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Approved by:

Natalie Matulick
 President, Young Men's Christian Association of the Inner North
 East of Adelaide Inc.

Date:

Scott Dagleish
 Centre Manager, Young Men's Christian Association of the Inner
 North East of Adelaide Inc.

Date:

Version	Date	Description of changes	Author	Effective Date
1	2014	Manningham YMCA Policy	Manningham YMCA	
1.1	2014	Adaptation for consistency to SA legislation	David Clayton	23/10/2014
1.2	2017	Alterations to branding and fonts to comply with National branding guidelines 5.2 'Chief' added to 'Executive Officer'	Kira Beattie	30/11/17

1.3	2018	<p>2 Inclusion of children’s right to be heard and supported, promotion of equity and diversity.</p> <p>5, 5.2 Replace ‘Families SA’ with ‘Department of Child Protection’</p> <p>5.1 Inclusion of staff requirement to report concerns with policies and practices</p> <p>5.2 Inclusion of requirement to report to Australian Childhood Foundation</p> <p>6 Updated to reflect alleged perpetrator’s right to fair process</p> <p>Inclusion of ‘Witnessing family violence’ definition</p> <p>Names updated</p> <p>Updated reference to YMCA Safeguarding Children and Young People Policy</p>	Kira Beattie	8/10/18
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1 Policy Details

Policy Name: INEA YMCA Mandatory Reporting Policy

Policy Owner: INEA YMCA Executive Officer

Policy Scope:

- Whole association

Stakeholders:

- Customers, children young people who use the services of INEA YMCA
- Board Members
- All staff
- Volunteers
- Job candidates
- Student placements
- Contractors, subcontractors
- Organisations with user agreements with INEA YMCA

Responsibility for implementing policy:

- Any and all persons identified as mandatory notifiers under the Children's Protection Act (SA) 1993

Date policy implemented:

This policy was implemented on 23 October 2014.

Review Date of Policy:

Review Period: Annually

This policy is due to be reviewed by 30/9/2019

2 Mandatory Reporting Policy

INEA YMCA is committed to protecting the children and young people who participate in our programs and services and supporting their right to be heard, protected and supported and their family's right to have their concern's resolved. Accordingly we have developed this policy on how to respond to child abuse reports and allegations.

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

Our staff and volunteers are required to identify, report and respond to any concerns about, or incidents of, child abuse or neglect towards children or young people to whom we provide services.

Our staff and volunteers are required to respond to abuse or neglect perpetrated by personnel within our organisation or by other persons.

It is our responsibility to provide an environment that is caring, nurturing and safe is something that we take very seriously. INEA YMCA is committed to ensuring the safety of all children and young people to whom we provide services or who participate in our programs while promoting equity and respecting diversity.

As part of that commitment the INEA YMCA Board have endorsed this policy and all staff and volunteers are required to comply with it.

3 Other Policies

This policy should be read together with:

- YMCA Safeguarding Children and Young People Policy
- INEA YMCA Staff Code of Conduct
- INEA YMCA Positive Guidance Policy
- INEA YMCA Memberships, Enrolments and Facility Hire Policy
- INEA YMCA Recruitment and Screening Policy

4 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. INEA YMCA owes a duty of care to anyone who is reasonably likely to be affected by its operations and activities.

5 Position on Reporting

Under Part 4 of the Children's Protection Act 1993, certain people are obliged to notify Department of Child Protection via the Child Abuse Report Line (CARL) **13 14 78** if they suspect on reasonable grounds that a child/ young person has been, or is being, abused and/or neglected and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

Within INEA YMCA we are identified in Section 11 (2) of the Act as notifiers being:

(j) any other person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children, being a person who—

(i) is engaged in the actual delivery of those services to children; or

(ii) holds a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children

All staff are trained in identifying child abuse and in mandatory reporting. However, INEA YMCA acknowledges that identifying and reporting child abuse can be a traumatic time for staff.

As such INEA YMCA employs a consultative approach to the reporting of suspected child abuse. We believe that it is important to have ongoing support and resources for staff when they are dealing with child protection issues.

This approach will not delay or impede reporting requirements as required by this policy or related legislation. Counselling will be arranged for staff if required. When receiving a report of concern, or of an incident, staff:

- Are not to assess the validity of such allegations or concerns, but to report all allegations or concerns to their direct supervisor
- Are to disregard factors such as the authority of the position of the persons involved and any pre-existing views about the good character, or otherwise, of any person involved or under investigation.
- Can ask non-leading, open ended questions using child/young persons specific language in order to clarify or confirm discloser's meaning, timeframes, or descriptions

5.1 Requirement to report suspected abuse to INEA YMCA

INEA YMCA staff are required to report suspected child abuse to their direct supervisor/manager or to the INEA YMCA Children's Services Director.

In the event that the suspected perpetrator is the staff person's direct supervisor or manager, the staff person is required to report suspected child abuse to the manager of their supervisor/manager or to the INEA YMCA Children's Services Director.

Your supervisor/Manager will support you throughout the process.

Staff are also required to report any concerns with INEA YMCA policies or practices to management.

5.2 Requirement to report suspected abuse to Department of Child Protection or Police

If any staff member (paid or voluntary) has any reasonable grounds to suspect the abuse or neglect of a child or young person whilst carrying out duties on behalf of INEA YMCA then they must make a report.

This reporting obligation relates to suspected abuse which occurs:

- In a child or young person's family or home environment
- In places or organisations outside of the family
- In the course of their involvement in INEA YMCA activities (i.e. the alleged may be another INEA YMCA staff member or volunteer or the suspected abuse may have occurred within a INEA YMCA centre)

Staff will be required to work with their direct supervisor during the consultation process. They will be given time to complete the report and gather documentation.

The staff supervisor will inform the Chief Executive Officer, who will in turn report to and consult with the INEA YMCA Board and the Australian Childhood Foundation within 28 days, ensuring that there are no delays or undue influence placed upon the staff person making the report

6 Reports must remain confidential

Our organisation maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child or young person and/or investigation of the allegation. Confidentiality is of the utmost importance to a fair and effective reporting process.

Staff must not:

- discuss any concerns or allegations with unauthorised personnel – within or outside our organisation. This requirement is not designed to limit, in any way, the rights and responsibilities of staff to report their concerns or allegations, but rather as part of our organisation's commitment to ensuring privacy, confidentiality and natural justice.
- make deliberately false, misleading or vexatious allegations.
- assume the allegation means the person is guilty, and must ensure that the allegation will be properly investigated and will include the right to 'procedural fairness'

Only the following people are to have access to any documentation to the report:

- INEA YMCA and YMCA staff who are involved in the reporting (including staff providing a direct service to the individual involved),
- Australian Children's Foundation staff who are providing consultation on the case
- INEA YMCA legal representatives

INEA YMCA will co-operate with Department of Human Services and police and other agencies as required by law. We will comply with any reasonable request in a timely manner.

Documentation regarding reports will be stored securely.

7 Consequences of breaching this policy

Failure to abide by this policy will be regarded as a serious matter. If our staff fail to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child or young person – by staff within our organisation or by others – they may be subject to disciplinary action or dismissal as per the INEA YMCA Staff Code of Conduct.

8 Definitions

Child abuse

Child abuse is an act by parents, caregiver, other adult or peer who by virtue of their age, power, responsibility or authority endangers a child or young person's physical or emotional health or development.

Child abuse can be a single incident, but more commonly involves a relationship that takes place over time.

Child

In South Australia, under the *Children's Protection Act (SA) 1993* a child is any person under the age of eighteen (18).

It is important to note that the age of consent is seventeen (17) years of age.

Young person

Young person is defined as being any person between the ages of twelve (12) and twenty four (24). Whilst this age range overlaps with the age group defined as children (0-18) and recognises the fact that transition from childhood to youth is a gradual process, beginning and ending at different ages for different individuals

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, in letters, or by telephone, text messages or email)
- 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.

Sexual abuse is not usually identified through physical indicators. Often the first sign is when a child tells someone they trust that they have been sexually abused. However the presence of sexually transmitted diseases, pregnancy, or vaginal or anal bleeding or discharge may indicate sexual abuse.

One or more of these behavioural indicators may be present:

- Child telling someone that sexual abuse has occurred
- Complaining of headaches or stomach pains
- Experiencing problems with schoolwork
- Displaying sexual behaviour or knowledge which is unusual for the child's age
- Showing behaviour such as frequent rocking, sucking and biting
- Experiencing difficulties in sleeping
- Having difficulties in relating to adults and peers

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.

Physical indicators include:

- Bruises, burns, sprains, dislocations, bites, cuts
- Fractured bones, especially in an infant where a fracture is unlikely to occur accidentally
- Poisoning
- Internal injuries

Possible behavioural indicators include:

- Showing wariness or distrust of adults
- Wearing long sleeved clothes on hot days (to hide bruising or other injury)
- Demonstrating fear of parents and of going home
- Becoming fearful when other children cry or shout
- Being excessively friendly to strangers
- Being very passive and compliant

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.

There are few physical indicators, although emotional abuse may cause delays in emotional, mental, or even physical development.

Possible behavioural indicators include:

- Displaying low self esteem
- Tending to be withdrawn, passive, tearful
- Displaying aggressive or demanding behaviour
- Being highly anxious
- Showing delayed speech
- Acting like a much younger child, e.g. soiling, wetting pants
- Displaying difficulties in relating to adults and peers

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.

Physical indicators include:

- Frequent hunger
- Malnutrition
- Poor hygiene
- Inappropriate clothing, eg. summer clothes in winter
- Left unsupervised for long periods
- Medical needs not attended to
- Abandoned by parents

Possible behavioural indicators include:

- stealing food
- staying at school outside school hours
- often being tired, falling asleep in class
- abusing alcohol or drugs
- displaying aggressive behaviour
- not getting on well with peers

Witnessing Family Violence

Witnessing family violence is a specific form of emotional and psychological abuse. Witnessing family violence occurs when children or young people are forced to live with violence between adults in their home.

It can include witnessing violence or the consequences of violence. 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.

9 Enquiries

Enquiries about this policy to:

Scott Dalglish
YMCA of the Inner North East of Adelaide
39 Smith Street, WALKERVILLE 5081
Ph: 8344 3811
Fax: 8342 0040
email: inea@ymca.org.au