

# YCW SAFEGUARDING POLICY

This policy applies to all YCW leaders, staff, members, mentors, chaplains and volunteers involved in the programs and activities of the Australian Young Christian Workers' Movement (YCW) and Australian Young Christian Students' Movement (YCS).

## 1. POLICY STATEMENT

- All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, or family or social background, have equal rights to protection from abuse, neglect or exploitation.
- YCW commits to promoting and protecting the welfare and human rights of people that interact with, or are affected by, our work - particularly those that may be at risk of abuse, neglect or exploitation. We have no tolerance for abuse, neglect or exploitation.
- All staff, volunteers, partners and third parties of YCW share responsibility for protecting everyone from abuse, neglect or exploitation.
- YCW has a process for managing incidents that must be followed when one arises.

## 2. PURPOSE

The purpose of this policy is to:

- Help protect people that interact with, or are affected by, YCW.
- Define the key terms we use when talking about protecting people or safeguarding.
- Set out and develop the way YCW manages safeguarding risks.
- Set out the specific roles and responsibilities of persons working in and with YCW.
- Facilitate the safe management of incidents.
- To support a positive and effective internal culture towards safeguarding.

## 3. BACKGROUND

The YCW is in contact with young people from 17-30 years as participants, volunteers and members. The YCS works more closely with young people under the age of 18 (children), and they have a comprehensive and separate Child Protection Policy.

All members, staff, mentors, chaplains and volunteers of the YCW owe children a special duty of care. We have important legal and moral responsibilities to ensure the safety and wellbeing of children, staff and the community. YCW is likely to be in contact with those under 18 via volunteering programs through the YCS.

The YCW is committed to working with children, young people and vulnerable adults by providing an environment that is physically, emotionally and spiritually safe.

The following values reflect the culture we are committed to promoting within the YCW:

- Respect for the worth and dignity of every person
- Inclusiveness and social justice

- Solidarity and collaboration
- Transparency, integrity and honesty
- Responsible stewardship
- Professionalism and excellence

## 4. THE POLICY

### A. Definitions

In this document:

- 'Child' refers to anyone under 18 years of age.
- 'Staff' refers to anyone working as part of YCW including volunteers and paid workers, whether full-time, part-time, occasional or one-off.
- 'National Executive' is the elected leadership team for the Australian YCW.
- 'Mandatory reporters' refers to staff, mentors, chaplains and volunteers who have a legal obligation to report suspected cases of abuse or neglect to Government authorities. The list of occupations that are mandated to report differs from state to state.
- 'Safeguarding' means protecting the welfare and human rights of people that interact with, or are affected by, YCW, particularly those that might be at risk of abuse, neglect or exploitation. This refers to any responsibility or measure undertaken to protect a person from harm.
- 'Abuse, neglect or exploitation' means all forms of physical and mental abuse, exploitation, coercion or ill-treatment. This might include, for example:
  - Sexual harassment, bullying or abuse;
  - Sexual criminal offences and serious sexual criminal offences;
  - Threats of, or actual violence, verbal, emotional or social abuse;
  - Cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime;
  - Coercion and exploitation;
  - Abuse of power.
- 'Reasonable grounds to suspect' is a situation where a person has some information that leads them to believe that abuse, neglect or exploitation has taken place, is taking place, or may take place. It comes with a low burden of proof (in fact, no proof is needed at all), but is based on some information.
- A 'survivor-centric approach' means considering and lawfully prioritising the needs, rights and wishes of survivors.

### B. Roles and responsibilities

1. While the responsibility to protect people is shared by all who work at or with YCW, some individuals have specific obligations with which they must comply.
2. The members of the National Team are responsible for:
  - a. Protecting all people that interact with, or are affected by the YCW
  - b. Ensuring that there are appropriate and effective ways for YCW to do this;
  - c. Ensuring that the YCW observes all relevant laws relating to safeguarding;
  - d. Ensuring that YCW takes a survivor-centric approach.

3. The National President together with the National Mentor of the YCW must:
  - a. Ensure YCW has effective and appropriate ways to manage safeguarding and legal compliance;
  - b. (If necessary) Ensure the appointment of a Safeguarding Manager with appropriate skills and competency;
  - c. Ensure that reasonable steps are taken to protect people;
  - d. Ensure that reports to external parties are made where required.
4. The role of the Safeguarding Manager of the YCW shall be undertaken by the National Mentor or Chaplain. The role of Safeguarding Manager is to be undertaken on a voluntary or part time basis with the assistance of the YCW's HR Coordinator and work in coordination with the safeguarding policies and procedure of each Diocese and/or State with the YCW operates. The Safeguarding Manager will:
  - a. Manage reports of abuse, neglect or exploitation;
  - b. Ensure that all staff, contractors, and volunteers are aware of relevant laws, policies and procedures, and YCW's Code of Conduct;
  - c. Ensure that all staff, contractors and volunteers are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;
  - d. Manage reports of abuse, neglect or exploitation;
  - e. Provide support for staff, contractors and volunteers in undertaking their responsibilities.
5. All those who work for the YCW, who are in a leadership position and mentor must:
  - a. Promote a positive culture towards safeguarding;
  - b. Implement this policy in their area of responsibility;
  - c. Ensure that the risks of incidents have been considered in their area of responsibility;
  - d. Ensure that there are appropriate controls in place to prevent, detect and respond to incidents;
  - e. Facilitate the reporting of any suspected abuse, neglect or exploitation;
  - f. Take a survivor-centric approach to potential incidents and ensure that any incident is dealt with transparently and accountably.

As well as:

  - g. Familiarise themselves with the relevant laws, the Code of Conduct, policies and procedures for safeguarding;
  - h. Comply with all requirements;
  - i. Report any incident to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk
  - j. Report any suspicion that a person's safety or welfare may be at risk to the appropriate authority; and
  - k. Provide an environment that is supportive of everyone's emotional and physical safety.
6. All partners and contractors of YCW must:
  1. Implement the provisions of this policy and YCW's procedures in their dealings with YCW;

2. Report any suspicion that an incident may have taken place, is taking place, or could take place.

## B. Managing safeguarding risk

1. The way YCW manages the risks of safeguarding will be:
  - a. Holistic. YCW and its stakeholders will work to prevent, detect and take action on incidents.
  - b. Risk-based and proportionate. YCW will regularly assess the risks to people in its operations and develop proportionate controls to mitigate those risks.
  - c. Survivor-centric. YCW will put survivors at the heart of its approach to safeguarding.
  - d. Lawful. YCW will ensure that it understands and complies with the law in everything it does, in all jurisdictions in which it works.
2. YCW will manage the risk of safeguarding by:
  - a. Having up-to-date and documented risk assessments;
  - b. Maintaining a register of YCW's legal obligations for safeguarding and workplace health and safety in all the jurisdictions in which it operates;
  - c. Having an action plan that sets out how it will manage safeguarding;
  - d. Adhering to this Safeguarding Policy and its Code of Conduct;
  - e. Doing due diligence checks of staff, volunteers and third parties;
  - f. Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents;
  - g. Conducting awareness-raising for stakeholders on risks, expectations, and individual responsibilities;
  - h. Maintaining two reporting processes: the confidential reporting process, and the overt reporting process;
  - i. Having an incident response plan;
  - j. Monitoring and reviewing the effectiveness and proportionality of its safeguarding approach.
3. Safe recruitment

All prospective staff, volunteers, mentors, and chaplains will be screened before they are appointed:

- **Working with Children checks and Police Checks** All potential *paid* and *non paid* staff must consent to a Working with Children check, which will detect any relevant offences in their criminal record. [Working with Children and Police Checks by State](#)
- **Prohibited Employment Declaration.** This form must be signed by all paid and unpaid staff that have contact with children.
- **Referee checks.** All potential paid and unpaid staff must supply two work or character referees. The worker responsible for recruiting that staff member must contact these referees and as part of the reference check, ask the following question: 'To your knowledge are there any reasons why this person would not be suitable to work with children?'

#### 4. Initial and ongoing training

YCW requires all staff, mentors, chaplains and volunteers to attend initial training, including induction about this Safeguarding Policy, and on-going training every two years or as required.

Safeguarding training will also include the:

- YCW Code of Conduct
- YCW Mentors' and Chaplains' Policy
- YCW Mentors' and Chaplains' Acknowledgement and Agreement Form.

#### 5. Provide an open and safe environment

YCW will afford participants a say in the programs and the activities in which they participate by fostering and valuing their ideas and encouraging participation. We will be accountable and transparent.

We will create a child and youth friendly environment, allowing people to raise their concerns in an appropriate manner. We will obtain appropriate information relating to the program participants, including children's health and family situation, to ensure that we are able to care for their physical and emotional needs.

#### 6. Supervision

YCW will provide adequate supervision to children, young people and vulnerable adults when organising groups and other activities. Adequate supervision means:

- A minimum ratio of 1 staff member to 10 children during any day activity.
- A minimum ratio of 1 staff member to 6 children during any overnight activity.
- Where both male and female children are present, both a male and female worker is present.

One adult is not to be alone with children. This includes driving a child in a car. There should be two staff present in any car carrying children.

There should be two adults present at any event where there are children.

### **D. Managing Incidents**

#### 1. Harassment, abuse, neglect and exploitation are all serious misconduct and YCW reserves the right to:

- a. Take disciplinary action against those it believes are responsible, which may include dismissal;
- b. Take civil legal action;
- c. Report the matter to law enforcement.

#### *Reporting suspected incidents*

#### 2. All staff, volunteers and third parties must, as soon as practicable, report any suspicion that an incident has taken place, may be taking place, or could take place.

#### 3. They may do this through direct reporting to:

- a. Any member of the Executive Team;

- b. The National President;
- c. The Safeguarding Manager/National Mentor;
- d. Their Manager or Supervisor.

4. If a person wants to report confidentially, including with anonymity, they may report directly to their respective Diocesan Safeguarding Office.
5. If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000.

*Responding to suspected incidents*

6. All suspected, perceived, potential or actual incidents will be managed through the incident response plan as described below.

*External reporting*

7. YCW will:
  - a. Report any suspicion of a criminal offence to the police or the relevant criminal judicial body;
  - b. Meet all donor requirements regarding the reporting of incidents;
  - c. Report any qualifying matter to the ACNC.

**E. Responding to Incidents**

1. If children are suspected to be at risk

The following procedure applies if staff becomes aware that a child may be at risk of significant harm or may have been assaulted:

- Take it seriously
- Don't probe or investigate
- Follow the reporting procedure below.

2. Reporting Procedure

If a staff member, mentor, chaplain or volunteer, has a concern that a child may be at risk of significant harm, then they must report the situation and all relevant information to the National President (or National Mentor if the National President is unavailable or if the situation relates to the National President). If neither are available, the matter is to be reported to the HR Coordinator. They must report this information regardless of their own views about its relevance, accuracy or seriousness.

Where neither the National President, National Mentor or HR Coordinator are available, nor any other member of the National Executive, the staff member, mentor, chaplain or volunteer may be required to report the incident directly to their state authority. Reporting requirements vary from state to state.

Mandatory reporting requirements by state:

ACT	Office for Children, Youth and Family Support	Ph: 13 22 81
NSW	Department of Family and Community Services	Ph: (02) 9716 2222

QLD	Department of Child Safety, Youth and Women	Ph: (07) 3224 8045
SA	Department for Child Protection	Ph: (08) 8124 4185
VIC	Department of Health and Human Services	Ph: 1300 650 172
WA	<u>Department of Communities, Child Protection and Family Support</u>	Ph: (08) 9222 2555

The National Mentor will inform the Professional Standards Office of the local diocese about any reports of children at risk of significant harm, and where possible will work with the Professional Standards Office to report the matter to relevant state authorities.

### 3. Allegations against non-paid/paid workers (involving children)

In the case of allegations of risk of significant harm to a child made against paid/non paid workers:

- Matters must be referred to the National President or National Mentor within 24 hours.
- The privacy and reputation of the child and alleged perpetrator must be respected. The matter should not be discussed with other staff members or young people.
- The National Mentor will inform the Professional Standards Office of the local diocese, and work closely with them to undertake necessary investigations, reporting and other measures.
- The staff member will be removed from any contact with young people for the duration of the investigation.
- YCW will provide support to alleged victims and perpetrators and seek appropriate help for a just and fair resolution.
- The incident is to be formally noted and records kept securely.

The YCW will at all times comply with *Towards Healing* in relation to any allegations of risk of significant harm to a child made against paid/non-paid workers.

### 4. Allegations against non-paid/paid workers (not involving children)

In the case of allegations of any abuse or misconduct made against paid/non-paid workers that does not involve a child:

- Matters must be referred to the National President or National Mentor within 24 hours.
- The privacy and reputation of the alleged victim and perpetrator must be respected. The matter should not be discussed with other staff members or young people.
- The National Mentor will inform the Professional Standards Office of the local diocese, and work closely with them to undertake necessary investigations, reporting and other measures.
- The staff member will be removed from any contact with young people for the duration of the investigation.
- YCW will provide support to alleged victims and perpetrators and seek appropriate help for a just and fair resolution.
- The incident is to be formally noted and records kept securely.

The YCW must at all times comply with *Towards Healing* in relation to any allegations of abuse or misconduct made against paid/non-paid workers.

#### **F. Privacy and data protection**

1. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. YCW will protect personal information.
2. YCW's Privacy Policy applies.

#### **G. Disciplinary action**

YCW and its staff have a moral and legal responsibility to abide by the above practices. Major or repeated breaches of this policy will lead to disciplinary action which may include restrictions, suspensions and, in serious cases, termination of the person's employment or voluntary role. The National Executive will determine the appropriate disciplinary actions for breaches of this policy.

#### **H. Administration of this policy**

We are committed to reviewing our policy every two years.

This policy was approved by the National President in January 2018 and reviewed in August 2021.