Introduction

The YMCA considers sexual abuse in any form as intolerable under any circumstance. Not only is sexual abuse or sexual assault a violation of human rights and a crime, sexual abuse has far-reaching emotional, social, health and developmental consequences for individuals and families. The prevention and elimination of sexual abuse and the protection of children is the responsibility of everyone in the community.

As an organisation that provides programs and services for hundreds of thousands of children and families each year, ensuring child safety and wellbeing is of the highest priority to the YMCA. While establishing comprehensive child safe policies is essential, translating these policies into practice is critical, in addition to ensuring that organisational culture supports a proactive and ever-vigilant approach to child safety. The development of organisational culture needs to promote and embed the principals of the rights of the child with these rights outweighing all other considerations.

YMCA Australia welcomes the opportunity to provide the Royal Commission with our views, drawing on our own learning and experiences, and expertise from within the children and family services sector.

1. The essential elements of establishing a ‘child safe organisation’ that protects children from sexual abuse in an institutional context. In particular, are there core strategies that should be present and others that are less critical?

As highlighted by the existing National Framework for Creating Safe Environments For Children – Organisations, Employees and Volunteers (2005), there are a broad range of strategies that can be implemented to enhance the child safe capacity of organisations and institutions. These can be implemented across key organisational elements including:

- governance and culture;
- human resources management;
- the participation and empowerment of children;
- education and training; and
Recognising that each strategy plays an integral part, the more tangible strategies such as training, education, policies and procedures may be readily responsive to compliance and auditing processes. Less tangible strategies such as the development of positive organisational culture and leadership are of equal, if not greater importance. The culture of an organisation requires a commitment to ongoing, consistent, open conversation about child protection and child protective practice. The challenge is to be able to promote and apply these strategies while creating processes by which organisations can be effectively monitored and held accountable. Legislative and regulatory requirements differ significantly across jurisdictions and between different settings in which children and young people have access to services and activities. Currently, there is no nationally consistent accreditation process that focuses on the particular elements required to build the capacity of child safe organisations.

1.1 Policies and procedures
Child protective policies and procedures need to be robust; integrated across organisational structures and systems; be aligned with legislative and regulatory requirements; and be developed in consultation with stakeholders to ensure they are both effective and responsive. Importantly, child protective policies and procedures also need to be active, living tools for staff and volunteers that are embedded within organisational culture and practice.

1.2 Staff training and development
Similarly, staff training and development needs to be a dynamic process that extends beyond one-off training or annual reviews, to become a process of continuous improvement where there is a commitment to child protective practices across all elements and at all levels of the organisation.

1.3 Vigilance and organisational culture
While robust policies, procedures, thorough staff training and development provide a solid foundation to enhancing child safety, “organisations must remain vigilant and responsive to new challenges in order to maintain a child-safe environment.” The importance of staff and volunteers being ever-vigilant regarding the protection and care of children is critical. Underpinning this is the development of an organisational culture that is positive, transparent and supportive with a commitment to the care and protection of children at its core. Embedding child protection as a key objective in operational practice is imperative. Speaking up about protecting children’s rights to be safe needs to become as common in our daily language as promoting the right to be safe at work. This commitment to child safety also needs to link with an organisational commitment to quality improvement and a proactive organisational culture.

1.4 Child and family engagement
A central component to building child safe organisations and developing a child friendly organisational culture is to ensure the empowerment and participation of children and families within organisations. Active and ongoing engagement with parents and families including proactive communication about child safety issues; reinforcing the message that child protection is everyone’s responsibility; and encouraging parents to provide input into child protective policies and practices is a key part of effective consultation with children and families. A partnership approach to child protection is essential. Critical discussions about child protection need to be seen as a common responsibility of all.
1.5 Effective partnerships
Organisations that provide services and programs to children and young people rarely work in isolation, relying on collaborative practice and the development of effective partnerships. With respect to creating child safe organisations, it is important to recognise the value-add of child safe practices across organisations. The safety and protection of children can be enhanced through building collaborative partnerships that are underpinned by a culture of common understanding and commitment to child safety. Effective engagement and a collaborative response to the prevention of child abuse includes critical partnerships with police, schools, other community service providers and child protection authorities within a framework of shared responsibility across the community for the protection of children. A partnership approach is central to the YMCA’s work in child protection. Sharing of resources and learning across organisations must be a commitment and purposeful investment of organisational leadership.

1.6 Addressing organisational vulnerability
Through extensive research, the Australian Childhood Foundation (ACF) has identified four elements of organisational vulnerability that include:

- lack of awareness;
- lack of knowledge;
- lack of confidence; and
- lack of process and support.

Organisations and institutions are at risk of failing in their duty of care to protect children when these vulnerabilities are present.

Implementing strategies to address these vulnerabilities is critical in building the capacity of child safe organisations and may involve:

- initiatives to raise the awareness within all levels of the organisation about the prevalence of child abuse within organisations and the community as a whole;
- training and education programs to improve knowledge about how abuse occurs within organisations; recognising the signs and improving knowledge about how to respond;
- initiatives that focus on increasing the confidence of employees at all levels of the organisation with regard to child protection and the prevention of abuse, to reduce uncertainty in decision-making and to ensure that all staff and volunteers feel confident with policies and policy implementation; and
- ongoing processes are put in place to ensure that staff and volunteers are aware of policies, have a well-grounded understanding of their practical application and are also mindful of the agreed processes and procedures that exist to manage and respond to child protection concerns.

2. The evidence base for the range of strategies associated with making an organisation ‘child safe’. Does this evidence base extend to the physical environment?

There needs to be a greater focus within planning principles and policy with regard to physical environments for children with particular regard to child protective practice and the creation of safe environments for children. Specific regulations exist that stipulate measures to enhance protection from physical harm such as the heights of play equipment and soft-fall areas, yet requirements in relation to viewing of common areas or restricted spaces is not always considered in planning or construction. Child protective policy and practice can alleviate risk due shortcomings of the physical environment yet if we are to continuously improve our practice, considerations of the built environment need to go further. Commitment to child safe practice within planning and construction policy needs to occur.
3. How should the effectiveness of ‘child safe’ strategies be tested?

3.1 Independent Accreditation
YMCA Australia believes the most comprehensive and systematic way to determine the effectiveness of child safe strategies is through an external and independent accreditation and review process. In 2010, the YMCA formalised a partnership with the Australian Childhood Foundation (ACF) with a proposal to deliver their Safeguarding Children Program to each independent YMCA Association in Australia. This accreditation and ongoing auditing program is designed to reflect local service design and service delivery needs; to be consultative at all levels of the organisation; and to develop a positive and engaged organisational culture that promotes child safe practices in all activities and to all staff and volunteers. Within the Safeguarding Children Program there are seven standards with which organisations are assessed and these include:

- commitment to safeguarding children;
- personnel roles and conduct;
- recruitment and screening practices;
- personnel induction and training;
- involving children and parents;
- child abuse reports and allegations;
- and supporting a child safe culture.

3.2 Mutual responsibilities:
As a partner in the Safeguarding Children Program, each YMCA Association makes a commitment to:

- adhere to the standards within the ACF’s Safeguarding Children Program;
- be available for an audit every 3 years by the ACF;
- adhere to, as a minimum, the suite of template policies incorporated within the YMCA’s Safeguarding Children and Young People Policy;
- adhere to a yearly self-audit program that will be submitted as part of the YMCA Australia compliance system;
- maintain membership with the ACF via the accreditation fee.

Within this partnership, the ACF also commit to:

- have a dedicated ACF staff member as a point of contact for the YMCA;
- coordinate and manage a 3 year audit program of all YMCA Associations;
- support and advise the implementation of child protection policies and procedures to meet the standards of Safeguarding Children accreditation;
- providing full access for all staff and volunteers to the online training that has been developed by the ACF for the Safeguarding Children program;
- providing full access for all staff and volunteers to a range of resources, policy and research updates; and
- the provision of a responsive debriefing service following a child protection critical incident.

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4 For a complete overview of the ACF Safeguarding Children Program Resources, please see Appendix B.
The YMCA’s engagement with the ACF Safeguarding Children Program ensures that each YMCA Association has an independent and direct relationship with the ACF. The consultative process also actively engages Association CEOs and Association Board Presidents which ensures that a positive and proactive culture of child protection is developed across the whole of the organisation and is promoted through strong and engaged leadership. Through participation in the Safeguarding Children Program, each Association is required to develop policies and procedures that align with their own service delivery needs. This process of self-development ensures that policies and procedures are meaningful and understood by staff and volunteers who also develop a sense of ownership over their implementation. (Please see Appendix A: YMCA Safeguarding Children Program – Accreditation and Audit Steps.)

The YMCA nationally has made a $360,000 investment over three years to the National Safeguarding Children Program, in addition to a significant investment of personnel and staff time towards national leadership structures which facilitate learning and a culture of leadership across the YMCA Movement.

3.3 Internal auditing and review

As part of a complementary process, YMCA Australia also undertakes a systemic review of all YMCA Associations to assess their progress and activities against a number of key standards. One of these standards is that each Association has ‘endorsed and fully implemented a Safeguarding Children and Young Person Policy (Child Protection Policy)’. In collaboration with the ACF, the YMCA has developed a National Safeguarding Children and Young People policy which provides a template for all Associations. This standard is met when ‘all staff and volunteers have been trained and fully understand their responsibilities and requirements regarding the Safeguarding Children and Young People Policy (Child Protection Policy) and Code of Conduct and that evidence exists that compliance with the policy is monitored by the Board’.

3.4 Critical Incident Response

The manner in which an organisation responds to a critical child protection incident is also an important process in determining the effectiveness of child safe policies and practices. Recognising that policy development and policy reform should not occur in a simply reactive environment, important lessons can be learned through an independent process of review conducted by and external party. While the nature and scope of an external critical incident review may vary according to the setting and the type of policy breach, a common theme must be to ensure the process is one in which there is a commitment to continuous improvement and the willingness to respond to identified areas of need.

3.5 Alignment with existing mechanisms

The effective implementation of child safe policies is reliant on the development of a positive, open and progressive organisational culture, yet this aspect is not currently addressed through existing quality, compliance and accreditation processes. For example, registered providers of children’s services are currently required to have a child protection policy, but there are no articulated requirements about how this is to be implemented and the nature of the child safe practices that must be adhered to. The issue of ensuring alignment of child safe policies and practices with existing quality assurance mechanisms is further addressed in our response to Question 5.

While the development of comprehensive child protective policies and procedures provides a critical foundation to building the capacity of child safe organisations, the key challenge remains the translation of these policies into practice.

4.1 Resourcing staff induction and training

Continuous improvement in staff induction practices that embed the principles of child rights and child safety from the outset is of primary importance. Staffing shortages, changing program requirements and efforts to meet staff to child ratios can sometimes present human resource challenges for many organisations. A continued commitment and investment in both time and resources is required to ensure staff induction processes are thorough, dynamic and responsive to individual and organisational needs. The implementation of staff induction practices must also extend beyond fulfilling a set of minimum requirements, to provide staff with the understanding and tools to ensure that child protective policies are reflected within all levels of their practice.

As community demand for education and care services grows, with greater workforce participation of parents, the challenges for services increase. Continued investment is required towards staff induction and continued training to ensure that services adequately meet this demand and ensure that child safe policy is translated into practice.

4.2 Promoting staff engagement

Ensuring that child safe policies and procedure are translated into practice is also reliant on continued staff engagement in which there is an active contribution to policy development and policy improvement. Fostering a sense of ownership and empowerment in relation to child protective practice will improve the capacity and ability of staff to report and respond to policy breaches.

Embedding child protection conversations into each and every staff meeting across all levels of management is also essential. There is a common focus on occupational health and safety and this should extend to concerns with regard to the safety of children and child protection. Developing this as a common, regular conversation will allow staff and volunteers at all levels to feel comfortable, confident and empowered to think and act with the rights of the child at the centre of their daily practice.

4.3 Empowering children and families

In addition to staff engagement, one of the most critical factors in ensuring that child safe policies have continued meaning in practice is to foster the empowerment and engagement of children, parents and families with regard to organisational practice and culture. Strategies to support this include the provision of information to parents and families to enhance their awareness of the organisational commitment to child safety, the provision of protective behaviours training that build the resilience of children and actively encouraging children and families to speak out about issues of concern to them.

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5. Should there be a universal framework for a ‘child safe organisation’ or should strategies be specifically tailored to particular types of institutional settings?

While the YMCA is supportive of the development of a universal or national framework to support the further development of child safe organisations, it will be important to build on the key principles and progressive elements of existing national frameworks. A common thematic approach must be to ensure a more prominent articulation and realisation of the rights of the child, and the primacy of these rights.

5.1 Building on existing frameworks

The development of a universal framework would need to further build on the National Framework: Creating Safe Environments For Children – Organisations, Employees and Volunteers (2005) and also closely align with the National Framework for Protecting Australia’s Children 2009 – 2020. The National Child Protection Framework has a clear intent to promote child protection as everyone’s responsibility, develop a shared agenda for change and provide national leadership towards a common goal. The National Framework also highlights the need to shift perceptions about the protection of children being primarily a response to abuse and neglect to promoting the safety and wellbeing of all children. Principles underpinning the National Framework have a clear rights-based approach and continue to reflect Australia’s obligations as a signatory to the United Nations Convention on the Rights of the Child. Most significantly, the National Framework is based on the adoption of a public health model that focuses greater attention on prevention and early intervention.

5.2 Alignment with National Quality Standards

The existing National Framework for Creating Safe Environments For Children – Organisations, Employees and Volunteers (2005) contains universally applicable strategies that could be further embedded into the National Quality Framework for Early Childhood Education and Care through inclusion in national quality accreditation processes. The National Quality Framework and the National Standards apply to all registered early childhood education and care settings and includes standards in relation to child safety and child protection, through staff education and awareness, policies and procedures, the physical environment and staffing arrangements such as minimum qualifications and staff to child ratios. A universal framework to support child safe organisations could explore the ways in which these national quality standards could be applied across a broader range of institutions, organisations and settings in which children and young people engage with services.

5.3 The role of the National Children’s Commissioner

A National Framework would also need to be supported through and be developed in consultation with the newly established role of the National Children’s Commissioner. A key element of the role of the National Commissioner is to engage children and young people and to ensure their voices are heard, in addition to being a primary advocate for the rights and protections of children and young people.

In addition to embedding the centrality of child rights, the key theme of a universal framework should be “the identification of practices which have been found effective in establishing, maintaining and strengthening the child-safe capacity of organisations.” An inherent challenge in developing a universal framework will be the consideration of the diversity of service provision to children and young people, the types of activities within organisations, the structure and resources of organisations and also a negotiation of the statutory and regulatory differences that exist across jurisdictions.

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6. The role of staff performance management systems and disciplinary processes in a ‘child safe organisation’.

6.1 Performance management
Dynamic, comprehensive and individualised staff performance management systems have the capacity to ensure that the translation of policy into practice is occurring and that staff are aware of policy changes and updates. Regular formal and informal performance management processes can also ensure that lapses in policy or practice are addressed in a timely manner with the appropriate level of oversight. Encouraging employees to consider improvement in policy and practice and ensuring employees have a means to articulate these improvements to the organisational leadership will also enhance the outcomes for children.

6.2 Accountability
Accountability for promoting and maintaining child safe practices and policies needs to be accepted at all levels within the organisation and performance management systems should reflect this commitment. A strategy to enhance this commitment is to ensure that engagement with child safe policies are practices form a component of staff and volunteer positions descriptions and are also reflected in individual key performance indicators.

7. The role and characteristics of governance and management leadership in creating and maintaining a ‘child safe’ organisational culture.

A broadly accepted and recognised principle of building the capacity of child safe organisations is the critical importance of organisational culture. The development of a positive, open and progressive organisational culture can emerge through ‘bottom-up’ processes, but is most importantly developed and promoted through strong governance and leadership structures. A child safe organisational culture is fostered through a proactive and engaged leadership that work within structures that are open and transparent.

Governance and leadership can create an environment and culture of openness and one in which all staff are valued. This is an important element of a positive organisational culture that will enable staff to feel comfortable and empowered to speak up and raise issues of concern.

Governance and management structures must also understand and make a commitment to reinforcing the importance of the rights of the child. This is also reflected in the overarching principles of the National Framework for Creating Safe Environments For Children – Organisations, Employees and Volunteers which embed the centrality of the rights, interests and safety of children. The challenge is to promote this principle within organisations that also have a legitimate need to give consideration and balance to other principles contained in privacy legislation and employment regulations.

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8. Should there be any additional enforceable requirements for institutions or particular institutions to maintain a ‘child safe’ environment?

8.1 National Standard
YMCA Australia recommends the development of a national standard regarding child protective practices for organisations and institutions providing registered care. While existing standards require that registered providers of child care services implement a child protection policy, there is less articulation about the particular aspects of child safe practice that are required.

8.2 National Accreditation
We also recommend the development of a universal system of child safe accreditation that aligns with existing instruments such as the National Quality Framework for Early Childhood Education and Care and the National Framework for the Protection of Australia’s Children 2009 – 2020. YMCA Australia recommends the development of a nationally consistent model that reflects the organisational audit and accreditation process currently implemented by the Australian Childhood Foundation in their Safeguarding Children Program.

Conclusion

Principles of child safe policy and practice need to be embedded at all levels of organisations and institutions from governance and management structures to operational and front-line levels. Child protective practice must become an intrinsic part of an organisational culture that promotes the rights of the child above all other considerations and a culture that ensures children have agency and their voices are heard.

Please do not hesitate to contact me should you have any questions in relation to the above submission.

Regards,

Ron Mell
Chief Executive Officer
YMCA AUSTRALIA
APPENDIX A:

YMCA Safeguarding Children Program – Accreditation and Audit Steps

The following steps are aimed at providing YMCA Associations with a guide to the preparation and formal steps of the SCP accreditation. The steps are a guide and the Associations are advised that in accordance with YMCA Australia’s directions, they may liaise directly with Australian Childhood Foundation around relevant aspects of the accreditation process. ACF understands that Associations have an imperative to reflect their local service need and service delivery. Accordingly ACF is able to be flexible in working with each Association to their requirements as long as they meet the compliance requirements set out by the SCP accreditation Standards and any policy and licensing requirements set out by YMCA Australia.

Steps


   The Self-Assessment should alert Associations to all possible requirements against each the 7 accreditation standards. The self-assessment also provides the audit with a specific focus for each Association along with any variations that may apply to specific Associations, activities or client groups.

   It is important to understand that the self-assessment is deliberately comprehensive and Associations are able to be selective in terms of those aspects that apply, or don’t apply to the Associations operations and areas of risk. Associations should not feel compelled to meet requirements that do not apply to their Association’s circumstances, however they do need to be confident that they have covered all areas of risk relevant to their services.

2. Associations confirm their adoption of the National YMCA Safeguarding Children and Young People Policy and must submit any Association specific policy or procedural variations to the National policy at least 2 weeks prior to audit. This will allow for final desk top audit, approval from National YMCA, and any discussions and amendments necessary.

3. Associations should submit an organizational chart that outlines the personnel structure for all included children and young people programs and services.

4. Associations are asked to ensure that at least 85% of all involved personnel have completed the standard SCP on-line training prior to audit. If 100% have not completed the training the Association is required to demonstrate a clear strategy to have all personnel trained within an agreed time frame along with procedure to ensure that all new personnel complete training within an agreed time from starting, for example at induction.

5. Association Boards are asked to specify how they will communicate safeguarding children and young people policies and expectations to all personnel.

6. Association Boards are asked to define how safeguarding children and young people policies and procedures will be implemented, monitored and reviewed for the purposes of continuous improvements to safeguarding approaches.
7. In addition to the on-line training, Associations are at liberty to negotiate specific training with ACF. Associations are also able to consult directly with ACF on issues such as critical incidents, reporting, specific training topics-material or other child abuse related topics.

8. Through-out the 3 year accreditation period, Associations have continuing access to the SCP on-line training for all new staff, plus relevant program and personnel support from ACF.

9. ACF can liaise with an identified person of contact from each Association to negotiate interviews with identified personnel along with site visits of audit.

Interviews are an important part of assessing how well the policies and practices are integrated into the Association’s systems of service provision and organisational structures. A sample of personnel representing the Association’s governance, management and service delivery will be identified for interview. Interviews can be as a group of personnel having common responsibilities, or as individuals. The interviews are conversational rather than interrogative and aimed at being non-threatening, usually lasting between 30 and 45 minutes. During site visits discussions of a general nature might often occur with personnel, participants or parents.

10. Typically the following interviews are sought with:

- Chairperson and at least one Board of management member
- CEO and/or Deputy CEO
- Staff responsible for the administration of personnel records that includes the procedures for recording and monitoring of recruitment practices, Working With Children Checks and National Police Checks, and training.
- Program managers/supervisors or team leaders who have either a direct role or supervisory-decision making responsibility with children, young people and parents.
- Program personnel (employees/volunteers)
- Key stakeholders such as other service partners (e.g. co-located or co-facilitating organisations), parents, and participating young people and children. These interviews will be negotiated and conducted under strict conditions and agreement from all concerned. These can be conducted in a group or individual format.

11. Generally the content of interviews will relate to Roles and Responsibilities against Standards listed in YMCA National Safeguarding Children and Young People Policy, attachments 6, 7 and 8.

12. Site visits, are negotiated with personnel involved and at suitable times.

13. Feedback is provided at any time during the audit and formally by way of report within three weeks of the audit.

See attached Audit Report document that outlines the format and objectives of the audit.

14. Generally the review-structure assesses that the safeguarding children and young people systems are in place against each of the 7 standards by considering:

- Relevant documents, policies and procedures
- Identified persons and responsibilities for systems management including communication, implementation, monitoring and review processes
- Evidence of the relevant policies and procedures in practice
- That the systems are appropriately monitored and reviewed
• The systems are complimentary and appropriately meet the risks associated with the Association’s program and services
• That service users and service partners have access to relevant safeguarding children documentation, resources and information.

15. Associations are invited to nominate an organizational point of reference who can liaise with ACF at any point before, during or after the audit and throughout the accreditation processes.
APPENDIX B:

**Australian Childhood Foundation**

**Safeguarding Children Program Resources**

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<thead>
<tr>
<th>Period of Accreditation</th>
<th>3 years</th>
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<tr>
<td>Ongoing accreditation package includes the following list of resources and activities accessible over the three years of accreditation. Please note that while variations are possible, accreditation requires core elements of the 7 standards be achieved and maintained over the three year accreditation period.</td>
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| Staff Training | Unlimited online training for all staff and volunteers. |
|               | Negotiated face to face training for staff, volunteer leaders and management. |

| Policy Development and Review | Access to expert consultation to ensure Safeguarding Children policies and procedures are established, reviewed and best practice maintained (negotiated). |
|                             | Access to Safeguarding Children Policy Bank as required. |
|                             | SCP Resource kits as required. |

| Accreditation | Completion of audit. |
|               | Pre-audit support and review of your safeguarding documentation. |
|               | Annual review at first and second year of accreditation. |
|               | License to use Safeguarding Children Accreditation Stamp on all your documentation (printed and electronically) as appropriate for period of accreditation. |

| Subscription to Safeguarding Children e-News | Subscription for all senior personnel to Safeguarding Children e-News that provides updates about best practice and changes in legislation or government requirements. |

| Communication e-Resources | Tailored communication e-resources for management to use to maintain profile and focus of Safeguarding Children with staff and volunteers. |

| Advice and debriefing help line | Access to ongoing telephone advice and debriefing support for managers and organizational leaders. |

| Access to face to face debriefing | Access to immediate qualified de-briefers to support staff/volunteers in the event of a significant critical incident (negotiated). |

| Discount of other Australian Childhood Foundation | 20% discount on all seminars run by the ACF in its Annual Professional Development Calendar Seminars. |