



Employment Equity and Diversity Unit

CHILDREN IN THE WORKPLACE AND STUDY ENVIRONMENT POLICY

Date approved:	10 December 1999	Date Policy will take effect:	10 December 1999	Date of Next Review:	January 2014
Approved by:	University Council				
Custodian title & e-mail address:	Director, EED				
Author:	Director, EED				
Responsible Faculty/ Division & Unit:	Employment Equity and Diversity Unit				
Supporting documents, procedures & forms of this policy:	Work/Life Balance website General Staff Enterprise Agreement 2010 Academic Staff Enterprise Agreement 2005 Occupational Health and Safety Policy				
References & Legislation:	Anatomy Act, 1977 (NSW) Occupational Health and Safety Act, 2000 (NSW) IT Acceptable Use Policy Code of Conduct – Library				
Audience:	Public – accessible to anyone				
Expiry Date of Policy:	Not applicable				

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1 Purpose of Policy

1. The University seeks to provide a *family friendly* Workplace and Study Environment. A Children in the Workplace and Study Environment policy supports this aim and also recognises the University's duty of care as a responsible employer. The policy seeks to strike a balance between the safety of children on campus, limiting their exposure to risks, whilst maintaining equity standards. The policy seeks to address both occupational health and safety and equal opportunity issues.

2 Definitions

Word/Term	Definition (with examples if required)
Campus	Any campus of the University of Wollongong in Australia
Child	For the purposes of this policy a child refers to a person up to the age of 16 years, and children refers to more than one child
Contagious Disease	Any disease easily transmitted by contact
Parent or Guardian	A person legally responsible for a minor
Staff	An employee, honorary or visiting appointee or the holder of a University office or a member of a University committee
Students	A person registered for a University course
Study Environment	A lecture, tutorial, field work or work placement related to university study
University	The University of Wollongong in Australia
Visitors	Any person coming onto a University campus who is not a student or staff member
Workplace	An office, laboratory, workshop or similar where a parent or guardian is conducting their work as an employee

3 Application & Scope - Exclusions or Special Conditions

1. The policy applies to members of staff, students and visitors of the University.
2. The policy applies to any person who has care and control of a child on the University campuses. Where the University shares the campus with another provider or other entity, the policy applies to the work and study areas operated by the University.
3. This policy applies to breastfeeding mothers.
4. This policy applies to staff and students of the Sydney Business School.
5. This policy applies to the University staff and students at the Innovation Campus (iC).
6. This policy excludes visitors to the Science Centre where access and supervision guidelines for children, parents and guardians are clear and well advertised.
7. Where this policy defines a word or expression, that word or expression shall have the corresponding meaning whether expressed in upper case or lower case.



4 Policy Principles

1. Parents or guardians retain primary responsibility for the safety and supervision of a child in their care. They must ensure supervision of the child at all times. Parents or guardians should not request or expect staff or students to look after a child.
2. Breastfeeding is supported. Breaks from work and class to breastfeed should be discussed with supervisors and lecturers.
3. Parents or guardians who are staff of the University will have access to carers leave and flexible work arrangements under the University's employment framework. Leave should be accessed to support emergency carer responsibilities.
4. The University has occupational health and safety policies on the provision of a safe working environment for staff, students and visitors. However, the presence of children on campus raises specific issues for staff, students and the University. There is a need for regulation as well as discretion and 'reasonableness' in meeting the expectations of parents or guardians, and expectations of those making decisions about allowing children into the work and study environment.
5. The University recognises that:
 - a. there is a longstanding University culture in which many students and staff bring their children on campus on occasions;
 - b. the safety of all persons on campus, including children, is of the utmost importance;
 - c. the education function and effective operation of the University must be maintained and the presence of children on campus must be accommodated within this requirement; and
 - d. there is a need to identify the responsibilities of the person supervising the children, the requisite level of supervision, appropriate areas for children and inappropriate areas, or circumstances for children to be present.

5 Occupational Health and Safety

1. The University recognises it has a legal responsibility to ensure a safe environment for staff, students and visitors. This is set out under the Occupational Health and Safety Act 2000 (NSW), section 16(1).
2. The University's duty of care extends to all members of the campus community – staff, students and visitors. Recognising the potential hazards occurring in the University environment and the diverse nature of the campus community, the University needs to take all reasonably practicable steps to provide and maintain a safe and healthy environment. Provision of a safe environment for children is an integral part of the University's responsibility under the Occupational Health and Safety Act, 2000, as well as under a general duty of care.
3. To meet our OH&S obligations children will not normally be permitted in areas where risks are present including the following areas:
 - a. science type laboratories;
 - b. trades workshops;
 - c. clinical areas;
 - d. kitchens;
 - e. construction sites or areas with minor works or maintenance taking place;
 - f. machinery areas and areas where grounds equipment is in use;
 - g. art studios;
 - h. areas displaying inappropriate or graphic material;
 - i. storage facilities, store rooms or plant rooms;
 - j. areas which store chemicals and dangerous goods;



- k. areas licensed to sell alcohol unless accompanied by an adult (applies to children under 18 years of age); and
 - l. other areas potentially hazardous to children.
4. Children, in the context of this policy, who accompany their parents or guardians to the University, are not permitted to enter or observe anatomy laboratories.

6 For Students

1. In circumstances which are unforeseen and/or unavoidable and where they are unable to make alternative arrangements, students may need to take their child into a class. A request for permission for a child to accompany a student to class is to be directed to the relevant lecturer or person in charge of the activity at the time. This should not be seen as an alternative to regular child care arrangements.
2. It must be ensured that the presence of children accompanying students to University does not disrupt the normal business of the University.
3. Permission shall not be unreasonably withheld. An appeal process is provided in section 13.

7 For Staff

1. From time to time, a child may accompany a staff member to work. However, this should not be seen as an alternative to regular child care arrangements. Permission to have children in the workplace must be obtained from the relevant supervisor.
2. It must be ensured that the presence of children in the University does not disrupt the normal business of the University, including the work of any staff member. Additionally, parents or guardians have a responsibility to ensure the safety of the child in the University environment. Particular attention must be paid to the potentially hazardous areas listed in section 10 (Occupational Health and Safety) of this document.
3. Permission shall not be unreasonably withheld. An appeal process is provided in section 13.

8 The University Library

1. All users of the University Library are required to respect and comply with the conditions necessary to provide an appropriate atmosphere for study and research as detailed in the Code of Conduct - Library.
2. Parents or guardians must ensure that children who use the library will comply with the Code of Conduct - Library. Children whose conduct is likely to breach the Code should not be left in the library without appropriate supervision by a person authorised by the parent or guardian.

9 IT Facilities

1. Staff and students should be aware of the IT Acceptable Use Policy if children are using University computers and equipment.

10 Factors Taken into Account when Assessing a Request

1. Requests by students or staff to bring their children onto the University will be handled with sensitivity and reasonableness.
2. The presence of children may be permitted subject to the notion of reasonableness, which may include, among other things:
 - a. safety of the child in the relevant environment (some areas are “no go” areas under all circumstances);
 - b. degree of interference with other staff or students;
 - c. others are not being interrupted and/or inconvenienced by the child;
 - d. whether the child is sick and their level of contagion;



- e. whether the child is being breast fed;
- f. age of the child;
- g. length of time involved and/or frequency of attendance;
- h. content of lecture, discussion (certain sensitive or explicit subject matter may upset the child);
- i. size of tutorial rooms/availability of seating;
- j. notification to the lecturer or supervisor; and
- k. continued reasonable behaviour by the child.

11 Infections and Diseases

1. Children who are known to have a contagious disease should not be brought onto University grounds to prevent exposure of others to health risks.
2. A number of childhood diseases are extremely contagious and can create serious health risk to adults, including staff and students. Parents or guardians of sick children have a particular responsibility to make appropriate care arrangements, which will not adversely affect the health of others.

12 Withdrawal of Permission

1. Where a child has become disruptive, is inconveniencing or distracting staff in the workplace or students in the study environment, a parent or guardian may be required to remove the child.
2. The person in charge of the study environment or workplace has the right to request the parent or guardian to remove the child in these circumstances.
3. Alternative permission/reporting arrangements, consistent with the intent of this policy, may be made if existing reporting structures or other circumstances require.

13 Appeals

1. If students are of the view that permission has been unreasonably refused, they should refer the matter to the Head of Department or Unit for review of the decision. In reviewing the decision, the Head of Department or Unit should seek the view of the Dean of Students before making a final decision. The matter should close at this point.
2. If a member of staff considers that their immediate supervisor has unreasonably refused permission under this policy, they should refer the matter to the person at the next supervisory level. In reviewing the decision, the supervisor should seek the view of the Director of Employment Equity & Diversity before making a final decision. The matter should close at this point.

Note:

Information on leave and child care options can be found on the Work/Life Balance website <http://staff.uow.edu.au/eed/balance/index.html>

14 Roles & Responsibilities

1. Roles and responsibilities are as detailed in this policy.



15 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	10 December 1999	University Council	New Policy
2	5 November 2002	Administrative Committee	Approval to add breastfeeding on the campus
3	6 May 2009	Vice-Principal (Administration)	Migrated to UOW Policy Template as per Policy Directory Refresh Appendices deleted as the information was out of date. Information on leave and child care options can be found on the Work/Life Balance website http://staff.uow.edu.au/eed/balance/index.html
4	9 March 2010	Vice-Principal (Administration)	Future review date identified in accordance with Standard on UOW Policy
5	14 October 2011	University Council	Scheduled review of policy, including new policy title, previously "Children on Campus Policy".