



YMCA of Newfoundland and Labrador
Child Protection and Vulnerable Persons Policy

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YMCA CHILD PROTECTION AND VULNERABLE PERSONS POLICY

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YMCA CHILD PROTECTION AND VULNERABLE PERSONS POLICY

1 INTRODUCTION

The YMCA of Newfoundland and Labrador is fully committed to safeguarding the welfare of all children in its care and vulnerable persons accessing YMCA programs and services. We all share a responsibility to protect children and vulnerable persons from harm. The YMCA recognizes its responsibility to promote safe environments and practices and to protect children and vulnerable persons from abuse and exploitation.

Throughout this policy and procedures, reference is made to “child” or “children” and “vulnerable person(s) or adults”. Refer to Terminology below for definitions for these terms.

2. POLICY STATEMENT

The YMCA of Newfoundland and Labrador recognizes its responsibility to promote safe practices and to protect children and vulnerable persons from abuse and exploitation.

The YMCA will immediately refer any concerns that a child might be abused or at risk of harm to the appropriate child protection authority, The Department of Children, Seniors, and Social Development, RNC or RCMP Official

[If provincial legislation exists for the protection of vulnerable persons or adults then the following statement may be inserted... “The YMCA will refer any concerns of suspected abuse involving a vulnerable person to the appropriate adult protection authority (insert provincial agency).”] [SNL2011 CHAPTER A-4.01 ADULT PROTECTION ACT Amended: 2018 cC-12.3 s115](#)

The Department of Children, Seniors, and Social Development (CSSD) is responsible for administration of the Act.

Legal obligation to report: 1-855-376-4957 regardless of where in the province the person resides.

To fulfill the above policy statement, the YMCA is committed to:

- providing safe environments for children and vulnerable persons;
- identifying any child who is suffering, or likely to suffer harm;
- reviewing and evaluating implementation of this policy regularly for effectiveness.

The **YMCA Child Protection and Vulnerable Persons Policy** applies to all YMCA staff and volunteers.

3. TERMINOLOGY

The following terms are used in this policy:

Child or young person under provincial child protection legislation is someone who is under 16 years of age.

Child Abuse can be of a physical, emotional or sexual nature, or neglect. It may consist of just one incident or it may happen repeatedly. Vulnerable persons also may be at risk of abuse or neglect. See *Vulnerable Persons - Types of Abuse* below for more information.

A **child** can be subjected to more than one form of abuse:

- **Physical abuse** could result from a parent or person in charge causing physical injury to a child or failing to adequately supervise a child or from a pattern of neglect of the child.

Examples of physical abuse include beating, slapping, hitting, pushing, throwing, shaking, burning. **A child who is physically abused** may have burns, bite marks, cuts, bruises, or welts in the shape of an object; not want to go home; be afraid of adults; wear inappropriate clothing (e.g., long sleeves on a very hot day).

- **Sexual abuse** happens when a parent or other person in charge sexually molests or uses a child for sexual purposes or knowingly fails to protect a child from sexual abuse.

Examples of sexual abuse include any sexual act between an adult and a child, including intercourse; fondling; exposing a child to adult sexual activity; sexual exploitation through child prostitution or child pornography. **A child who is sexually abused** may have an inappropriate knowledge of sexual acts; be very compliant or extremely aggressive; be afraid of a certain person or a family member; have difficulty walking or sitting.

- **Emotional abuse** occurs when a parent or other person in charge harms a child's sense of self. It includes acts or omissions that result in, or place a child at risk of serious behavioural, cognitive, emotional, or mental health problems.

Examples of emotional abuse include yelling at, screaming at, threatening, frightening, or bullying a child; humiliating the child, name-calling, making negative comparisons to others; showing little to no physical affection (such as hugs) or words of affection or praise; saying that everything is the child's fault; withdrawing attention, giving the child the 'cold shoulder'; confining a child in a closet or a dark room, or tying the child to a chair for long periods of time; or exposing a child to domestic violence, allowing the child to be present during violent behaviour of others, including the physical abuse of others. Some level of emotional abuse is present in all forms of abuse. **A child who is emotionally abused** may show signs of serious anxiety, depression, or withdrawal; show self-destructive or aggressive behavior; show delays in physical, emotional or mental development.

- **Neglect** happens when a child's parent or other person in charge fails to provide for basic needs.

Examples of neglect include failing to provide proper food, clothing suitable for the weather, supervision, a home that is clean and safe, medical care as needed; failing to provide emotional support, love, and affection. **A child who is neglected** may not wear clothing that's suitable for the weather; be dirty or unbathed; be very hungry; or not be properly supervised.

*Any of the above signs of child abuse noticed by a staff or volunteer must be reported immediately to a child protection authority. See **Appendix A** for child protection authority contact information.*

Duty of Care is a legal principle that identifies the obligations of individuals and organizations to take reasonable measures to care for and protect their participants.

Duty to Report is defined under [*Children, Youth and Families* <https://www.assembly.nl.ca/legislation/sr/statutes/c12-3.htm>] that sets out what must be reported to a child protection authority or agency. A report must be made immediately if a child is or appears to be suffering from abuse or is at *risk of harm*. **Duty to report** applies to the public and includes special reporting responsibilities for professionals whose work involves children. See Appendix B **DUTY TO REPORT SUSPECTED ABUSE PROCEDURE**

- **Child in need of protection** is defined under the Department of Children, Seniors, and Social Development as *a child who is or who appears to be suffering from abuse, neglect, or risk of harm*. Anyone who has *reasonable grounds* to suspect that a child is or may be in need of protection must promptly report the suspicion to a child protection authority (e.g., Children’s Aid Society - CAS). Refer to Section 6 for Duty to Report for Suspected Abuse procedure.
- **Risk of harm** is the risk that a child is likely to be physically, sexually, or emotionally abused or neglected.
- **Reasonable grounds** refer to the information that an average person, using normal and honest judgment, would need in order to decide to report. It is not the person’s responsibility to prove or have proof of abuse; investigation is the role of child protection authorities.

Refer to Section 6 for more information on ‘duty to report’ suspected abuse procedure.

Police records check (PRC) is a search of the records held in the information database of a police agency. It may include a check of national or local and regional police records. Basic types include a Police Criminal Record Check (CRC) or Police Information Check or Police Vulnerable Sector Check (VSC). At the end of the process, a report is issued.

Position of Trust or authority is created when an individual’s relationship with someone else has any of the following characteristics: decision-making power; unsupervised access; closeness inherent in the relationship; personal nature of the activity itself.

Staff means salaried, hourly, or fixed term contract.

Volunteers include program volunteers, policy (Board/Board Committees/Regional Council) volunteers, philanthropy/fundraising volunteers and unpaid student placements. Occasional and special event volunteers are defined as volunteers i) who have limited interaction and are not left alone with children; and ii) whose involvement with the YMCA is limited in duration and frequency and are not left alone with children.

[NOTE: For volunteers, each YMCA Association/CEO shall determine whether or not a Police Check is required and the type of Police Check based on the volunteer position or category (e.g. program volunteer, policy/Board or Board Committee, fundraising, or special events volunteer). At a minimum, vulnerable sector screening shall be completed for all volunteers/volunteer positions having regular contact with children or vulnerable persons.

Vulnerable person for the purposes of this policy and reporting means a young person 16 or 17 years of age, or an adult at risk. An **adult at risk** is a person aged 18 or over who is or may be unable to protect themselves from abuse. The vulnerability of an adult is related to how able the adult is to make and exercise their own informed choices free from duress, pressure, or undue influence of any sort, and to protect themselves from abuse. Refer to section 7 for examples.

Vulnerable persons may be at risk of one or more **types of abuse** including physical abuse or neglect (defined above), or emotional abuse, sexual abuse and financial abuse or exploitation.

- *Emotional abuse* of a vulnerable person is any act which may lessen the sense of identity, dignity, or self-worth of a person, such as: confinement; physical and social isolation; verbal assault, harassment, humiliation, or intimidation; denial of information, privacy, visitors; coercion.
- *Sexual abuse* of a vulnerable person is any act involving unwanted touching/activity of a sexual nature, or a situation in which an adult consents or submits to sexual activity because a person in a position of trust or with authority has used that trust/authority to gain that consent. Such acts include sexual assault, sexual harassment, any act designed to use the vulnerable person for the perpetrator's sexual gratification.
- *Financial abuse or exploitation* is any act involving the misuse or abuse of funds or assets belonging to a vulnerable person. Examples include obtaining property and funds without the person's knowledge or consent, or by using undue influence; or where a person is not mentally competent, or not acting in the person's best interest.

Alleged, suspected, or witnessed abuse of a vulnerable person may constitute a criminal offence and the police should be informed. See Section 7 (Reporting suspected abuse of a vulnerable person) for more information.

[NOTE: Where provincial legislation exists, any concern involving suspected abuse of a vulnerable person shall also be reported to the appropriate provincial adult protection agency.] [SNL2011 CHAPTER A-4.01 ADULT PROTECTION ACT Amended: 2018 cC-12.3 s115](#)

The Department of Children, Seniors, and Social Development (CSSD) is responsible for administration of the Act.

Legal obligation to report: 1-855-376-4957 regardless of where in the province the person resides.

4. ROLES AND RESPONSIBILITIES

The YMCA of Newfoundland and Labrador is committed to promoting safe practices to protect children and vulnerable persons from harm or abuse. While primary responsibility for the protection of children and vulnerable persons from abuse rests with Department of Children, Seniors, and Social Development, all YMCA staff and volunteers who come into contact with children and vulnerable persons have a duty to help protect them from abuse or risk of abuse.

The responsibility for managing this policy lies with YMCA management. The YMCA shall appoint a designated person(s) who will have responsibility for the implementation of the child protection policy and procedures in their association. The CEO will ensure the designated person(s) has necessary resources and support within their official responsibilities to carry out their responsibility for child protection.

4.1 YMCA Board of Directors and Management team is responsible for protecting children and vulnerable persons by:

- Providing oversight of a protection framework that includes establishing policies and procedures, and monitoring
- Establishing a reporting protocol that complies with provincial child protection legislation
- Establishing recruitment and screening including police records check procedures
- Ensuring systems are in place for regular review, reporting and evaluation of effectiveness of child and vulnerable persons protection initiatives

- Appointing a member of YMCA management team (**Provincial General Manager of Child Care and Day Camp and Child Protection Lead – Lori Evans**) having special responsibility for advancing the objectives of this Policy and child (*and where applicable, adult*) protection legislation.

4.2 YMCA Managers and Supervisors have additional responsibilities for maintaining safe environments in all facilities and program areas by:

- Ensuring that all staff and volunteers have read, understand and signed the Child Protection and Vulnerable Persons Policy Acknowledgement Form (**Appendix E**).
- Ensuring that staff and volunteers receive training and ensure re-fresher training in protecting children and vulnerable persons is provided annually
- Arranging advanced training for staff and volunteers working directly with children
- Ensuring recruitment, screening including police check/recheck procedures are implemented
- Ensuring programs are developmentally appropriate and well planned in advance
- Maintaining physical security and other safeguards to protect children accessing YMCA programs
- Responding promptly to any complaints, reports or allegations against staff or volunteers.

4.3 YMCA Staff and Volunteers are expected to abide by this Policy that includes:

- Following the Code of Conduct (Section 5) for the protection of children and vulnerable persons
- Participating in mandatory and re-fresher training in protecting children and duty to report
- Producing acceptable police records/re-check clearance letters
- Reporting immediately any suspicion of abuse to the appropriate protection agency
- Notifying their supervisor or staff contact that a report has been made to a child protection authority
- Contacting police services if a staff or volunteer suspects that a vulnerable person's safety is at risk
- Helping to maintain a safe environment for the protection of children and vulnerable persons.

5. CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND VULNERABLE PERSONS

During staff or volunteer work at the YMCA, even if not working directly with children, there are times when staff or volunteers will encounter and interact with children and vulnerable persons or adults. The YMCA is committed to treating everyone with respect and dignity, and to helping children grow and develop to their full potential in a safe and caring environment.

Staff and volunteers are required to follow the Code of Conduct that describes good practices and includes practices to be avoided or never sanctioned. The practices outlined below clarify what is and is not acceptable behaviour when working with children and vulnerable persons. By defining what is and is not acceptable behaviour, good practice can be promoted, and the potential for abuse or allegations of abuse minimized.

5.1 Good Practice when interacting with children:

- Treat all children with respect, dignity, and fairness.
- Make requests in clear terms geared to the child's level. Offer choices if you can.
- Give encouragement, in words or as a smile.
- Ensure the number of adult staff is appropriate to safely conduct and supervise program activity.
- Involve parents whenever possible and reasonable.
- Ensure that a child is not left alone. Contact the parent or guardian if a child is or appears to be under 10 years old and is without adult supervision.

5.2 Good Practice when interacting with vulnerable persons:

- Treat all people with respect, dignity, and fairness
- Consider the needs, interests, and wishes of vulnerable persons
- Presume mental capacity and participation in decision-making
- Respect the privacy of persons

5.3 Practice to be Avoided or Never Sanctioned/Prohibited:

- When working with a child, avoid being alone or in private or unobserved situations
- Avoid having ‘favorites’ when working with children. This could lead to resentment and jealousy by other children and could be misinterpreted by others
- Do not use your size or authority to intimidate
- Do not make comments of an improper nature
- Never verbally or emotionally abuse a child or vulnerable person
- Never physically harm or engage in suggestive touching of a child or vulnerable person
- Never exploit financially or in any other way a child or vulnerable person
- Do not interact or relate to children or vulnerable persons outside of YMCA program activity (e.g., avoid weekend visits or babysitting or calling or online chatting, etc.)
- Never invite or allow a child or vulnerable person to visit or stay with you at your home

Any reports involving breach of the above Code of Conduct is taken seriously and will be dealt with by management. Individuals who violate the Code of Conduct and this Policy are subject to disciplinary or corrective action up to and including termination of employment or volunteer assignment.

6. DUTY TO REPORT PROCEDURE FOR SUSPECTED CHILD ABUSE AND NEGLECT

If a child discloses or there are grounds to suspect child abuse, the YMCA will take prompt and immediate action. The YMCA is mandated by provincial law to report any suspected cases of child abuse or neglect to the appropriate authorities for investigation.

General Procedure:

- a) Staff and volunteers of the YMCA will take allegations of abuse seriously.
- b) The YMCA will ensure that staff and volunteers working with children and vulnerable persons are familiar with their duty to report and the procedure for reporting suspected abuse or neglect of a child.
- c) YMCA staff and volunteers shall follow duty to report suspected abuse procedures. Refer to **Appendix B DUTY TO REPORT SUSPECTED ABUSE PROCEDURE**
- d) The priority will be to ensure that no child is exposed to unnecessary risk by taking measures as advised by the Department of Children, Seniors, and Social Development. Refer to **Appendix A CHILD PROTECTION AUTHORITIES CONTACT INFORMATION**
- e) In the event the reported incident involves an allegation against a staff or volunteer, the procedure for responding to an allegation against the YMCA will be followed. See section 9 below for more information. Refer also to **Appendix D RESPONDING TO AN ALLEGATION or COMPLAINT OF ABUSE AGAINST THE YMCA**

- f) A report will be completed in accordance with relevant provincial child protection reporting requirements, and the Association will cooperate with any legal authority involved. Refer to **Appendix C YMCA SUSPECTED CHILD ABUSE REPORT FORM – SAMPLE**
- g) All information related to a disclosure or allegation of abuse will be treated confidentially. Documentation regarding a report to a child protection authority must not be circulated internally nor given to anyone, unless a warrant or subpoena is provided.

7. REPORTING SUSPECTED ABUSE OF A VULNERABLE PERSON

Anyone who has a reduced capacity to look after their own interests, needs and well-being can be at risk of abuse. For example, an adult with a physical disability or mental health or developmental or intellectual disability, as well as some seniors may be at risk of abuse, neglect, or exploitation. Refer to section 3 (terminology) for more information about vulnerable persons and types of abuse. Staff wishing to learn more about persons living with a disability can speak with their supervisor or manager.

As all adults are presumed to have mental capacity to make informed choices about their own safety and how they live their lives, all interventions in respect of vulnerable persons need to consider their ability to make informed choices about the way they want to live and the risks they want to take.

Alleged, suspected, or witnessed abuse of a vulnerable person may constitute a criminal offence and the police should be informed. If a staff or volunteer suspects that a vulnerable person's safety is at risk or in immediate danger, contact the local police services (see contact information in Appendix F), or dial 911 immediately. The police can check on the person's wellbeing.

Legal obligation to report: 1-855-376-4957 regardless of where in the province the person resides.

Staff shall use the YMCA Accident/Incident Report Form (participants/members) see Appendix F to record brief information, indicating the vulnerable person's name, the date the call was made to police services (or provincial adult protection agency if applicable), and program location. In the description, record 'call made to the police regarding suspected abuse of a vulnerable person', then sign and date the accident/incident report form. Forward a copy of the accident/incident report to the Child Protection Lead.

8. RECRUITING, SCREENING AND TRAINING STAFF AND VOLUNTEERS

The YMCA offers a range of programs to a variety of age groups including children and vulnerable persons.

Proper screening of potential employees and volunteers is essential for matching people and YMCA roles or positions, for ensuring the quality of YMCA programs, for maintaining safe YMCA environments, and for reducing or eliminating the risk of harm to children and vulnerable persons.

The YMCA maintains comprehensive, clearly communicated recruitment and screening processes that are consistently applied across the Association. A documented recruitment and selection process is in keeping with regulatory requirements relevant to screening including Employment Standards and Eligibility to Work in Canada, Child Protection, Human Rights, Information and Privacy, Youth Criminal Justice, and other legislated requirements.

The following general procedures shall apply when recruiting and screening potential YMCA staff and volunteers. Refer to YMCA Human Resources for more information.

- a) All forms of advertising used to recruit and select staff and volunteers will include a statement that YMCA offers of employment (or volunteer assignment) are contingent upon the successful completion of a police records check.
- b) All applicants will be required to complete an ONLINE application form
- c) To obtain relevant details for the position including prior work experience with children or vulnerable persons.

- d) Formal interviews in person, virtually (through TEAMS or ZOOM) or by telephone are conducted, with questions designed to determine suitability for working with children or vulnerable persons for all positions of trust.
- e) A minimum of three professional reference checks will be completed before a staff or volunteer position is offered. Reference checks are conducted to reveal more about the candidate's patterns of job performance, to predict success on the job or volunteer assignment, and to verify the accuracy of the information provided by the candidate through their application and interview responses. If a young candidate with little or no prior work experience, professional/personal references may include coaches, teachers, leadership facilitators, etc. References contacted should be asked to confirm the nature of their relationship to the candidate to indicate they meet the YMCA reference check requirement.
- f) Potential employees and volunteers will be offered positions conditional upon the production of a satisfactory police records check (**CRC and Vulnerable Sectors Check**), and acceptance of YMCA employment/volunteer obligations including adhering to YMCA policies that include child protection and duty to report requirements.
- g) An acceptable criminal records check (CRC) is obtained for all staff and volunteers before starting training or first day of work/voluntarism. Police records checks will need to be updated every 3 years prior to expiry. Supervisors shall refer to any additional screening procedures established by the Association.
- h) Vulnerable sector screening (and where available, Child Abuse Registry Check) will be completed at a minimum for all staff and volunteers having regular contact with children and vulnerable persons. As per the **CRIMINAL RECORD CHECK and VULNERABLE SECTOR CHECK POLICY** (staff portal):
 - For those under the age of 18 who cannot obtain a VSC due to their age a request for a VSC Exemption Declaration Form will be required for those under 18 years of age by the Child Protection Lead.

Additional screening procedures must be established by the YMCA to support the management of obtaining acceptable police record checks for all staff and volunteers. Additional screening procedures may include the use of a signed VSC exemption declaration on an exceptional basis at minimum, the following conditions to be met:

1. VSC Exemption Declaration Form needs to be distributed and monitored by the Child Protection Lead (Lori Evans). An extension to the signed declaration can only be approved by the Child Protection Lead.
2. Tracking system is in place to ensure declarations do not expire without the completion of required vulnerable sector check. Tracked in Payworks employee file and VSC declaration/exemption report.
3. Monitoring system of active supervision by direct supervisor is in place so staff and volunteers under the age of 18 who do not have a completed a vulnerable sectors check are never left alone with children.

I. Supervisors follow the CRC and VSC policy when addressing situations where a positive record has been identified.

II. During orientation, new staff and volunteers will be made aware of policies regarding the protection of children and vulnerable persons and duty to report suspected abuse, and YMCA code of conduct/behavior expectations.

k. All staff and volunteers shall complete the policy sign-off form online through Payworks (see Appendix E- Child Protection and Vulnerable Persons Policy Acknowledgement Form)

- Supervisors shall ensure that mandatory training on child protection is completed within **the first week** of employment or volunteer assignment. Re-fresher training will also be completed annually.
- All employee and volunteer records (including training records) will be maintained in keeping with information and records management processes, which will include appropriate safeguards to protect highly sensitive, personal information such as police records checks and references.

9. MANAGING AN ALLEGATION, COMPLAINT OR CLAIM OF ABUSE AGAINST THE YMCA

In the event of an allegation, complaint or claim of abuse against a staff or volunteer of the YMCA, the following procedures shall apply.

9.1 Reporting an Allegation of Abuse to a Protection Authority

- a) If a staff or volunteer suspects or receives an allegation or complaint of abuse about another YMCA staff or volunteer, they will follow the procedure for reporting an allegation or suspicion of abuse to the appropriate child protection authority. Refer to **Appendix D RESPONDING TO AN ALLEGATION OR COMPLAINT OF ABUSE AGAINST THE YMCA**.
- b) As soon as a call has been made to a child protection authority, the staff or volunteer will promptly notify their manager that a call has been made involving a suspicion of abuse against a YMCA staff or volunteer. The manager shall immediately notify the child protection lead who will inform appropriate management team members in keeping with the YMCA's escalation protocol. Management will ensure any additional child safety concerns, human resources, insurance (see 9.3 below), and other mandatory reporting requirements are addressed, and that the appropriate follow up steps are implemented once child protection authorities have completed their investigation, in keeping with established YMCA procedures.
- c) In the event of an allegation of abuse of a vulnerable person against a staff or volunteer a manager shall be notified immediately by the staff or volunteer suspecting or receiving an allegation of abuse, and the senior manager shall immediately inform management for appropriate handling and response. If the vulnerable person's safety is at risk or in immediate danger, staff shall call the police as outlined in section 7 above.

9.2 Information Management

- a) Staff and volunteers will follow the documentation and information handling procedures required under relevant child protection legislation.
- b) A report will be completed in accordance with relevant provincial child protection reporting requirements, and the YMCA will cooperate to the extent of the law with any legal authority involved. Refer to **Appendix C YMCA SUSPECTED CHILD ABUSE REPORT FORM – SAMPLE**
- c) All information related to disclosure or an allegation of abuse will be treated confidentially. Documentation regarding a report to a child protection authority must not be circulated internally nor given to anyone, unless a warrant or subpoena is provided. See Section 5 of **Appendix F** that captures documentation guidelines from a YMCA.
- d) All records related to the allegation or complaint will be retained indefinitely by the YMCA, or until such time as determined by the authorities.

9.3 Insurance

- a) Any allegation or complaint of abuse involving a YMCA staff or volunteer must be reported promptly to the insurer upon becoming aware of the allegation or complaint, in keeping with notice requirements under insurance policies. Providing the insurer with prompt notice protects the YMCA's ability to trigger abuse coverage under their insurance policies, in the event a legal demand or claim arises in the future.
- b) Liability insurance policies should be kept indefinitely by the YMCA and stored in an accessible and secure location. Retention of insurance policies is important given the historical, long tail nature that characterizes abuse claims.

9.4 Crisis Communications

The YMCA shall follow its escalation protocols as part of its proactive emergency response and crisis communication procedures that ensure the following:

- a) Senior managers responsible for responding to escalated or critical incidents understand their role in managing major or crisis events.
- b) Supervisors and staff have easy access to escalation and crisis management policies or protocols (staff portal).
- c) Orientation includes review of protocols so that new staff and volunteers understand their role in an emergency or crisis.
- d) Executive staff for the Association (YMCA of NL) promptly notify YMCA Canada of incidents involving serious injury or death or escalated situations with (potential) media attention.
- e) Organizational learning is incorporated following recovery from an escalated or crisis situation, facilitated by a designated senior lead who also reviews at least annually the effectiveness of the YMCA's escalation and crisis management protocols, for any needed enhancements.

10. STRATEGIES TO ENHANCE YMCA COMMITMENT TO PROTECTING CHILDREN AND VULNERABLE PERSONS

The YMCA is committed to an ongoing strategy for the protection of children and vulnerable persons and maintaining safe environments, which includes:

- providing training and education that ensures staff and volunteers know their responsibilities and duty to report
- monitoring YMCA's effectiveness in its commitment to protecting children and vulnerable persons
- providing mechanisms for feedback and appropriate response to complaints or disclosures.

10.1 Training and education increases knowledge and awareness of individual and organizational roles in protecting children and vulnerable persons and ensures the effectiveness of this Policy. Through education and training that includes new staff orientation, mandatory and annual re-fresher training with sign-off requirements, the YMCA fosters awareness among staff and volunteers of their responsibility 'to act' if abuse is suspected.

10.2 Monitoring: The YMCA has implemented a formal monitoring system that includes self-assessments, peer and third-party assessments of compliance with policies and procedures for the protection of children and vulnerable persons. Assessments are completed at least annually to identify where further enhancements may be needed to maintain the safety of YMCA program environments.

In addition, managers shall monitor programs regularly to identify any potential barriers and strategies for maintaining safe YMCA environments. Strategies include:

- fostering a culture of safety through safeguards including policies, training, education
- providing children and vulnerable persons with support and guidance on what to do, and who to contact if feeling uncomfortable or afraid at any time
- adhering to established employment practices, human resources and volunteer management procedures for recruitment, screening, supervising, and training staff and volunteers
- conducting program area checks including regular building sweeps/tours to monitor bathrooms, locker rooms and any isolated areas

- maintaining building security through use of central point(s) of entry, sign in/out procedures, restricted access to child care or child-minding areas, doors are locked that should be locked, etc.

10.3 Ongoing relevancy: The YMCA through its appointed Child Protection Lead or designate shall review this policy annually to ensure effectiveness and ongoing relevancy given also changing laws and public expectations.

Maintaining safe environments is a team approach. Supervisors and staff can speak with their program or facility manager, their senior manager, or contact the Association lead for child protection for more information.

The YMCA of Newfoundland and Labrador shall continue to instill a culture of shared accountability and responsibility across the Association for the protection of children and vulnerable persons.

11. CONTACTS AND OTHER RESOURCES

For more information about this policy, staff may speak with their Child Protection Lead for the Association –Lori Evans.



**APPENDIX A:
CHILD PROTECTION AUTHORITIES CONTACT INFORMATION**

Department of Children, Seniors, and Social Development (CSSD)

Main Line: (709) 729-4775 or 729-4552

Intake Officer: (709) 729-4612

[SNL2011 CHAPTER A-4.01 ADULT PROTECTION ACT Amended: 2018 cC-12.3 s115](#)

The Department of Children, Seniors, and Social Development (CSSD) is responsible for administration of the Act.

Legal obligation to report: 1-855-376-4957 regardless of where in the province the person resides.

APPENDIX B
DUTY TO REPORT SUSPECTED ABUSE PROCEDURE

In the event that a child or someone discloses, or a staff or volunteer suspects child abuse, the procedures outlined below must be followed. Supervisors shall ensure that staff and program volunteers are aware of their duty to report suspected child abuse to the Department for Children, Seniors, and Social Development.

1. If you (supervisor, staff, volunteer) suspect child abuse:

- You are required to make the call immediately to a child protection agency (the Department for Children, Seniors, and Social Development).
- You are not to ask anyone for help in making the decision; you must call.
- You may inform your supervisor or manager of the intention to call CSSD, if you need their support to ensure that you have the privacy and staff coverage required to immediately make the call. You may name the child, but no details of the suspicion or disclosure should be discussed with your supervisor or manager.
- If your supervisor or manager is not available, you must proceed with the report to CSSD.
- Once you have made the call, notify your onsite or senior manager who will notify Lori Evans, Child Protection Lead, 1-709-693-2299 that a call has been made to a child protection agency.
- If the child is talking with you, listen to them but please do not ask questions.
- Make the child feel comfortable.
- It is not the staff/volunteer responsibility to investigate the incident.
- Please document the incident with a reporting form- see Appendix C/Reporting Kit.
- All documents must be factually clear not your own feelings or thoughts.

2. Seeking Medical Attention:

If the child has sustained injuries, seek immediate medical attention.

If injury is suspected to have been caused by child abuse or family violence, **do not** inform the parent of the intention to seek medical care for the child until you have spoken with a child protection worker and have been given clear direction to do so.

If you think the child is in immediate danger, **call the Police**. Immediately after calling the police, contact The Department for Children, Seniors, and Social Development.

3. Avoid Discussing with a Parent or Guardian

A staff or volunteer who suspects abuse or family violence is **not** to disclose their suspicion or intention to call a child protection worker with the parent and/or guardian. Disclosing with the parent or guardian could jeopardize the child or contaminate the investigation. Therefore, **do not** talk with the parent or guardian unless you have been directed to do so by a child protection worker.

After consulting with the Department for Children, Seniors, and Social Development and if given permission by the Department for Children, Seniors, and Social Development official to notify the parent and/or guardian, a supervisor or his/her designate will emphasize to the parent both the concern for the child and legal obligation to Report Suspicion of Abuse.

Remember: The Department for Children, Seniors, and Social Development official will guide staff through this process if considered appropriate by The Department for Children, Seniors, and Social Development to speak

with the parent or guardian. *Do not inform the parent or guardian on your own, without first consulting with The Department for Children, Seniors, and Social Development.*

4. Making the Call:

If the child's cultural or religious affiliation is known, the report can be made directly to the child protection agency of that child's religious or cultural affiliation. If the child's religious or cultural affiliation is not known, the call should be made to The Department for Children, Seniors, and Social Development for the municipality in which the program is located. See contact information for child protection authorities in **Appendix A**.

If reporting to the Department for Children, Seniors, and Social Development *after* regular business hours, you will likely be required to leave a message, your name and phone number with an answering service. Indicate if your call is urgent. You will then need to wait to hear back from an after-hours protection worker.

***Leaving a message is not considered a report. You must speak directly to a child protection agency worker. If you think the child is in immediate danger, do not wait to be called back – Phone the police.*

When placing a call to a child protection agency:

Provide your Full name, your position, our Association name (YMCA of NL), and a number where they can reach you, along with the full details to the best of your knowledge of your suspicion(s). Ask for the name and phone number of the caseworker or manager you spoke with at the child protection agency.

If any further suspicion of abuse or new information with respect to a child occurs, then you must make another report to the child protection agency, regardless of any previous reports.

- **Remember:** The child protection agency provides support. You can call to “consult” for guidance and agency staff will support you through the process. The goal of the YMCA and a child protection agency is to protect all children whose safety must be considered first.

Additional reporting for staff delivering programs to children or vulnerable persons:

Suspected or witnessed abuse at a child care centre is a **Serious Occurrence** reportable within 24 hours to the Ministry. YMCA child care staff shall refer to *YMCA Child and Family Development Procedures* for more information about Serious Occurrence reporting.

5. Documentation Guidelines

- a) Documentation must be legible and written by hand by the person who reported the suspected abuse - do not type on a computer. Write with a ballpoint pen, not a marker or felt tip that might smudge or leak.
- b) Be factual, based on your observations. Do not include or document your personal thoughts about how it might have happened. Include direct observations and indicators to support your statements. You may include what someone else has told you, as long as it is relevant and you have recorded who told you the information.
- c) **Description Details** – Use the *Suspected Child Abuse Report Form* (Appendix C). The child abuse reporting form outlines what you need to include when documenting suspected child abuse and your call to a child protection authority.

***If a reporting form is unavailable or you are unable to access a child abuse reporting form at any time, it is very important that you still make a report by calling The Department for Children, Seniors, and Social*

Development *immediately*. Then document the report by hand, using a blank sheet of paper and place the report in a sealed envelope per e) and f) below.

- d) Do not make a rough copy and then re-write 'in good'. Your original document is required. If you make a mistake, don't use whiteout. Simply cross it out with a single line.
- e) Make sure documentation is complete. Sign and date the report. Place the report in a sealed envelope marked CONFIDENTIAL. Write the child's name on the front, and sign and date the envelope.
- f) Give the sealed envelope to the Child Protection Lead.
- g) In addition to the original documentation, staff shall use the YMCA Accident/Incident Report Form Participants/Members (Appendix F) to record **very brief** information, indicating the child's name, the program location, and date the call was made to The Department for Children, Seniors, and Social Development. In the description, record '*call made to a child protection agency*'. If applicable, also record '*abuse allegation against a staff/volunteer*' in the event of an allegation of abuse against a staff or volunteer. Then sign and date the incident report form. Forward a copy of the incident report to your program manager in keeping with YMCA incident reporting procedures.

***Documentation with respect to suspected child abuse is not to be released to anyone unless there is a warrant, subpoena or court order to submit records or attend court. Any request to release of records is to be forwarded to (child protection lead) who will determine appropriate action in consultation with legal counsel as needed.*

6. If a staff or volunteer is suspected of abuse

If a staff/volunteer suspects another staff/volunteer of abusing a child or children who participate in the program, they will inform their onsite manager or general manager of the intention to immediately call a child protection agency.

If it is a parent who is making the allegation against a staff/volunteer, staff shall inform the parent of their Duty to Report suspected child abuse to a child protection agency. The supervisor also has a responsibility to call the children protection agency. If the person suspected of abuse is the supervisor, the parent should make the call to a child protection agency.

A staff/volunteer making the allegation will complete required documentation as outlined in 5 above.

The person who is suspected of abusing a child will not be told by anyone about the suspicion, or the intention to report. Only under the direction and consultation with a child protection worker is the information to be disclosed by a manager with the alleged person.

The general manager will notify the CEO that a call has been placed to a child protection agency. The general manager will notify the Child Protection Lead who will notify designated members of management of the allegation. Management will determine further action steps for appropriate handling and response.

7. Confidentiality

All information related to disclosure or an allegation of abuse will be treated confidentially to the extent possible.

APPENDIX C
YMCA SUSPECTED CHILD ABUSE REPORTING FORM - SAMPLE

CONFIDENTIAL

Date Form Completed: _____

Name of YMCA Facility/worksite: _____

YMCA Core Service Area: _____

Child's Name: _____ Male Female Non-Binary

Child's Age: _____ Date of Birth: _____
(month/day/year)

Child's Address:

(street)

(city/province)

(postal code)

Child's Phone Number: _____

Name of Parent(s)/Guardian:

Relationship to Child:

Address:

(street)

(city/province)

(postal code)

Phone Numbers: _____

Reason for this Report:

- Suspicion of abuse
- Child disclosure
- Allegation of abuse against a YMCA staff/Volunteer

Describe incident, situation, statement or behavioural and/or physical indications of abuse:

Area(s) on child's body showing indicators of abuse:

Action the child protection social worker/licencing officer said will occur:

Report made to:

- Department of Children, Seniors, and Social Development
- Licencing Officer (for licenced child care only)

Date and Time of call: _____

Name of Intake Officer/Social Worker or police officer _____

Staff Signature: _____ Date: _____

APPENDIX D
RESPONDING TO AN ALLEGATION OR COMPLAINT OF ABUSE AGAINST THE YMCA

It can be very distressing when a staff or volunteer is accused of abusing a child. A YMCA staff or volunteer who receives a disclosure of abuse against another staff or volunteer or suspects a staff or volunteer of abuse has a legal obligation to report to Children, Seniors, and Social Development. Staff and volunteers must follow the procedures outlined below if a report is made against a staff or volunteer.

In many cases, handling a guidance situation in an inappropriate manner can cause an allegation of abuse. Staff and volunteers should be familiar with and adhere to the YMCA Child Protection and Vulnerable Persons Policy. In general, an allegation against a staff or volunteer is usually made by a parent, a child or a colleague. In all cases, there is a legal obligation to report.

If a parent makes an allegation against another staff or volunteer, the obligation to report also lies with the parent. The parent needs to be informed of their duty to report and be encouraged to make the report to the local Department of Children, Seniors, and Social Development. The staff or volunteer who has been informed of the situation or observed the situation, has the legal duty to report as well even if the parent(s) report.

If an allegation is made against a staff or volunteer and there will be an investigation, the staff or volunteer will be suspended with or without pay during the investigation.

Reporting Procedures for Staff & Volunteers

Staff and volunteers must follow these procedures when an allegation or disclosure is made against another staff or volunteer or when the abuse by a staff or volunteer is witnessed:

- Treat the allegations seriously and confidentially.
- Report immediately to Direct Supervisor or Duty Manager any allegations of abuse against a staff member.
 - Direct Supervisor or Duty Manager will notify the Child Protection Lead of the allegation. The Child Protection Lead will notify the CEO.
- The staff or volunteer must complete the YMCA Child Abuse Reporting Form (Appendix C) and follow the reporting procedures. The form will be reviewed by the Child Protection Lead to ensure that all required information is recorded.
- Staff and volunteers are to keep information confidential and not to discuss the allegation with other staff, volunteers, parents, or participants. Any questions regarding the incident should be referred to the CEO or their designate.



YMCA of Newfoundland and Labrador
www.ymcanl.com

Child Protection and Vulnerable Persons Policy Acknowledgement Form

As a staff member or volunteer of the YMCA of Newfoundland and Labrador:

- I have received the Child Protection and Vulnerable Persons Policy and Procedures;
- I understand my legal duty to report under the Department of Children, Seniors and Social Development; and the YMCA of Newfoundland and Labrador.
- I understand my personal responsibility and the actions required by me.

Employee or Volunteer

Name: _____
(Please print)

Position: _____

Department: _____

Signature _____ Date: _____
(Day/Month/Year)

Facilitator: _____ Date: _____
(Day/Month/Year)

Note: The facilitator can be your supervisor or your supervisor once removed. When completed, this form is to be uploaded by the Employee into their Payworks profile.



**YMCA of
Newfoundland and Labrador**

**Accident/Incident Report Form
Confidential – Participants/Members**

- Avalon Peninsula Region Burin Peninsula Region Labrador Region

Type of Report: (Please check the appropriate box)

- Injury to participant
 Damage to equipment/facility
 Other (Please Specify) _____

Details of Accident/Incident:

Date: (MM/DD/YY) _____ Time: _____ am / pm
 Location: _____ Nature of Accident/Incident: _____
 (e.g. sprain, cut, etc.)

Person(s) Involved (Information):

Name: _____ Age: _____ Phone: _____
 Address: _____ Postal Code: _____
 Occupation: _____

Name: _____ Age: _____ Phone: _____
 Address: _____ Postal Code: _____
 Occupation: _____

Description of the Cause of Events: (including action taken/property damaged/unsafe acts or conditions)

In the event of an ACCIDENT you are also required to complete the following information:

Name of person administering first aid treatment and supplies used:

- | | | |
|--|------------------------------|-----------------------------|
| Transported to health care facility? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Emergency Services called? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Emergency contact (parent or guardian) notified? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

 Date: _____ Staff Signature (taking report)

 Date: _____ Participant Signature (injured)

APPENDIX G
YMCA CHILD ABUSE DOCUMENTATION PROCEDURE

Guidelines for Writing Documentation

All documentation must be:

- Legible and hand written by the person who suspected and reported the suspected abuse (never to be typed on a computer);
- Written with a ball point pen, not a marker or felt tip, which might smudge/leak;
- Factual, based on your observations. Do not document your personal thoughts about how it might have happened or include second or third party information;
- Submitted as the original document. Do not re-write your documentation;
- Free of white-out, if you make a mistake, simply cross it out and initial any errors/changes;
- Complete with the name(s) and phone number(s) of the individual(s) you spoke with The Department of Children, Seniors, and Social Development and/or RNC/RCMP Division;
- Complete with any directions you were given by a The Department of Children, Seniors, and Social Development and/or RNC/RCMP Division;
- Signed, dated, and placed in a sealed envelope;
- Write the child's name and CONFIDENTIAL on the front of the envelope, the Child Protection Lead will sign his/her name to the back seal;
- The Child Protection Lead will put the envelope in a locked, fire proof cabinet, separate from the children's files.

Written documentation should include the following information:

- Child's name and address;
- Observation date and time;
- Description of the full incident(s), and/or situation(s) of suspected abuse (FACTS ONLY). Ensure to include dates, times, behaviours, specific words and interactions between the individuals involved;
- Description of the physical condition of the child, including any injuries or signs of illness.
- Description of the emotional condition of the child, including any behavioural concerns, as well as the child's response upon disclosure (if applicable). Are there any noticeable changes in the child's behaviour?
- If known, a description of any further risks of abuse to the child, including the access of the alleged abuser to the child;
- Describe fully the "action taken" on behalf of the child. Include all instructions and/or advice from The Department of Children, Seniors, and Social Development or RNC /RCMP Official.

Documentation regarding an allegation is never to be given to anyone including Police or The Department of Children, Seniors, and Social Development unless a warrant or subpoena is provided.