

## SGA Safeguarding Policy and Procedures

### 1. Purpose

This policy and its procedures describe the safeguarding principles in place to ensure the safety and welfare of all SGA students, regardless of age. It supports the International Study Centres (ISCs) and Colleges to be communities where students of all ages are protected from harm and have the right to access their education in a safe and secure environment.

Under a regulatory exemption, SGA is permitted to enrol students who have reached the age of 16 prior to the commencement of their course.

This policy and its procedures cover the child protection requirements for all students under the age of 18 and regardless of their visa type. It provides for staff, affiliates, students, accommodation providers and caregivers to raise and report concerns for the safety or welfare of a student aged under 18.

### 2. Scope

The Policy applies to:

- students under the age of 18, for the duration of a Confirmation of Appropriate Accommodation and Welfare (CAAW), or a welfare arrangement approved by the Department of Home Affairs (DHA);
- students under the age of 18 who are not student visa holders;
- students aged 18 or over, for the purposes of this policy and for safeguarding themselves and other students;
- adults who are required to take action and make a report in the event of a child protection or safeguarding concern, which includes, but is not limited to:
  - staff and affiliates;
  - accommodation providers and caregivers, as part of formal agreements made with SGA;
- adults visiting or working at an ISC or College, and those who work virtually or do not have direct or regular contact with students in the course of carrying out their duties.

### 3. Principles

- SGA is committed to acting in the best interests of all students and to protecting students from harm by providing safe working, living and learning environments.
- SGA adopts a zero-tolerance approach to harm of students, including child abuse, and the possession of, or access to, child pornography. All students are entitled to protection from all forms of harm, physical or mental violence, injury or abuse, neglect, maltreatment or exploitation, and sexual abuse.
- SGA recognises its duty of care to protect students from harm and provides an appropriate response to all allegations and reports of harm or abuse.
- All staff, affiliates, accommodation providers, caregivers and students must raise and report concerns for the safety and welfare of students.
- Students have a responsibility to safeguard themselves and other students, so must be appropriately informed how to raise and report concerns for other students.
- SGA will comply with all applicable child protection laws and child safety requirements and ensure child protection and welfare concerns are escalated to, and dealt with by, an appropriate member of staff in a timely manner.

- SGA regularly evaluates and improves its child protection and safeguarding approach and practices in both physical and online environments. This includes:
  - ensuring all staff, affiliates and students know how and when to report a concern for a student's safety, welfare or safeguarding;
  - monitoring of accommodation providers and caregivers' adherence to SGA's minimum standards (see the Accommodation and Caregiver Policy and Procedures);
  - ensuring all relevant College staff and affiliates, including academic and other support staff who work directly with students, have current and cleared working with children (or equivalent) security clearances (see section 4.2) and have completed mandatory child protection training (see section 4.3).
- Staff and affiliates are trained to recognise and report welfare issues, know the signs of abuse and understand the need to act as positive role models for students.
- SGA will not knowingly engage directly or indirectly with any individual or organisation, within or outside Australia, who poses an unacceptable risk to children or students under 18, including the risk of modern slavery, and will take appropriate action if this occurs.

## **4. Procedures**

### **4.1 Safeguarding and protecting students**

- SGA will take all reasonable steps to ensure safe and supportive environments for all students. This includes taking immediate action regarding any concerns (whether indicated, observed, reported, or alleged) for student welfare, safety and protection.
- Staff and affiliates are responsible for supporting and protecting students under 18, completing all mandatory training (see section 4.3), and maintaining appropriate conduct as outlined in the Study Group Global Code of Conduct.
- SGA provides age and culturally appropriate child protection information to students that includes how to seek assistance, who to contact in emergency situations using emergency numbers, and how to disclose or report a concern for their own or another student's safety, welfare and protection.
- Students are also provided with accessible information and advice on risks and issues impacting their lives, such as making informed and positive choices.
- SGA and its Colleges will only enrol students under the age of 18 if their accommodation, support and welfare arrangements meet the requirements of the Department of Home Affairs (DHA), SGA's minimum standards and requirements, and the relevant policies and procedures of its University partners (see the Accommodation and Caregiver Policy and Procedures).
- During enrolment, non-compulsory study periods and until they turn 18, students must remain in their approved accommodation and caregiver welfare arrangements, or in the care of their Department of Home Affairs (DHA) approved welfare arrangement (care by their parents, legal guardian or suitable Nominated Relative. The approval of welfare arrangements for students under 18 is covered in the Accommodation and Caregiver Policy and Procedures.

### **4.2 Working with Children (or equivalent) Checks**

- SGA ensures that relevant State/Territory working with children (or equivalent) checks and current clearances are obtained for all staff and affiliates involved with child-related work, to support the protection of students under 18. In NSW, these are

Working with Children Checks (WWCCs). Checks and clearance processes differ in different jurisdictions, as outlined in the SGA Working with Children Check and Children's Worker Safety Check Policy and Procedures.

- SGA takes action to ensure that accommodation providers and caregivers are compliant with working with children (or equivalent) checks, requirements and SGA's minimum standards. These standards are covered in the Accommodation and Caregiver Policy and Procedures.

#### **4.3 Training and awareness of child protection**

College Directors and SGA executive staff will ensure that child protection training is delivered to all relevant staff and affiliates, including:

- a requirement to successfully complete the Reporting Neglect and Abuse training and/or other mandatory child protection and student safeguarding training;
- building awareness of child protection and welfare issues such as abuse, including providing appropriate child protection awareness training to students;
- how to identify and/or respond to disclosures of harm or abuse and report a critical incident or breach of this policy, and
- ensuring compliance with the Study Group Global Code of Conduct.

The Study Group Global Code of Conduct sets out the minimum standards required of all individuals who work within or for Study Group. This contains:

- clear guidance on appropriate communication and contact between staff and students;
- clear guidance on how to structure one-to-one meetings with students;
- a direction to staff not to enter into personal relationships with students, and
- a direction to staff not to record images of students on personal devices and to ensure that any images recorded on work devices as part of Study Group activities are only used for authorised purposes with explicit written consent.

In addition to the Study Group Code of Conduct requirements, SGA Colleges prohibit staff from accommodating students in their homes, and providing private tutoring.

#### **4.4 Reporting to SGA**

- In acting upon its duty of care to protect/safeguard students and once a report or notification of harm is received, SGA will remove or minimise any obvious risk to students.
- Students must seek support from the student support team or the College Director or delegate if they have a concern for their own or another student's safety and welfare.
- Students must report any suspected child abuse or exploitation, conduct that is impacting them or another student, or a concern for their own or another student's safety and welfare.
- Students can phone, visit or email the Student Support Team, or make a report using a Student Complaints Form, using the process set out in the Complaints and Appeals Policy and Procedures.
- In NSW, the Student Support Team and emergency phone line can be called on **+61 407 663 989**, or the team can be contacted by email at [studenthelp@studygroup.com](mailto:studenthelp@studygroup.com).
- In the Australian Capital Territory (ACT), students can phone the ANU College

emergency phone line on **+61 2 612 50957** or call the ANU Security phone line on **+61 2 612 52249**.

- All SGA staff and affiliates must make a report if they have any concerns for a student's safety or welfare. Staff and affiliates must report to their manager and/or College Director, even when the allegation may seem trivial, minor or lacking evidence. Staff and affiliates must follow the reporting process set out in the Critical Incidents Policy and Procedures.
- Investigations will be conducted as quickly as possible, and ideally within 25 calendar days. Where it is not possible to complete an investigation within 25 calendar days, SGA will provide an estimated timeframe for resolution. Information will be provided to SGA, its University partners and those involved in the allegation(s).
- Investigations, including instances of historical allegations, will be planned so that to the extent possible, the following matters will be identified and documented:
  - the facts and circumstances;
  - all evidence, analysis of evidence, and actions taken and planned.
- SGA will make a finding and provide a rationale for that finding. If it becomes evident that a criminal offence has taken place, Human Resources will be consulted and the relevant State/Territory police will be notified accordingly. This may lead to the suspension of an investigation until the police provide advice.

#### **4.5 Reporting by SGA**

- College Directors or their delegates will advise relevant personnel within SGA and University partners, within 48 hours (or earlier if practicable) after becoming aware of reportable allegations or convictions involving SGA or College staff, affiliates, students, or the accommodation and homestay providers or caregivers to students.
- All allegations will be investigated in line with SGA's legal obligations for protecting students aged 16 or 17. SGA may seek advice and guidance relating to investigations from Human Resources and/or external agencies.
- A fair, transparent and appropriate approach will be taken to investigations, information provision and handling, and to all processes and decisions concerning people involved with a child protection allegation.
- If there is a critical incident involving students under 18, SGA will follow the Critical Incidents Policy and Procedures, including making notifications of relevant critical incidents to the relevant State/Territory Police and external government agencies within 24 hours.
- If an allegation of sexual misconduct or sexual harassment is made by staff, affiliates or students, SGA will implement the procedures set out in the Sexual Misconduct Policy and Procedures, the SGA Standards of Conduct and/or Global Code of Conduct as relevant.
- In NSW, SGA will make a voluntary report to the NSW Department of Communities and Justice if it considers a student aged 16 or 17 is at risk of significant harm. A voluntary report will be made without the student's consent if there is a reasonably held belief that the report would lessen or prevent a serious threat to the life, health or safety of the student.
- In the ACT, it is an offence for any adult (aged 18 and over) to fail to report child sexual offences to a police officer where they reasonably believe a sexual offence has been committed against a child (aged under 12) or a young person (aged 12 to 17).

17). A voluntary report will be made by SGA to the police if it believes that a student aged 16 or 17 is at risk of abuse or neglect. A mandatory report will be made by SGA to the police as soon as practicable after forming the belief, on reasonable grounds, that a student aged 16 or 17 has experienced or is experiencing:

- sexual abuse or a non-accidental physical injury; or,
- another form of abuse or harm that requires a mandatory report.

## 5. Compliance

Staff and affiliates will be held accountable for complying with this policy and its procedures. Policy breaches will be investigated as appropriate, and individuals may be subject to disciplinary and/or legal action, including termination of employment or other contractual relationship.

## 6. Records Management

Records in association with this policy will be kept in accordance with the Records Management Policy and Procedures. Confidential documents related to the implementation of this policy will be maintained according to relevant privacy requirements.

## 7. Definitions

The following definitions are used in this policy:

Accommodation Providers	SGA's registered and approved list of accommodation providers that must meet SGA's minimum standards that are outlined in the Accommodation and Caregiver Policy and Procedures. These include large scale residential student accommodation providers and Homestay providers.
Affiliates	Consultants and contractors to the College, members of the SGA Board and Committees, members of College committees; and any other persons appointed or engaged by SGA to perform duties or functions on its behalf.
CAAW	The Confirmation of Appropriate Accommodation and Welfare letter issued by a College or a University partner to approve a student visa holder's welfare and accommodation arrangements while under 18 years of age and while enrolled.
Caregiver	A person or organisation engaged by a student's parents or legal guardians to provide support and welfare services to the student in Australia, while on a student visa.
Child-related work	Work involving direct contact by a worker with a child under the age of 18 that is a usual part of their work, or work in a child-related role. It includes work to deliver education, residential services, mentoring, counselling and transport services. Child-related work may take place in a face-to-face setting or online.
College	Each of ANU College and Taylors College Sydney, including College staff and affiliates.
College Director	The most senior staff member for the College (or their delegate).
Critical incident	A traumatic event, or the threat of a traumatic event, either on or off campus or on-line, that causes extreme stress, fear or injury to one or more students, such as significant disruption to the study routine (which might prevent a student from completing or

continuing with the course), an emergency management situation, or threat to the safety of students and staff.

Critical incidents include but are not limited to:

- students who have gone missing, whose whereabouts are unknown and who are unable to be contacted
- severe verbal or physical aggression
- critical mental health episodes
- drug or alcohol abuse
- domestic violence
- physical, sexual or other abuse or assault
- death, serious injury or any threat of these
- serious accidents
- fire or natural disaster.

Delegate	A person authorised to perform a specific responsibility.
Department of Home Affairs (DHA)	The Australian Government department responsible for issuance of student visas and provision of student visa services ( <a href="http://www.homeaffairs.gov.au">www.homeaffairs.gov.au</a> ).
Enrolment	Confirmed acceptance into a course where a student is progressing towards the completion of the course requirements.
Harm	'Harm', for the purpose of this policy, includes but is not limited to: <ul style="list-style-type: none"> <li>• any actual or alleged harm to, or reasonable concern for, the physical, psychological or emotional wellbeing of a student;</li> <li>• physical or mental violence, injury or abuse, neglect, maltreatment or exploitation, and sexual abuse</li> <li>• 'reportable conduct' as defined by relevant State/Territory child protection legislation;</li> <li>• concerns about a student's safety or welfare, which may lead to a mandatory or voluntary report being issued by a College;</li> <li>• critical incidents, as defined above;</li> <li>• child abuse;</li> <li>• physical, sexual or other abuse or assault,</li> <li>• neglect,</li> <li>• non-accidental physical injury;</li> <li>• the possession, production and sharing of child pornography or any other child exploitation material.</li> </ul>
Mandatory report (ACT)	In the ACT, a mandatory report must be made by an adult as soon as practicable to the police, if a person holds the belief on reasonable grounds that a child or young person has experienced, or is experiencing: <ul style="list-style-type: none"> <li>• sexual abuse, or</li> <li>• a non-accidental physical injury; and</li> <li>• the person's reasons for the belief arise from information they obtained during their work (whether paid or unpaid).</li> </ul>
National Code	The <a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a> made under subsection 33(1) of the <a href="#">Education Services for Overseas Students (ESOS) Act 2000</a>

[\(Cth\)](#). It outlines nationally consistent standards for the conduct of registered providers and the registration of their programs.

Nominated Relative	A suitable relative aged 21 or over who is nominated by a student's parents or legal guardian, and is approved by the DHA to be responsible for a student's welfare while studying in Australia. They can be a grandparent, spouse, de facto partner, brother, sister, aunt, uncle, niece, nephew, step-parent, step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece, or step-nephew.
SGA	Study Group Australia Pty Limited.
State/Territory	For the purposes of this policy, the Australian State or Territory in which a College operates.
Voluntary report	In NSW, when SGA makes a voluntary report to the NSW Department of Communities and Justice if a student aged 16 or 17 is considered to be at risk of significant harm; and  In the ACT, when SGA makes a voluntary report to the police if it suspects that a student aged 16 or 17 is being abused, neglected, or is at risk of abuse or neglect.

## 8. Related documents

The following legislation and documents are related to this policy:

*Child Protection (Working with Children) Act 2012 (NSW)*

*Child Protection (Working with Children) Regulation 2013 (NSW)*

*Children and Young People Act 2008 (ACT)*

*Children and Young Persons (Care and Protection) Act 1998 (NSW)*

*Crimes Act 1900 (Cth)*

*Education Services for Overseas Students Act (ESOS) Act 2000 (Cth)*

*Education Services for Overseas Students Regulations 2019 (Cth)*

*Ombudsman Act 1989 (ACT)*

*Modern Slavery Act 2018 (Cth)*

*Privacy Act 1988 (Cth)*

Education Services for Overseas Students (Foundation Program Standards) Instrument 2021

ELICOS Standards 2018

National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)

Accommodation and Caregiver Policy and Procedures

Critical Incidents Policy and Procedures

Records Management Policy and Procedures

Sexual Misconduct Policy and Procedures

SGA Standards of Conduct Policy

Student Privacy Policy

SGANZ Working with Children Check and Childrens Worker Safety Check Policy

Study Group Global Code of Conduct

## 9. Policy governance

<b>Document name</b>	SGA Safeguarding Policy and Procedures		
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## 10. Document history

<b>Commencing Date</b>	<b>Version / Summary of Changes</b>	<b>Next Review Date</b>
8 December 2021	Version 1.0 - First release of policy. Alignments with global policy.	8 December 2024