N/A

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Keywords	Child protection, child safe, child safety, WWCC, working with children check, at risk of harm, mandatory reporter, offences, Office of the Children's Guardian, babysitting, reportable conduct
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