
YMCA Geelong - Safeguarding Children and Young People Policy



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Policy Number	Date Approved	Date Last Amended	Status
YG 104-G	29/11/2020	29/11/2020	APPROVED- BOARD YMCA AGM 28/11/2020

1. SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY (Previously known as Child Protection Policy)

2. INTRODUCTION

This policy must be read in conjunction with the attached YMCA Geelong YG 104-O Safeguarding Children and Young People Procedures.

A close-up photograph of a young girl with dark hair, wearing a colorful party hat with green, yellow, and purple sections. She is smiling and looking upwards and to the left. The background is blurred with warm, bokeh lights. A large, semi-transparent red shape, resembling a stylized envelope or a large letter 'Y', is overlaid on the left side of the image, partially covering the girl's face and the background.

Our Safeguarding Children and Young People Policy

Purpose

Being a Child or Young Person is a time to have fun, be carefree, splash around, play games – and the Y is a great place to enjoy being a Child or Young Person. At the Y, Safeguarding Children and Young People is our highest priority, so we want Children and Young People to hear our message loud and clear, we want them to ‘Feel Safe and Be Safe’, and this means we do not tolerate any type of harm or abuse.

Offering safe spaces for Children and Young People to enjoy being themselves is one of our greatest privileges. We offer many programs and services for Children and Young People as places of connection and belonging. These include recreation centres, early learning centres, out of school hours care, gymnastics, camps and other programs.

We always want to see the world through the eyes of Children and Young People – to make sure we understand what they need to feel safe and be kept safe. That’s why we are committed to amplifying the voices of Children and Young People – and truly listening to them. We believe in the power of inspired Young People, and for Young People to be inspired they must be safe, and they must feel safe.

Scope

Safeguarding is everybody’s responsibility, this Policy applies to all:

- ▶ Y People (this includes Board Directors and all those who are employed or volunteer for the Y, including those on work experience);
- ▶ Contractors; and
- ▶ Visitors and Patrons.

Key Terms

At the Y, we define a Child or Young Person as anyone up to the age of 18 years (in line with Child protection legislation).

We define Safeguarding as taking all action necessary to ensure Children and Young People can feel safe and be safe. This includes in their homes, their communities and when in organisations, regardless of their age, sexuality, gender, ability, religion, political beliefs or socio-economic background.

Safeguarding also means when they do feel unsafe, measures are taken to restore their safety.



Our Safeguarding Framework

To achieve our Safeguarding Vision, we have developed our Safeguarding Framework. At the heart of our Safeguarding Framework is our Safeguarding Vision, to 'feel safe, be safe'.

Our Safeguarding Vision stands on three Pillars:

- ▶ **Culture,**
- ▶ **Operations and**
- ▶ **Environment**

These Pillars are comprised of 15 elements that enable our Y People to understand how Safeguarding directly relates to their individual roles. The Elements in our Safeguarding Framework build upon the 10 National Child Safe Principles and provide the Y Movement with a clear model on how to embed Safeguarding.





Delivering our Safeguarding Framework





Culture

We are committed to creating a safe culture that empowers Children and Young People and promotes intergenerational leadership and governance to embed Safeguarding at the Y. Our commitment to achieving a Safeguarding Culture comprises of:





Leadership

We commit to being leaders in Safeguarding across Australia by:

- ▶ Actively preventing abuse (Emotional or Psychological, Physical, Sexual and Family Violence), Neglect, Bullying and Discrimination
- ▶ Championing the rights of all Children and Young People as guided by the United Nations Convention on the Rights of the Child
- ▶ Providing our Boards and Y leaders with the knowledge and skills required to keep Children and Young People safe
- ▶ Working with external organisations to continue improving our practices.



Governance

We commit to having robust governance processes that keep Children and Young People at the front and centre of everything we do by:

- ▶ Ensuring all Y People are involved in our risk management process
- ▶ Ensuring Safeguarding is embedded in our business and strategic planning processes
- ▶ Reporting Safeguarding to our Boards and Y Leaders
- ▶ Undertaking annual Safeguarding selfassessments with an independent Safeguarding audit/review every third year
- ▶ Ensuring any partner organisations we engage with meet our Safeguarding requirements.



Empowerment

We commit to empowering all Children and Young People that we come into contact with, by:

- ▶ Listening to and consulting with them
- ▶ Delivering our Stay Safe, Tell Someone Program
- ▶ Amplifying their voice in a true, genuine intergenerational approach
- ▶ Providing them information about our Safeguarding commitments.



Values and Behaviours

We commit to demonstrating the highest standards of behaviour and conduct whilst living and breathing our values each and every day by:

- ▶ Being Heroic, Creative and Nurturing– standing up for Children and Young People's rights and role modelling safe behaviours
- ▶ Educating and ensuring our Y People adhere to their Code of Conducts and Safe Behaviours
- ▶ Empowering our Y People to speak up and take action suspect (see, hear, feel) a breach of our Safe Behaviours and/or Code of Conduct.



Education and Training

We commit to providing high quality Safeguarding education and training by:

- ▶ Inducting all Y People appropriately using our Safeguarding Framework
- ▶ Providing regular training, including refresher training to our Y People on how to keep Children and Young People safe using our Safeguarding Training Model as informed by our Safe Behaviours
- ▶ Undertaking cultural sensitivity and awareness training as required by our role within the Y
- ▶ Encouraging our Y People to speak up and ask questions when they are unsure of their responsibilities.

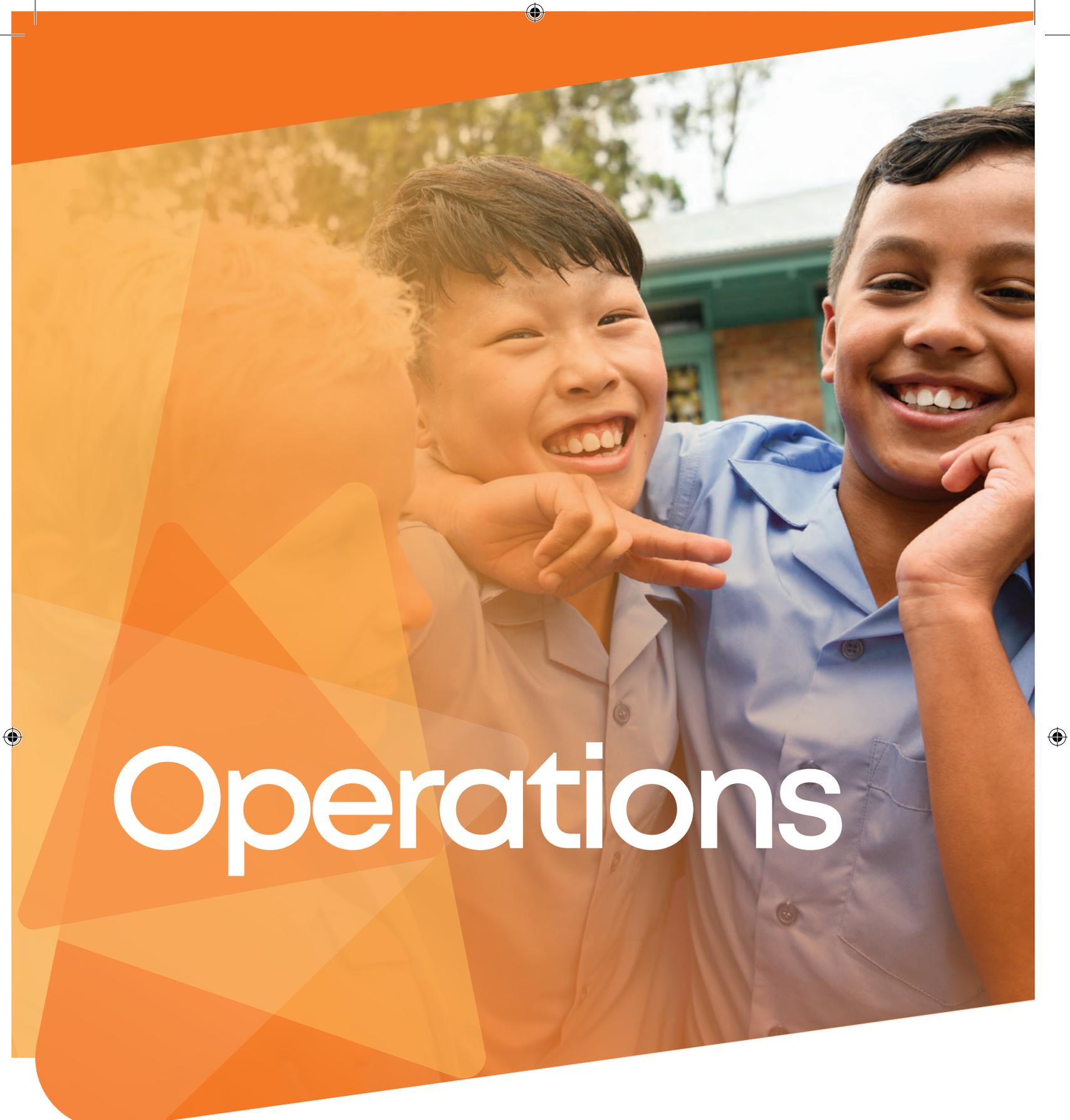


Continuous Improvement

We commit to continuous improvement by:

- ▶ Learning from national and international best practice
- ▶ Sharing safeguarding data and reviewing safeguarding cases to reduce future risk and inform future practice
- ▶ Regularly reviewing all of our Safeguarding policies, procedures and practices.



A photograph of two young children, a girl and a boy, smiling broadly. They are wearing light blue school uniforms. The girl is on the left, pointing towards the camera with her right hand. The boy is on the right, resting his chin on his hand. The background is slightly blurred, showing a building and trees. The image is overlaid with a large, semi-transparent orange graphic consisting of several overlapping triangles and polygons. The word "Operations" is written in a large, white, sans-serif font across the middle of the image.

Operations

We commit to creating safe operations to ensure Y People have the right policies, processes and practices to keep Children and Young People safe. Our Commitment to creating a Safeguarding Operations comprise of:





People

We commit to recruiting and retaining the right Y People by:

- ▶ Using best practice standards in recruitment, screening and employment (including, but not limited to, police and/or Working with Children Check, reference checks) of all Y People
- ▶ Providing clarification of our Safeguarding policies and procedures
- ▶ Ensuring Safeguarding in embedded performance appraisals.



Policies and Procedures

We commit to developing and implementing robust Safeguarding policies and procedures by:

- ▶ Ensuring Y People understand their responsibility to keep Children and Young People safe and report all Safeguarding concerns
- ▶ Ensuring all Safeguarding policies and procedures have Child and Young Person friendly versions and are accessible, where appropriate.



Practices

We commit to best practice in Safeguarding by:

- ▶ Embedding the requirements of relevant peak and regulatory bodies
- ▶ Providing Children and Young People with positive and nurturing experiences.



Complaints

We commit to responding to all Safeguarding concerns or complaints by:

- ▶ Ensuring that they are managed fairly
- ▶ Responding in a timely manner
- ▶ Always acting in the best interests of Children and Young People and obtaining their consent before sharing their information, unless the Child or Young Person is at risk of harm (or required by law)
- ▶ Sharing information and concerns to the relevant bodies (including Y Australia and the National Safeguarding Unit) as well as external reporting agencies as per state or territory legislation.





Environment

We commit to creating safe environments and spaces for Children and Young People at the Y. Our Commitment to creating a Safeguarding Environment comprise of:



eSafety

We commit to creating safe online environments by:

- ▶ Identifying, assessing, managing and communicating eSafety risks when engaging online
- ▶ Ensuring that Y People who manage online platforms on behalf of the Y are appropriately trained and supported
- ▶ Providing opportunities for Children and Young People to report Safeguarding concerns to us online and anonymously.

Physical

We commit to providing safe physical environments by:

- ▶ Maintaining open, honest and transparent communication with Y People about Safeguarding risks relevant to their roles
- ▶ Regularly reviewing safety of our facilities
- ▶ Adhering to the required ratios and supervision for Children and Young People
- ▶ Only working 1:1 with Children and Young People when there is a specific need and appropriate procedures to do safely with authorised permission.



Families and communities

We commit to supporting families and communities to promote Children and Young People's safety and wellbeing by:

- ▶ Ensuring open and honest communication with families and communities
- ▶ Engaging and listening to families and communities
- ▶ Providing information and access to other community support services.

Diversity

We commit to respecting and supporting diversity by:

- ▶ Striving to understand the cultural needs of Aboriginal and Torres Strait Islander Children and Young People
- ▶ Taking action to ensure all Children and Young People with diverse needs are protected from discrimination
- ▶ Promoting the safety and wellbeing of all Children and Young People including Aboriginal and Torres Strait Islanders, those living with a disability, culturally and linguistically diverse, those who are unable to live at home and LGBTIQ+ Children and Young People
- ▶ Ensuring cultural safety for those from diverse communities and providing Safeguarding resources in alternate languages and/or imagery where possible.



Roles and Responsibilities

Everyone has a role to play in keeping Children and Young People safe. Our Y People are expected to undertake the responsibilities as set out below:

The National Council of the Ys of Australia



The development and endorsement of this Policy, champion it and oversight of compliance to agreed licensing standards

The National Safeguarding Unit (NSU)



Provide subject matter expertise and ongoing support for all Y People to understand and undertake their responsibilities under this Policy

Member Y Associations



Implementation of this Policy, our Safeguarding Framework and the Safeguarding Licensing Standards, whilst ensuring localised policies, codes of conduct and procedures support compliance to this Policy

Boards of Directors



Provide strategic support and guidance of Safeguarding initiatives to ensure that their Y People and their Member Y Association empower Children and Young People to feel safe and be safe.

Board Safeguarding Lead



Ensure adequate resources and support is made available to enable their Y People to effectively deliver upon the Y's Safeguarding Strategy and act as a Safeguarding advocate for the Member Y Association.

CEOs



Ensure adequate resources and support as determined by the Member Y Board is made available to enable their Y People to effectively deliver upon the Y's Safeguarding Strategy.

Safeguarding Consultative Group



Will be established by the NSU to coordinate and share best practice opportunities, data and learnings to continuously improve the Y's approach to Safeguarding Children and Young People.

Operational Safeguarding Leads



To provide operational Safeguarding leadership to the Member Y Association to embed the Y's Safeguarding Framework, this Policy and relevant Safeguarding law.

Y People



Commit to create safe cultures, operations and environments for all Children and Young People. Speak up when they see something, hear something or feel something that worries or concerns them.

Breaches of this Policy

If any Y Person is found to be in breach of this Policy, the appropriate action will be taken under their Member Y Association's Disciplinary Policy (or equivalent), including up to dismissal.

If any Member Y Association is found to be in breach of this Policy, appropriate action will be taken by Y Australia on behalf of the Y Movement, including up to the suspension of their YMCA licence.

Reviewing this Policy

This Policy will be formally reviewed every three years, unless there is change to legislation, national guidance or in response to opportunities to improve within the Y. The review process will take place in consultation with Children, Young People, families, communities and the Y Movement.

We always welcome any feedback from Children and Young People, families and communities or Y People at any time. Please do not hesitate to contact us with any feedback on this Policy by emailing safe@ymca.org.au



Glossary of Terms

Bullying – Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying may take many forms (including direct and indirect) that are often interrelated and can include: verbal, physical, social or psychological. For the avoidance of doubt, bullying includes cyber bullying, which can also have lasting and damaging consequences.

Child abuse – All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the Child's health, survival, development or dignity in the context of a relationship with a person of responsibility, trust or power.

Discrimination – Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic or attribute in the same or similar circumstances. Discrimination can be direct or indirect.

Emotional or Psychological abuse – Emotional abuse of a Child refers to a inappropriate verbal or symbolic acts towards a Child and/or a pattern of failure over time to provide a Child with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a Child's self-esteem or social competence.

Family violence – Family violence is physical, emotional and/or financial conduct, whether actual or threatened, by a person towards a member of the person's family (or towards the property of a member of the person's family) that causes any other member of the person's family network to fear for, or to be apprehensive about, their personal wellbeing or safety.

Harm – Harm to a Child or Young Person or other person, is any detrimental or harmful effect of a significant nature to the Child or Young Person's or other person's physical, psychological or emotional wellbeing. It does not matter how the harm is caused. Harm can be caused by: physical, psychological or emotional abuse or neglect, sexual abuse or exploitation, a single act, omission or circumstance or a series or combination of acts, omissions or circumstances.

Member Y Associations – An association or entity that is a party to a current valid YMCA Licence Agreement. It is a requirement of the YMCA Movement in Australia that to be a YMCA, the entity must have entered into a Licensing Agreement with YMCA Australia.

National Safeguarding Unit – an enabling service that supports all Y People to increase their knowledge, skills and capabilities in safeguarding Children and Young People.

Neglect – Neglect of a Child or Young Person includes both isolated incidents, as well as a pattern of failure over time to provide for the development and wellbeing of the Child or Young Person – where the parent or caregiver is in a position to do so – in one or more of the following areas; health, education, emotional development, nutrition, shelter and safe living conditions.

Physical abuse – Physical abuse of a Child or Young Person is the intentional use of physical force against a Child that results in – or has a high likelihood of resulting in – harm for the Child or Young Person's health, survival, development or dignity. This includes but is not limited to, hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against Children and Young People in the home is inflicted with the object of punishing.

Safe Behaviours – A national document that outlines the behavioural expectations of all Y People when working with Children and Young People. The Safe Behaviours are embedded into each Member Y Association's local Code or Standard of Conduct.

Safeguarding Licensing Standards – The Y's Safeguarding Licensing Standards are licensing obligations that detail the Safeguarding requirements and responsibilities of a Member Y Association. Each Member Y Association must comply with the YMCA Safeguarding Licensing Standards in existence at the time.

Sexual abuse – The involvement of a Child in sexual activity that they do not fully comprehend, is unable to give informed consent to, or for which the Child is not developmentally prepared, or else that violates the laws or social taboos of society. Children can be sexually abused by both adults and other Children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim.

The Y Movement – The Y Movement in Australia is a federation of licensed Member Y Associations. Each Member Y Association is a member of the National Council of YMCAs of Australia. United Nations Convention on the Rights of the Child - The United Nations Convention on the Rights of the Child, or UNCRC, is the basis of all of UNICEF's work <https://www.unicef.org/Child-rightsconvention>. It is the most complete statement of Children's rights ever produced and is the most widely-ratified International Human Rights Treaty in history.

Y People – YMCA People include all YMCA Board Directors, staff and volunteers (this includes school, university and TAFE students on placement or work experience with Member Y Associations).

Safeguarding Strategy – The Y's Safeguarding Strategy has been developed so that all Y People share the responsibility for keeping Children and Young People safe and incorporates our Safeguarding Vision and Safeguarding Framework.

10 National Child Safe Principles – The National Principles, based on the Royal Commission's Child Safe Standards, are endorsed by the Council of Australian Governments (COAG). They drive the implementation of a Child safe culture across multiple sectors providing services to Children and Young People.

YMCA Geelong Safeguarding Children and Young People Procedure

OFFICE USE ONLY

Procedure Number	Date Approved	Date Last Amended	Status
YG 104-A-O	28/08/2018	28/08/2018	APPROVED- CEO

1 SAFEGUARDING CHILDREN AND YOUNG PEOPLE PROCEDURE

2 INTRODUCTION

YMCA Geelong is committed to Safeguarding Children and Young People (SCYP) from mistreatment and abuse. These procedures provide practical guidance for the implementation of the YG 104-G Safeguarding Children and Young People Policy to ensure that all children and young people within our services/programs and staffing/volunteer teams are protected from any form of abuse and harm.

All personnel within the YMCA are expected to safeguard children and young people by:

- Demonstrating the YMCA Values of Honesty, Caring, Respect, Responsibility and Safety, in all aspects of personal and work life
- Adopting appropriate practices and behavior when carrying out their duties
- Reporting any form of child abuse, suspicious behavior, issue or concern
- Participating and completing any YMCA SCYP training and education programs
- Acting in accordance with all YMCA Policies and Procedures

3 RELATED POLICY

YMCA Australia Safeguarding Children and Young People Policy (approved 25/11/2018) as implemented in
YG 104-G Safeguarding Children and Young People Policy
YG 138-O Working with Children Check Policy
YG 139-O Criminal History Records Check Policy
Hazard Management Procedure
YG 151-O Interactions with Children Policy (Children's Services)
YG 143-G Bullying, Harassment and Discrimination policy
YG 106-G Code of Conduct
YG 157-O Arrival and Departure in Children's Services Policy
YG 146-O Excursions in Children's Services Policy
YG 142-O Incident Reporting Procedure
YG135-O Recruitment Screening Policy
YG 108-O Positive Behaviour Guidance Policy
YG 109-O Membership, Enrolments and Facility Hire Policy
YG 105-G Mandatory Reporting Policy
YG 178-O YMCA Responding to Disclosure of Sexual Abuse Policy
Grooming Offence Fact Sheet
Failure to Protect Fact Sheet

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

Failure to Disclose Fact Sheet

4 RELATED LEGISLATION, REGULATIONS

[Working with Children Act 2005](#) Working with Children Regulations 2006

[Children, Youth and Families Act 2005](#)

[Sex Offenders Registration Act 2004](#)

[Commission for Children and Young People Act 2012](#)

[United Nation Convention on the rights of the child](#)

[The Crimes Amendment \(Protection of Children\) Act 2014](#)

[Section 49C of the Crimes Act 1958: Failure by person in authority to protect child from sexual offence](#)

Education and Care Services National Act 2010

Education and Care Services National Regulations 2011

Child Employment Act 2003

Children's Services Act 1996

Education and Care Services National Law 2010

Serious Sex Offenders Monitoring Act 2005

Disability Services Act 2006

Charter of Human Rights and Responsibilities Act 2006

Occupational Health and Safety Act 200

[Gymnastics Victoria Affiliated Association Guidelines:](#)

- [Child Safe and Child Friendly Policy](#)
- [Member Protection Policy](#) (including updated [Codes of Behaviour](#))
- [Grievances and Complaints Policy](#)
- [Photographic and Filming Policy](#)

5 RELATED STANDARDS or GUIDELINES/PROTOCOLS

YG 142-O Incident Reporting and Investigation Protocol

YG 100-O Social Media Policy

Definitions- Refer to YG 104-G Safeguarding Children and Young People Policy V11 28/08/2018

6 SCOPE

These procedure applies to all employees and volunteers of YMCA Geelong Inc. and relevant auspices, clubs and contractors, pending a risk assessment.

The YMCA creates and maintains an environment where all children and young people are protected from any form of abuse or harm, and are provided with an environment that promotes a culture that is safe for children and young people. This is achieved through the provision of a culture that promotes freedom and dignity for all persons, including children and young people, through an emphasis on universal protection and proactive participation, accountability and empowerment.

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

7 ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
Chief Executive Officer	<ul style="list-style-type: none"> • Ensure management understand their obligations in accordance with the SCYP policy and procedure. • Plan organisational resources and requirements for implementation of the policy and procedure. • Ensure annual organisational reporting is completed.
Co-ordinators, Centre Directors, Managers	<ul style="list-style-type: none"> • Implementation of the SCYP policy and procedures within a site.
Human Resources	<ul style="list-style-type: none"> • Review of policy and procedures in consultation with relevant stakeholders. • Support the coordination of the SCYP framework and implementation. • Ensure any significant changes to relevant legislation and/or licensing regulations are adhered to.
Managers and Supervisors	<ul style="list-style-type: none"> • Ensure induction, recruitment, competency based training, supervision and reporting requirements are undertaken as described in these procedures. • Develop workplace guidelines for local procedure implementation. • Responsible for ensuring contractors comply with the procedure. • Complete annual self-assessment tool (to be developed in 2014) for applicable centre/program • Ensure all staff and volunteers have access to a copy of these SCYP Procedures are aware of their own SCYP obligations, have completed approved education programs, and are aware of risk indicators, legal requirements and reporting processes. • Build and promote a local culture that reflects the YMCA's commitment to SCYP, where all people are encouraged and empowered to take steps to protect children and young people.
Employees and Volunteers	<ul style="list-style-type: none"> • Undertake annual SCYP Policy and Procedure review and sign off • Take all reasonable steps to protect and safeguard children and young people from any form of child abuse. • Participate in approved education programs. • Review, understand and adhere to the SCYP Policy and Procedure. • Participate in required reporting protocols • Obtain and maintain a valid WWCC, as required in the Working with Children Check policy. • Comply with all other procedures relating to children's safety as stipulated in the relevant area manual.

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

Contractors/ consultants /other involved persons	<ul style="list-style-type: none"> • Complete approved education programs • Work within the provisions of these procedures
	<ul style="list-style-type: none"> • Participate in required reporting protocols <p>Note: This procedure applies to contractors/consultants who will have or are likely to have direct contact with children and young people, or that are unsupervised and in the presence of children or young people, pending a risk assessment.</p>

8 CONSULTATION

The YG 104 A -O Safeguarding Children and Young People Procedure is derived through the YMCA’s commitment to Safeguarding Children and Young People, and through YMCA’s YG104-G Safeguarding Children and Young People Policy.

Consultation regarding the review and development of YMCA’s SCYP Procedure occur as part the YMCA Policy Framework. This included initial consultation with YMCA Managers from Children’s Services, Occupational Health and Safety, Payroll and Human Resources, Camping and Newtown, North Geelong, Bannockburn Recreation centre management teams.

PROCEDURE STEPS

8.1 Commitment to Safeguarding Children and Young People

The YMCA’s commitment to the safety and wellbeing of all children and young people is embedded in all relevant aspects of operations, and fosters a culture that supports those who speak up and ask questions regarding any concerns about the safety and wellbeing of children and young people.

***“If you see something that is not right;
please say something or do something”***

Behavioral Norms

In accordance with the YMCA values of Honesty, Respect, Caring, Responsibility and Safety, all personnel within the YMCA are expected to act and behave in a manner that demonstrates a commitment to the health and safety of children and young people.

Verbal, emotional, psychological or physical abuse, physical punishment, or the withdrawal of the necessities of care (including food, shelter and emotional warmth) are unacceptable forms of behaviour at the YMCA. We seek to empower child and young people to contribute their thoughts, ideas and develop them to be the best they can be.

Employees and Volunteers

- 8.1.1 All employees/volunteers are expected to promote and monitor the safeguarding of children and young people, and participate in a culture where all employees/volunteers are expected to speak up and ask questions about the safety of children and young people.
- 8.1.2 All employees/volunteers are to conduct themselves in a manner consistent with their position as a positive role model to children, and as a representative of the YMCA as per the Code of Conduct, and Bullying, Harassment and Discrimination Policy, and all other YMCA Policies.
- 8.1.3 Employees/volunteers providing direct care to children must be clearly identified. Where required, a uniform or consistent standard of dress that is familiar to the children must be worn. In the case of agency or temporary relief staff, they must be clearly identified and wherever possible, their WWCC card and/or appropriate identification displayed for ease of identification for children, educators and parents.
- 8.1.4 Employees/volunteers must not make any negative, culturally insensitive, violent or sexually suggestive comments to or in the presence of a child or young person.
- 8.1.5 Employees/volunteers must not discipline children or young people by use of: emotional abuse, favoritism, physical abuse, verbal abuse, reference to cultural/ethnic differences, swearing or other offensive/inappropriate action.

Staff and volunteers who engage in conduct considered to be unacceptable may be subject to disciplinary procedures and possible dismissal.

Consultants and Contractors

- 8.1.6.a Consultants and contractors must behave in a way that upholds the principles of the SCYP Policy or this procedure, and must at all times ensure that their actions and behavior does not place any unnecessary risk on children and young people within YMCA's programs/services or on existing staff or volunteers.
- 8.1.6b As of the 1st January 2015 any support staff employed by third parties that are involved in direct service provision that requires them to enter YMCA workplaces will require the following screenings before commencing a shift at the YMCA;
 - 1. Staff members over 18 current WWWC
 - 2. Staff members over 18 must have current National Police Record Check
 - 3. Copy of employers current Certificate of Currency WorkCover
 - 4. Staff must attend a 1 hour induction session which covers their role in classes, safety in the workplace, emergency evacuation procedures, Sign in and Sign Out procedures
 - 5. To wear appropriate uniform identifying the staff as employees of the third party or agree to wear a YMCA uniform during shifts.

Participants, Clients and Patrons

8.1.7 YMCA expects all patrons/clients to uphold the principles of the SCYP policy, and behave appropriately at YMCA facilities/programs/services, which includes refraining from any form of corporal punishment and/or the use of unacceptable language.

8.1.8 Participants affected by alcohol, drugs and other behaviour altering substances, or found to be demonstrating inappropriate and unacceptable standards of behaviour as deemed by a YMCA Manager, will be asked not to participate in the program or service.

Physical and Non-Physical Contact

8.1.9 Employees/volunteers must at all times demonstrate acceptable and appropriate behaviour/contact that gives regard to a child and young person's age and developmental needs, culture, ability, the environment, and their emotional needs.

8.1.10 Employees/volunteers should avoid any unnecessary physical contact. Any inappropriate physical contact should be reported under clause 9.5 of this procedure, and may be subject to YMCA disciplinary and performance management processes.

- Employees/volunteers must report to their manager/supervisor any physical or non-physical contact initiated by a child or young person that is sexual and/or inappropriate.

8.1.11 Employees/volunteers should not have unnecessary or inappropriate physical contact with children or young people, other than for the provision of required personal or medical care, that:

- Involves touching:
 - Of genitals
 - Of buttocks
 - Of the breast area (female children or young people)
- Would appear to a reasonable observer to have a sexual connotation
- Is intended to cause pain or distress to the child or young person (eg. Corporal punishment)
- Is overly physical (eg. wrestling, tickling, or other horseplay)
- Is unnecessary (eg. assisting with toileting or medical assistance when the child/young person does not require assistance)
- Is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person or to others, in which case:
 - Physical restraint should be the last resort;
 - Where the child/young person has identified behaviors of concern that may inflict injury, any form of physical restraint must first be approved by and documented in behavioural management plans submitted by Carers of DHS;
 - The level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others;
 - The incident must be reported to management as soon as practicable, and before the

end of the shift.

Professional Boundaries

All employees and volunteers should ensure that their interactions with children and young people in YMCA programs/services remains professional and occurs within the scope of the YMCA program or service.

The application of clauses 9.1.12 to 9.1.18 refer to the relationships/interactions staff and volunteers have established with children and young people in YMCA programs/services. This applies to all relationships/interactions that arise by virtue of the YMCA connection and/or through the provision of programs or services. It includes cases where a child or young person on a program/service is previously known to the employee/volunteer providing that service.

- 8.1.12 Employees/volunteers must notify their Manager when they become **engaged in direct service/care with** a participant with whom they have a pre-existing relationship This information is recorded on **Disclosure of Matters Form existing relationships with clients–SCYP 07.09.2016.**
- 8.1.13 All employees/volunteers who become aware of private interactions that occur outside the scope of a YMCA program/service involving other employees/volunteers are **openly encouraged to notify** their Manager or Supervisor.
- 8.1.14 Employees/volunteers must ensure that any interaction with a child or young person in a YMCA program/service, that occurs outside the scope of the YMCA program/service (i.e. personal friendship, private babysitting, private sports coaching, house-sitting etc.), is declared to local management as soon as possible, and before the commencement of any new arrangement. In such cases the employee/volunteer must also make it clear to the employer/parent/sports-club etc. that they are not working in the capacity of a YMCA employee/volunteer.
- 8.1.15 YMCA employees/volunteers must not initiate outside work or voluntary roles (eg. babysitting, sports coaching, house-sitting, dinner, invitations to private functions etc.) while employed/volunteering at a YMCA site or when participating in YMCA related roles.
- 8.1.16 Employees/volunteers must not wear YMCA uniform in connection with any personal or other work.
- 8.1.17 Employees/volunteers must not attempt to make direct contact with any child or young person without the prior written permission from their parent/guardian. Any direct contact with children and young people must only be made in relation to the services provided as part of a specific program/service. Where written permission has not been given, all communication should be directed to parents/guardians.
- 8.1.18 Employees/volunteers must not make ‘personal/private’ communication/contact with children/young people involved with the YMCA. This includes communication/contact through social media accounts (eg. ‘befriending’, ‘following’, ‘tagging’, or other private communication/messaging),

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

mobile phone texting, email communication, or other communication methods.

Regularity Compliance

- 8.1.19 Employees/volunteers are responsible for specific service/program regulatory compliance, and must ensure that the YMCA programs operates within regulatory obligations in relation to the provision of services and care to children and young people (e.g. minimum qualifications/licences, Child Care ratios and learn to swim ratios).
- 8.1.20 Employees/volunteers employed in licensed or otherwise regulated child care and children's services, disability services or other YMCA programs that operate within specific regulations are required to have knowledge of, and at all times adhere to, all relevant regulations.

Supervision Practices & Travel

Supervision of Participants, Clients and Patrons (under 18 years of age)

- 8.1.21 Other than as part of an explicit program or model of care, all employees/volunteers will ensure that they are not alone in a private space with a child or young person. When being along with a child *is* part of a program or model of care, employees/volunteers must ensure that the area has transparent visibility (i.e. clear windows, door ajar), if appropriate.
- 8.1.22 Employees/volunteers **must not travel with or be accommodated alone with a child or young people before, during or after a YMCA program or service.** Written consent of a parent/legal guardian is required for all travel undertaken under the YMCA programs. Parents are to be informed of travel and sleeping arrangements prior to the commencement of any excursion or camp. Provision can be made with permission of guardian/parents to travel as a Chaperone with one adult and a number of children and a YMCA staff member.

Change Rooms

Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance.

For the avoidance doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Hotel rooms and other accommodation

No official should be alone in the room of an athlete / child without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the Team Manager or other responsible official must be informed.

For the avoidance doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Travel -General

All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They must maintain a 'duty of care'

towards the athletes/child and they must avoid unaccompanied and unobserved activities with persons less than 18 years of age wherever possible.
For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

Sexual Relationships

During all travel activities/. Training or programs must not, under any circumstances engage in conduct of a sexual nature with an athlete/participant. Improper conduct of a sexual nature by an official towards an athlete/child includes any form of child sexual abuse (defined within the YMCA Safeguarding Children and Young People Policy or Gymnastics Victoria Member Protection Policy) as well as but not limited to the following:

- (a) inappropriate conversations of a sexual nature;
- (b) obscene language of a sexual nature;
- (c) suggestive remarks or actions;
- (d) jokes of a sexual nature;
- (e) obscene gestures;
- (f) unwarranted and inappropriate touching;
- (g) sexual exhibitionism;
- (h) use of any Information Technology Communication device to show/watch offensive material; and
- (i) any other action that could lead to an athlete being physically, emotionally or psychologically harmed

- 8.1.23 Employees/volunteers must ensure that written parent/guardian permission is obtained prior to any form of photography/videography of children or young people participating in a YMCA Program/Service. No photography/videography of any form should occur in the change room/toilets, or occur in such a way that breaches the privacy of children/young people.
- 8.1.24 Employee/volunteers must take reasonable steps to ensure that members of the public do not take photography/videography of children or young people at a YMCA facility/service without parent/guardian permission. Parents/guardians are permitted to take photography/videography of their own children/young people in line with centre management approval only.
- 8.1.25 Employees and volunteers must make every reasonable effort to ensure that children and young people are released from YMCA programs/services only to an authorised parent/guardian or other safe practice in accordance with the Arrival and Departures in Children's Services Policy, as applicable.
- 8.1.26 All employees and volunteers should make every reasonable effort to provide general supervision to children and young people who attend a YMCA facility without parent/guardian/responsible person (over the age of 16) accompaniment, and who are NOT engaged in formal programs (i.e. basketball, gymnastics classes). Parents and guardians of Children must provide supervision of children before and after classes and sessions as booked.
- 8.1.27 Children under the age of 10 should be supervised by a parent/guardian at all times when participating in YMCA activities, or when in a YMCA facility.

- 8.1.28 When preparing rosters for any program or service area, consideration should be given to providing an appropriate mix of male and female employees/volunteers, wherever practical, after having considered group/participant requirements.
- 8.1.29 All employees/volunteers working with children and young people will work within and maintain program prescribed ratio requirements.
- 8.1.30 Primary school aged children attending YMCA facilities as part of a YMCA scheduled program/service must be appropriately supervised in toilet and locker rooms or be required to accompany one another in pairs, as a minimum. Appropriate supervision refers to the provision of supervision that is reasonable and applicable to the needs of children/young people.

Supervision of Staff and Volunteers (under 18 years of age)

- 8.1.31 YMCA Managers/supervisors must ensure that written confirmation of parental (or legal guardian) consent has been received before allowing staff and volunteers, who are under 18 years of age, to travel with or be accommodated with other staff/volunteers. CEO approval must be sought prior to any arrangements being out in place.
- 8.1.32 YMCA Managers/Supervisors should take steps to ensure that employees/volunteers (under 18 years of age) are not placed in potentially compromising situations with other staff/volunteers (e.g. being alone in a private space with another employee/volunteer, or required to complete a late shift alone with another employee/volunteer). Where employees/volunteers (under 18 years of age) are placed in potentially compromising situations with other employees/volunteers, YMCA managers/supervisors must implement responsive actions to mitigate any risks (e.g. ensure a third person is available for private meetings or conduct meetings in an open space, prepare rosters that reduce the chance of employees/volunteers being at risk).

Specific Exclusions to these Provisions include:

- 8.1.33 The following provisions outline elements of interaction with children/young people where YMCA programs/services have specific requirements for the delivery of that program/service, and should be conducted following the completion of a risk assessment.
- Disability services programs typically provide one to one services, including personal care.
 - Youth mentoring services and disability services programs sometimes involve transporting clients alone in cars, subject to Manager approval and with the written authority of the parent/guardian.
 - YMCA camps include accommodation facilities in which primary school aged children utilise designated bathrooms alone.
 - Children's services (eg. long day care, OSHC, crèche, holiday programs) may involve bathroom assistance to children and young people.
 - Children's services (eg. long day care, OSHC, crèche, holiday programs) require that children are only released to authorised parents, legal guardians and authorised individuals using sign in and out logs.
- 8.1.34 Any other exceptions to these procedures must comply with relevant regulations, contractual obligations, and be accompanied by a risk assessment and safe work procedures, and be authorised

by an Chief Executive Officer.

Emergency Situations

- 8.1.35 In emergency situations, a YMCA employee/volunteer is authorised to take all reasonable steps to protect children and young people from harm, or the threat of harm. This may include being alone with a child or young person, or travelling alone with a child or young person. Employees and volunteers must also ensure that they notify all internal and external authorities of emergency situations, as appropriate.

8.2 Recruitment and Pre-Employment Screening

YMCA has in place appropriate SCYP recruitment and screening practices that apply to the appointment of all paid and voluntary positions, including CEO and Board members.

- 8.2.1 All employees and volunteers will ensure full compliance with Recruitment and Selection Policy and procedures during the recruitment and selection process specifically pre-employment screening: YMCA Geelong Employment Application Form, National Criminal History Record Checks (NCHRC), WWCCs and Reference Checks.
- 8.2.2 Throughout the reference checking process, management must ensure that at least one question pertains directly to the applicant's suitability to work with children as per the reference checkform.
- 8.2.3 New employees and volunteers must have a NCHRC processed before their commencement, as per the NCHRC Policy.
- 8.2.4 All employees and volunteers that work with children or young people in YMCA programs/services will have a WWCC (or other state/territory equivalent) in line with WWCC Policy and relevant legislation.
- 8.2.5 An employee or volunteer must disclose in writing (YMCA Geelong Disclosure of Relationship Form) if they have an existing relationship with any current members of the YMCA, the nature of the interaction.

8.3 Child Protection Training and Induction

All YMCA personnel must undertake Induction and Safeguarding Children and Young People education programs.

- 8.3.1 Newly recruited YMCA Employees/volunteers will undertake an induction that includes outlining their requirements under the Safeguarding Children and Young People Policy, as per the YMCA Induction checklist, and conducted by appropriate YMCA Representative.
- 8.3.2 YMCA will provide education programs for all employees/volunteers that provide information on the YMCA's SCYP commitment and framework, reporting and response processes, behavior expectations, and policy and procedure requirements. SCYP training/resources/information will be

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

included in annual learning and development for all employees/volunteers.

8.3.3 All YMCA Managers/Co-ordinators are required to read, understand and implement policy and procedures.

8.4 Involving Parents, Children and Young People

Parents, children and young people are empowered to exercise a critical and unique role in safeguarding children and young people, through resilience, self-protection and education.

8.4.1 Employees/volunteers will ensure that all children, young people, parents and legal guardians have appropriate safeguarding child and young people resources, information and means to raise concerns.

8.4.2 YMCA Managers/Co-ordinators should engage parents in regular and proactive communication that promotes:

- the YMCA's commitment to a child-safe environment;
- Community awareness/education;
- Child and young person resilience and self-protection; and
- Complaint reporting and notification processes.

8.4.3 Parents, children and young people are to be appropriately informed of and be given access to YMCA's SCYP policies and procedures.

8.5 Issue and Concern identification, and Child Abuse Allegations and Reporting

YMCA has implemented clear policies and procedures to report all cases of suspected abuse, or breaches to regulation, policy and procedure.

Issue, Concern and Allegation Identification

All individuals are empowered to ask questions and raise issues/concerns about any matter relating to the safety of children and young people.

8.5.1 All employees/volunteers must remain alert to the risk indicators of child abuse (as outlined in Appendix B).

8.5.2 YMCA Managers/Supervisors must take steps to create a culture where employees/volunteers feel empowered to ask questions and raise issues/concerns/allegations about any matter relating to the safety of children, the YMCA's SCYP commitment, applicable legal requirements, appropriate behaviour guidelines, or any other matter relating to the appropriate interactions with children/young people.

8.5.3 All employees/volunteers are encouraged to inform/notify their manager/supervisor about any issue/concern/allegation that relates to inappropriate or unnecessary contact with children or young people, the safety of children or young people, or any other issue/concern that may have an impact on the YMCA's provision of a safe environment for children and young people.

- 8.5.4 YMCA Managers/Supervisors must appropriately respond to **all** reports/allegations/issues/concerns involving children and young people.
- In circumstances where there is evidence of a satisfactory reason/justification for the incident/matter, or the report is untrue/unfounded (eg. based on incorrect information), and there is evidence that there is no risk to children/young people, no action is required and the managers should maintain local records documenting the report and the process taken. This documentation is not to be given to any other party unless clearly required under relevant legislation.
 - In circumstances where there is evidence of a potential major or minor issue, or evidence of multiple reports from a variety of sources, the report should be reviewed to determine the seriousness of the issue/concern identified, and responded to accordingly:
 - **A minor issue/concern/allegation** (i.e. a matter that presents as a minor breach to policy, procedure or process, that does not endanger, or have the potential to endanger, the health and safety of children/young people) should be recorded locally, and responded to through education/discussion, or performance management/discipline processes.
 - **A major issue/concern/allegation** (i.e. a matter that relates to an instance of, or elevated risk of child abuse, suspicious behavior, or serious issue or concern regarding the health and safety of children and young people) must be reported and responded to as per clauses 8.5.6 of this procedure.

Major Issue/Concern/Allegation Reporting and Notification

A matter is considered a major issue/concern/allegation when it relates to an instance of, or elevated risk of child abuse, suspicious behavior or another serious issue/concern regarding the health and safety of children and young people.

- 8.5.5 All YMCA employees/volunteers (and other personnel) must report any form of child abuse, suspicious behavior, serious issue or concern regarding the health and safety of children and young people, that they may have based on reasonable grounds, directly to their manager/supervisor immediately, or as soon as possible before the end of the shift.
- Employees/volunteers will be allowed adequate work time to make a report.
 - Consideration should be given to the need to immediately report to external authorities (See Clause 8.5.9)
- 8.5.6 YMCA managers/supervisors must ensure that an incident reporting form has been completed and that the report has been logged via the YMCA's Online Incident Reporting System, as soon as possible, upon becoming reasonably aware of child abuse, suspicious behavior, issue or concern regarding the health and safety of children and young people, as outlined in the Incident reporting and investigation protocol.
- YMCA Managers/supervisors must ensure that all documentation used during this reporting process will be filed and stored appropriately. This documentation is not to be given to any other party unless clearly required under relevant legislation.

- YMCA Managers/supervisors should utilise available resources to assess and appropriately respond to reports of Major issues, such as child abuse, suspicious behavior, serious issue or concern regarding the health and safety of children and young people.

Responding to a Major Issue/Concern/Allegation

The *Crimes Amendment (Protection of Children) Act 2014* creates an offence for a person, who is an adult, to fail to disclose information that leads the person to believe that a sexual offence has been committed against a child by a person over the age of 18 years, unless the person has a reasonable excuse. Reasonable excuses include where the information has already been disclosed to the police, or where the person fears disclosure would endanger a person.

The Explanatory Memorandum to the legislation clarifies that disclosable information is information that is more than mere speculation or rumor about a person, or is only a small piece of relevant information. The information needs to be of sufficient quality that it leads the person to form a reasonable belief that a relevant sexual offence has been committed.

The relevant sexual offences that apply are those under Subdivision (8A), (8B), (8C), (8D), (8E) or (8EAA) of Division 1 of Part I *Crimes Act 1958* or under any corresponding previous enactment, or an attempt to commit such an offence, or an assault with intent to commit such an offence.

This new offence could expose YMCA staff to criminal liability in the performance of their work. For example, if in the course of conducting a class a participant or another person discloses a sexual offence committed against them or the participant as a child, and that offence has not been disclosed to the police, then the person to whom the information was disclosed, provided that they are an adult, must disclose it to the police. The maximum penalty for not disclosing is 3 years imprisonment.

All staff must be mindful that this new offence commenced on **27 October 2014**.

Any staff member who believes that there is a requirement that they disclose information should contact the CEO who will provide appropriate guidance.

YMCA Managers must formally respond to a major issue/concern/allegation in relation to the health and safety of children and young people, which may include a formal investigation and reporting to external authorities as outlined in YG 142-O Incident Reporting Procedures with YMCA Australia Critical Incident Policy 25.11.2017.

8.5.7 Following the identification of a major issue relating to the health and safety of children/young people, all YMCA employees/volunteers/managers must take steps to assess and respond to the immediate health and safety risks for the child/young person. If unsure of an appropriate response, YMCA personnel should contact their immediate supervisor/manager or Chief Executive Officer.

8.5.8 YMCA Managers must appropriately respond to all major issues/concerns/allegations (i.e. inappropriate contact, suspicious behavior, or suspected child abuse), and must liaise with the relevant supervisor/manager or Chief Executive Officer, in consultation with Human Resources, as to the appropriate course of action. This may include:

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx

Updated 29/11/2020 Approved: Board

Next Review: 30/11/2023

1. Seeking advice from the Department of Human Services (e.g matters that involve the family unit)
2. Seeking advice from YMCA Human Resources Department
3. Internal or external Investigation – Refer to [Workplace Investigation Guidelines](#)
4. Reporting to the Department of Human Services or Department of Education and Early Childhood Development (DEECD) for regulated services such as School Holiday programs/OSHC
5. Reporting to the Police
6. Reporting/speaking to parents/legal guardians (if appropriate)
7. Revocation of membership
8. Escorting the person off premises

NB: Further information regarding the appropriate response to an allegation is available via the [SCYP and flowchart](#)

External Reporting and notification

- 8.5.9 When it has been determined that external authorities will be notified (i.e. Police, Department of Human Services (DHS), Department of Education and Early Childhood Development (DEECD) or other external authority), the employee/volunteer/manager must liaise with the appropriate YMCA Managers/supervisors. Any notification must be completed within the specified timeframes outlined in the Incident Reporting and Investigation Policy.

This reporting obligation relates to suspected abuse occurring either in the context of the child or young person's family/home environment, in places or organisations outside of the family, or specifically in the course of their involvement in YMCA activities.

- **A report to Department of Education and Early Childhood Development (DEECD)** is required for children in School holiday programs or OSHC services.
- **A report to DHS** should be made in circumstances that occur within a child or young person's family/home environment involving suspected physical abuse, disclosure of sexual abuse, emotional abuse, persistent neglect and/or family violence, the perceived abandonment of a child or where a child's behavior may cause harm to themselves or others and the parents are unable/unwilling to control the child. Specific detail of what to report can be found in the [Incident Reporting and Investigation Protocol](#).
- **A report to the local Police Station** should be made in circumstances of concern about emotional, physical or sexual abuse, physical or sexual assault, neglect, accumulated harm, or any other threat to the health and safety of children and young people. Specific detail of what to report can be found in the [Incident Reporting and Investigation Protocol](#).
- ❖ If a situation is **life threatening contact police on Triple Zero '000'**.
- ❖ For immediate **concerns about the safety of a child of a child within their family unit**, contact the **Department of Human Services Child Protection Crisis Line by telephone on 13 12 78**.
- YMCA Geelong is also required to report all matters to YMCA Australia 9699 7655 and Australian Childhood Foundation E:safeguarding@childhood.org.au

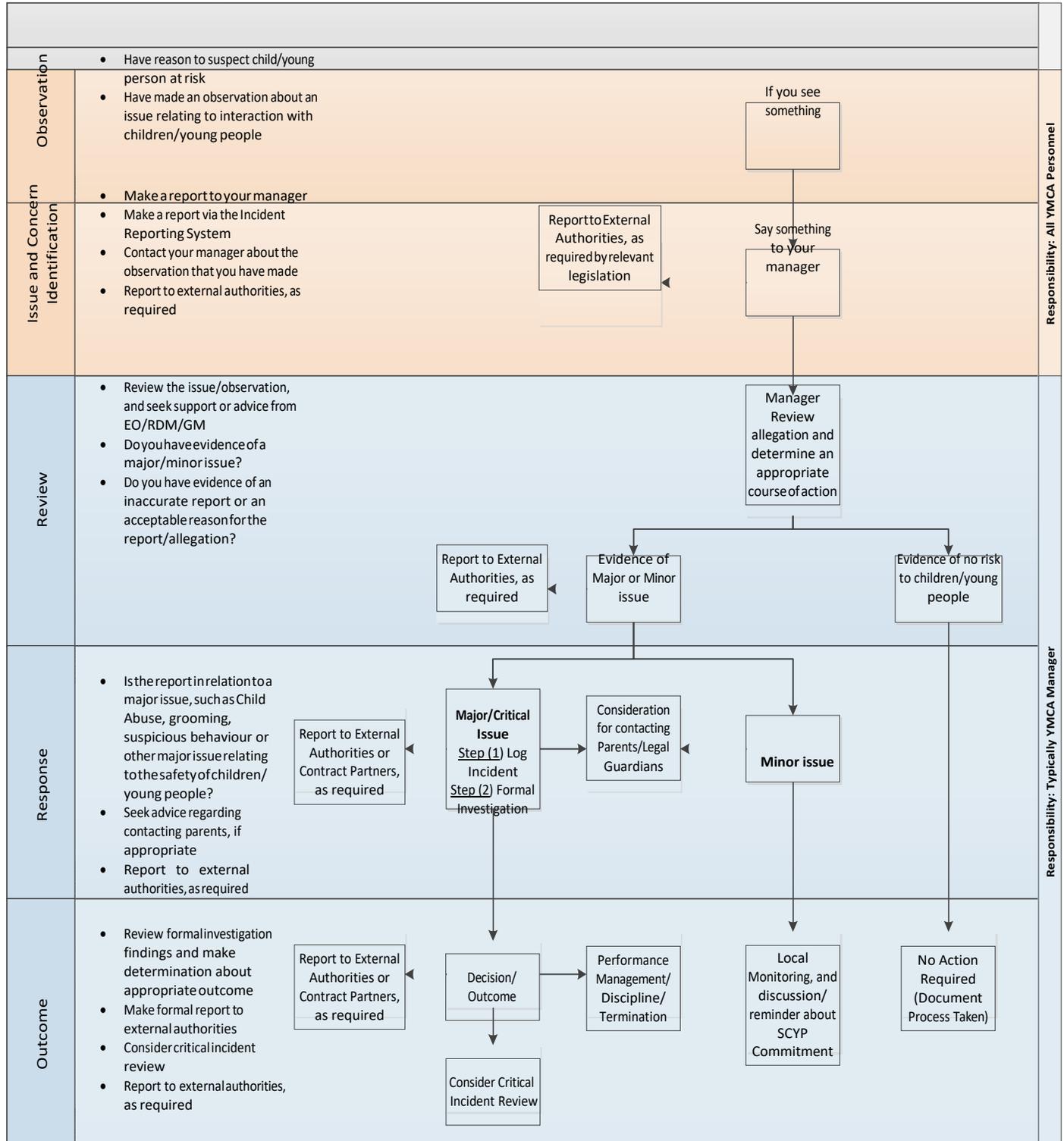
- 8.5.10 YMCA managers must seek advice and direction from the relevant YMCA Managers/supervisors, in consultation with the CEO, regarding the involvement/notification of the parents/legal guardians of the child or young person, in relation to the matter.

Patron and Child Reporting

- 8.5.11 All YMCA employees, volunteers and managers must observe the same procedural requirements outlined in clauses 8 when a patron or member of the public reports of inappropriate contact, suspicious behavior, or any form of suspected child abuse.

Allegation Reporting and Notification Chart

Issue and Concern Reporting/Notification flowchart



8.6 Safeguarding Guidelines for Parent Volunteers, Short-Term Appointees, Minors and Student Placements

Parent Volunteers

For Parents who volunteer assistance with children and young people in our care:

We emphasise to these parents the importance our organisation places on protecting the children and young people to whom we deliver services, informing them that, while rare, there have been instances of parents using their volunteer status within organisations such as ours as a path to abusing children. At the same time, we also state that we appreciate that the vast majority of Parent Volunteers find the idea of abusing or neglecting a child abhorrent and that parents make a considerable contribution to delivering our services and thereby to the wellbeing of the children and young people to whom we provide services.

We inform prospective parent volunteers that, in light of the above, YMCA Geelong's approach is to take every precaution to protect the children and young people in our care. Accordingly, we have adopted that as parents are never left alone with our children, we therefore exempt parents from undergoing a Working With Children Check and a National Criminal History Check. In the instance that a parent become a regular volunteer, these Checks will be required to be implemented.

Any parent that volunteers on our programs as a parent helper is at no stage to be left alone with any child. They must always be in full view of staff members. No parent is allowed to take a child outside, to the toilet or anywhere on the premise without the assistance of a staff member.

Short-Term Appointees (except Field Students/ Work Experience Students)

National Criminal History Checks are required for any person over 18 years who is engage in volunteering or employment with YMCA Geelong. Exemptions are at the discretion of the CEO.

Where our organisation makes use of the services of personnel for short periods we require all short term appointees to have a current Volunteer or Employee Victorian Working With Children Check. Short term appointees must also complete our online Safeguarding Children training, and complete our Safeguarding questionnaire before commencement with YMCA Geelong.

It is imperative that those working within our organisation for short terms are closely supported, closely supervised and monitored while they assist with delivering our service, in line with our commitment and procedures to safeguard children and young people at all times.

YMCA Geelong actively encourages Field Student placements and has developed guidelines to facilitate their inclusion and learning outcomes. Please refer to YMCA Geelong Field Placement Guidelines

Minors (under 18 years of age)

If a person under the age of 18 is employed or volunteers with YMCA Geelong, the person undergoes all recruitment and induction procedures. However, minors are exempt from completing a Working With Children

Check, but is to undergo a National Criminal History Check and provide 100 points of ID. This includes undergoing our Safeguarding Online Training as well as the Safeguarding Questionnaire.

9. Laws relating to Safeguarding Children and Young People (Child Safety)

In 2014 and 2015, new Laws have come into effect regarding the Safeguarding Children and Young People. These new laws could expose YMCA staff and volunteers to criminal liability in the performance of their work. For example, if in the course of conducting a class, a participant or another person discloses an offence committed against them or the participant as a child, and that offence has not been disclosed already, then the staff or volunteer to whom the information was disclosed must disclose it to the authorities.

New 'Failure to Disclose' Offence

Source: Betrayal of Trust Factsheet: Failure to Disclose, Victorian Government.

Reporting child sexual abuse is a community-wide responsibility. Accordingly, a new criminal offence has been created in Victoria that imposes a clear legal duty upon ALL adults to report information about child. Any adult who forms a reasonable belief that abuse has been committed by an adult against a child or young person has an obligation to report that information. Failure to disclose the information is a criminal offence.

There are exemptions to the requirement to reporting. However, YMCA requires that all information of suspicions or reports of abuse must be passed on to the Safeguarding Coordinator or direct Supervisor. The Safeguarding Coordinator will then decide whether exemptions apply, such as:

- The person requests confidentiality. This only applies for people aged 16 or over. The law recognises that a child under 16 is not able to make this kind of decision and may lack the capacity to fully understand the effects of abuse. However, this does not apply in the following circumstances:
 1. The person has an intellectual disability,
 2. The victim does not have the capacity to make an informed decision about a disclosure.
- The information has already been passed on to authority.
- There is reasonable belief that the report will endanger the safety of the person or others.

The maximum penalty for failing to disclose is 3 years imprisonment.

New 'Grooming' Offence (Victoria)

Source: Betrayal of Trust Factsheet: Grooming, Victorian Government.

Grooming is now a criminal offence. This offence targets predatory conduct designed to facilitate later sexual activity with a child. The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

The offence can be committed by any person aged 18 years or over (not children who are aged 16 or 17). It does not apply to communication between people who are both under 18 years of age.

The maximum penalty for grooming is 10 years imprisonment.

New 'Failure to Protect' Offence (Victoria)

Source: Betrayal of Trust Factsheet: Failure to Protect, Victorian Government.

A new criminal offence has been created in Victoria for failing to protect a child under the age of 16 from criminal sexual abuse. The offence will apply where there is a substantial risk that a child under the care, supervision or authority of an organisation will become a victim of an offence by an adult associated with that organisation.

What is the offence of failing to protect a child from sexual abuse?

If a person in authority knows that someone within their organisation poses a risk of committing a sexual offence against a child and they fail to remove that person who poses the risk, they will themselves be guilty of a criminal offence. As soon as a person in authority becomes aware of a risk of child sexual abuse, they will be under a duty to take steps to remove or reduce that risk.

An individual who falls short of the standard of care that a reasonable person would exercise in the circumstances will be found guilty of the offence. It will not apply where a person takes reasonable steps to protect a child from the risk of abuse, for example, where the allegation is reported and the person removed from any child-related role pending an investigation.

The maximum penalty for failing to protect a child is five years' imprisonment.

Victorian Child Safe Standards

The Child Safe Standards have been introduced in Victoria to keep children safe from harm and abuse.

On 13 November 2013, the Victorian Parliament tabled the report of its Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations (the Betrayal of Trust Inquiry).

The report provided recommendations, including the introduction of minimum standards for ensuring child-safe organisations. These are embedded in the YG 104-O Safeguarding Children and Young People Procedures

1. Embedding a culture of child safety through effective leadership.
2. Making a commitment to child safety with a policy or statement.
3. Having a clear code of conduct that establishes appropriate behaviour with children.
4. Screening, supervision and training for staff, to reduce the risk of child abuse.
5. Clear processes for responding to and reporting suspected child abuse.
6. Identifying child abuse risks and ways to reduce them.
7. Empowering children to share their feedback and experiences about feeling safe.

Royal Commission into Institutional Child Sexual Abuse

YMCA Geelong supports the Child Safe Standards as recommended in the Royal Commission into Institutional Child Sexual Abuse Final Report Clause 6.4-6.5

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

10. MONITORING, EVALUATION, REVIEW

10.1 Procedure Document Monitoring, Evaluation and Review

- The Safeguarding Children and Young People Procedure will be reviewed every 3 years, in consultation with required stakeholders. Some circumstances may trigger an early review, this includes but not limited to legislative changes, incident outcomes involving the YMCA, and other matters deemed appropriate by the Board of YMCA Geelong and/or Chief Executive Officer.
- Compliance Program for this procedure will consist of:
 - a. Each centre/program/service manager is responsible for conducting a SCYP self-assessment (of the applicable centre/program/service), via the Risk Management Framework on an annual basis.
 - b. Compliance will be reported to the Board.
 - c. YMCA will complete an annual organisation-wide self-assessment
 - d. External audit and verification based on a sample, conducted by an independent third party shall occur as required.
 - e. Extraordinary review to be conducted as required by the Board or Chief Executive Officer.

Approved by: YMCA Geelong Inc Board

Meeting number and date: Board Meeting 18/12/2007
Board Meeting 29/04/2014
Board Meeting 23/02/2016
Board Meeting 28/11/2017
Board Meeting 29/05/2018
Board Meeting 28/08/2018
YMCA Australia AGM 29/11/2020

Resolution number: NA

Effective date: 01/05/2014 update 24/02/2016/,28/11/2017, 29/08/2018,
29/11/2020

Review date: 30/11/2023

Policy Owner: CEO

Contact Details policy owner: geelong@ymca.org.au Ph: 52218344

Amendment history:

Version	Date	Author	Change Description
V1	April 2006	YMCA Australia	- Policy approved by Board
V2	April 2011	YMCA Australia	- Reviewed by YMCA Australia

V3	13/02/2014	Shona Eland	- Updated to YMCA Geelong Policy Template - Added- Section 7. monitoring, evaluation and review
V4	03/04/2014	Shona Eland	Reviewed after SMT feedback and Olivia Brown Feedback
V5	16/12/2014	Shona Eland	- Update to include reference to YMCA Australia SCYP Policy approved at National AGM 30/11/2014 - Included reference to The Crimes Amendment (Protection of Children) Act 2014 – reporting obligations. - Included clause pertaining and third party agency staff working in YMCA venues.
V6	08/02/2016	Shona Eland	- Updated Monitoring and Review to add Policy communication - Document control process - Added ACF Self- Assessment to clause 5 - Included New Victorian Legislation (Victorian Child Safety Standards) in policy.
V7	08/03/2016	Shona Eland	- Corrected typing error page 5- now read YMCA Page 6 the 'Failure to Disclose' offence details updated to reflect that it only relates to sexual abuse.
V8	01/12/2016	Rebecca Johnson	- Added hyperlink to section 49C of the Crimes Act 1958
V9	05/12/2016	Shona Eland	Included Section 8- Gymnastics Victoria <ul style="list-style-type: none"> • Child Safe and Child Friendly Policy • Member Protection Policy (including updated Codes of Behavior) • Grievances and Complaints Policy • Photographic and Filming Policy
V10	25/11/2017	Shona Eland	Attachment updated National Council of YMCA's of Australia SCYP Policy V 2 as approved at AGM 25.11.2017
V11	28/08/2018	Shona Eland	YMCA Australia Letter 20/08/2018- SCYP Policy request to update policy framework Insert National Council of YMCA's of Australia SCYP Policy V 2 as approved at AGM 25.11.2017 from clause 2. Clause 3-6 incorporated into YG 104 –G Safeguarding Children and Young People Procedures

YG 104-O Safeguarding Children and Young Policy and Procedure V12 29.11.2020 (APPROVED).docx
Updated 29/11/2020 Approved: Board
Next Review: 30/11/2023

V12	29/11/2020	National Safeguarding Unit	Updated Format for the Safeguarding Children and Young People Policy to reflect the introduction of a new Safeguarding Framework.
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As adopted by the YMCA Geelong Inc. on 29/11/2020



Shona Eland
Chief Executive Officer YMCA Geelong Inc.