

## **CHAPTER 2**

# **MANAGEMENT OF ADF CADETS ADULTS**

### **INTRODUCTION**

2.2.1 The success of the ADF Cadets relies on attracting adults with the appropriate attitude, skill sets, experiences and aptitude for engaging in military-like, youth development opportunities. Well motivated and trained adult volunteers are essential for delivering programs that meet the needs of the participants, their parents or guardians and the ADF. The effective management of ADF Cadets Adults comprising Defence Approved Helpers (DAH), Instructors of Cadets (IOC) and Officers of Cadets (OOC), is essential.

### **POLICY INTENT**

2.2.2 The intent of this policy is to provide guidance for the management of ADF Cadets Adults.

2.2.3 Cadets enrolled in a cadet program at the time of turning 18 remain youth participants, managed in accordance with the Management of ADF Cadets Youth policy (see Section 2, Chapter 1).

### **POLICY**

#### **REGISTRATION**

2.2.4 ADF Cadets Adults is the term used when describing IOC, OOC and DAH.

2.2.5 IOC and OOC are volunteers who are accepted and trained by Defence to conduct cadet activities. Service requirements determine the availability of IOC and OOC positions.

2.2.6 DAH have a different status to IOC and OOC and are not eligible to claim Cadet Volunteer Pay (CVP).

2.2.7 IOC and OOC are responsible and accountable for the overall welfare, supervision and safety of a cadet or group of cadets during cadet activities. DAH are unpaid volunteers who provide essential capacity to ADF Cadets through supporting IOC and OOC in the conduct of cadet activities. Director General Australian Navy Cadets (DGANC), Commander Australian Army Cadets (COMD AAC) and Director General Cadets - Air Force (DGCADETS-AF) must ensure DAH meet registration requirements prior to acceptance and are appropriately trained for the level of supervisory responsibility allocated to them within the respective cadet organisations.

2.2.8 ADF Cadets Adults are only accepted for participation in the ADF Cadets programs once the registration requirements have been met. Registration requirements differ between ANC, AAC and AAFC and may also be dependent on the proposed role of the applicant. A significant component of the registration process is the screening of applicants to ensure they are suitable for working with youth. The minimum requirements for participation as an ADF Cadets Adult are:

- a. National Police Check
- b. maintenance of relevant State/Territory working with children check (WWCVPC)
- c. acceptance of and adherence with the Defence Youth Safe Code of Conduct (Adult)
- d. IOC and OOC must accept an Instrument of Acceptance
- e. completion of mandatory youth protection training
- f. a review of the applicant's military conduct record (if the applicant is currently serving or has served previously in the Australian Defence Force).

2.2.9 The minimum age for DAH, IOC and OOC is 18.

#### DEFENCE INITIATED NATIONAL POLICE CHECKS

2.2.10 NPC are a National criminal history check through the Australian Crime and Intelligence Commission (ACIC) and are not limited to state jurisdiction. NPC are a snap shot in time and identify and release relevant criminal history relating to convictions, findings of guilt or pending court proceedings. NPC also include traffic infringements such as drink and/or drug driving and excessive speeding but only where a person is convicted.

2.2.11 When a NPC is conducted as part of the WWCVPC, Defence as a 'customer' does not see the NPC, only the outcome of the WWCVPC. To allow Cadets organisations to make a fully informed assessment of the character of the individual, a Defence initiated NPC is to be conducted:

- a. during the initial screening of applications.
- b. not more than 5 years since the previous Defence initiated NPC was conducted.

## STATUS OF ADF CADETS ADULTS

2.2.12 All IOC, OOC and cadets of the ADF Cadets are volunteers as defined in the [Defence Act 1903](#):

- a. Section 62 - the Australian Navy/Army/Air Force Cadets consist of persons who have **volunteered** and been accepted by the Chief of the Defence Force as officers, instructors or cadets
- b. Section 62C - 'a cadet is not a member of the Defence Force' and 'a person with a role of administering, managing, supervising or training cadets does not become a member of the Defence Force because of that role'
- c. Section 62D - no civil contract of any kind is created with the Crown or the Commonwealth in connection with the acceptance of a person as an officer, instructor or cadet in the Cadets.

2.2.13 ADF Cadets Adults are volunteers and as such, they are not members of the ADF and are not subject to the *Defence Force Discipline Act 1982*.

2.2.14 DAH, IOC and OOC, as volunteers, are deemed to be workers under section 7 of the [Work Health and Safety Act 2011](#) (WHS Act) and Defence is deemed to be the employing authority.

2.2.15 IOC and OOC are, under certain conditions, eligible for rehabilitation, compensation and support under the [Safety, Rehabilitation and Compensation \(Defence-related Claims\) Act 1988](#) (DRCA) or [Military Rehabilitation and Compensation Act 2004](#) (MRCA). DAH are not eligible for compensation for injury, disease or death relating to cadet activities under the DRCA or MRCA but may be covered for compensation by the Department of Defence's insurance arrangements with Comcover (see Section 2, Chapter 6).

## WORKING WITH CHILDREN CHECKS

2.2.16 ADF Cadets Adults are considered to be in youth-related work positions according to the definition of obtaining a Working with Children and Vulnerable People Check (WWCVPC). When applying for WWCVPC, ADF Cadets Adults should identify themselves as volunteers on the application form.

2.2.17 ADF Cadets Adults are to obtain WWCVPC for the States and/or Territories relevant to their youth-related work in accordance with each relevant jurisdiction's requirements before they undertake **ANY** youth-related work in that State or Territory. WWCVPC are to be maintained while ADF Cadets Adults remain in a

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youth-related work position.

2.2.18 ADF Cadets Adults are to advise their respective ADF Cadet organisation headquarters of any event or issue that impacts or could impact their WWCVPC.

#### ADF CADETS ADULTS YOUTH SAFE BEHAVIOUR

2.2.19 ADF Cadets adhere to the requirements of the Defence Youth Safety Framework.

2.2.20 Unacceptable behaviour in the youth protection context is behaviour that, having regard to all of the circumstances, would be considered unlawful, offensive, belittling, abusive or threatening to youth and/or adverse to their morale, health, safety and wellbeing or otherwise not in the interests of Defence (see [Part 1, Section 2, Chapter 2](#)).

2.2.21 ADF Cadets Adults are required to understand their responsibilities in ensuring ADF Cadets programs are safe and free from unacceptable behaviour.

2.2.22 ADF Cadets Adults must ensure compliance with the special care provision which prohibits any person in a supervisory or support role from engaging sexually with a person who is considered a youth, irrespective of the legal age of consent (see [Part 1, Section 6, Chapter 1](#)).

2.2.23 To ensure appropriate management in the ADF Cadets context, any pre-existing personal relationships, such as a family relationship, close friendship, sexual relationship (where a youth is over the age of consent for the State or Territory but is not in a Defence context) must be declared to the respective chain of command (see [Part 1, Section 6, Chapter 1](#)).

2.2.24 An ADF Cadets Adult who suspects, on reasonable grounds, that a child or young person is at risk of being abused and/or neglected, must report their suspicion to the appropriate reporting authority in their State or Territory and through their chain of command.

2.2.25 DGANC, COMD AAC and DGCADETS-AF must ensure that all ADF Cadets Adults are aware of their responsibilities to report, internally through the chain of command and externally to youth protection agencies or police. Reporting must be managed in accordance with the Youth Protection Complaint and Event/Incident Management policy - see [Part 1, Section 3, Chapter 3](#) and **Guide 8: Defence Youth Protection Event or Incident Management**.

2.2.26 ADF Cadets Adults responding to allegations of a sexual misconduct or child abuse between an adult and a youth are to ensure the youth is made aware they are entirely without blame.

2.2.27 There may be situations not covered by this policy or that require an ADF Cadets Adult to act outside this policy to keep a young person safe. Should such a situation arise, adults must advise their respective chain of command as soon as practicable of any action already taken or proposed.

#### DEFENCE YOUTH SAFE CODE OF CONDUCT (ADULT)

2.2.28 Defence is committed to ensuring the health, protection and wellbeing of all youth who engage with Defence. Clear definition, acceptance and adherence to the expected standard of conduct/behaviour by adults and youth is required to ensure a youth safe environment, where youth are protected from harm and which delivers a positive experience.

2.2.29 The Defence Youth Safe Code of Conduct (see [Part 1, Section 2, Chapter 2](#)) defines the minimum ethical, acceptable and unacceptable youth safe behaviours and provides a mechanism to acknowledge the responsibility and record the commitment of ADF Cadets Adults to adhere to the Defence Youth Safe Code of Conduct. Doing so enables Defence to hold a person to account if they breach the code of conduct.

2.2.30 DGANC, COMD AAC and DGCADETS-AF must ensure that a signed copy of the latest version of the Defence Youth Safe Code of Conduct (Adults) is stored in CadetNet, for all ADF Cadets Adults.

2.2.31 Any breach of the Defence Youth Safe Code of Conduct (Adults) is managed in accordance with the Youth Protection Complaint and Event/Incident Management policy (see [Part 1, Section 3, Chapter 3](#)).

#### DEFENCE YOUTH PROTECTION TRAINING

2.2.32 DGANC, COMD AAC and DGCADETS-AF must ensure that all adult participants complete the mandatory Defence Youth Protection Training courses as follows:

##### 2.2.33 Defence Youth Protection Awareness Course. Requirements-

- a. **Audience:** all adult participants (including cadets over the age of 18)
- b. **Timeframe:** no later than 60 days following the adult's receipt of their notification of approval of participation
- c. **Delivery:** training can be completed on-line or in a group training setting
- d. **Expiry:** training package must be completed every three years

- e. **Record of Completion:** training completions are to be uploaded into CadetNet within the 60 day timeframe.

#### 2.2.34 Defence Youth Protection Officers and Instructors of Cadets Course. Requirements-

- a. **Audience:** OOC, IOC and DAH
- b. **Timeframe:** no later than 60 days following the adult's receipt of their notification of approval of participation
- c. **Delivery:** training can be completed on-line or in a group training setting
- d. **Expiry:** training package must be completed every three years
- e. **Record of Completion:** training completions are to be uploaded into CadetNet.

2.2.35 **Compliance:** Adult participants are required to complete the relevant Youth Protection training package within the required timeframe. Adult participants in the Cadet programs may attend parade nights/other activities to enable completion of this training. Failure to complete this training will routinely exclude an adult participant from participation in ADF Cadets activities.

#### CESSATION OF ARRANGEMENTS WITH ADF CADETS ADULTS

2.2.36 The volunteer nature of the arrangement between the ADF Cadets and a DAH, IOC and OOC means that the arrangement can end at any time, and initiated by either party.

2.2.37 Where possible, notice of the end of the arrangement should be given in writing and in enough time to ensure the cadet unit and cadets are not impacted.

2.2.38 While there is no legal or policy obligation to provide procedural fairness, it is important to manage the process of ending a volunteer arrangement well. Prior to a volunteer's acceptance being cancelled and, where appropriate and reasonably practicable, the volunteer will be afforded a level of procedural fairness commensurate with their volunteer status. Procedural fairness is characterised as - a decision-maker should not be biased, that a person who is adversely affected by a decision should not be surprised by the decision or by the information that the decision-maker has relied on, and that they have an opportunity to be heard in relation to the matter before the decision is made.

2.2.39 Individuals who are deemed unsuitable to remain in the ADF Cadets and have their arrangement with a Service cadet program ceased, may be prevented from volunteering in another ADF Cadets organisation.

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PRIVACY

2.2.40 Privacy matters relevant to this policy are to be managed in accordance with [Part 1, Section 1, Chapter 2](#) and the [Defence Privacy Policy](#).

**Accountable Officer:** Chief of Personnel

**Policy Owner:** Head Reserve and Cadet Support Division