

Working With Children Checks Policy

Rationale:

The *Working With Children Act 2005* (the Act) was introduced by the Victorian Government to protect children from physical harm by checking a person's criminal history for serious sexual assault, serious violence or serious drug offences. This policy has been created to provide information about the legislated requirements and the procedures that have been implemented by Parktone Primary School to meet its duty of care to all students, staff and visitors to the School and ensure compliance with the Act.

Aims:

- To provide a safe environment for our students.

Guidelines:

- The Act requires a person employed by Parktone Primary School to apply for a Working with Children Check where:
 - the work involves (or is likely to involve) regular and direct contact with a child, and that contact is not directly supervised by another person who is in receipt of current registration with the Victorian Institute of Teaching

- **Employees Required to Maintain a Working with Children Check**

A non-teaching employee employed by Parktone Primary School, who has regular and direct contact with a child, is required to have a Working with Children Check.

It is an offence for an employee to work, or for Parktone Primary School to engage staff without a current Working with Children Check. This applies to all permanent and casual staff employed by Parktone Primary School.

- **Employees Exempt from a Working with Children Check**

A Working with Children Check is not required for:

- A teacher who has a current registration with the Victorian Institute of Teaching
- An employee under the age of 18 years
- A non-teaching employee with current registration with the Victorian Institute of Teaching

- **Volunteers Required to Maintain a Working with Children Check**

Child-related work is also defined by the Act as work undertaken in other capacities such as Volunteers.

Under the Act parent volunteers whose child ordinarily participates in an activity or people 'closely related' to each child they have contact with in their 'child-related' work, are exempt from maintaining a Working with Children Check.

As a matter of 'best practice' Parktone Primary School requires regular volunteers to have a Working with Children Check.

- **Exemptions from Applying for a Working with Children Check**

As per the Department of Justice - An exemption means that you do not need to apply for a Working with Children (WWC) Check, even if you undertake 'child-related work'. If an exemption applies, a person is not prevented from applying for a WWC Check. A list of exemptions provided by the Department of Justice is attached.

- **Management of Working with Children Check Information**

- Upon receipt of the Working with Children Check Card both employees and volunteers are required to present their WWC card to the Parktone Primary School office who will maintain a copy on file.
- Working with Children Check Cards are valid for five (5) years, unless cancelled, and will be monitored by the Department of Justice.
- Employees and Volunteers are responsible for ensuring that they have applied for a new Working with Children Card by the required expiry date. Once a new card has been issued, employees and volunteers are required to show their new card to the school office who will maintain a copy on file.

- **Related Material**

- *Working with Children Act 2005*
- Department of Justice Working with Children Check Information Line on 1300 652 879
- Department of Justice website: <http://www.workingwithchildren.vic.gov.au>

Evaluation:

This policy will be reviewed as part of the school's three-year review cycle, or as required due to changes in relevant Acts, Laws or should situations arise that require earlier consideration.

This policy was last ratified by School Council in August 2013

Exemptions from Applying for a Working with Children Check

An exemption means that you do not need to apply for a Working with Children (WWC) Check, even if you undertake 'child-related work'. If an exemption applies, a person is not prevented from applying for a WWC Check.

The WWC Check exemptions are:

- **people under the age of 18 years**

- **parent volunteers whose child ordinarily participates in that activity**

This exemption only applies to volunteer parents who participate in their children's activities.

For example: Brett is a volunteer coach for a school football team on which his son Joshua ordinarily plays. Brett does not have to apply for and pass the WWC Check to do this even if Joshua does not attend some of the practice sessions or games.

- **people 'closely related' to each child they have contact with in their 'child-related work'**

'Closely related' means you are the child's: parent, spouse, step-parent, mother-in-law or father-in-law, grandparent, uncle or aunt, brother or sister (including half-siblings and step siblings, brother-in-law or sister-in-law). 'Closely related' also includes de facto relationships. 'Spouse' includes domestic partners, as defined in the *Crimes (Family Violence) Act 1987*.

For example: Karen does not need a WWC Check in order to home school her daughter and her nephew as she is closely related to both of the children.

- **18- or 19-year-old student volunteers where the volunteer work is at or has been organised by the student's educational institution**

For example: Khalil, 18, is a student at Happy Valley Secondary College. He has been asked to lead a peer support group of Year 7 students. As this activity has been organised by his school, he does not need to apply for a WWC Check to do this.

- **visiting workers who do not ordinarily live and perform 'child-related work' in Victoria**

For example: Keith lives in New South Wales and coaches a baseball team that is selected to play in a one-off competition to be held in Victoria. Because Keith does not ordinarily live and perform 'child-related work' in Victoria and will only be in Victoria for a few days, he does not need to apply for a WWC Check.

- **a sworn Victorian State, or Australian Federal Police officer (who is not suspended or terminated from duty)**

Sworn Victorian State, or Australian Federal police officers are exempt from needing a WWC Check for any 'child-related work' as they are already checked by a similar scheme.

- **teachers who have current registration with the Victorian Institute of Teaching**

Teachers with current registration with the Victorian Institute of Teaching are exempt from needing a WWC Check for any 'child-related work' as they are already checked by a similar scheme.

- **certain drivers who hold a current driver accreditation under the *Transport (Compliance and Miscellaneous) Act 1983***

People/Persons who engage in work that requires a current driver accreditation under Div 6 of Pt VI of this Act and would ordinarily require a WWC Check, are exempt from a WWC Check subject to some exceptions, including a person who has been given a Negative Notice and subsequently not been given an Assessment Notice.

Contacts: Working with Children Check Information Line: 1300 652 879

Hours of operation are 8:30am - 5pm weekdays (excluding public holidays)