

SAFEGUARDING PARTNER AGENCIES COMPLIANCE POLICY



Purpose

YMCA North (referred to throughout this document as “the Y” or “YMCA”) provides a variety of services and programmes to children and youth aged between 0-18 years. We take seriously our responsibility to deliver services in caring, nurturing and safe environments. All young people have the right to develop physically, intellectually, and socially in a safe environment, free from any form of abuse or neglect. Their welfare, interests and safety are paramount.

Application

As recognised within the Children’s Act 2014, YMCA regards these responsibilities as transferring to any:

- **Partner Agencies:** who may be working within or with YMCA, where an external perception may be that the services provided to children/young people and/or their families, are YMCA, or in partnership with YMCA.
- **Working Partnerships:** Any individual or organisational working partnership (contracted, agreement and/or YMCA funded) with YMCA, providing children’s services. This includes services provided to YMCA that are on YMCA sites or service settings.
- **Customers:** wishing to lease or hire YMCA facilities to operate, deliver and/or promote children’s services.

Background/Introduction

In accordance with the Children’s Act 2014, YMCA recognises children’s services as services provided to children/young people, or adults in respect of children/young people. This policy confirms YMCA’s requirements as well as YMCA’s support in resources should any involved parties require any assistance in meeting these obligations.

Policy

Whilst also being a stand-alone policy document, this Safeguarding Partner Agencies Compliance Policy, is a sub policy of YMCA’s Safeguarding Children and Young People Policy and interpretations should be in conjunction with this overarching policy. YMCA strives to and is committed to delivering a safe environment for all.

YMCA defines:

- **Child/Young Person:** YMCA defines a child/young person from 0 - 18 years (up to their 18th birthday) who is not married or in a civil union.
- **Staff:** For the purpose of this policy, YMCA defines staff as those working for a provider whether on a paid, voluntary or contractual basis.

This policy is reflective of YMCA obligations principally relating to:

- Children’s Act 2014
- Oranga Tamariki Act 1989,
- Ministry sector standards (where applicable); and
- YMCA Safeguarding Accredited status through The Australian Childhood Foundation (ACF)

This policy aims to ensure clear structures are in place to support all involved parties should concerns towards their and/or someone’s welfare and/or practice become apparent.

YMCA recognises practices for concerns and/or allegations against partner agency staff becoming applicable when:

Disclosures and/or indicators relate to:

- Staff may be in a vulnerable position

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- Staff conduct maybe concerning and/or inappropriate
- Staff conduct is against the staff member's Code of Conduct and/or YMCA's Partner Agency Safeguarding Code of Conduct (an appendix to this policy)
- An allegation against a staff member

This policy and YMCA's Partner Agency Safeguarding Code of Conduct advocate best practice and professional behaviours expected when working with children/young people. YMCA takes seriously any information questioning the welfare of children and/or the suitability of those employed and/or engaged to work with those children/young people.

In this context, YMCA recognises children's services as services being provided to children/young people, or adults in respect of children/young people. In accordance with the Children's Act 2014, YMCA requires either confirmation of adoption or provision of a child protection policy by any Partner Agencies, Working Partnerships and Customers that YMCA engages with (as referenced in the Application section above).

Those provisions being provided via a YMCA programme and/or under YMCA branding will be required to operate under YMCA's Safeguarding policies and procedures.

When YMCA are supporting Partners (e.g., Schools), YMCA staff remain under the requirement to adhere to all YMCA's safeguarding policies and procedures.

Memberships, Enrolments and Facility Hire

As part of its commitment to safeguarding YMCA requires its members, service users and participants to act in the best interests of the children, young people and staff when accessing YMCA Centres or services.

Memberships and Enrolment Forms

Membership and enrolment forms include a clear and transparent statement outlining YMCA's commitment to safeguarding children and young people. This includes our right to exclude participants or members of the public whose conduct risks the safety of children and young people. Enrolment forms inform parents/carers of the YMCA's need to report any disclosures or cause for concerns about the safety or wellbeing of a child or young person.

Enrolment forms inform parents/carers of their option to report any concerns relating to the safety or wellbeing of their child/children or young person in a YMCA facility or service.

Conditions of Entry

Service information, where applicable, will include YMCA's requirements from customers to support YMCA's commitment to and compliance with safeguarding requirements. YMCA reserves the right to exclude customers or members of the public whose conduct risks the safety of children, young people, staff and/or others.

Facility Hire

Children services hiring YMCA facilities are required to hold a Child Protection Policy. Children services hiring YMCA facilities that do not hold a Child Protection Policy will be required to adopt YMCA Partner Agencies Safeguarding Code of Conduct.

Partner Agencies Child Protection Policies (including YMCA facility hire for children's services)

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YMCA requires a child protection policy to be in place and the policy must:

- Be in a written format
- Contain provisions on the identification and reporting of child abuse and neglect
- Operate to a maximum 3-year review period

The Child Protection Policy must meet YMCA's safeguarding standards as reflected within YMCA Safeguarding Partner Agency Compliance Policy including the advocated Safeguarding Code of Conduct (which reflects Children's Act 2014 specifications).

Under the Children's Act 2014 and Safer Recruitment requirements, child protection policies and practices should reflect staff recruitment as involving safeguarding risk assessment and police vetting procedures, prior to staff commencing active duties. Legally all Police Vetting should be in place for paid staff and is advocated for volunteers.

In accordance with the Children's Act 2014 requirements, YMCA requires all services operating within YMCA facilities and/or in association to YMCA branding, certify all those employed and/or engaged to be serving children/young people have undertaken Police Vetting (this includes volunteers and contractors).

Should these standards not align, Partners will be requested to provide written confirmation of accepting responsibility to act in accordance with YMCA Safeguarding Partner Agency Compliance Policy including the YMCA Partner Agency Safeguarding Code of Conduct.

Should any safeguarding concerns be raised YMCA will reflect best practice of working together with our Partners, in accordance with Privacy Act 2020 and case management requirements if being directed by external services. Any information of concerns should be acted upon, whether information is current or historic, known, or suspected, direct or via a third party.

Any information of concerns will be managed under the Safeguarding Partner Agency's Compliance Policy or YMCA safeguarding policies, whichever is the most aligned to being the 'lead' children's service provider.

YMCA will always work in partnership with partner agencies in managing any welfare concerns. However, should any Partner Agencies decisions conflict with YMCA Safeguarding policies, procedures or perspective (e.g., YMCA believes there is and/or a risk to the individual(s) remains) YMCA will also take safeguarding action aligned to YMCA Safeguarding Policies and Procedures.

As a YMCA Partner Agency providing services to children, young people and/or their families, we agree to abide by and implement YMCA Partner Agency Child Protection Policy. We agree to make our workforce aware of these requirements prior to commencing service provision. This includes those services contracting and/or engaging other children's services.

The Children's Act 2014 requires Child Protection Policies:

- Be reviewed every 3 years (YMCA operates to a biennial review)
- Be available on the organisational website and in hard copy
- Be able to support staff in identifying and reporting welfare concerns

Identifying Concerns

Staff will be vigilant to concerns and possible indicators (physical or behavioural) relating to:

- Physical Abuse

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- Sexual Abuse
- Emotional Abuse (including bullying); and
- Neglect

Reporting Concerns

Should any concerns relating to a child/young person, or their family arise, staff will ensure these are reported to:

- A YMCA Manager (ideally the Centre Manager); or
- YMCA Safeguarding Manager – 027 268 1096

Should a concern pose an immediate risk, Partner Agency staff will work under the guidance of YMCA Staff in taking immediate emergency action.

Partner Agency Staff are to ensure confidentiality is maintained until safeguarding advice and guidance is provided either by statutory services or YMCA Safeguarding staff. Breaching confidentiality may place the child, young person and/or staff member at further risk of harm and/or jeopardise any investigations.

YMCA Safeguarding Staff will support, coordinate and conduct investigations in accordance with statutory requirements and YMCA policies and procedures as applicable.

Concerns Requiring Reporting to Statutory Services (Police and/or Oranga Tamariki)

Concerns viewed as demonstrating a need to work under advice and guidance and/or direction of statutory services, may be referred immediately and may be done so without the awareness of the individual(s) concerned or their parent/carers.

Whilst not exclusive, examples of staff concerns and/or allegations where this may occur include:

- Staff who have behaved in a way that has harmed or may have harmed a child/young person
- Staff who have possibly committed a criminal offence in relation to a child/young person

Under statutory service advice and guidance, where appropriate, YMCA will inform the parent/carer of any child/young person concerned of the circumstances surrounding the concerns and/or allegations and the decision to investigate.

If advised and/or instructed by statutory or legal services, the children's service provider and/or YMCA, may be required to inform all service users. Depending on the concerns this may include both current and historic service users.

If YMCA is aware the staff member serves as an employee or volunteer for another child facing organisation, YMCA will advocate for this information to be shared with the Police and/or Oranga Tamariki, who can then determine how this information is conveyed.

Should the Partner Agency disagree with this advocacy, YMCA may share this information directly with the Police and/or Oranga Tamariki.

The justification for any decision about referring or not referring, an allegation to statutory services must be recorded.

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Working Together with External Services – where required services will support YMCA in cooperating fully with and/or working under the guidance of specialist external services. This may include but is not exclusive to child protection services (Oranga Tamariki, Police); Government Ministries; specialist non-statutory child protection agencies e.g. Australian Childhood Foundation, etc.

Supporting Those Involved

Whilst not exclusive, in managing any welfare concerns it is recognised that support must be considered and offered to:

- Child/Young person and their family
- Staff members (those directly involved and/or if relating to a staff member)
- Other staff members

Key relevant documents

Oranga Tamariki 1989

- Section 6, Welfare and Interests of the Child: Recognise the safety, rights and welfare of the child/young person must be the first and paramount consideration.
- Section 15, Reporting of Ill-Treatment or Neglect of Child or Young Person: Any person who believes that any child or young person has been, or is likely to be harmed, ill-treated, abused, neglected or deprived may report the matter to a social worker or constable.

Privacy Act 2020

- Section 6,– Principle 11, Limits on disclosure of personal information:

In accordance with this legislative principle, it is noted that the disclosure of personal information may occur should there be a serious threat to welfare of the person concerned and/or another individual.

Children’s Act 2014

The Act requires all services to have Child Protection Policies where their service receives government funding and the service is to a child, or an adult where there is a child in the household. This includes those services contracting and/or engaging other children’s services.

The act requires Child Protection Policies be:

- Be reviewed every 3 years (YMCA operates to a biennial review)
- Be available on the organisational website and in hard copy
- Be able to support staff in identifying and reporting welfare concerns

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Policy amendments

YMCA is entitled to amend and vary this policy from time to time at YMCA's sole discretion and all employees are required to observe such amended policy.

Creation date: Aug 2017	Date reviewed: Dec 2022	Next review date: Feb 2024 <i>Note – the default frequency is every 2 years unless otherwise required</i>
Owner: Safeguarding	Approved by: Julian Baldey, CEO and Chair of Safeguarding Governance Group  Signed: Date: December 2022	
Document control: Original signed document is approved. No unauthorised copies. Reviews of this policy will include input from Safeguarding Governance Group.		

Tracking changes

	Reviewed by who and when	What was changed	Version #
Written:	Safeguarding, August 2017	Policy created	1
Amendments:	Safeguarding, Aug 2019	Biennial Review Template change Included Partners obligations under the VCA Included ability of partners to sign off under YMCA CP policy	2
	Safeguarding, Dec 2020	ACF reaccreditation Document reviewed against the new ACF standards	3
	Safeguarding Manager, Dec 2022	Biennial review, along with amendments to reflect new branding, along with some simplification of language Reference added to being sub policy of main Safeguarding Children and Young People Policy	4

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YMCA Partner Agencies Safeguarding Code Conduct

We agree to abide by best practice and support adoption of the YMCA Partner Agency Safeguarding Code of Conduct as noted below.

YMCA Partner Agency Safeguarding Code of Conduct

1. We can certify that all those who have been employed or engaged to work with children/young people have been managed under safer recruitment processes including police vetting.
2. We make certain those working with children/young people are within hearing distance and the line of sight of other staff or other adults.
3. We can reflect that any positions or activities needing 1-to-1 working and/or physical contact with a child/young person have parental awareness.
4. We will ensure all staff, other adults, or others in positions of leadership/responsibility, will model appropriate language, boundaries and relationships when working with children/young people and their families.
5. We will ensure any imagery being taken (photos/videos) is done so with consent and does not capture any YMCA customers without their written consent being obtained.
6. Our practice will demonstrate positive staff to child ratios (where applicable).
7. We will be vigilant to the arrival/collection of children/young people including maintaining any signing in/out records if applicable.
8. We will make certain all children/young people using or within the areas of IT are protected from exposure to inappropriate material.
9. We will remain alert to identifying and reporting indicators of vulnerability, abuse and/or neglect.
10. We agree to obey and operate within YMCA's safeguarding reporting processes.
11. We agree to respect diversity, making certain YMCA continues to promote inclusivity.

AGREEMENT

I, _____

Name of staff member / Lessee / Hirer / Partner Agency / Service Provider representative

Have been provided with a copy of, have read, and confirm my understanding of YMCA Safeguarding Partner Agencies Compliance Policy.

I confirm that as Partner Agency / Service Provider / Lessee / Hirer's we understand and accept these responsibilities as part of our agreement with YMCA.

Signature of staff member:

Date: