YMCA
SAFEGUARDING CHILDREN AND YOUNG PEOPLE
POLICY

YMCA OF BRISBANE
AND
Y-CARE (SOUTH EAST QUEENSLAND) INC.

A COMMITMENT TO ENSURING A CHILD-SAFE ENVIRONMENT
FOR ALL CHILDREN AND YOUNG PEOPLE IN YMCA PROGRAMS

YMCA

We build strong PEOPLE strong FAMILIES strong COMMUNITIES

Dated February 2014

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1. POLICY STATEMENT

"Mankind owes to the child the best it has to give." *United Nations Convention on the Rights of the Child 1989*

The YMCAs of Australia:

- recognise that all children and young people have the right to develop and reach their potential in environments that are caring, nurturing and safe;
- consider any form of child/young person abuse, inclusive of emotional, physical, sexual abuse or neglect, as intolerable under any circumstances; and
- have a legal, moral and Mission-driven responsibility to protect children and young people from harm and to ensure that any incidents of suspected child abuse are promptly and appropriately managed.

> ***The YMCA supports the Government's position that in our society every child and young person deserves the right to thrive, learn and grow, be respected and valued and enabled to become an effective adult member of the community.***
>
> ***The YMCA supports the concept that a community in which the safety, stability, health, development and learning of every child and young person is protected and promoted throughout childhood.***

Undertaking:

The YMCA will maintain accreditation to the Australian Childhood Foundation (ACF) Safeguarding Children Program. The YMCA commits to adhering to and maintaining appropriate accreditation standards.

This policy was approved by the Board of Directors on 26 February 2014.

Endorsed By:

Mr Daniel Cheverton
President, YMCA of Brisbane and Y-Care (South East Queensland) Inc.

Mr Alan Bray
Chief Executive Officer, YMCA of Brisbane and Y-Care (South East Queensland) Inc.

2. POLICY PRINCIPLES

(a) The safety of children and young people is paramount.

(b) Child abuse is abhorrent and illegal and must never be tolerated or ignored.

(c) The Safeguarding Children and Young People Policy is supported by a suite of policies that form the minimum YMCA licensing standard in the area of Child Protection. Associations are obligated to adhere to, as a minimum, the Safeguarding Children and Young People Policy, the suite of policies and guidelines listed in this policy and its appendices and the endorsed variations of these.

(d) The Policies are supported by the YMCA maintaining and documenting their commitment to:

- Induction and ongoing training of their staff in the areas of child protection; and
- The role of the Board leading, resourcing and evaluating safeguarding children approaches regularly.

(e) Children and young people need to know and believe that they have the right to be and feel safe at all times.

(f) YMCAs are entrusted to ensure that the people who care for children and young people act in the best interests of the child and take all reasonable steps to ensure the child's safety.

(g) The YMCA will show a commitment to educating children and young people about self-protection and promote resilience and empowerment strategies within its programming.

(h) The YMCA is responsible for ensuring that any significant changes to relevant legislation and/or licensing regulations are promptly adhered to.

(i) The Board of the YMCA is legally and morally responsible for ensuring that appropriate policies and practices are in place to minimise, if not eliminate, the risk of child abuse.

(j) Parents/guardians will have access to the YMCA Privacy Policy on the Brisbane website which includes reference to exceptions to client confidentiality in the event of suspected child abuse or neglect.

(k) The YMCA understands the great benefit of the positive relationships that can form between YMCA staff members/volunteers with the children and young people and, during the child's/young person's participation, the YMCA endeavours to make this as safe as possible for all concerned.

(l) YMCA Directors, CEOs, staff and volunteers have a duty of care to ensure that all who access the Association's programs, services and facilities are provided with a safe, open and honest environment that protects children and young people and the staff and volunteers who work with them, all within our YMCA values of honesty, caring, respect and responsibility.

(m) YMCA staff and volunteers are required to be aware of, understand and adhere to the Safeguarding Children and Young People Policy at all times. This awareness is to give them the ability to be pro-active in identifying new opportunities to improve relevant workplace and program/service practices, to minimise the risk of abuse to children and young people in their care.

(n) Staff and Volunteers are accountable to their supervisors and the CEO for ensuring the Safeguarding Children and Young People Policy practices are effectively implemented and monitored.

3. DEFINITIONS

3.1. Child

A child/young person means every human being below the age of eighteen (18) years unless, under the law applicable to the child, majority (adulthood) is attained earlier. (Convention on the Rights of the Child (United Nations, Article 1)

3.2. Harm

Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused.

Harm can be caused by—
(i) physical, psychological or emotional abuse or neglect;
(ii) sexual abuse or exploitation;
(iii) a single act, omission or circumstance; or
(iv) a series or combination of acts, omissions or circumstances.

3.3. Child Abuse

Abuse is an act by a parent, caregiver, other adult or peer (older adolescent) who by virtue of their age, power, responsibility or authority endangers a child or young person's physical or emotional health or development.

Abuse can be a single incident, but more commonly involves a relationship that takes place over time. Abuse can happen in several different ways**.** Abuse can be physical, emotional/psychological and/or sexual. It can also encompass neglect, witnessing family violence and harassing behaviours like bullying.

3.4. Physical Abuse

Physical abuse occurs when a parent or caregiver subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.

3.5. Emotional or Psychological Abuse

Emotional or psychological abuse occurs when a caregiver or parent repeatedly rejects or threatens a child. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts or continual coldness from the caregiver or parent, to an extent that results in significant damage to the child's physical, intellectual or emotional wellbeing and development.

3.6. Witnessing Family Violence

Witnessing family violence is a specific form of emotional or psychological abuse. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

3.7. Neglect

Neglect occurs when a parent or caregiver fails to provide a child with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, medical attention or supervision to the extent that the child's health and development is, or is likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect.

3.8. 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 has been described by researchers as taking many forms which are often interrelated and include:

- *Verbal* (name calling, put downs, threats)
- *Physical* (hitting, punching, kicking, scratching, tripping, spitting)
- *Social* (ignoring, excluding, ostracising, alienating)
- *Psychological* (spreading rumors, stalking, dirty looks, hiding or damaging possessions)

3.9. Child Sexual Abuse

Sexual abuse is any act in which a person with power or authority over a child (female or male) uses a child for sexual gratification. An abuser can be an adult, adolescent or older child. Sexual abuse spans a range of contact and non-contact behaviour.

Non-contact behaviour includes:

- making sexual comments (in person, letters, by telephone, text messages, email or social media)
- voyeurism – including commenting on physical attractiveness
- exposing a child to pornography
- nudity – an abuser exposing parts of their body or the child's body.

Contact behaviour includes:

- fondling or kissing
- sexual penetration
- exploiting a child through prostitution.

3.10. Grooming

Grooming is a term used to describe what happens when an abuser builds up a relationship with a child with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some abusers there will be a lengthy period of time before the abuse begins. The child may be given special attention and, what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other abusers may draw a child in and abuse them relatively quickly.

Some abusers don't groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms. Communication begun in an internet chatroom can move very quickly to mobile phones.

Stages of grooming cover six stages:

1. Targeting the victim
2. Gaining the victim's trust
3. Filling a need
4. Isolating the Child
5. Sexualising the Relationship
6. Maintaining Control

4. REPORTING

STATEMENT – REPORTING:

YMCA staff and volunteers working with children and young people and their family have an important role to play in protecting children who may be at risk of harm due to abuse or neglect. YMCA staff and volunteers are in daily/regular contact with children and young people and their families, so are well placed to observe when a child or young person appears to be at risk of harm.

The YMCA's wide range of programs and services are provided in communities where there is a focus on prevention and early intervention. It will be clear practice within the YMCA that our approach to child protection and reporting will support all children and young people in various stages of vulnerability.

4.1. Duty of Care

Duty of care is the legal obligation each person has to take reasonable care to avoid causing foreseeable harm to another person or their property. The YMCA owes a duty of care to anyone who is reasonably likely to be affected by YMCA activities.

4.2. Position on Reporting

The YMCA requires that all staff, volunteers and Directors of the Board report incidents to the relevant State/Territory Child Protection Authority/Department. This reporting requirement is applicable to staff and volunteers during the course of carrying out their professional duties if there is a belief on reasonable grounds that a child or young person is in need of protection.

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. This reporting is in relation to suspected abuse by a YMCA or other organisation staff member or volunteer, or through peer to peer interactions.

4.3. Organisational Approach to Reporting

The YMCA understands the complexity surrounding the disclosure of sensitive information and the potential impact that this may have on staff, children, young people, volunteers and families. It is for this reason that the YMCA encourages a consultative approach to reporting in accordance to State based legislation, upholding our duty of care to the child or young person and the duty of care to the reporter.

The intent of this consultative approach will in no way delay or impede the reporting requirements. The YMCA understands the importance of having ongoing and comprehensive support and management mechanisms in place when dealing with sensitive information in regards to child protection issues. Consultation processes relevant to each State/Territory are to be followed with particular attention being given to the need for confidentiality in regards to such information. Only those managers and staff that fall within the consultative process, those providing a direct service to the individual involved in the report, State Child Protection Department staff and Police will have access to any documentation of the notification.

The YMCA will be supportive and cooperative of any State Child Protection Department and Police requirements and other agencies as required by law. Compliance to any reasonable request will be met in a timely manner. Staff and volunteers will be resourced and supported by management.

4.4. Mandatory Reporting in Queensland

In Queensland the following four groups of people are required by law to report child protection concerns (mandatory notifiers):

(a) an authorised officer, employee of the department or a person employed in a departmental care service or licensed care service is required to report harm or suspected harm to a child in the care of a departmental care service or a licensee (Child Protection Act 1999, Section 148), refer: http://www.communities.qld.gov.au/childsafety/about-us/legislation/child-protection-act-1999

(b) staff of the Commission for Children and Young People and Child Guardian (*Refer Commission for Children and Young People and Child Guardian Act 2000*, section 20), refer http://www.ccypcg.qld.gov.au/about/index.html

(c) a doctor or registered nurse who becomes aware, or reasonably suspects during the practice of his or her profession that a child has been, is being or is likely to be harmed (*Public Health Act 2005*, section 191 and 192)

(d) family court personnel and counsellors (*Family Law Act 1975*, section 67ZA).

4.5. Disclosure

In the event a child or young person reports or discloses an incident of 'harm' to themselves or to another person the person receiving the concern/allegation should listen attentively and calmly and record the actual words if possible. Do not use leading questions. Put your own feelings aside.

- **Listen** to the child/young person.
- **Reassure** the child/young person that they have done nothing wrong by talking to you.
- **Promise to do something**, but **DO NOT** promise to keep the information a secret.
- **Explain** that you need to speak to someone else in order to get advice that can help them.
- **Never** ask leading questions – eg 'did x touch you?'; 'tell me what happened?'; 'what happened then?'; 'tell me about that?'. Don't pressure them to respond.
- **Let them tell you** in their own words. Don't correct their words.
- **Document** the conversation objectively – eg just write what was said, not your opinions, and report to your supervisor.

Questions that are leading or unnecessary can distress the child/young person and could compromise any investigation.

IMPORTANT NOTE: Observations and Suspicion

- **All concerns should be acted upon immediately**. It is not up to the YMCA to decide whether abuse has taken place or not. Organisations must notify authorities when there are reasonable grounds for suspecting/reporting abuse.
- **The law protects a person who raises legitimate concerns** through appropriate procedures under the banner of "Qualified Privilege".
- **Confidentiality is of the utmost importance** and crucial to a fair and effective reporting process. At no time should the suspected abuse or suspicions be discussed in general discussion with other staff, other parents, customers, members or the general community.

4.6. Reporting Processes

Staff in regular contact with children and their families are well placed to observe when children appear to be at risk of harm, and can play an important role in protecting the safety and wellbeing of those children.

YMCA staff and volunteers will be required to work with their direct supervisor/manager during the consultation process to determine that all necessary information has been collated in order to form a belief on reasonable grounds to make a formal report on the allegation of abuse.

YMCA staff and volunteers will be given time to make the report to the relevant State Child Protection Authority/Department. All documentation used during this reporting process will be filed and stored in a confidential manner. This documentation is not to be given to any other party unless clearly falling under relevant State legislation. Reporting Process for YMCA of Brisbane and Y-Care operations are outlined as follows:

STEP 1

- Observation, suspicion or disclosure of abuse occurs.
- Immediately, in consultation with the Group Manager, the Manager/Supervisor or appointed person is to immediately assess the report and gather written, signed and dated statements from staff (where appropriate).
- If a staff member feels uncomfortable to raise suspicions of abuse with their immediate supervisor, they should contact another Manager within the YMCA or the CEO.
- Obtain written details of all people involved, including any witnesses and meet with the person who has made the allegation to clarify the details. Use the Significant Incident Report to guide you.
- In the absence of the Group Manager, work directly with the CEO.

STEP 2

- Group Manager to immediately provide available information to CEO and a decision to report, based on reasonable grounds, is made. The CEO will advise the President of the Board. Dependent upon the circumstances, the Australian Childhood Foundation (ACF) and YMCA Australia will be notified of the action taken.
- The CEO or his/her delegated authority will provide the report to the appropriate authority.
- Once the report is made to the relevant authority, the matter is handled by that authority and all information requested by them is to be provided by the CEO or his/her delegated authority.
- The relevant authority will determine how best to respond to the situation.
- **If a staff member/volunteer believes that a child is in immediate danger, then the staff member/volunteer should directly contact Child Protection or the Police on 000.**

STEP 3

- Staff will be supported through the reporting process and professional counselling and debriefing arranged if required. One-on-one or group counselling will be arranged.
- In the event that allegations are made against a YMCA Association staff member or volunteer, the CEO is required to immediately suspend that person (on full pay if employed staff) or remove from activities involving the direct supervision of, and/or direct contact with, children.
- Reinstatement of a staff person or volunteer may only occur after any and all allegations against that person have been dismissed or cleared to the satisfaction of the Board of the YMCA and any authorised consultants involved in investigations.
- Fair process will be followed for the staff member or volunteer who has had the allegation made against them

4.7. Reporting Flowchart

At all times during the investigation of any allegation of child abuse, confidentiality is paramount

Staff/Volunteers must not discuss the matter with anyone except their Supervisor/Manager/Group Manager, the CEO and/or relevant authorities.

<table>
<tr><td colspan="3">Observation/Suspicion/Disclosure of Abuse occurs or parent reports to service
↓</td></tr>
<tr><td colspan="3">Staff member immediately notifies Supervisor
Supervisor notifies Manager and Group Manager
↓</td></tr>
<tr><td colspan="3">Group Manager notifies CEO and Child Protection Officer
↓</td></tr>
<tr><td colspan="3">Relevant Authorities* are contacted by CEO or Group Manager
↓</td></tr>
<tr><td colspan="3">Board President or Child Protection Sub-Committee (if applicable) is notified</td></tr>
<tr><td>If an allegation is made against a Staff Member
↓</td><td>If an allegation is made against a Parent/Caregiver
↓</td><td>If an allegation is made against an External Person
↓</td></tr>
<tr><td>Staff member stood down immediately
(on full pay if employed staff)
or removed from activities that involve contact/supervision of children
↓</td><td>Parent/Caregiver must NOT be contacted or informed
↓</td><td>School Principal to be notified
(if Breakfast Program)

Relevant Authority *to be notified
↓</td></tr>
<tr><td>Investigation of allegation occurs by CEO or his delegate or by relevant authorities*
↓</td><td>Relevant authority is notified and investigation of allegation occurs by relevant authorities*
↓</td><td>Relevant Authority* will notify parents of the child
↓</td></tr>
<tr><td>Reinstatement only occurs after all allegations have been dismissed or cleared to the satisfaction of the Board or any authorised interveners</td><td>Professional counselling or debriefing will be offered to the staff member/s concerned</td><td>Relevant authority* conducts investigation of allegation</td></tr>
</table>

*Relevant Authority:

- Queensland Police **000**
- Department of Child Safety **1800 811 810 (**or after hours **1800 177 135** or **3235 9999)**
- The Australian Childhood Foundation **1800 176 453** or **03 9874 3922**
- Office of Early Childhood Education and Care if the incident is identified in an Approved Service (refer to supporting document on the Intranet for contact numbers)

If you believe a child is in immediate danger or is in a life-threatening situation, contact the Queensland Police Service immediately by dialling 000.

If you suspect a child is experiencing harm or is at risk of experiencing harm, contact the Child Safety Services Enquiries Unit, Department of Communities, Child Safety and Disability Services, on 1800 811 810 or visit their website http://www.communities.qld.gov.au/childsafety/protecting-children/reporting-child-abuse. Child safety service centres have professionally trained child protection staff who are skilled in dealing with information about harm or risk of harm to children. When you make a report to Child Safety Services or the Queensland Police Service, they are required to keep your identity strictly protected.

5. SAFEGUARDING CHILDREN CODE OF CONDUCT – Staff and Volunteers

STATEMENT – SAFEGUARDING CHILDREN CODE OF CONDUCT:

The YMCA is committed to the safety and well-being of all children and young people accessing its programs and services. YMCA support the rights of the child and will strive to deliver a child safe environment at all times. YMCA also supports the rights and wellbeing of our staff and volunteers and encourages their active participation in building and maintaining a safe environment for children.

Staff and Volunteers must maintain the highest standards of professional conduct in their attitude and behaviour toward clients, colleagues and members of the community. In particular, staff recognise the power imbalance inherent in a staff /client relationship and will never act in a manner which exploits or could be seen to exploit that power imbalance.

1. Program/services staff and volunteers MUST

(a) Obtain and maintain a valid positive notice Blue Card for child related employment, unless exempted by the Commission for Children and Young People and Child Guardian.

(b) Remain alert to the risk indicators of child abuse and grooming and promptly report suspected incidents or suspicious behaviour to their Manager/ Supervisor and, where required by law, to the relevant departments.

(c) If engaged in the direct delivery of children's programs and services, be required to access training annually in child protection and related matters and will be supported by the YMCA to do so.

(d) Avoid placing themselves in potentially compromising situations with children.

(e) Ensure that, in all circumstances, government and YMCA prescribed staff/child ratios are adhered to.

(f) Ensure they are never alone with a child where they cannot be observed by another YMCA staff member, volunteers or other adults.

(g) Conduct themselves in a manner consistent with the position as a positive role model to children, and as a representative of the YMCA.

(h) Within the first five (5) working days, read, understand and formally agree to abide with the YMCA policies and guidelines around the safety of children as outlined in the YMCA's SC&YP Policy, a copy of which is given to staff during their induction process and which will be signed and read as understood.

(i) Raise all concerns, issues, and problems with their supervisor as soon as possible.

(j) Follow all other procedures relating to children's safety as stipulated in the relevant sector policy manual or handbook as well as Government Department's Law and Regulations.

(k) Ensure an appropriate mix of male and female staff/volunteers is to be achieved wherever possible when preparing rosters for children's programs.

(l) Ensure young children in YMCA programs/services are appropriately supervised in bathrooms, showers and locker rooms or be required to accompany one another in pairs at such times. All children need to be supervised and accompanied by an adult at all times while in a YMCA centre or program. Any exceptions to this are to be covered by risk assessments and work instructions.

(m) Ensure that parent/guardian permission is obtained in writing prior to any child being taken on a YMCA excursion or camp.

(n) Ensure that parent/guardian permission is obtained in relation to any photos or videos being taken of children.

(o) Ensure that parents/guardians are informed of travel and sleeping arrangements prior to the commencement of any excursion or camp and that a full risk assessment is completed for the excursion/camp.

(p) Ensure that sign-in and sign-out logs, showing arrival and departure times, along with parent/guardian signatures are to be maintained on a daily basis and kept on file at program/service sites. Program/service staff and volunteers are required to be vigilant in witnessing the arrival and departure of individual children.

(q) Have knowledge of, and at all times to adhere to, all Law and Regulations when employed in approved or otherwise regulated Education and Care services.

(r) Be identified by a YMCA name badge and, where practicable, a branded uniform that is familiar to the children and is the same or similar as that of their co-workers.

(s) Advise their Manager or Supervisor where a friendship has developed with families and/or children who participate in YMCA programs prior to or during employment by the YMCA.

(t) Declare in writing to their Manager or Supervisor any after-hours baby-sitting or activity with children from YMCA programs.

(u) Report to their Manager any knowledge of staff/volunteer who engage in non-YMCA activities such as baby-sitting of children who participate in YMCA programs.

2. Program/services staff and volunteers MUST NOT:

(a) Travel, or be accommodated, alone with a child participant before, during or after a YMCA program, excursion or camp.

(b) Discipline children through the use of emotional abuse, physical punishment or the withdrawal of the necessities of care (incl. food, shelter and emotional warmth), favouritism, physical abuse, verbal abuse, reference to cultural/ethnical differences, swearing.

(c) Under any circumstances, release a child from a YMCA program or service to anyone other than the authorised parent(s), guardian(s), or to an individual authorised by parent(s)/ guardian(s) in writing, including relatives of children.

(d) Be involved in child-minding or other after hours activities unless:
(i) The child is directly related (refer Baby-Sitting Exemption (Family) Form 241).
(ii) The child is a participant in a different program to where the staff/volunteer is employed and they never have interaction or supervision during work hours (refer Baby-Sitting Exemption (Non-Family) Form 241a)

In both instances, staff/volunteers must declare their involvement with the child by completing the relevant form and obtaining parental and CEO approval as indicated on the form.

(e) Work for another organisation/company (second job) whilst working for the YMCA if the total hours worked per day is excessive (more than ten hours per day) and if the additional external hours will have a negative impact on YMCA duties.

(f) Wear YMCA uniforms to any external work (second job).

(g) Report to work under the influence of or in the possession of alcoholic beverages or controlled or illegal substances.

(h) Engage in rough physical games with children.

(i) Have a child sit in their lap, cuddle, kiss, hug or touch children in an inappropriate and/or culturally insensitive manner.

(j) Make negative, violent or sexually suggestive comments to a child.

(k) Undertake a task of a personal nature that a child can do for itself, for example changing clothes, grooming, feeding, and toileting.

(l) Take a child to their own home, or encourage meetings outside the program activity.

(m) Take unauthorised photos or videos of children.

(n) Take and retain photos or videos of children on personal mobile phones.

(o) Place on Facebook or any other medium photos of children in care.

(p) Transport an individual child or a group of children to or from YMCA programs in private vehicles, without the written consent of the YMCA CEO. A risk management plan for travelling in vehicles needs to be adhered to at all times.

(q) Share accommodation with a child without other staff members or children present.

(r) Text or email information directly to a child or young person's mobile or email address, unless for the express purpose of conducting YMCA business. All communication made should be directed to the parents/guardians.

(s) Give personal gifts to children unless under the banner of a gift from the YMCA (e.g. gifts from the YMCA service to each child at Christmas).

(t) Use personal social media platforms such as Facebook or twitter etc., to contact or converse with children enrolled in YMCA programs. Appropriate contact with children for the purpose of delivery of YMCA programs must be limited to official YMCA internal sites only. Any other contact should be directed to parents/guardians only.

Conduct that is considered unacceptable is subject to disciplinary procedures and possible dismissal.

Exceptional Circumstances

There may be exceptional situations where these guidelines do not apply, for example, in an emergency situation. However, it is crucial that, where possible, you seek management authorisation prior to taking action that contravenes these guidelines or that you advise management as soon possible after any incident in which these guidelines are breached. A Potential Breach Register (Form 242) is available to record such situations.

If a staff member or volunteer does not feel comfortable reporting to their direct Supervisor or Manager about any concerns for a child in care or inappropriate behaviour towards children by another staff member or volunteer, they should contact the Child Protection Officer at child.protection@ymcabrisbane.org or on 3253 1706 or 0439 724 171.

Staff and volunteers are covered by the YMCA Whistleblower Policy.

6. ROLES AND RESPONSIBILITIES – Staff and Volunteers

(i) All staff/volunteers are required to understand and adhere to their responsibilities in the areas of ACF Accreditation as outlined in the Roles and Responsibilities of Staff and Volunteers.

(ii) All staff/volunteers, with direct responsibility for child care and/or other children's programs/services in the YMCA must be familiar with the Safeguarding Children Code of Conduct and follow its operational responsibilities at all times.

(iii) All staff/volunteers will obtain and maintain a valid positive notice Blue Card for child related employment, unless exempted by the Commission for Children and Young People and Child Guardian.

(iv) In order to protect YMCA staff, volunteers and program participants and their families, the YMCA has developed a Safeguarding Children Code of Conduct which seeks to provide clarity to acceptable behaviour in order to minimise the risk of abuse for a child/young person. The YMCA understands the great benefit of the positive relationships that can form between YMCA staff members and volunteers with the children and young people and during the child's/young person's participation, the YMCA endeavours to make this as safe as possible for all concerned.

(v) All staff/volunteers are expected to sign a commitment statement that they have read and understood the Safeguarding Children and Young People Policy.

(vi) All staff/volunteers will be required to attend the appropriate training and updates regarding child protection in accordance with the YMCA Association's training schedule. Training will be held at least annually.

(vii) It is important that staff/volunteers have a good rapport with the children/young people so that the child or young person feels comfortable, feels as though they can trust that person and have been encouraged to communicate openly with the YMCA staff/volunteer.

(viii) YMCA staff and volunteers will role model the principles of the Safeguarding Children and Young People Policy, demonstrate appropriate behaviour and respect for children to support and encourage open communication from children regarding their wellbeing.

(ix) YMCA staff and volunteers have a duty of care to ensure that all who access the Association's programs, services and facilities are provided with a safe, open and honest environment that protects children and young people and the staff and volunteers who work with them.

(x) YMCA staff and volunteers are to involve children, young people and parents/guardians in their approaches to safeguarding children and young people by providing clear and concise information in regards to YMCA policy and procedures. Parents/guardians, children and young people need to understand what they can do in the event of a concern, fear or threat. Communication is to be done in a manner sensitive to age, language, culture, religion or capability.

(xi) Staff/Volunteers are prohibited from baby-sitting and involvement outside of work hours with children enrolled in YMCA programs at which the staff/volunteer works. Any after-hours activity with children must be declared and approved and failure to do so will be treated as a breach of this Policy and result in disciplinary action.

(xii) Staff and Volunteers must not be involved in child-minding or other after hours activities unless:

(a) The child is directly related to the staff/volunteer (refer Baby-Sitting Exemption (Family) Form 241).
(b) The child is a participant in a different YMCA program to the staff/volunteer and they never have interaction or supervision during work hours (refer Baby-Sitting Exemption (Non-Family) Form 241a)

In both instances, staff/volunteers must declare their involvement with the child by completing the relevant form and obtaining parental and CEO approval as indicated on the form.

(xiii) Staff and volunteers are accountable to their supervisors and supervisors to their Managers and Managers to the CEO for ensuring the Safeguarding Children policies and practices are effectively implemented and monitored. In particular, staff and volunteers are required to:

a) Be familiar with the contents of the Safeguarding Children and Young People Policy and promptly seek clarification as required.

b) Complete ACF and any other safeguarding children training.

c) Be familiar with and adhere to the supporting documents and forms and promptly seek clarification as required. These documents and forms can be found on the YMCA Intranet

d) Promote the safeguarding of children and young people (child protection).

e) Be aware of the risk of child abuse and the indicators of child abuse and grooming.

f) Be clear about what is acceptable behaviour when dealing with children.

g) Be aware of what to do if they suspect a breach of the Safeguarding Children Code of Conduct.

h) Immediately report any suspected incident of child abuse in accordance with the reporting flowchart and otherwise respond as required and expected by this policy, State requirements and by Law.

i) Maintain confidentiality in investigations of suspected child abuse.

j) Fully cooperate with the defined relevant local/state/federal agencies in investigations of suspected child abuse.

k) Adhere to prescribed minimum staff – child ratios.

l) Actively involve children, young people and parents/guardians in the ongoing development and implementation of the SC&YP Policy.

m) Report any suspicions of grooming or child abuse perpetrated by YMCA staff, volunteers, members or parents/guardians.

n) In consultation with service staff, Group Managers will report annually to the Chief Executive Officer on the implementation, monitoring and review of this Safeguarding Children and Young People Policy, related policies and relevant workplace and program/service practice.

7. RECRUITMENT AND SCREENING

STATEMENT – RECRUITMENT AND SCREENING:

The YMCA is committed to recruiting and selecting directors, employees and volunteers to achieve its strategic direction and to demonstrate attributes that are consistent to YMCA values and vision. The process of recruiting and selecting directors, employees and volunteers will comply with all legal requirements and with relevant equal opportunity, affirmative action and human resource management policies as adopted by the YMCA.

7.1. Commitment to Safeguarding Children and Young People

YMCA's statement of commitment to safeguarding the children and young people in our care is supplied to all applicants at the same time as a formal employment contract is issued or directorship position is approved.

7.2. Recruitment and Screening

Through the staff/volunteer recruitment and selection process, the YMCA can put in place various steps that minimise the risk of attracting or hiring inappropriate staff/volunteers within our children/youth programs or within our association to ensure the provision of a safe environment for all. For further details, please refer to the Human Resource Policy on Recruitment and Screening (HRM027)

Job advertisements	Will be advertised internally as a minimum unless otherwise authorised by the CEO. Job Ads will contain the following wording: '*The YMCA is committed to the safeguarding of children and young people*' and all applicants will be obliged to comply with all safeguarding policy and practice standards.
Position Descriptions	All staff will be issued position descriptions which refer to the staff member/volunteer being aware of and implementing the YMCA's Safeguarding Children and Young People policy.
Selection Panels	Selection panels will comprise at least two people, have a gender balance where possible, declare any relationship or conflict of interest with applicants and have a chairperson. The Chairperson will: • Screen written applications • Undertake phone screening • Shortlist suitable applicants • Arrange panel interviews • Arrange workplace observations (where applicable) • Undertake reference checks. All selection panel members must have met all safeguarding children standard requirements.
Candidate Assessment	Applicants should only be assessed on how they meet the selection criteria or job requirements. In particular, there must be no bias or discrimination on the grounds of race, age, sex, political beliefs, religious beliefs, impairment, sexual preference, marital status, pregnancy, family status, family responsibility, or trade union activity. All interviewees, are to be asked whether they have been subject of an employer investigation or been charged with a criminal offence involving children, violence, drug dealing or dishonesty in line with our Safeguarding Children and Young People's Policy. Refer to Candidate Interview form.
Identity Checks	Proof of identity documents that total 100 points will be obtained, copied and placed on file. Refer to Identity Check Form No. 244.

Qualification / Registration Checks	Originals or certified copies of qualifications or professional registrations will be sighted, copied and placed on staff files.
Undertaking Reference Checks	Prior to formal offer, all appointed personnel and directors are expected to have three (3) professional referee checks completed or a mixture of two professional and one personal referee. It is ideal that at least one professional referee is from the applicant's last place of employment/volunteering. Personal referees are not recommended. However, if there is no option but to include a personal referee, then that referee: • Should not be related to the applicant. • Should have known the applicant for at least 12 months. • Must be able to vouch for the applicant's reputation and character. The referee checks undertaken must involve direct contact with the referee. Written character references are not sufficient unless also followed up and verified through direct contact. Difficulty in contacting referees, such as those based overseas or those who have left an organisation, is not justification for accepting lower standards of scrutiny. YMCA maintains documentation regarding feedback from referees in relation to the suitability of an applicant to work with children. Reference check questions guide discussions with a referee. Some questions should be behavioural based questions. Listen carefully for attitude, tone and hesitancy by the referee. The results of these checks must be documented, diligently evaluated and placed on file prior to any offer of employment (paid or voluntary) being made. Where a referee may be from an overseas organisation and the cost of phoning is not possible or cost prohibitive, a reference check form can be emailed to the referee for completion and return. Refer Reference Check form 280.
Blue Cards	Criminal History checks are undertaken on all paid employees and volunteers through the Commission for Children and Young People and Child Guardian as well as via the Queensland Police Service for hospitality workers. Refer to the Commission's website http://www.ccypcg.qld.gov.au/bluecard/index.html A YMCA Manager or Supervisor of the applicant must: • Ensure the new employee completes the application for positive notice blue card on day one of employment • Sight the applicable original identity documentation and record relevant details • Retain a copy of the completed application on file • Provide a verbal warning to the employee/volunteer before they complete/sign a blue card application form that it is an offence for a disqualified person to apply for a blue card. If already holding a Positive Notice Blue Card, an applicant must complete an Authorisation to Confirm a Valid Blue Card so that their status can be validated by the YMCA. The YMCA will not employ a person who is deemed a prohibited person based on legislation in our jurisdiction. Refer to the policy on Blue Cards under HRM 024.
National Checks	In addition to legislated screening schemes, employees may be required to undergo a National Criminal History Record Check, (also known as a 'police check'). Where required applicants are to complete an application form and provide consent for the check to be undertaken on behalf of the organisation. *Please Note: Legislation requirements in this area are continually changing and it is the YMCA's responsibility to be fully informed in regard to these requirements and commit to changes in legislation.*

International Checks	The onus is on the employee or volunteer who has arrived from another country to provide an International Police Check. International Police Checks are subject to the legislation of the country where the person was a resident. The relevant overseas Police force should be contacted to obtain a police record check, or alternatively the Australian Federal Police or Interpol.
Employment of Foreign Nationals	Right to Work in Australia Whilst not directly associated with child-related employment, foreign nationals must present relevant work visas and immigration documentation to verify that they have the right to work in Australia. Completing these checks in conjunction with international criminal history checks will improve the reliability of the vetting process. The Department of Immigration conducts screening processes with overseas law enforcement agencies to ascertain if visa candidates have relevant criminal convictions. However, YMCA management must assess each case on its merits to assess the risk of employing foreign nationals due to the difficulties associated with obtaining relevant background checks.

7.3. Determining Relevant Criminal History

In accordance with the Australian Human Rights Commission Act 1986, if an employee is denied employment or dismissed on the basis of a criminal record, there must be an inherent link between the criminal history and the requirements of the job.

It is at the discretion of the Chief Executive Officer (or their relevant delegate), to determine whether a particular crime history is relevant to the position of employment and if the appointment or continued employment would put the YMCA at risk. This discretion must not contravene respective jurisdictional requirements. There are specific restrictions relating to the legal capacity for an organisation to make such a decision. *All Working with Children Check (WWCC) systems make a suitability assessment and issue either a positive or negative notice, and the organisation has no capacity to employ against a negative assessment, other than in NSW and SA.*

When assessing whether a particular crime history is relevant to the position of employment and if the appointment or continued employment, the following should be taken into account bound by:

(a) There must be an inherent link between the criminal history and the requirements of the job.
(b) The scope of the applicant's criminal history.
(c) The nature of the offence and the relationship of the offence to the particular position/ profession.
(d) The period of time that has elapsed since the offence took place.
(e) Whether the offence was committed as an adult or juvenile.
(f) The type of penalty imposed by the court such as whether the court elects not to record a conviction where the person enters into and successfully completes a conditional order such as bond or probation, and whether the applicant has successfully completed the order.
(g) The severity of any penalty imposed.
(h) Whether the offence has been de-criminalised or removed from the statutes.

If a person is to be denied employment because of his/her criminal record, they are to be provided with an opportunity to discuss his/her criminal record and the reasons for the decision. This is imperative to allow the applicant to raise any errors or discrepancies that may have occurred.

Whenever possible, no applicant is to be offered a position until after completion of their 'National Criminal History Record' check.

8. INDUCTION AND TRAINING

STATEMENT - INDUCTION AND TRAINING

The YMCA will is committed to providing effective safeguarding children training for all new and existing Directors, employees and volunteers as it strives to deliver a child safe environment at all times. The process of inducting and training Directors, employees and volunteers will comply with all legal requirements and with the YMCA's own Safeguarding Children Policy.

(a) All new staff and volunteers are to participate in a formal induction program within seven (7) days of their appointment (refer to YMCA Induction Checklist and Declarations). New staff and volunteers are to be provided with access to appropriate written and web-based documentation outlining the YMCA's policies, operating procedures and legislative/regulatory environments as they relate to children's programs/services.

(b) Ideally on the first day, but mandatory during the first week of employment, all new staff will undertake the on-line safeguarding children training with the Australian Childhood Foundation which provides a greater awareness of child safety including the risk of child abuse, indicators of child abuse, mandatory notification obligations and responsibilities. The course can be accessed at http://www.safeguardingchildren.com.au/. The Enrolment Key is Y-BRI. A work instruction for logging onto the training and downloading certificates is available on the YMCA Intranet.

(c) Successful completion of on-line training will generate a certificate, a copy of which is to be given to the Manager and a copy sent to HR.

(d) Staff/volunteers will be provided with a personal copy of the Safeguarding Children and Young People Policy within their first five (5) working days. Staff/volunteers will be shown where a copy of the YMCA's Safeguarding Children and Young People Policy can be located at their workplace. The staff member/volunteer is required to read, understand and where necessary seek clarification on the SC&YP Policy and sign indicating the same. A signed commitment to the Safeguarding Children and Young People Policy is to be forwarded to HR and a copy retained on their staff file at their workplace.

(e) All existing staff and volunteers are required to undertake annual Safeguarding Children awareness update training. The method of this training may be online or face to face, and may be on a range of Safeguarding children topics that are related to that service. Certificates obtained for this training should be copied to the respective Manager and to HR.

(f) Details of all training undertaken by staff/volunteers must be recorded on the staff training register.

(g) Copies of certificates of completion must be filed in the staff/volunteer file.

9. MEMBERSHIPS, ENROLMENT AND FACILITY HIRE

STATEMENT – MEMBERSHIPS, ENROLMENT AND FACILITY HIRE:

The YMCA will show its commitment to safeguarding children and young people by requiring its members, facility users and participants to act in the best interests of the children and young people that enter a YMCA facility.

1. Facility Hire

(a) When choosing to hire a YMCA venue/property/asset, lessees or hirers agree to maintain our Safeguarding Children Code of Conduct in regards to safeguarding children and young people.

(b) The lessee or hirer is to have a child protection policy in place that meets the YMCA's SC&YP Policy standards or will accept responsibility to act in accordance with the YMCA's Safeguarding Children and Young People Policy.

(c) This includes staff/volunteers of the lessee/hirer being required to hold current working with children clearances applicable to each State/Territory. These staff will also be required to supervise and guide children and young people in line with YMCA SC&YP policy and procedures.

2. Membership and Enrolment Forms

(a) Membership and enrolment forms include a clear and transparent statement outlining the YMCA's commitment to safeguarding children and young people. This includes our right to exclude participants or members of the public whose conduct risks the safety of children and young people.

(b) Enrolment forms inform parents/guardians of the YMCA's need to report any disclosures or cause for concerns about the safety or wellbeing of a child or young person.

(c) Enrolment forms inform parents/guardians of their option to report any concerns relating to the safety or wellbeing of their child/children or young person in a YMCA facility.

3. Conditions of Entry/Participation

(a) Conditions of entry/participation include a clear and transparent statement outlining the YMCA's commitment to safeguarding children and young people. This includes our right to exclude participants or members of the public whose conduct risks the safety of children and young people. Refer to Intranet for Conditions of Entry sign.

10. COMMITMENT TO SAFEGUARDING CHILDREN AND YOUNG PEOPLE

The YMCA is committed to safeguarding children and young people in its care. As part of this commitment, we have developed a Safeguarding Children and Young People Policy which contains sections covering:

1. Policy Statement
2. Policy Principles
3. Definitions
4. Reporting
5. Safeguarding Children Code of Conduct
6. Roles and Responsibilities
7. Recruitment and Screening
8. Induction and Training
9. Memberships, Enrolment, Facility Hire
10. Commitment to Safeguarding Children and Young People
11. Glossary of Terms and Exceptions

All staff and volunteers are required to comply with the above contents of the Policy.

The YMCA considers a failure to observe the Policy to be misconduct, and will result in appropriate disciplinary action. Depending on the seriousness of the misconduct, disciplinary action may include suspension while matters are investigated and/or dismissal. In addition to any internal disciplinary proceedings, any breaches of law will be reported to the Police.

Commitment

As a staff member/volunteer of the YMCA, I declare the following:

- I have read and understood the Safeguarding Children and Young People Policy
- I have been given the chance to ask questions regarding the Policy and its contents
- I understand my roles and responsibilities contained in the Policy
- I understand and will comply with the Safeguarding Children Code of Conduct
- I agree to promote the safety of children and young people participating in YMCA programs
- I am aware that breaching the Safeguarding Children and Young People Policy will result in disciplinary action taken against me and may include termination of employment

Name of Staff Member/Volunteer _____

Signature of Staff Member/Volunteer _____

Date: _____/_____/_____

11. GLOSSARY OF TERMS

Term	Meaning
ACF	Australian Childhood Foundation
Association	The YMCA of Brisbane and Y-Care (South East Queensland) Inc.
Board Member	An elected member of the Board of Directors of the YMCA of Brisbane or an elected member of the Management Committee of Y-Care (South East Queensland) Inc, all of whom are volunteers
Blue Card	Criminal history screening to determine suitability to work with children and obtained through the Commission for Children and Young People
Child	A child means every human being below the age of eighteen (18) years
FDC and IHC	Family Day Care and In Home Care
Qualified Privilege	Privilege that protects its holder only if it is exercised properly and in the performance of a justifiable act or failure to act
SC	Safeguarding Children
SC&YP	Safeguarding Children and Young People
Staff	• All full time, part time or casual staff who are paid employees of the YMCA of Brisbane or Y-Care (South East Queensland) Inc. • All Educators working for YMCA Family Day Care or YMCA In Home Care, even though they are self-employed contractors • People who are contracted to provide services to the YMCA (e.g. Personal Trainers, Group Fitness Instructors)
Volunteer	All people who provide services for either YMCA of Brisbane or Y-Care (South East Queensland) Inc. in an unpaid capacity
YMCA	The reference to YMCA through this document shall mean the YMCA of Brisbane and Y-Care (South East Queensland) Inc.
Young Person	A young person means every human being below the age of eighteen (18) years

EXCEPTIONS

Policy Area	Exceptional Circumstances
Being Alone with a Child	YMCA Family Day Care and YMCA In Home Care Educators provide care for children in either their own homes or the homes of the child. As such, the policy areas indicated do not apply. These circumstances are governed by Family Day Care Policies.
Transporting Children	
Sharing Accommodation with a Child	
Toileting Children	
Giving gifts to Children	
Releasing Children to Parents who are intoxicated	In situations which put staff and/or other children in danger by not releasing the child to the parent/guardian, a risk management strategy for emergency situations will be developed and staff will be trained accordingly to manage, record, advise or otherwise the Police .
Professional Referees	Volunteers who have not have been in the workforce for many years. Volunteers who have not entered the workforce Candidates who have just completed school or who have not been previously employed
Toileting Children	Toileting of special needs children and children requiring emergency toileting (refer Work Instruction)
Being alone with a Child	Circumstances where this is not possible can be found on the Safeguarding Children Hazard Register
Texting Children	In training delivery where this is the accepted form of communication to students but texts will always be professional and course related

DOCUMENT REVISIONS

The Safeguarding Children and Young People Policy will be reviewed annually as a minimum

February 2007 July 2007 January 2009	June 2009 August 2010 November 2010	January 2011 February 2011 March 2012	October 2013 February 2014	