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Child Safety and Protection Policy and Procedures

Governance and Culture

The YMCA of Hamilton/Burlington/Brantford is committed to fostering an environment that upholds the values of anti-oppression, anti-racism, anti-colonialism, and human rights in all aspects of our operations, striving to create a just and inclusive society for all.

The YMCA is fully committed to safeguarding the welfare of all children and young people in its care. We are committed to promoting equity, diversity, inclusion and belonging and we recognize our responsibility to promote safe spaces where children can be their authentic self: where each child is treated with respect and dignity.

We recognize that children come from diverse families and strive to create a safe and inclusive environment that celebrates family diversity and promotes positive relationships among children, families, and staff. We recognize that children come from different experiences, and have differing abilities, cultures, and beliefs and acknowledge that there are systemic barriers and biases that result in inappropriate outcomes for certain groups.

We recognize that our staff and volunteers play a critical role in ensuring the safety and well-being of children. Therefore, we are committed to providing ongoing annual training and support to our staff and volunteers to equip them with the necessary knowledge, skills, and tools to recognize and respond to concerns about a child's wellbeing in an equitable, and inclusive manner.

Everyone who represents the YMCA must actively create safe environments and behave appropriately towards children and youth. Each person working with children has a [Duty to Report](#) any suspicions of child abuse; it is the responsibility of a child protection agency to investigate.

The YMCA is committed to ensuring that it will annually review and approve policies and procedures with the aim of:

- Promoting and implementing appropriate procedures to safeguard the well-being of children and young people and protecting them from harm while participating in YMCA activities and programs
- Recruiting, training, supporting, and supervising staff and volunteers to adopt best practices to safeguard and protect children and young people from abuse and to reduce risk to themselves
- Requiring staff, volunteers, and contractors to adopt and abide by this Child Safety and Protection Policy and the outlined procedures
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff and volunteers
- Monitoring and evaluating the implementation of this policy, the procedures and adapting them whenever there is a notable change in the Association or if there are any legal changes; and
- Conducting semi-annual self-assessments with verifications/evidence reflective of risk mitigation

Definitions

The YMCA of Hamilton/Burlington/Brantford recognizes the following definitions in compliance with Ontario regulations:

- A **child** or **youth**, according to Ontario law, is someone under 15 years of age or someone up to 18 years of age if under the care of the Children's Aid Society. As of January 1, 2018, young people aged 16 and 17 years may also

need protection and, accordingly, suspicions of abuse of young people 16 and 17 years of age may be reported to a child protection agency.

- A **child in need of protection as defined by the Child, Youth and Family Services Act, 2017** is any child or youth who has been placed at risk through something a person has done to them or something a person is failing to do for them. This includes any form of physical harm, emotional deprivation, sexual mistreatment, or neglect which can result in injury or psychological damage to a child.
- **Duty to Report** is defined under Ontario's Child and Family Services Act 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.
- A **vulnerable adult** is a person aged 18 years or older who may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation.
- **Child Abuse includes all types of physical and or emotional ill treatment, sexual abuse, neglect, negligence and commercial or other exploitation which results in actual or potential harm to the child/youth's health, survival, development, or the dignity in the context of a relationship responsibility, trust, or power.**
- **Physical abuse** involves any act that deliberately causes physical harm to a child/youth for example: hitting, shaking, throwing, poisoning, burning, or scalding
- **Emotional abuse** involves harming a child's sense of self. For example, verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child or exposing them to family violence
- **Sexual abuse** involves forcing or enticing a child or youth to take part in sexual activities. The activities may involve physical contact, including penetrative or non-penetrative acts. This may also include involving children in prostitution or pornography
- **Neglect** is the persistent failure to meet a child's or youth's basic needs for their physical or emotional development

The YMCA will refer concerns where a child or youth might be at risk of significant harm to the Children's Aid Society. We all share a responsibility to protect children from harm. This includes situations where children may be at risk, suffer abuse, and or neglect. The Child, Youth and Family Services Act, 2017 (CYFSA) provides protection for these children.

The senior member of the YMCA management team with special responsibility for child protection issues is designated by the President and CEO. This responsibility is assigned to the Vice President of People, Leadership, and Culture.

Accountability and Oversight (Responsibilities)

While the primary responsibility for the protection of children and youth from abuse rests with the Children's Aid Society, all YMCA staff and volunteers who encounter children and youths have a **duty** to help protect them from abuse or risk of abuse.

The responsibility for managing this policy is mandated by the Board of Directors and lies with the YMCA's senior management for implementation and accountability. The association's board reports reflect the critical nature of child protection.

President and CEO

- Appoint a Child Safety and Protection lead and ensure the lead has the necessary resources and supports to carry out their responsibilities; and
- Embed Child Safety and Protection into associations annual operating plan

Board of Directors

- Annually review the Child Safety and Protection Policy- providing signed acknowledgement of their understanding and responsibilities
- Review liability insurance including coverage for child abuse and sexual abuse with signed acknowledgement by the Board Chair that the level of coverage meets the standard (annually); and
- Commit to have governance processes that keep children and youth as a primary focus

Association Child Protection Lead – Senior Oversight

The senior member of the YMCA management team with special responsibility for child protection issues is designated by the President & CEO. This responsibility is assigned to the Vice President of People, Leadership, and Culture who provides oversight to the application and practices related to adherence of Child Safety and Protection protocols. The Vice President of People, Leadership, and Culture provides direct oversight to the association. **The interim association Child Protection and Safety Lead is the Chief Operating Officer for the 2023 and 2024 fiscal year.**

Association Child Safety and Protection Committee

- Establish and maintain systems to promote awareness of Child Safety and Protection, facilitating the reporting, and response to concerns in alignment with associations communication plan
- Conduct self-assessments and develop action plans accordingly
- Complete annual assessments and internal reviews in compliance with Y Canada Standards reporting; and
- Annually review Child Protection policy and train to maintain standards and best practices
- Supporting data analysis of association confirmed allegations for trends and trainings

YMCA People Leaders (Management/Supervisors/Program Leads)

YMCA People leaders (management) are responsible for ensuring that a safe environment is maintained in all facilities and programs by:

- Ensuring that all staff and volunteers are aware of their responsibilities
- Ensuring that all staff and volunteers who have significant contact with children and youth are oriented to child protection policies and procedures and receive training on this policy, including an annual refresher training
- Establishing physical security and measures to protect children accessing YMCA programs
- Comply with associations [Recruitment and Selection policy](#)
- Establishing guidelines that ensure programs are developmentally appropriate and well planned
- Providing direct guidance on the Duty to Report documentation process, and promptly responding to any complaints, reports, and allegations; and
- Ensuring that annual offence declarations have been signed off on

Staff and Volunteer Responsibilities

YMCA staff and volunteers have a responsibility to ensure the safety and well-being of children in their care by:

- Following guidelines that ensure programs are developmentally appropriate and well planned; and creating a safe and caring environment for children
- Assess risks for children and youth and remove any risk within our control to create a safe environment.
- Speak up when there is an indication that the well-being of a child or youth may be at risk
- Reporting that a child needs protection as provided in the Child, Youth and Family Services Act-Duty to Report

- Staff are encouraged to inform their supervisor should they require assistance or need clarification in the reporting requirements
- Avoid working in one-on-one situations with a child or youth unless there is a specific need and appropriate procedure to do so
- Review and acknowledging their understanding of their role within the YMCA Code of Conduct-Safeguarding Children
- Completing annual review and acknowledgement of Child Safety and Protection policy

PROCEDURES

Education and Training

Management and all staff/volunteers working with children will receive training adequate to familiarize themselves with child protection issues and responsibilities and the YMCA procedures and policies, in alignment with hiring practices and will receive a refresher training annually. All training will be documented in the employees' or volunteers digital file on commencement of placement with the YMCA and annually thereafter. These procedures provide staff and volunteers with a clear understanding of their roles and responsibilities to ensure that the children or youth in our programs feel physically, emotionally, and socially safe with our YMCA programs.

Opportunities exist for learning from practical case experience to be fed back into organizational training and development programs.

Interaction with Children, and Young People : Do No Harm

- Demonstrate the highest standards as outlined in the YMCA Code of Conduct Safeguarding Children and Youth
- Provide the highest quality of program to promote a child's authentic self, intervene to promote the wellbeing of child
- Seek support if they feel the YMCA Code of Conduct –Safeguarding Children and Youth has not been implemented to the highest standard
- Avoid working in one-on-one situations with a child or youth unless there is a specific need and appropriate procedure in place

Reporting Suspected Abuse and/or Allegations Against Staff or Volunteers

- Treat allegations seriously and confidentially
- Respond to any allegation within 24 hours of being informed and ensure that all requirements under **Duty to Report** are followed
- Ensure that all fields in the YMCA Suspected Abuse Reporting Form have been completed – seal the report in an envelope and provide it to department direct manager to forward to Human Resources
- In addition to the above, where an incident may involve an **allegation, complaint or claim of abuse against a staff or volunteer** the procedures below will be followed:
 - The staff or volunteer will notify their immediate supervisor/manager as soon as a call to the child protection authority has been made. If the immediate supervisor/manager is not available, the staff or volunteer will notify the manager once removed
 - Manager will notify their General Manager, Senior Regional Manager, and Vice President/COO of the allegation. The Vice President will notify the President & CEO and the Vice President People, Leadership, and Culture (Association Lead responsible for Child Protection) <https://www.ymcahbb.ca/about-us/leadership>
 - The Child Safety and Protection Lead will refer to the Crisis Communication Plan when deemed necessary

- All records related to the allegation or complaint will be retained in compliance with the [YMCA Privacy Policy](#) until such time as determined by the authorities, or by YMCA records retention requirements, or by the insurer, whichever is longer.

Electronic and Site Safety

- Employees and volunteers will adhere to the YMCA [Digital Communications Policy](#) which captures the following in detail
 - a) Requirement that any engagement take place through a YMCA-issued device
 - b) Ensure that no photos of children or youth are taken for personal use
- Any authorized photos for YMCA purposes may only be taken on YMCA devices with appropriate consent.
- Employees will adhere to the [Electronic Monitoring policy](#)
- Regularly review safety of facilities through site checks and facility access plans-ensuring that site safety and security is maintained in alignment with Facility Access and Program controls.

Child Pornography Reporting Act

The province of Ontario has enacted a new *Child Pornography Reporting Act* which makes it an offence not to report child pornography. All individuals in Ontario have a duty to report any representation or material that is, or might be, child pornography to a designated organization, agency or person. The new bill amends the *Child and Family Services Act*.

These amendments will have significant implications for IT staff in particular. Prior to the amendments, if an individual in a workplace became aware of suspected child pornography on its computer system, the decision to report the findings could be based on exclusively moral and ethical considerations. Under the new legislation, while there is no obligation to look for child pornography, individuals will have liability for failing to report any such representation or material which is discovered. Failure to report will result in a potential fine of up to \$50,000, imprisonment for up to two years, or both.

Incident Reporting:

- Report any information to your supervisor.
- Complete an incident report
- Supervisor will report to VP of area, HR, VP of PLC, COO and CEO
- CEO will determine course of action

Telephone Numbers for Reporting Suspected Cases of Child Abuse and Neglect

- Children’s Aid Society of Hamilton..... 905-522-1121
- Halton Children’s Aid Society 905-333-4441
- Brantford Children’s Aid Society* 519-753-8681
- Catholic Children’s Aid Society 905-525-2012
- Kawartha-Haliburton Children’s Aid Society (Haliburton Office)705-457-1661

APPENDICES

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Reviewed and Approved: The signatures below confirm that the YMCAHBB Board of Directors have approved the Child Protection Policy and confirm that there is adequate liability insurance.	
	April 8, 2024
Manny Figueiredo President & CEO	Date
	April 8, 2024
Alyssa Lai Chair, Board of Directors	Date