



YMCA REDRESS PANEL

INDEPENDENT CHAIR

POSITION DESCRIPTION

The Board of the National Council of the YMCAs of Australia is seeking to appoint an independent Chair to lead the YMCA Redress Panel with specific reference to the Redress Panel Terms of Reference and the YMCA Approach to Redress.

The various elements and expectations of this position are outlined below.

Section 1: Background

The YMCA Approach to Redress was endorsed by members of the National Council of the YMCAs of Australia at our Annual General Meeting in November 2015. The YMCA is committed to an Approach to Redress that is underpinned by the following Principles, such that our approach is:

1. Survivor-focused;
2. Transparent, accountable and open to review;
3. Timely and responsive;
4. Nationally consistent;
5. Trauma-informed;
6. Accessible;
7. Not subject to time limitations;
8. Applies a standard of proof of 'reasonable likelihood';
9. Sustainable; and
10. Maintains survivors' rights to civil litigation.

The YMCA supports the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse regarding the establishment of a National Redress Scheme and our Approach to Redress has been developed as an interim measure until such time as a national or separate state-based schemes are established.

Our Approach to Redress provides for the appointment of a Redress Panel to oversee the decision-making process in relation to applications for redress. The Redress Panel exists to fulfil the following functions:

- To determine each applicant's eligibility for the YMCA Approach to Redress.
- To receive and consider any and all information, documentation and supporting materials relevant to each redress application.
- To make a determination as to whether the application meets the standard of proof of 'reasonable likelihood' as set out in the YMCA Approach to Redress.



- To make an assessment as to the level of redress which will be offered to the applicant which may include, but may not be limited to: the offer of a formal apology; the offer of support with counselling and psychological care; and the offer of a monetary payment.
- To undertake any duties as specified by the YMCA Approach to Redress and associated procedures.

The five-member Redress Panel will comprise the independent Chair, independent members (x2), YMCA Association representative and YMCA Australia representative. The Redress Panel Chair and independent members will be standing members of the Panel and the YMCA representatives will be determined according to each redress application. The Terms of Reference for the YMCA Redress Panel are attached to this role description.

Section 2: Role of the Chair

The role of the Chair will include, but may not be limited to:

- leading, facilitating and providing authority to the decision-making processes in relation to each redress application;
- making a final determination as to the level and type of redress to be offered, in the event that an agreed position cannot be reached by the full Redress Panel; and
- providing independent reporting on the outcomes of redress applications directly to the YMCA National Board on a quarterly basis.

Section 3: Authority and decision-making

The YMCA Redress Panel will have the authority to determine the level and type of redress to be offered.

The independent Chair of the Redress Panel will have the authority to make a final determination as to the level and type of redress to be offered in the event that an agreed position of the full panel cannot be reached.

Neither YMCA Australia nor a Member Association will have the authority to override a final determination of the Redress Panel and/or the Chair.

The authority levels of the Redress Panel are outlined further in the Redress Panel Terms of Reference and the decision-making process is further outlined in the Redress Procedures and Protocols.

Section 4: Key Requirements

- Independence from the YMCA: the Redress Panel Chair must not have any current or former contractual, directorship or employment relationship with the YMCA in Australia or internationally.
- Positive community standing: the Redress Panel Chair must have a demonstrated positive professional reputation and considered to possess high standing in the community.
- Former judicial/legal experience: the Redress Panel Chair will have judicial experience or legal experience of no less than 25 years post admission experience in legal area that would assist the implementation of the YMCA's redress principles

- Corporate directorship experience in governance: it is desirable for the Redress Panel Chair to have a level of experience in corporate or not-for-profit governance.

Section 5: Attendance requirements and estimated time commitments

While each redress matter will present different requirements in terms of preparation and information gathering, the decision-making process of the Redress Panel may require approximately 10 to 12 hours per matter, with some of this time meeting in person. If required, additional teleconferencing may occur. It is a requirement that all Panel members are in attendance whether meeting in person or via teleconference, and for decision-making purposes a quorum will be considered to be all five Panel members.

Section 6: Tenure

The Redress Panel Terms of Reference state that tenure will be limited to three years with the possible extension of two years. Tenure may be reviewed at the request of the Chair. Conditions under which the commission of Redress Panel Chair may be withdrawn include:

- Conduct that is inconsistent with the YMCA Redress Principles.
- Conduct that breaches the YMCA Redress Procedures and Protocols.
- Knowledge of conduct that may bring the name and reputation of the YMCA into disrepute.
- The establishment of a national or separate state and territory redress schemes, in the event that the YMCA is a participant in such a scheme/s.

Section 7: Reporting

The Chair of the Redress Panel will be required to provide reporting to the YMCA National Board on the implementation of the National Approach to Redress. This reporting will generally align with the annual schedule of quarterly Board Meetings.

Section 8: Indemnity

The Redress Panel Chair will be indemnified under the YMCA's Directors and Officers Insurance.

Section 9: Remuneration

The Redress Panel Chair will be offered an honorarium on a case-by-case basis and all associated costs such as travel, accommodation and additional ancillary costs will be met by YMCA Australia.

Section 10: Secretariat Support

Secretariat support for the Redress Panel Chair and other members will be provided by YMCA Australia and this will include gathering required information, the preparation of documents, communications, general administration and other requirements as deemed necessary by the Panel members.

Section 11: The role of the National Council of the YMCAs of Australia

The Board of the National Council of the YMCAs of Australia will be responsible for the appointment of the Redress Panel Chair and other Panel members as outlined in the Redress Panel Terms of Reference.