

## **DEFENCE YOUTH SAFETY GOVERNANCE**

### **INTRODUCTION**

1.1. The goal of the Defence Youth Safety Framework (DYSF) is the creation and maintenance of a youth safe organisation through the adoption of appropriate and consistent approaches to youth safety and youth safety governance.

1.2. In the Defence Youth context, the terms child, young person, youth and minor are equivalent and interchangeable.

### **POLICY INTENT**

1.3. Good governance means that there are organisational systems in place to ensure:

- a. support for action in accordance with leading practice
- b. processes and outcomes are monitored against known and emerging standards
- c. deficiencies in processes and outcomes are addressed.

1.4. Defence aims to be a leader in youth safety and to be recognised nationally as a youth safe organisation. Defence youth safety performance indicators will be designed both for measurability and adaptability to ensure they are relevant to each of the Defence contexts in which adults interact with youth.

### **GOVERNANCE ESSENTIALS**

1.5. Achievement of positive youth experiences and outcomes requires Defence to focus on:

- a. limiting the potential for abuse or neglect occurring and when abuse or harm occurs decreasing the effect
- b. the overall safety and wellbeing of young people by providing for their physical and mental wellbeing, with due consideration of age, maturity, circumstance and situation
- c. the importance of achieving safe and protective environments for young people who interact with Defence.

1.6. Youth safety governance focuses on consistent application of youth safety policies, procedures and practices across Defence and the ADF Cadets.

1.7. Defence youth safety governance builds on existing governance provisions for work health and safety, incident response and management and reporting obligations as set out in Defence policy:

- a. DI(G) PERS 35-3 Required behaviours in Defence
- b. DI PERS 35-4 Reporting and Management of Sexual Misconduct Including Sexual Offences
- c. Defence Incident Reporting and Management Manual

- d. Defence Work Health and Safety Manual
- 1.8. The key to being a youth safe organisation is that:
- a. everyone, youth and adults alike, know what to do if they observe, disclose, suspect or are subject to abuse or inappropriate behaviour.
  - b. young people are not unnecessarily exposed to risks and issues that could cause harm or create an unreasonable level of fear and anxiety.

### LEGISLATIVE FRAMEWORK

- 1.9. The Defence Youth Safety Framework supports the broader legislative framework in which Defence functions. Defence recognises its:
- a. legal duty of care to ensure reasonable steps are taken for the safety of Defence members and ADF Cadets, with a higher standard of care on the part of the Commonwealth for Defence members and ADF Cadets under 18
  - b. statutory obligation under the *Work Health and Safety Act 2011* on the part of Defence, and all Defence personnel and external service providers, to take all reasonably practicable steps to protect the health and safety of workers; which includes members of the ADF Cadets aged under 18
  - c. obligations under Australia's ratification of the *United Nations Convention on the Rights of the Child (1990)* that sets out the civil, political, economic, social and cultural rights of children and the [Optional Protocol on the Involvement of Children in Armed Conflicts \(2002\)](#) that obliges signatories to the Conventions to take "all feasible measures to ensure members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities"
  - d. requirement to comply with Commonwealth and state and territory laws related to 'Working with Vulnerable People and Children Checks' (WWVP/C) in accordance with the Defence Working with Vulnerable People and Children Suitability Assessment policy.

**POLICY MEASURES AND PRACTICE**

1.10. The Defence Pathway to Change strategy commits Defence personnel to being their best on all days, and in all ways, so that Defence as an organisation, can be 'trusted to defend, proven to deliver and respectful always'. Defence personnel value doing the right thing and making choices that honour Defence values.

1.11. The table below captures how Defence values are reflected in youth safety actions relative to each of the youth safety principles.

**Table Error! No text of specified style in document.–1 Defence Values and Youth Safety Principles in Practice**

<b>Youth Safety Principles</b>	<b>Principles in Practice</b>	<b>Defence Value</b>
All youth have the right to a safe environment	<ul style="list-style-type: none"> <li>• Youth safety and wellbeing action is a key consideration when planning and executing youth activities.</li> <li>• Youth safety lessons learned are incorporated through the pursuit of a continuous improvement model.</li> <li>• Personnel including young people receive appropriate youth safety training.</li> </ul>	Professionalism Loyalty Teamwork Innovation
Ensuring the safety and wellbeing of youth is a Defence priority	<ul style="list-style-type: none"> <li>• Expectations of behaviour that incorporate the Defence values are clearly articulated in Codes of Conduct for adults and young persons alike.</li> <li>• Defence acts promptly when alerted to breaches of the DYSF – particularly of a Code of Conduct.</li> <li>• Opportunities are provided for young people to contribute to youth program development and youth safety decision making.</li> <li>• Defence undertakes suitability screening for adults who interact with youth as appropriate to the context.</li> </ul>	Professionalism Loyalty Integrity Courage Teamwork

<b>Youth Safety Principles</b>	<b>Principles in Practice</b>	<b>Defence Value</b>
<p>The best way to protect youth is to prevent abuse and neglect from occurring in the first place</p>	<ul style="list-style-type: none"> <li>• Robust risk assessment and management appropriate to the context are a fundamental element of Defence of youth safety.</li> <li>• Adults and youth alike are encouraged to speak out about any behaviours at odds with the code of conduct.</li> </ul>	<p>Professionalism</p> <p>Loyalty</p> <p>Innovation</p> <p>Courage</p>
<p>The interests of any young person being abused or neglected or at risk of abuse or neglect are given the highest priority.</p>	<ul style="list-style-type: none"> <li>• Full and timely compliance with State and Territory mandatory reporting requirements.</li> <li>• Young people are encouraged to voice their concerns or make suggestions about youth safety to the appropriate Defence authorities.</li> <li>• Defence identifies and manages youth incidents in accordance with procedures.</li> <li>• Defence continuously monitors and develops strategies for dealing with responses and other concerns to ensure they focus on the young person who has been harmed or at risk of harm.</li> </ul>	<p>Professionalism</p> <p>Loyalty</p> <p>Courage</p> <p>Teamwork</p>
<p>Defence values, supports and works in partnership with parents, guardians specified next of kin and other agencies in fulfilling its youth safety responsibilities</p>	<ul style="list-style-type: none"> <li>• Defence engages proactively with parents/guardians of young people so far as the <i>Privacy Act 2008</i> allows.</li> <li>• Defence encourages appropriate engagement in Defence youth activities by parents/guardians.</li> <li>• Defence incorporates a youth safety element into the annual Defence Work Health Safety Day.</li> </ul>	<p>Professionalism</p> <p>Teamwork</p>
<p>Youth safety policies and interventions are evidence based</p>	<ul style="list-style-type: none"> <li>• Youth safety development action is informed by leading practice and guided by evidence based research.</li> <li>• Defence pursues continuous improvement through the adoption of Plan-Do-Check-Act (PDCA) cycle.</li> <li>• Defence seeks opportunities to participate in the evolving youth safety community of practice.</li> </ul>	<p>Professionalism</p> <p>Innovation</p>

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**OUTCOMES**

1.12. Defence youth safety governance allows Defence to be clear about youth safety responsibilities. Good governance delivers the following outcomes for each of the key youth safety stakeholder groups through a focus on, responsibility, accountability, transparency and fairness in all aspects of youth safety.

**Table Error! No text of specified style in document.–2 Defence Youth Safety Stakeholder Outcomes**

Stakeholder	Desired Outcomes
Young people	<ul style="list-style-type: none"> <li>• Feel safe and protected from emotional, physical, and sexual abuse and/or peer-to-peer harm.</li> <li>• Feel confident that if they have already been harmed Defence will assist them to recover.</li> <li>• Know that Defence personnel work within a learning culture, where there is a focus on continuous improvement.</li> <li>• Know who to contact and how to report a youth safety incident.</li> </ul>
The families of young people	<ul style="list-style-type: none"> <li>• Feel confident that youth incidents will be managed sensitively and appropriately in accordance with Federal, State and Territory reporting requirements.</li> <li>• Feel confident that their young people will be safe and protected from emotional, physical, and sexual abuse and/or peer-to-peer harm.</li> <li>• Feel confident that Defence will assist their young people to recover if they have been harmed.</li> <li>• Know that Defence personnel work within a learning culture, where there is a focus on continuous improvement.</li> <li>• Know who to contact and how to report a youth safety incident.</li> </ul>
Defence personnel, members of ADF cadets and volunteers	<ul style="list-style-type: none"> <li>• Are clear about Defence expectations of youth safe behaviour.</li> <li>• Understand their responsibilities with respect to reporting.</li> <li>• Know the consequences of breaches of the code of conduct.</li> </ul>
Partnering organisations and contractors	<ul style="list-style-type: none"> <li>• Understand their responsibilities and contractual obligations to Defence.</li> </ul>
Defence Leadership	<ul style="list-style-type: none"> <li>• Understand their roles and responsibilities, including monitoring and responding to youth safety incidents and performance improvement related issues, as well as ensuring risks are appropriately identified and managed.</li> <li>• Lead by example and ensure the youth safety governance requirements are clearly understood, implemented and enforced Defence wide.</li> </ul>

**GOVERNANCE ROLES AND RESPONSIBILITIES**

1.13. The Defence Youth Safety Governance Framework applies across all five Defence contexts in which adult youth interactions occur:

- a. service of ADF members and employment of APS under the age of 18
- b. Defence Youth Programs
- c. ADF Cadets
- d. domestic and international operations
- e. Defence entities.

1.14. Defence is a large, complex and diverse organisation. Successful implementation of the DYSF requires clear delineation of responsibilities to ensure accountability.

1.15. The table below highlights key youth safety governance responsibilities.

**Table Error! No text of specified style in document.–3 Youth Safety Governance Roles and Responsibilities**

Role	Responsibility
JCG	Monitoring the consistency and effectiveness of youth safety across Defence.
DEPSEC DP	Ensuring Defence people policies are consistent with and reflect the principles and approach detailed in the youth safety framework.
Group Heads and Service Chiefs	Ensuring Group and single Service compliance with mandated requirements.
HRYD	Developing, maintaining (including regular review), monitoring and reporting on the implementation of the framework.
DGs Personnel (DGNP, DGCM-A, DGPERS-AF)	Ensuring: <ul style="list-style-type: none"> <li>• ADF positions that include interaction between adult position holders and youth are identified and annotated</li> <li>• appropriate suitability screening is completed prior to the member commencing in the position.</li> </ul>
APS Recruitment Delegates	Ensuring: <ul style="list-style-type: none"> <li>• APS positions that include interaction between adult position holders and youth are identified and annotated</li> <li>• appropriate suitability screening is completed before a person is accepted into an annotated position.</li> </ul>

<b>Role</b>	<b>Responsibility</b>
Commanders of units with under 18s	Ensuring: <ul style="list-style-type: none"> <li>• adherence to state and territory incident reporting guidance</li> <li>• compliance with codes of conduct (behaviour expectation statements)</li> <li>• compliance with youth safety education and training requirements</li> <li>• timely and complete responses to breaches of the code of conduct</li> <li>• inclusion of youth safety as an item in relevant meeting agenda</li> <li>• the currency of suitability screening.</li> </ul>
Managers of Defence youth programs/Directors General Cadets	Ensuring: <ul style="list-style-type: none"> <li>• adherence to state and territory incident reporting guidance</li> <li>• compliance with codes of conduct (behaviour expectation statements)</li> <li>• compliance with youth safety education and training requirements</li> <li>• timely and complete responses to breaches of the code of conduct</li> <li>• inclusion of youth safety as an item in relevant meeting agenda</li> <li>• the currency of suitability screening.</li> </ul>
Defence personnel involved in the procurement of contractors and consultants	Ensuring that any contract in which contracted personnel and consultants may have contact with youth in any Defence context contain a provision by which the contractor and/or consultant agree to comply with the requirements of the DYSF.

**PERFORMANCE MEASUREMENT**

1.16. Defence will measure its success as a youth safe organisation in a number of ways, commencing with the use of a maturity model to enable Defence to track implementation action. The use of a maturity model enables identification of areas of leading practice, as well as a focus on continuous improvement and the delivery of improved outcomes.

1.17. Defence will establish a formal system of youth safety data collection to enable identification of trends and the measurement of the performance of the Defence Youth Safety Framework in practice.

**Child Protection Authority Contact Details and State and Territory Legislative Requirements**



Accountable Officer: Chief of Joint Capability

Policy Officer: Head Reserve and Youth Division/Commander ADF Cadets