



# WORKING WITH CHILDREN CHECK

## POLICY

### **Rationale:**

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).

This policy 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.

### **Definitions**

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

### **Aims:**

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

### **Implementation:**

#### **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 and Regulation.

#### **When is a WWC check required?**

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

1. You engage, or intend to engage, in child-related work as an employee or volunteer.
2. You are an adult working with under 18 year olds.
3. You are working in any of the occupational fields listed in the Act. Go to [Occupational fields](#) for the full list.
4. Your work involves direct contact with children. Direct contact means physical, face-to-face, written, oral or electronic contact.
5. Your contact with children is part of your duties and not incidental to your work.

#### **Who is exempt from a Working With Children Check?**

- Children  
If you are under 18 years of age, you are exempt from the Check.

- Some student volunteers  
If you are a student who is 18 or 19 years of age, you are exempt from the Check for volunteer work organised by or held at your educational institution.
- Parents volunteering in an activity with their child  
If you are a parent volunteering in an activity in which your child participates, or normally participates, you are exempt and do not need a Check.
- Family members and people who are closely related to the child (with the exception of kinship carers)  
If you are closely related to each child in your child-related work you are exempt from the Check. 'Closely related' to a child means :
  - spouse or domestic partner
  - parent, step-parent, mother-in-law or father-in-law
  - grandparent
  - uncle or aunt
  - brother or sister, including half sibling, step sibling, brother-in-law or sister-in-law.
  - in the case of domestic partners, a person who would be closely related to the child if the domestic partners were married to each other.
- Teachers  
If you are a teacher who is currently registered with the Victorian Institute of Teaching (VIT), you are exempt from the Check.  
However, if your VIT registration is suspended or cancelled, you are no longer exempt and must apply for a Check. You must, in writing, notify every organisation that engages you in child-related work within seven days of the suspension or cancellation of your registration.
- Police officers  
If you are a Victoria Police officer or an Australian Federal Police (AFP) officer, you are exempt from the Check.  
However, if you are suspended or dismissed from Victoria Police or the AFP, you are no longer exempt and must apply for a Check. You must, in writing, notify every organisation that engages you in child-related work within seven days of being suspended or dismissed.

### **What is the application process?**

The candidate must complete a Working with Children Check application form online on the [Working With Children Check](#) website. It generally takes 3 weeks for the applications to be screened and the information to come back to the Department of Justice and Regulation. Candidates should indicate our school as an organisation engaging you in child related work. If you pass the check, you will receive an email and the card will arrive in the post approximately 2 weeks later. It is then the responsibility of the school to assess your suitability to work with children.

### **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 and Regulation 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 [Working With Children Check](#);
- have a photocopy of the WWC card and with details updated on the school register ( if the individual is a staff member, a copy is to be kept in 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 Documents**

- [Working with Children Act 2005 \(Vic\)](#)

Further information is available from the [Working With Children Check](#) webpage.

### **School Register**

The school will take a copy of each WWCC and add to the Working With Children Check Register

### **Evaluation:**

This policy will be reviewed as part of the school's four-year review cycle.

This policy was last ratified by School Council in...

**Sept 2017**