

## Safeguarding Children and At-Risk Adults Policy — 2025

### Scope:

As a child safe organisation that provides services to the broader community, a consolidated Safeguarding Policy has been developed that identifies specific requirements, ensures consistency, embeds safe behaviours, and reflects the Y NSW's commitment to the safety and wellbeing of all in our care.

This policy applies to all **Y NSW staff** (all employees, contractors, Board Directors and other volunteers, visitors, and other stakeholders involved with the Y NSW). The policy covers all activities, operations and locations where the Y NSW conducts its business.

### Terminology

For the purpose of this policy the term; “child” or “children” refers to anyone under the age of 18. However, in line with The Y NSW Values of Safe, Connect and Thrive, Y NSW is committed to creating the safest spaces for all children and young people in our care, regardless of age. For full definitions please refer to Appendix 1.

### Statement of Commitment to Child Safety:

The Young Men's Christian Association Inc, trading as “the Y NSW” and its associated entities (the Y NSW), maintains a zero-tolerance approach to child abuse and neglect. We are deeply committed to ensuring the safety, wellbeing, and empowerment of every child in our care.

#### We create the safest spaces

Child safety is embedded in our culture, leadership, and everyday operations. We take proactive steps to prevent harm by identifying and managing risks, setting clear behavioural expectations, and ensuring all staff are rigorously trained, supported, and held accountable. Our recruitment and screening processes are thorough, and our physical and online environments are inclusive, child-centred, and culturally respectful.

#### We are better together

We believe connection, with each other and with community, is essential to a child-safe culture. We foster respectful, trusting relationships where all children feel seen, heard, and valued. We listen with care and act with integrity, recognising children's voices in decisions that affect them. We welcome the knowledge and partnership of families, carers, and communities in creating safe and inclusive environments.

#### We bring our best

We strive to create spaces where every child feels safe, connected, and able to thrive. We are committed to continuous learning and improvement, guided by equity, respect, and the dignity of all children—so every child can grow, belong, and be celebrated for who they are.

***In recognising the diverse programs and services the Y NSW provides, this commitment also extends to at-risk adults in our care.***

## **Objectives:**

The Y NSW seeks to:

- Protect children and at-risk adults from all forms of abuse, neglect, and exploitation.
- Embed a positive safeguarding culture that prioritises the safety and wellbeing of children and at-risk adults.
- Define clear roles and responsibilities for safeguarding across the organisation.
- Foster inclusive environments where children and at-risk adults feel safe, respected, and are meaningfully involved in decisions that affect them.
- Promote continuous improvement in safeguarding practices to strengthen protections.
- Ensure the voices, rights, and safety of children and at-risk adults are central to all safeguarding processes, decisions, and practices.

## **Roles and responsibilities:**

**Y NSW staff** must comply with all safe behaviours outlined in the Y NSW's Safeguarding Roles and Responsibilities Procedure.

## **Reporting and Responding to Concerns:**

Suspicious, disclosures, or allegations of abuse, harm, or inappropriate behaviour involving children or at-risk adults must be reported within the relevant or required timeframes for that type of matter (staff should refer to the relevant Y NSW and Y Australia reporting policies and procedures, including for critical events). Y NSW staff are mandatory reporters for suspected or observed child abuse or neglect of any children in our care and must report concerns in line with the Y NSW's incident management procedures and policies, and Y Australia's Critical Events Policy.

Additional reporting requirements may apply to some Y NSW staff depending on their area of work, and responses must align with these role-specific obligations. This includes reportable conduct reporting requirements under the *Children's Guardian Act 2019* (NSW).

While Y NSW staff are not mandatory reporters for at-risk adults under NSW law, it is the Y NSW policy that concerns relating to at-risk adults must still be reported through the appropriate channels and to relevant authorities.

## **Breaches of Policy:**

Compliance with the Safeguarding Children and At-Risk Adults Policy is mandatory. If Y NSW staff do not comply with the policy, they will be subject to disciplinary action that may include termination of employment or arrangement.

## **Risk Context:**

The table below outlines Y NSW's Board-endorsed risk appetite across key risk categories to guide decision-making and risk management practices.

Risk Category	Risk Appetite:
<b>Safeguarding</b>	We maintain an <b>Averse tolerance</b> policy regarding the abuse of children, young people and at-risk persons. The Y NSW takes its safeguarding obligations seriously and strives to be an exemplar in the delivery of safeguarding best practice to ensure that safety of all in our care.
<b>Safety &amp; Wellbeing</b>	We have a <b>Cautious appetite</b> to accept foreseeable risks that would adversely impact the health, safety, and wellbeing of all Y NSW people, volunteers, and community members.
<b>Governance &amp; Legal</b>	We have a <b>Cautious appetite</b> for non-compliance to applicable regulations and legislation. Y NSW will pursue strong governance and leadership structures to ensure oversight, accountability, ethical decision making, and transparency.
<b>Brand &amp; Reputation</b>	We have <b>Cautious appetite</b> for risks that adversely impact the good name of our brand. We want to ensure that we protect and enhance the Y NSW brand through good corporate governance, good ethics, strong and safe delivery of our services and programs. We are committed to positively promoting our brand to our communities and via advocacy and external communications.

### Key Controls:

In order to promote a positive safety culture and embed proactive risk management across all Y NSW operations, in accordance with relevant NSW child safety legislation, the following controls will be implemented.

Controls	Frequency
<b>Mandatory safeguarding training for all staff</b>	At induction, annually, and as required (e.g. post incident)
<b>Clear and accessible reporting processes and systems</b> — for concerns, suspicions, and disclosures of abuse and neglect	Ongoing, with annual review of reporting procedures
<b>Audits of safeguarding policy and practices</b> — to evaluate effectiveness and identify areas for improvement	Bi-annually and as required (e.g. post-incident)
<b>Risk assessments for all programs, services, and activities</b> — involving children and at-risk adults	Before each activity; annually for ongoing programs and services
<b>Staff support and feedback processes</b> — to ensure follow-up and continuous improvement	Ongoing, with formal review annually
<b>Robust recruitment and background checks</b> — in alignment with the NSW Child Safe Standards, <i>Child Protection (Working with Children) Act 2012</i> (NSW), and <i>Children’s Guardian Act 2019</i> (NSW).	Prior to engagement

### Related Documents (Enterprise policies and procedures):

- Safeguarding Roles and Responsibilities Procedure (associated procedure)
- Critical Events Policy (Y Australia)

- Code of Conduct (to be written)
- Risk Policy (to be written)
- Whistleblower Policy
- Travel Policy (to be finalised)
- Photography and Videography Policy\*
- Social Media Policy\*
- Safeguarding Investigations Procedures
- Incident Management Procedures (to be written)

\*These policies will be replaced by the Integrated Media and Communications Policy

### Relevant Legislation:

Y NSW staff must comply with all legal requirements. Relevant legislation is provided below.

- **Aged Care Act 1997 (Cth):** While federal, relevant to NSW services supporting older adults; outlines duty of care and reporting obligations for aged care providers.
- **Children and Young Persons (Care and Protection) Act 1998 (NSW):** Sets out mandatory reporting obligations and procedures for child protection and wellbeing.
- **Children’s Guardian Act 2019 (NSW):** Provides powers to the Office of the Children’s Guardian, including oversight of the Child Safe Standards and Reportable Conduct Scheme.
- **Child Protection (Working with Children) Act 2012 (NSW):** Establishes the Working with Children Check (WWCC) and related screening requirements for people working or volunteering with children.
- **Crimes Act 1900 (NSW):** Includes offences related to child abuse (e.g., grooming, sexual offences, assault, neglect) and failure to report certain crimes.
- **Disability Inclusion Act 2014 (NSW):** Supports inclusion and protection of people with disability; underpins service standards and safeguarding practices.
- **Education and Care Services National Law (NSW) and National Regulations:** Applies to early childhood services; includes child protection requirements, staffing standards, and risk management.
- **Guardianship Act 1987 (NSW):** Covers decision-making and protection of adults with impaired capacity; includes provisions for substitute decision-makers.
- **Health Records and Information Privacy Act 2002 (NSW):** Protects the confidentiality and appropriate use of health information.
- **Work Health and Safety Act 2011 (NSW):** Imposes duties on organisations to ensure a safe environment.

### Document Control:

<b>Policy owner</b>	Chief Risk and Innovation Officer
<b>Policy issue date</b>	30/09/2025
<b>Version number</b>	1.3
<b>Date due for review</b>	2 years from date of publication. The policy may be reviewed and updated prior to this date in response to need or new legislative or regulatory requirements.
<b>Policy approver</b>	Y NSW Board

## Appendix 1: Definitions

Term	Definition
<b>At-risk adult</b>	In accordance with the Australian Law Reform Commission's recommendations, an 'at-risk adult' is defined as an adult aged 18 years and older with care and support needs who is experiencing or at risk of abuse or neglect and are unable to protect themselves due to those needs. 'At-risk adult' should be used in place of 'vulnerable person' as it is more respectful and person-centred. While neither term is explicitly defined in NSW legislation, similar concepts are addressed across various laws and frameworks.
<b>Averse</b>	Strong preference to avoid risk.
<b>Care</b>	Refers to the support, supervision, or services provided to any child or at-risk adult through our programs, services, or activities. This includes any physical, emotional, psychological, or practical assistance intended to promote their wellbeing, safety, and development, whether on a temporary or ongoing basis.
<b>Cautious</b>	Cautious and conservative approach to risk; close evaluation of new opportunities is required.
<b>Child or children</b>	<p>NSW legislation uses the terms “child” and “young person” inconsistently, which can cause confusion in safeguarding contexts. For this Policy, “child” means any individual under 18 years of age, consistent with the <i>Children’s Guardian Act 2019</i> (NSW), which governs the Child Safe Standards and organisational safeguarding requirements.</p> <p>While the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW) is the primary child protection legislation and distinguishes “children” (0–15 years) from “young persons” (16–17 years) for mandatory reporting purposes, these age-based definitions vary across laws and sectors.</p> <p>At Y NSW, we recognise “young person” as a meaningful term describing those aged 12–25, reflecting our wider commitment to youth engagement. However, for this Policy, the term “child” is deliberately used as an inclusive category for all under 18. This reflects Y NSW’s expanded mandatory reporting responsibilities, which extend protection to 16–17-year-olds, exceeding legislative minimums.</p> <p>Using “child” as a single, clear term avoids confusion from conflicting definitions and ensures our safeguarding practices meet the highest standards required under the Child Safe Standards.</p>
<b>Child abuse</b>	Any act, omission, or circumstance—whether singular or repeated—that causes, is causing, or is likely to cause harm to a child’s physical, emotional, or psychological wellbeing. This includes:

	<ul style="list-style-type: none"> <li>• Physical abuse</li> <li>• Emotional or psychological abuse</li> <li>• Sexual abuse</li> <li>• Neglect, and</li> <li>• Exposure to domestic and family violence.</li> </ul> <p>All forms of child abuse and neglect are criminal offences in NSW. Concealing child abuse is a crime under the <i>Crimes Act 1900</i> (NSW).</p>
<b>Child harm</b>	The physical, emotional or psychological impact experienced by a child as a result of another person's actions or inaction.
<b>Child Safe Standards</b>	<p>Developed in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, these 10 national standards provide practical guidance to help organisations:</p> <ul style="list-style-type: none"> <li>• Create child-focused cultures</li> <li>• Mitigate and respond to risks</li> <li>• Build safe environments, and</li> <li>• Engage and empower children.</li> </ul> <p>The standards are principle-based, outcome-focused, and adaptable to organisations of all sizes.</p>
<b>Critical event</b>	As defined by the Y Australia Movement-Wide Critical Events Policy.
<b>Disclosure</b>	The process by which a child communicates their experience of abuse or neglect. Disclosures may be direct or indirect, intentional or unintentional, and expressed verbally, non-verbally, partially, or in full.
<b>Investigation</b>	A systematic and thorough examination of incidents and/or complaints to discover facts or gain information to identify the root cause and determine corrective actions to implement to reduce the risk of the incident and/or complaint reoccurring.
<b>Mandatory reporting</b>	<p>There is a legal obligation for certain professionals, including all Y NSW staff, to report concerns regarding child abuse or neglect to government authorities. In New South Wales, this obligation is mandated under the Children and Young Persons (Care and Protection) Act 1998 (NSW). Under the Act, mandatory reporting applies to children aged 0 to 15 years. It does not extend to unborn children or young people aged 16 to 17.</p> <p>However, consistent with the broader Y movement's commitment to child and youth safety, Y NSW requires all staff to report concerns involving both children and young people, as defined in this Policy, regardless of whether a mandatory reporting obligation exists under legislation.</p>
<b>Neglect</b>	The failure of a parent or caregiver to provide a child with essential needs such as safe shelter, food, clothing, medical care, supervision, and emotional support, resulting in harm or risk of harm.

<p><b>NSW Child Safe Standards</b></p>	<p>Developed in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, these 10 national standards provide practical guidance to help organisations:</p> <ul style="list-style-type: none"> <li>• Create child-focused cultures</li> <li>• Mitigate and respond to risks</li> <li>• Build safe environments, and</li> <li>• Engage and empower children.</li> </ul> <p>The standards are principle-based, outcome-focused, and adaptable to organisations of all sizes.</p>
<p><b>Reportable conduct</b></p>	<p>Defined by the <i>Children’s Guardian Act 2019</i> (NSW), reportable conduct includes:</p> <ul style="list-style-type: none"> <li>• Sexual offences or misconduct</li> <li>• Ill-treatment or neglect of a child</li> <li>• Assault or behaviour causing significant emotional or psychological harm</li> <li>• Offences under s43B or s316A of the Crimes Act 1900 (NSW), and</li> <li>• Any finding of guilt for the above, even without a conviction.</li> </ul>
<p><b>Safeguarding</b></p>	<p>Steps and actions taken to protect children and at-risk adults from abuse and neglect, while actively promoting their safety, welfare, and wellbeing. Safeguarding involves:</p> <ul style="list-style-type: none"> <li>• Ensuring children and at-risk adults have a voice in decisions that affect them, and actively promoting their inclusion and participation in our services and programs</li> <li>• Equipping all Y NSW staff with the knowledge, skills, and support needed to identify and respond to disclosures or observed incidents of abuse and neglect</li> <li>• Developing, promoting and maintaining strong, trauma-informed reporting and complaints management systems and processes</li> <li>• Implementing effective risk management systems to identify and address risks to children and at-risk adults in both physical and online environments, and</li> <li>• Engaging with families, caregivers, and the broader community to uphold and promote the rights of children and at-risk adults.</li> </ul> <p>The term child safety is often used in NSW and Australian contexts when referring to safeguarding children.</p>
<p><b>Trauma-informed</b></p>	<p>Recognising the different impacts of trauma and integrating this understanding into all aspects of program development and service delivery. It involves promoting physical and emotional safety, supporting choice and control for individuals affected by trauma, and</p>

	fostering trusting, respectful relationships that enable safe disclosure and appropriate responses.
<b>Y NSW staff</b>	All employees, contractors, Board Directors and other volunteers, visitors, and other stakeholders involved with the Y NSW.