

AUSTRALIAN DEFENCE FORCE CADETS ENTERPRISE GOVERNANCE

INTRODUCTION

- 1.1 The Australian Defence Force Cadets (ADF Cadets) is the collective title for the three individual community based cadet organisations - the Australian Navy Cadets (ANC), the Australian Army Cadets (AAC), and the Australian Air Force Cadets (AAFC).
- 1.2 Enhancement of ADF Cadets governance represents the centrepiece of the organisational reform flowing from the Royal Commission into Institutional Response to Child Sexual Abuse Case Study 40.
- 1.3 Reform is focussed on achieving the most appropriate structure and governance protocols to provide a safe environment for young people participating in ADF Cadets activities. Reform includes consolidation and centralisation of accountabilities for common elements of the ADF Cadets program and development of One Cadet culture and governance akin to the One Defence approach to mitigating risks arising from disparate approaches to the delivery of standard program elements.

POLICY INTENT

- 1.4 Effective ADF Cadets governance is key to ensuring Defence can meet its obligations to provide a safe environment for young people participating in ADF Cadets activities. The Defence Youth Safety Framework provides the definitive guidance with respect to achievement and maintenance of youth safety across Defence.
- 1.5 This policy outlines the, structures and mechanisms required to:
- a. give effect to the administrative powers of the CDF, CJC, the Service Chiefs and their delegates
 - b. implement an overarching child safety system
 - c. enhance the management and effectiveness of the ADF Cadets via a consistent administration regime across common elements of the ADF Cadets enterprise.

ACCOUNTABILITIES

- 1.6 Under section 62A(1) of *the Defence Act*, the Chief of the Defence Force is to direct and administer the Australian Defence Force Cadets.
- 1.7 Under section 62A(3) of *the Defence Act*, the Chief of the Defence Force may direct the Vice Chief or a service chief (amongst others) to assist in the direction and administration of the ADF Cadets.
- 1.8 Under the Chief of the Defence Force Directions and Authorisations (Administration of ADF Cadets) 2016, the Chief of the Defence Force has directed the Vice Chief to establish policy requirements that are to apply to the ADF Cadets.

1.9 The scope of this direction is broad as, under section 5(d), it includes ‘any other matters relating to the ADF Cadets’.

1.10 Under the Chief of the Defence Force Directions and Authorisations (Administration of ADF Cadets) 2016, the Service Chiefs are to administer their respective Service Cadet program in accordance with the policies established by the CJC.

1.11 Commander ADFC (CADFC) is accountable to CJC for the development, implementation and application of centralised accountabilities for common policies, procedures, training and enabling functions of the ADF Cadets as well as the overarching child safety system across the ADF Cadets enterprise.

1.12 Deputy Commander ADFC (DC/ADFC) is accountable to CADFC for the development of common policies and procedures, the ADF Cadets enterprise assurance regime, and analysis of incident reporting across the three ADF Cadets.

1.13 Director General ANC and Reserves (DGANCR) – Lead Enabling Manager-Support (LEM-S) – is accountable to CADFC for liaison with E&IG, legal support, incident reporting, commercial/contractual liaison and, logistics management for common elements.

1.14 Commander AAC (COMD AAC) – Lead Enabling Manager–Training (LEM-T) – is accountable to CADFC for development and delivery of common training curricula for Officers and Instructors of Cadets, and for delivery of common elements of Cadets’ educational programs; and

1.15 Director General Cadets – Air Force (DGCADETS-AF) – Lead Enabling Manager–Communications (LEM-C) – is accountable to CADFC for the management of ADFC communications elements comprising ICT, Information/Records Management, liaison with CIO Group, digitisation and Public Relations.

1.16 Each of the three LEMs remain responsible to their Service Chiefs for Service - specific elements of the three individual programs that comprise the ADF Cadets as well as each of those operational aspects best managed along single-Service lines, (eg Work Health Safety, financial management, incident management and unique cadets’ environmental development activities).

1.17 The Glossary provides a list of definitions and abbreviations which apply to the Youth Policy Manual (YOUTHPOLMAN).

GOVERNANCE PRINCIPLES

1.18 The ANC, the AAC and the AAFC are established under section 62 of the *Defence Act 1903* and consist of people who have volunteered and been accepted by the CDF as Officers and Instructors of Cadets and Cadets.

1.19 Officers and Instructors of Cadets and Cadets are not members of the ADF and persons with roles in the administration, management, supervision and training of Cadets do not become members of the ADF because of those roles.

1.20 The ADF Cadets governance principles together with the Defence and ADF Cadets rights and responsibilities charter (Annex A) provide the foundations for the governance of the ADF Cadets.

1.21 The policies contained in YOUTHPOLMAN provide leading practice evidence-based direction on the day to day management of the ADF Cadets enterprise.

1.22 The ADF Cadets Governance principles focus on promoting the actions needed to achieve good governance practices and outcomes.

POLICY PRINCIPLES

1.23 The principles that underpin this policy are:

- a. Principle 1 – Roles and responsibilities are clearly defined across all levels of the enterprise and include performance expectations of key Defence personnel, ADF Cadets members and governance boards.
- b. Principle 2 –The ADF Cadets risk management and assurance systems include both internal and external controls that track incident data.
- c. Principle 3 – The ADF Cadets information management system supports timely, effective and transparent administration and decision making.
- d. Principle 4 –The ADF Cadets have common procedures, assurance, and education and training programs in accordance with the policies established by the Vice Chief.
- e. Principle 5 – The ADF Cadets enterprise adheres to the Defence Youth Safety Framework.

POLICY PRACTICE AND MEASURES

Principle 1 – Roles and responsibilities are clearly defined across all levels of the enterprise and include performance expectations of key Defence personnel, ADF Cadets members and governance boards.

1.24 All people associated with the ADF Cadets enterprise, both Defence personnel and members of the ADF Cadets, are to have clarity with respect to their responsibilities and expectations of behaviour, particularly those whose roles include governance responsibilities related to the Defence Youth Safety Framework and obligations at law which may include, but are not limited to, duties under the:

- a. *Work Health and Safety Act 2011* (WHS Act), under which all ADF Cadets members and Defence Approved Helpers (DAH) are considered workers
- b. *The Military Rehabilitation and Compensation Act 2004*, which makes provision for the compensation of Officers of Cadets (OOC), Instructors of Cadets (IOC) and cadets for injuries and illnesses incurred while participating in approved ADF Cadets activities
- c. *Performance and Accountability Act 2013*
- d. *Privacy Act 1988* and the Defence privacy policy
- e. Relevant state and territory laws Federal Register of Legislation, particularly as they apply to child and youth protection.

1.25 ADF Cadets members are volunteers and are not expected to have the same detailed knowledge or expertise as the Defence personnel who administer the ADF Cadets enterprise. However it is expected that all ADF Cadets adults, in leadership and management roles, have sufficient skills and knowledge to maintain a child safe environment and response to youth safety incidents.

1.26 The ADF Cadets approach to engaging with youth is part of the broader Defence Youth Safety Framework (DYSF).

1.27 Defence adopts an organisation-wide approach to compliance with state and territory legislation and relevant Commonwealth legislation and policies that protect young people.

1.28 ADF Cadets members are made aware that as a condition of their volunteering in the ADF Cadets program, they will undergo relevant suitability assessments.

1.29 All responsibilities and expectations are to be clear prior to membership and confirmed in a Letter of Acceptance for OOC, IOC and DAH and a Letter of Acceptance for Cadets. All ADF Cadets members are to be formally advised of their roles and responsibilities, the terms of their membership, any conditions on or limits to their membership, expectations of behaviour and training requirements.

1.30 Leadership across the ADF Cadets enterprise is critical in modelling expected behaviours, compliance with the Defence Youth Safety Framework and an ethical and values-based culture supported by:

- a. codes of conduct.
- b. well-documented procedures for dealing with complaints based on fairness, transparency, independence and appropriate record keeping.
- c. frequent and consistent common communication.
- d. appropriate training and support commensurate with the level of responsibility, and the complexity and risk of the decision-making context.

Principle 2 –The ADF Cadets risk management and assurance systems include both internal and external controls that track incident data.

1.31 Appropriate and effective systems of risk management including internal controls are to be implemented to ensure Defence and the ADF Cadets deliver a safe and enjoyable program of youth development activities relating to legal, work health and safety, financial and operational compliance obligations.

1.32 Effective ADF Cadets enterprise risk management requires:

- a. risk identification and analysis
- b. the use of a risk register that contains information such as likelihood, consequence, impact and tolerance
- c. strategies to manage risk including risk avoidance, risk transfer and risk mitigation and treatment as appropriate
- d. regular monitoring of how identified risks are being managed.

1.33 Effective risk management also requires clearly articulated risk management responsibilities and accountabilities for both Defence personnel who administer the program and ADF Cadets members whose roles include program leadership and management.

1.34 The broad categories of ADF Cadets enterprise risk include:

- a. compliance risks (e.g. failure to complete appropriate suitability screening or mandatory reporting in accordance with state and territory legislation)
- b. governance risks (e.g. ineffective oversight)
- c. reputational risks (e.g. event failure or adverse commentary)
- d. Work Health Safety risks (e.g. inadequate identification and management of risks inherent in adventure training activities)
- e. Youth Safety risks (e.g. failure by relevant staff to complete assigned Youth Safety training).

1.35 Effective assurance with respect to external accountability and legislative compliance relating to decision making, records management, financial management, procurement and youth safety program delivery.

1.36 Effective assurance systems and processes to allow changing needs and circumstances to be identified, current systems and actions to be scrutinised and new approaches to be investigated, tested and implemented.

1.37 ADF Cadets enterprise assurance includes regular monitoring of systems and practices to ensure they are robust, and sustainable in their application; and practice demonstrates compliance with relevant with;

- a. policies that are risk and principle based and evolve with changing needs
- b. processes that are understood, repeatable and will withstand scrutiny
- c. data collection that is accessible, centralised and captures all artefacts activities and results through a technology system that is user-centric.

Principle 3 –The ADF Cadets information management system supports timely, effective and transparent administration and decision making.

1.38 To meet the requirements for timely, effective and transparent administration and decision making Defence and the ADF Cadets information management systems must combine all elements of best practice information management, including information:

- a. **governance** – the people, policies and information processes are guided by relevant legislation
- b. **collection** - gathering information that will deliver quality and useful data, mindful always of privacy guidelines
- c. **organisation** - arranging information in a way that makes it easy to identify, retrieve and use
- d. **security** - actions that protect both information integrity and management in accordance with the Privacy Act and principles
- e. **use** - consideration of how information and data can be utilised, analysed, synthesized, evaluated and interpreted
- f. **sharing** – actions that facilitate the most efficient and appropriate use of available information
- g. **storage and maintenance** – appropriate disposal and archival of data in accordance with the Commonwealth Records Authority .

Principle 4 – The ADF Cadets have common procedures, assurance, education and training programs in accordance with the policies established by the Chief Joint Capability.

1.39 To optimise best use of limited resources and minimise the risk to youth safety incurred through disparate approaches to key business elements the ADF Cadets Reform agenda includes the development of a common approach to:

- a. policy, training and assurance regimes
- b. people and ICT management
- c. incident management and reporting
- d. the use of social media
- e. firearms management
- f. records management
- g. estate and Infrastructure Group (E&IG) support services.

Principle 5 –The ADF Cadets enterprise adheres to the Defence Youth Safety Framework.

1.40 The Defence Youth Safety Framework incorporates policy and procedural guidance, risk management strategies and a range of supporting tools and resources designed to enable Defence to understand and meet their youth safety obligations, including but not limited to: international protocols and agreements; Commonwealth, state and territory legislation; and common law.

ROLES AND RESPONSIBILITIES

CHIEF OF DEFENCE FORCE

1.41 CDF is responsible for the administration of the ADF Cadets. In doing so the CDF must comply with any relevant directions of the Minister. To facilitate that administration, the CDF can direct the CJC, a Service Chief or any other member of the ADF to provide him/her with assistance.

CHIEF JOINT CAPABILITY

1.42 CJC, as the delegate of CDF, provides the single ultimate point of policy, governance and accountability for the ADF Cadets enterprise and is responsible for:

- a. issuing direction to the Service Chiefs in relation to the administration of the ADF Cadets;
- b. ensuring that the ADF Cadets comply with applicable legislation;
- c. promulgating ADF Cadets policies;
- d. overseeing the governance of the ADF Cadets;
- e. investigating, and where appropriate, establishing joint ADF Cadets cells within Reserve and Youth Division to achieve consistency, uniformity, synergies and economies; and
- f. providing advice to CDF on ADF Cadets matters.

SERVICE CHIEFS

1.43 Service Chiefs are responsible for:

- a. ensuring that their respective cadet organisations comply with any relevant direction of the Minister, the CDF or the CJC.
- b. the Service Chiefs are to administer their respective Service Cadet program in accordance with the policies established by the CJC.
- c. ensuring that their cadet organisations' procedures align with the ADF Cadets policies contained in the YOUTHPOLMAN; and
- d. resourcing the implementation of this policy, including the provision of ordinary recurrent funding, permanent and Reserve ADF staff, Australian Public Service staff, and logistics support.

HEAD RESERVE AND YOUTH DIVISION / COMMANDER ADF CADETS

1.44 Head Reserve and Youth Division (HRYD) / Commander ADF Cadets (CADFC) is responsible for:

- a. commanding all staff assigned to the ADF Cadets Headquarters in delivering common elements of the ADF Cadets program;

- b. developing ADF Cadets policies in accordance with Defence's policy process, and conducting regular reviews of those policies;
- c. implementing the Defence Youth Safety Framework;
- d. monitoring and reporting on the governance of the ADF Cadets, including compliance with the policies contained in this Part;
- e. allocating any special additional financial support that Government may wish to channel directly to the ADF Cadets; and
- f. advising CJC on ADF Cadets matters.

DIRECTORS GENERAL CADETS AND COMD AAC/ LEAD ENABLING MANAGERS

1.45 The Directors General Cadets and COMD AAC/ Lead Enabling Managers are responsible for:

- f. undertaking their duties as Lead Enabling Managers in accordance with the ADF Cadets Headquarters One Cadet Model and their respective Joint Directives from CJC and their Service Chiefs;
- g. complying with any relevant direction of the CDF, CJC or Service Chief, and the policies contained in the YOUTHPOLMAN;
- h. ensuring that all relevant ADF Cadets procedures are consistent with policies in Part 2 of YOUTHPOLMAN;
- i. supporting preparation of the annual report on the administration of the ADF Cadets enterprise; and
- j. ensuring that all ADF Cadets members are aware of policies in YOUTHPOLMAN and their obligations under them.

AUSTRALIAN DEFENCE FORCE CADETS AND DEFENCE PERSONNEL ENGAGING EXTERNAL SERVICE PROVIDERS

1.46 Defence personnel engaged in procuring external service providers to provide goods or services to ADF Cadets must ensure that contracts include provisions that explicitly require compliance with all relevant ADF Cadets policies in YOUTHPOLMAN.

RECORD KEEPING

1.47 Relevant documents create official records which provide evidence of the Defence and the ADF Cadets business activities for which there is a legal requirement to implement appropriate records management practices and privacy protection in accordance with the *National Archives Act* as for any other Commonwealth record.

1.48 Advice and assistance on responsibilities to capture records, refer to the Defence Records Management Policy Manual.

MONITORING AND REPORTING

1.49 In accordance with section 62 D of the *Defence Act 1903* the CDF must prepare an annual report on the administration of the ADF Cadets, including the use of ADF and Departmental resources.

1.50 HRYD/CADFC, on behalf of CJC, is responsible for monitoring and reporting on all aspects of the 'One Cadet' Governance model including overarching assurance functions, compliance with the policies contained in YOUTHPOLMAN and the Defence Youth Safety Framework.

1.51 The Directors General Cadets and COMD AAC are responsible for implementing, monitoring and reporting on all aspects of overarching assurance functions within their respective ADF Cadets organisations.

IMPLEMENTATION

1.52 Each Service must ensure that appropriate arrangements and adequate resourcing are in place to enable the policies contained in YOUTHPOLMAN to be implemented.

1.53 The ADF Cadets policies contained within YOUTHPOLMAN supersede all relevant extant single-Service Cadet Policies on the matters to which they relate, and in the event of any inconsistency YOUTHPOLMAN policies prevail over single-Service Cadet Policies.

Accountable Officer: Chief Joint Capability

Policy Officer: Head Reserve and Youth Division