

# WHS OP015 Children in the Workplace Procedure

## Section 1 - Overview

(1) The University of New England is committed to equal access to education and employment conditions regardless of an individual's status with respect to dependent children or other family members. The University is also committed to "family friendly" work strategies to assist University Representative trying to balance work and family responsibilities.

(2) In addition, the University has an obligation to ensure that it does not expose people to risks to their health, safety and welfare. Requirements under Work Health and Safety (WHS) legislation extend to University Representative members, students and visitors to the University, including children.

(3) The University understands that although there is a range of child-care options available both on campus and throughout the community, in some circumstances a University Representative or student may need to bring a child to a place of work or study. The arrangements outlined in this procedure are not intended to provide an alternative to on-going child care.

## Section 2 - Scope

(4) Children are normally permitted in the University Place of Work. In the interests of health, safety and welfare, children are not permitted in the following excluded work areas, without an exemption:

- a. laboratories (unless for approved University activity);
- b. workshops;
- c. kitchens, without direct caregiver supervision;
- d. farms and areas where animals are held;
- e. construction sites;
- f. areas that contain hazardous substances or dangerous goods; and
- g. areas that contain items of plant, including power tools that are designed for the purposes of cutting or processing materials or produce significant heat or noise in excess of 85dB(A).

(5) This Procedure does not apply to residences or approved University activities where children are involved, such as Open Day, work experience, special teaching programs (e.g. high school activities/programs, etc), community playgroups, performances or areas of public access, e.g. eating areas, amenities, sports facilities, library, etc.

(6) This Procedure applies to UNE Representatives and Students.

## Section 3 - Procedures

### General

(7) A UNE Representative wishing to bring a child to their place of work for a period of more than one hour must first

seek permission from the relevant supervisor. Approval stating times, dates and care arrangements must be documented.

(8) A caregiver may bring a child to a place of work for a brief visit (less than one hour) without gaining prior permission from the relevant supervisor, however the University Representative /student will inform the relevant supervisor of the child being present as soon as is practicable.

(9) A Student wishing to bring a child to a lecture, tutorial or other class must first seek permission from the relevant lecturer.

(10) Requests must, where possible, be made in advance. This will include after hours and weekend access to University facilities.

(11) The supervisor should treat requests flexibly and sensitively, and make a determination having regard to the following:

- a. the size and layout of the work/study environment;
- b. the age of the child;
- c. the length of time involved;
- d. any work or study place hazards;
- e. any medical conditions and special needs of the child;
- f. the possibility of use of, and/or possible damage to University property;
- g. the degree of possible interference with others;
- h. material which may be displayed presented or discussed which is unsuitable or upsetting for children; and
- i. Providing reasonable adjustment in workplace arrangements to meet the needs of caregivers.

(12) Where a significant risk or issue is later identified, or the supervisor has reason to believe that the child is not being appropriately supervised and/or a child's behaviour is disruptive to other UNE Representative or Students, the supervisor has the right to request that the caregiver remove the child from the work or study area.

(13) In the event of a dispute between the supervisor and the caregiver, the matter will be referred to the Head of Cost Centre (in the case of students) or, in the case of University Representatives, to the supervisor's manager. At any time advice may be sought from the Health and Safety Consultant.

## **Fieldwork**

(14) In the case of fieldwork, the caregiver must apply to the supervisor in writing no less than seven (7) working days before the event to allow the supervisor to assess the risks and/or provide reasonable adjustment in workplace arrangements to meet needs of caregivers.

(15) If a caregiver has to unexpectedly care for a child and is unable to provide this notice, the supervisor may grant permission for the caregiver to have the child present where the fieldwork activity is in a place normally frequented by children, e.g. art galleries, public exhibitions, shopping centres and public recreation areas.

(16) Where permission has been sought to bring a child on a fieldwork exercise, the supervisor must advise the caregiver of their decision as soon as practicable, and in any case, at least three (3) working days before the day of activity.

## **Exemption Arrangements**

(17) Where a caregiver requests a child attends an excluded work area, as defined in clause 4, the caregiver must provide a case outlining reasons for the exemption, a completed risk assessment and seek endorsement from the

Head of Cost Centre.

(18) Approval for an exemption must be obtained from the relevant Senior Executive.

## **Additional Arrangements**

(19) Where childcare arrangements have fallen through, or other exceptional circumstances exist, the caregiver may bring a child to a place of work or study.

(20) Where children are brought on to University premises or to any approved fieldwork activity, they must be supervised by the caregiver at all times. The responsibility for the child(ren) rests solely with the caregiver, and other UNE Representatives or Student must not be asked to look after the child(ren).

(21) The University will ensure that UNE Representatives who need a private space for breastfeeding, expressing milk or changing nappies can have access to reasonably accessible facilities for this purpose on campus.

(22) Children with significant communicable medical conditions, for example, chickenpox, head lice or conjunctivitis are not permitted in a place of work, teaching or fieldwork activity.

(23) For UNE Representatives, the University provides Family and Community Leave amongst other forms of leave, which can be utilised to care for a child. Students should refer to faculty rules for special consideration in cases where family responsibilities impinge on academic requirements.

## **Authority and Compliance**

(24) The Director People and Culture pursuant to the University's [Workplace Health and Safety Rule](#), makes these Procedures.

(25) UNE Representatives and Students must observe these Procedures in relation to University matters.

(26) These Procedures operate as and from the Effective Date.

(27) Previous Procedures relating to children in the workplace are replaced and have no further operation from the Effective Date of this new Procedure.

# **Section 4 - Definitions**

(28) Child(ren) means any person under the age of 16 years who is not a University Representative or student of the University.

(29) Caregiver means a person (employee, student or visitor) who brings a child to University premises or activity.

(30) Exceptional circumstance means the "ad hoc" or irregular requirement of a University Representative /student having to care for a child in an unexpected circumstance or having justifiable cause not to arrange alternate care for a child.

(31) Fieldwork activity means any activity under the control of the University, but not in a University building. N.B. students on "practicum" (or other workplace-based training) will be subject to the rules of those workplaces.

(32) Relevant Senior Executive means the Senior Executive member responsible for that portfolio.

(33) Place of Work and/or Study means any University owned or occupied premises or vehicle used for University business (including, but not limited to road or marine), or any University approved outdoor activity.

(34) Supervisor means the person who is directly responsible for a place of work, teaching and/or study, or fieldwork activity.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	20th September 2016
<b>Review Date</b>	21st September 2020
<b>Approval Authority</b>	Vice-Chancellor and Chief Executive Officer
<b>Approval Date</b>	7th September 2016
<b>Expiry Date</b>	To Be Advised
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## Glossary Terms and Definitions

**"UNE Representative"** - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

**"Student"** - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

**"Senior Executive"** - Means the Vice-Chancellor, Deputy Vice-Chancellor, Deputy Vice-Chancellor Research, Chief Financial Officer, and Chief Operating Officer.

**"Effective Date"** - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.