
	Management Area: Children's Services	Version No: 9.1 Pages: 12
	Category of Policy: Management Approved	Approval Date: 18 July 2023 Policy Approver: CEO
Policy Title: Safeguarding Children and Young People Mandatory Reporting Procedure		Author: Head of Children's Services

YMCA SOUTH AUSTRALIA

Safeguarding Children and Young People
Mandatory Reporting Procedure

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1. Purpose

This document sets out the procedure that all individuals must follow to meet their responsibilities in relation to identifying, reporting, and responding to any concerns about, or incidents of, harm, or risk of harm to a child or other inappropriate behaviour towards children or young people.

2. Scope

- 2.1 This procedure applies to The Young Men's Christian Association of South Australia and YMCA South Australia Youth and Family Services Inc. For the purposes of this document, we refer to these entities as the YMCA South Australia.
- 2.2 The scope of this procedure applies to all board members, subcommittee members, staff and volunteers.

3. Policy Access


This, and all other policies/policies relating to safeguarding children and young people, are accessible through YMCA South Australia's website <https://www.sa.ymca.org.au>

4. Policy Statement

- 4.1 YMCA South Australia staff and volunteers have an important role to play in creating and maintaining child safe environments and protecting children / young people who may be experiencing harm or are at risk of harm, while also supporting their right to be heard, protected and supported and their family's right to have their concern's resolved.
- 4.2 YMCA South Australia'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 YMCA South Australia that our approach to child safety and reporting will support all children and young people in various stages of vulnerability, while promoting equity, respecting diversity and encouraging feedback and contributions to our policies and operations.
- 4.3 **Duty of Care**
 - 4.3.1 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. YMCA South Australia owes a duty of care to anyone who is reasonably likely to be affected by YMCA South Australia's activities.

4.4 Position on Reporting

- 4.4.1 While some staff / volunteers are mandated reporters, YMCA South Australia requires all staff, volunteers and directors to report concerns to South Australia's Child Abuse Report Line (CARL) **13 14 78** and the relevant authorities, including but


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not exclusive to the Department of Child Protection (DCP) and/or South Australia Police (SAPOL) who will provide guidance on how to proceed. Should a child or young person be at immediate risk, reports are to be made to SAPOL on **000** without delay. This reporting requirement is applicable during the course of carrying out any and all professional duties if there is a belief on reasonable grounds that a child / young person may be experiencing harm or are at risk of harm.

- 4.4.2 This reporting obligation relates to suspected harm or risk of harm occurring either in the context of the child / young person's family / home environment, in places or organisations outside of the family, or specifically in the course of their involvement in YMCA South Australia activities. Reporting concerning YMCA South Australia activities is in relation to suspected harm or risk of harm by a YMCA South Australia or other organisation's staff member or volunteer, or through peer to peer interactions.
- 4.4.3 When receiving a report of concern or incident, or forming a belief of risk of harm, staff, volunteers or directors:
- (a) are not to assess the validity of allegations or concerns received, but to report all allegations or concerns to DCP, CARL or SAPOL
 - (b) 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.
 - (c) can ask non-leading, open ended questions using child/young person specific language in order to clarify or confirm discloser's meaning, timeframes, or descriptions
- 4.4.4 Reports should refer to State based legislation for specific age-related reporting requirements.

4.5 YMCA South Australia Approach to Reporting

- 4.5.1 YMCA South Australia understands the complexity surrounding the disclosure of sensitive information and the potential impact this may have on staff, children / young people and other vulnerable people, volunteers and families. It is for this reason that YMCA South Australia encourages a consultative approach to reporting in accordance with South Australian legislation, upholding our duty of care to the child/young person or other vulnerable person, and to the reporter.
- 4.5.2 The intent of this consultative approach will in no way delay, or impede, the reporting requirements and responsibility of making a report remains with the person who identified the harm or risk of harm. YMCA South Australia 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.


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- 4.5.3 Consultation processes relevant to the State of South Australia are to be followed with particular attention being given to the need for confidentiality in regards to such information.
- 4.5.4 Only those managers and staff that fall within the consultative process, those providing a direct service to the individual involved in the report, DCP and SAPOL staff will have access to any notification documentation.
- 4.5.5 YMCA South Australia will be supportive and cooperative of DCP and SAPOL requirements and other agencies as required by law. Compliance with any reasonable request will be met in a timely manner. Staff and volunteers will be resourced and supported by YMCA South Australia management.

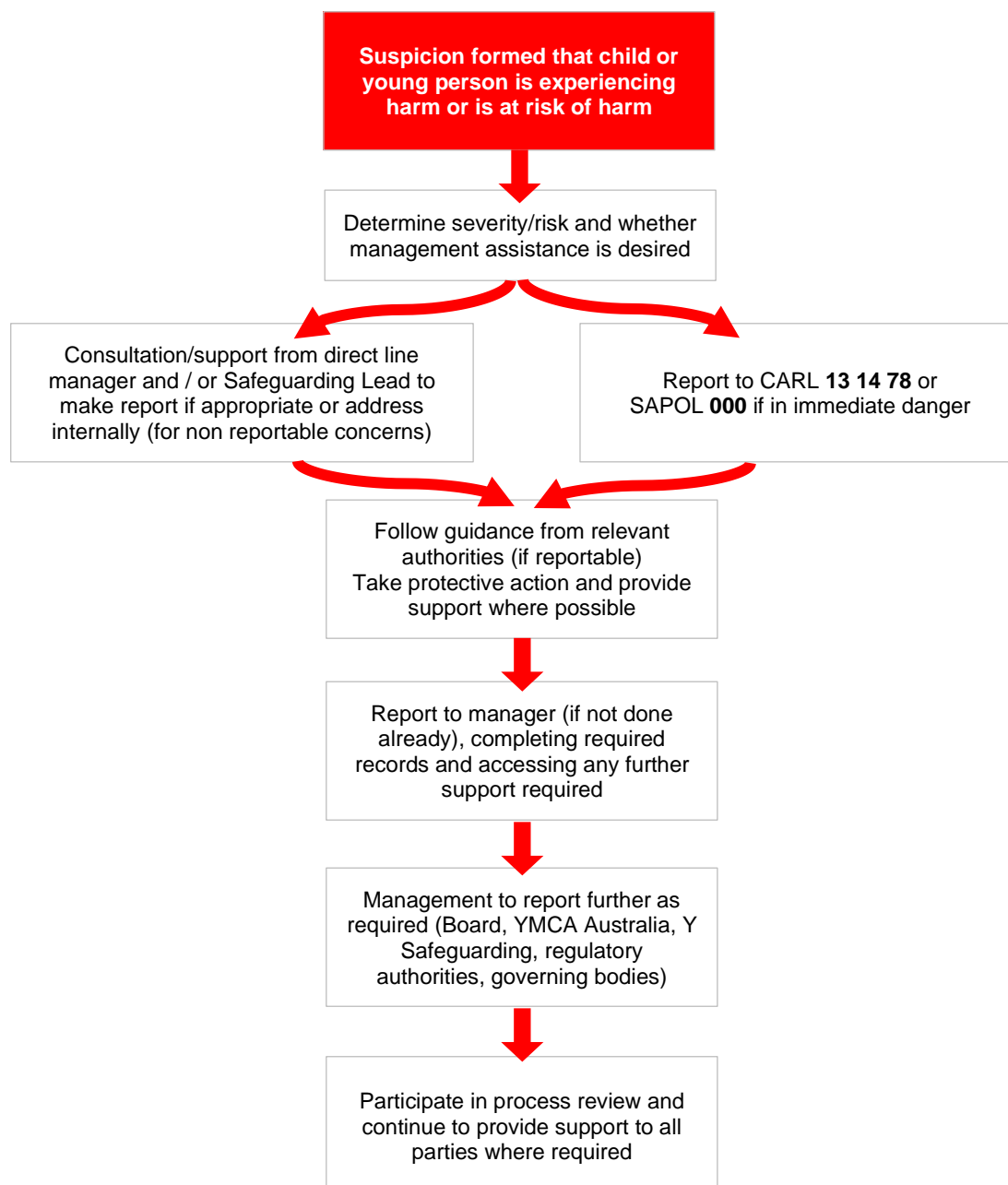
5. Procedures


5.1 Reporting Processes

- 5.1.1 YMCA South Australia staff and volunteers will be encouraged to work with their direct supervisor / manager during the consultation process to ensure they have the appropriate resources and support to make the report.
- 5.1.2 YMCA South Australia staff and volunteers will be given time within programs to make the report. All documentation used during this reporting process will be filed and stored in a confidential manner, and is not to be given to any other party unless clearly falling under relevant State / Territory legislation.
- 5.1.3 Should a report be made independently of the consultative approach, the reporter is also required to report the suspected harm or risk of harm to their direct supervisor / manager, the YMCA South Australia Safeguarding Lead or Board Sponsor.
- 5.1.4 Once reported internally, concerns / incidents will be handled appropriate to the specific situation but may involve further reporting to YMCA South Australia Board, YMCA Australia, Y Safeguarding, regulatory authorities and governing bodies (as demonstrated in Appendix I).
- 5.1.5 Processes, actions and responses will be reviewed to identify areas for improvement to ensure safeguarding practices are appropriate and effective.

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Reporting Processes



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6. Role and Responsibilities

Department / Area	Role / Responsibility
Board of Directors	<ul style="list-style-type: none"> Ensure that safeguarding remains as a priority for the organisation Lead Safeguarding culture Ensure safeguarding policies are maintained Oversee the strategic direction of the organisation and ensure safeguarding forms part of this
CEO	<ul style="list-style-type: none"> Ensure Board is kept apprised of relevant incidents Lead the governance of all Safeguarding Policies and Procedures
Executive / Senior Management Team	<ul style="list-style-type: none"> Implement policies and procedures across the organisation and embed safeguarding practices and reporting as part of organisational culture Ensure personnel have access to and understand relevant policies and related procedures Ensure all managers/supervisors have access to support and advice to understand and implement policies and procedures, as well as their Safeguarding responsibilities Ensure staff use relevant procedures within their day to day work
Safeguarding Team	<ul style="list-style-type: none"> Report to CEO and relevant Board Committees in relation to Safeguarding incidents and Mandatory reports Provide support and guidance to staff, Managers and Executives in relation to reporting and general Safeguarding matters Review and update Safeguarding policies, documents and supporting resources in consultation with relevant stakeholders and informed by feedback from frontline staff Support the coordination of the Safeguarding framework and implementation Ensure training and advice in the application of policies and procedures is available to be utilised

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People and Safety Team	<ul style="list-style-type: none"> Support all applicable Y People to undertake the relevant Safeguarding training Offer EAP if deemed necessary
Managers / Directors	<ul style="list-style-type: none"> Ensure effective implementation of the Safeguarding Policies and Procedures Ensure staff are familiar with their responsibilities Ensure all applicable Y People undertake the relevant training for Mandatory reporters Ensure safeguarding concerns and feedback are fed through to leadership to inform continuous improvement Offer EAP if deemed necessary Ensure that reporting occurs in a timely manner and that all Y People are offered support during the process
All Y People	<ul style="list-style-type: none"> Ensure they comply with Safeguarding practices including any requirement to report Adhere to all Safeguarding policies and procedures Seek assistance for support if unsure of the reporting process or any question relating to the safety or wellbeing of children Attend team meetings and utilise opportunities to provide feedback to inform policies and other safeguarding related documentation Uphold the child safe culture of the organisation through attitudes, behaviour and practices

7. Breach of the Policy

Any breach of this policy may result in disciplinary action up to and including termination of employment.

8. Definitions

Child or young person means a person who is under 18 years of age.

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Harm means physical harm or psychological harm (whether caused by an act or omission) and includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

Mandated reporter in Section 30(3) of the *Children and Young People (Safety) Act 2017*(SA) means:

- (a) *prescribed health practitioners;*
- (b) *police officers;*
- (c) *community corrections officers under the Correctional Services Act 1982;*
- (d) *social workers;*
- (e) *ministers of religion;*
- (f) *employees of, or volunteers in, an organisation formed for religious or spiritual purposes;*
- (g) *teachers employed as such in a school (within the meaning of the Education and Early Childhood Services (Registration and Standards) Act 2011) or a pre-school or kindergarten;*
- (h) *employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who—*
 - (i) *provides such service directly to children and young people; or*
 - (ii) *holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people*

At risk means:

- (a) the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (b) there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (c) there is a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of —
 - (i) being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or
 - (ii) taking part in a marriage ceremony (however described) that would be a void marriage, or would otherwise be an invalid marriage, under the *Marriage Act 1961* of the Commonwealth; or
 - (iii) enabling the child or young person to take part in an activity, or an action to be taken in respect of the child or young person, that would, if it occurred in this State, constitute an offence against the *Criminal Law Consolidation Act 1935* or the *Criminal Code* of the Commonwealth; or
- (d) the parents or guardians of the child or young person —
 - (i) are unable or unwilling to care for the child or young person; or

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- (ii) have abandoned the child or young person, or cannot, after reasonable inquiry, be found; or
- (iii) are dead; or
- (e) the child or young person is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence; or
- (f) the child or young person is of no fixed address; or
- (g) any other circumstances of a kind prescribed by the *Children and Young People (Safety) Regulations 2017* (SA) exist in relation to the child or young person.

9. Key Relevant Documents

- Legislation
 - *Children and Young People (Safety) Act 2017* (SA)
 - *Children and Young People (Safety) Regulations 2017* (SA)
 - *Child Safety (Prohibited Persons) Act 2016* (SA)
- Policies and Procedures
 - Safeguarding Children and Young People Policy
 - Safeguarding Children and Young People – Safety Code of Conduct
 - Safeguarding Children and Young People – Positive Behaviour Procedure
 - Complaints and Grievances Policy and Procedure
 - Bullying and Harassment Policy and Procedure
 - Incident Reporting and Investigation Procedure
 - Recruitment and Selection Policy
 - Learning and Development Policy
 - Ethics and Conflict of Interest Policy
- Other (e.g. International Standards, Forms etc.)
 - Protective practices for staff in their interactions with children and young people
 - Guidelines for staff working or volunteering in education and care settings 2017 (2nd Edition, revised 2019)
 - Department for Education

10. Monitoring Evaluation and Review


This policy will be reviewed every two years or earlier for reasonable cause or upon the request of the YMCA South Australia Board. A Child Safe Environments compliance

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(CSEC) statement must be lodged when the policy is reviewed, or every 5 years at a minimum.

11. Version History

Version	Date	Description of changes	Effective Date	Review Date
1.0	2011	Mandatory Reporting Policy	October 2011	
2.0	2013	Updated Mandatory Reporting Policy	July 2013	
3.0	2014	Updated Mandatory Reporting Policy	May 2014	
4.0	2016	Minor update to include reference to Child Abuse Report Line	May 2016	May 2017
5.0	May 2017	Review	25 May 2016	May 2018
6.0	June 2018	Reviewed in line with the adoption of YMCA Australia Safeguarding Children and Young People Policy	26 July 2018	July 2019
7.0	February 2020	Minor Update to reflect change in name from Families SA to Department of Child Protection Update to new template. Update to legislation.	April 2020	April 2022
8.0	June 2022	Minor updates	June 2022	June 2024
9.0	January 2023	Addition of policy access Expansion of policy statement to highlight child safe environments, children and young people's rights, promotion of equity, diversity and encouraging feedback Change of terminology of 'abuse' to 'harm or risk of harm' to reflect lower reporting thresholds in SA Highlighting of requirement to contact SAPOL for immediate risk Addition of requirement for reporters to report all	February 2023	February 2025

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		allegations or concerns, disregard authority of persons concerned and ask appropriate questions Highlighting responsibility of person forming the belief to make a report Updated reporting process: inclusion of requirement to report to management if reporting independently, further reporting steps, support and review processes, updated graphic Inclusion of definition of mandated reporter Addition of <i>Child Safety (Prohibited Persons) Act 2016</i> (SA) Addition of requirement to lodge CSEC statement upon review Minor updates to language to reflect compliance requirements Inclusion of roles and responsibilities		
9.1	July 2023	Addition of Appendix I	July 2023	July 2025

Y SA Safeguarding

IF YOU:



SEE
SOMETHING



HEAR
SOMETHING



FEEL
SOMETHING



TELL SOMEONE



Phone: Head Office 08 8200 2500 or your local facility

Email: safety@ymcasg.org.au or your local facility

Web: <https://www.sa.ymca.org.au/who-we-are/safeguarding-children/report-an-incident>

In person: Staff, Customer Service, Leaders, or Management at your local facility

WE WILL:



LISTEN
TO YOU



BELIEVE
YOU

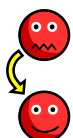


SUPPORT
YOU



REPORT
YOUR CONCERNS

THEN WE WILL:



CHANGE
WHAT MADE YOU FEEL
UNSAFE IF WE CAN



INFORM
YOU ON WHATS
BEEN DONE



REVIEW
HOW WE
RESPONDED

Safe Behaviours

At the Y, you can expect people who work here to

Listen carefully to you, and always take what you say seriously

Protect you, and keep you safe from harm - anywhere, and at any time

Respect and **support** you, and always make you feel welcome and included

Speak to you using words that you can understand

Follow the rules, and set a good example for others

Notice if you are not feeling ok, or if you have been hurt

Respond quickly if they think you have been hurt, or need help

Support you to feel good about yourself by giving you new things to do and learn

Be professional and never do anything that makes you feel scared or uncomfortable

Encourage you to be the best you can

