



Hurstbridge Primary School

WORKING WITH CHILDREN CHECK POLICY

Preamble

The Working with Children (WWC) Check screens a person's criminal records and professional conduct reports over their lifetime. The Working with Children Act 2005 Act has been changed to make it clear that the WWC Check does not assess a person's suitability to work with children, as this is the role of organisations.

The WWC Check is just the starting point. There are a number of other important actions organisations need to take to determine a person's suitability to work with children and to create safe environments for children.

Our school will also reference check people we plan to engage in child-related work, and continue to monitor the behaviour of their workers around children. The Working with Children (WWC) check aims to assist in protecting children from sexual or physical harm. It is designed to complement good selection, supervision and training practices (including rigorous reference checking).

The intent of this procedure is to outline which positions at the School require a WWC check and the process to be followed.

This procedure applies to all positions at The School including volunteer, honorary, consultant and contractor positions. Any reference to 'candidates' also extends to staff currently occupying a position.

N.B. There have been changes to the *Working with Children Act 2005* (Act) which commenced on 1 August 2017. They are:-

1. The definition of 'direct contact' with children has been expanded to include oral, written or electronic communication as well as face-to-face and physical contact; and

2. A WWC Check is now required for anyone engaging in 'child-related work' regardless of whether contact with a child is supervised by another person or not. This means that a volunteer or visitor who is supervised by a teacher must have a WWC Check if they engage in 'child related work'.

Definitions

- Child: a person who is under the age of 18 years.
- Student: any child who is enrolled at the school

WHAT IS THE WWC CHECK?

The WWC check verifies a person's history to make sure they do not have any relevant criminal offences or findings from professional disciplinary bodies. The WWC check is valid for 5 years (unless revoked). During this time the cardholder continues to be checked for new relevant offences or findings. The WWC check is administered by the Department of Justice.

WHEN IS A WWC CHECK REQUIRED?

A WWC check is required for positions that meet all of the following criteria:

- involve contact with children in connection with our school
- the contact happens on a regular (everyday) basis;
- **involve all direct contact with children regardless of whether contact with a child is supervised by another person or not (read new changes to Act above)**
- contact with children needs to be a part of a worker's duties, not incidental to their work
- the position does not qualify for an exemption as listed under the act

Example: A plumber is called to fix a burst pipe in the school. As contact with children isn't necessary for the plumber to fix the pipe, they do not need to get a WWC Check.

WHAT IS THE APPLICATION PROCESS?

The candidate must complete a Working with Children Check application form.

The forms are available online or at Australia Post outlets in Victoria.

Under the section marked 'Details of Organisation', candidates should ensure they state the school.

If the applicant passes the check they will be sent a successful Assessment Notice, followed by a WWC check card 2-3 weeks later.

Further information about the application process is available on the Department of Justice webpage.

WHAT IF THE APPLICANT DOES NOT PASS THE CHECK?

If the applicant does not pass the check they will be given an Interim Negative Notice. The applicant can then make a submission to the Department of Justice to explain why they believe they should pass. If this submission is not successful the applicant will be issued with a Negative Notice. This means they have failed the WWC Check and cannot undertake 'child-related work' or work in the school.

WHEN CAN THE CANDIDATE COMMENCE?

Commencement in The School is conditional upon receipt of a successful Assessment Notice or WWC check card. Any queries should be directed to the Principal.

WHO PAYS FOR THE WWC CHECK?

Candidates who are required to undergo a WWC check as a condition of working in the School will not be able to receive reimbursement for the cost from the school.

Responsibilities:

The school must:

- Identify all staff who require a Working with Children check;
- Ensure existing staff and volunteers are informed of the requirement to undergo the check;
- Ensure prospective staff and volunteers have passed a WWC check before commencement;
- Check the card's validity on the Department of Justice webpage;
- Have a photocopy of the WWC card and with details updated on the school register (if individual is a staff member, copy to be kept on the staff member's personnel file)
- Ensure suitable monitoring procedures are in place to ensure staff members hold a valid WWC check card at all times.

The staff member or volunteer must:

- Provide the successful WWC check card prior to commencement at the school
- Notify the office if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence.
- Apply for a new WWC check before their card expires.

WHAT IS THE DIFFERENCE BETWEEN A WWC CHECK AND A POLICE RECORDS CHECK?

A police records check gives information about a person's past criminal record and is only valid at the time of issue. The WWC check is valid for 5 years (unless revoked). During this time, cardholders continue to be checked for new relevant offences or disciplinary findings from professional bodies such as the Victorian Institute of Teaching. In addition, not all criminal offences are relevant to the WWC check. Broadly, the WWC check considers serious sexual and violent drug offences.

A staff member or volunteer is required to undertake a WWC check even if they have already completed a police records check.

Related Procedures - Police Records Check Procedure

Related Documents - Working with Children Act 2005 (Vic)

Further information is available from the Department of Justice Working with Children webpage or the Working with Children information line on 1300 652 879

School Register:

The School will take a copy of each WWCC and filed in the Administration Filing Cabinet. The register will be placed on the administration network.

Evaluation

Evaluation of the School Working With Children Check Policy will occur as stipulated in the Hurstbridge PS Policy Review Cycle

