

# Working with Children Policy

## 1. Introduction

The *Worker Screening Act 2000* ('the Act') aims to protect children from harm by assessing the suitability of people engaged in child-related work at the School. The Working with Children Clearance ('WWCC') is part of creating and maintaining a child-safe environment. The Act requires a person engaged by the School to undertake child-related activities to hold a valid WWCC.

Child-related work includes activities that are authorised by the School, that is performed by an adult in the Carey environment. Child-related work is likely to involve contact with children, that is ongoing and is required as part of their role.

Child-related activities refers to 'direct contact' with a child, including:

- Oral, written or electronic communication
- talking face-to-face
- physical contact
- provision of care such as overnight care to students

It is an offence for a person to participate in child-related work without a valid WWCC. The WWC check is an assessment of the person's criminal history, focussing specifically on offences that present a risk to the safety of children.

## 2. Purpose

The purpose of this policy is to provide all persons engaged in child-related work with information about the legislated requirements and procedures implemented by the School to achieve and maintain a child-safe environment.

## 3. Scope

This policy applies to all persons engaged in child-related work including parents within the Carey Community, including employees, volunteers and contractors.

The Act explains the situations in which people doing child-related work are exempt from obtaining a WWC Clearance. This includes but is not limited to:

- an employee under the age of 18 years;
- a Victoria Police Officer or Australian Federal Police (AFP) Officer;
- a Teacher or employee with a valid registration with the Victorian Institute of Teaching (VIT); or
- visitors from another Australian state or territory participating in child-related work in Victoria that hold an equivalent Clearance from their home State/Territory.

Visiting workers who hold an equivalent Clearance from their home State/Territory can participate in child-related work in Victoria for a maximum of 30 days in a calendar year.

## 4. Definitions

Child	An individual under the age of 18 years unless otherwise stated under the law applicable to the child.
Child-related work	Typically involves direct contact with a child (physical, face-to-face, written, oral or electronic contact) and is a usual part of the person's duties (and is not occasional or incidental to their work).
Child-connected work	Work that is authorised by the School and is performed by an adult in the School Environment while children or students are present or reasonably expected to be present.
Working with Children Check	The process for assessing or re-assessing whether a person is suitable to work in child-related work. Once an individual passes the Check they receive a Clearance.
School Environment	<p>The School Environment is any physical or virtual place made available or authorised by the School for use by a student during or outside school hours, and includes:</p> <ul style="list-style-type: none"> <li>▪ The School's main campuses at Kew and Donvale, Bulleen Sports Complex, Boat Shed and Camp Toonalook;</li> <li>▪ Online school environments, including email and intranet systems;</li> <li>▪ Other locations provided by the School for students' use, including locations used for school camps, sporting events, tours, excursions, competitions and other events;</li> <li>▪ Transport organised by the School.</li> </ul>
Corresponding working with children law	A law of another State or a Territory that provides for screening of persons engaging in child-related work and that substantially corresponds with the relevant provisions of the Act

## 5. Policy Statement

Carey Baptist Grammar School requires all persons engaged in child-related work to hold a current WWC Clearance.

A WWC Clearance is required for anyone engaging in child-related work regardless of whether contact with a child is supervised by another adult, including an employee. This means even if a volunteer or visitor is supervised by a teacher, they must still have (and provide evidence of) a WWC Clearance if they intend to engage in child related work.

A person engaged in child-related work is required to present their Volunteer or Employee WWC Clearance to the relevant reception point upon commencement. Volunteer WWC Clearance must be upgraded to

## Working with Children Policy

Under the legislation, it is an offence for a person to perform child-related work and for an employer to accept services in respect to child-related work without a valid WWCC.

An offer of employment at the School is conditional upon providing a valid Employee WWCC or evidence of a verified application receipt for an Employee WWCC to the Director – People.

Where the person has no relevant criminal offences or professional disciplinary findings, the person will be issued with an Assessment Notice and a WWCC, which will enable the person to work directly with children. The Assessment Notice is valid for five years, unless cancelled, and will be monitored by the Department of Justice. The WWCC will also enable the individual to engage in other child-related work.

Employees are required to notify the Department of Justice within 21 days of commencing child-related work with the School's address. Employees are also required to notify the Department of Justice if their personal and contact details change within 21 days of becoming aware of the change.

Employees are required to keep their WWC linked to the School. Where a person engaged in child-connected work fails to notify the Department of Justice of their employment or engagement with the School, this may result in disciplinary action, including up to termination of engagement or employment.

If a relevant change in circumstances occurs, then eligibility with respect to a WWCC may be reassessed. An employee, volunteer or contractor must notify both the Department of Justice and the School within seven (7) days of a relevant change in circumstances if:

- you are charged with an offence listed in Schedule 2 or 4 of the Act
- you are convicted or found guilty of an offence listed in Schedule 2 or 4 of the Act, or the charge has been finally dealt with
- you become subject to:
  - reporting obligations under the *Sex Offenders Registrations Act 2004*
  - a supervision order, detention order or emergency detention order
- you are excluded from child-related work, under a corresponding working with children law
- a relevant disciplinary or regulatory finding is made against you

Where a person engaged in child-connected work is issued with an Interim Negative Notice or Negative Notice is issued, the Act requires the individual to notify the School in writing, specifically the Director – People within seven (7) days of receipt. Failure to notify the School will result in disciplinary action.

It is also an offence under the legislation for a person in receipt of a Negative Notice to engage in child-related work and for the School to accept work or services from a person in receipt of a Negative Notice.

A contractor or volunteer may choose not to offer services to the School.

Where the School organises homestay arrangements or provides a list of persons approved for homestay arrangements, the homestay provider, including each adult member resident in the home involved in carrying out work in connection with the homestay, will be required to apply for a WWC Clearance prior to hosting a visiting student.

More information about WWCCs may be obtained from:

- the People and Talent Team;
- the Department of Justice website <http://www.workingwithchildren.vic.gov.au/>

## 6. Breach

Any breach of this Policy may result in disciplinary action, including up to termination of engagement or employment.

## 7. Related Policies, Procedures and Legislation

Relevant School policies, Procedures and legislation include:

- Child Safety Policy
- Code of Conduct
- Reporting Child Abuse Procedure
- Carey Privacy Policy
- Victorian Institute of Teaching Code of Conduct
- Worker Screening Act 2000
- Crimes Act 1958
- Sex Offenders Registration Act 2004
- Serious Sex Offenders Monitoring Act 2005
- Equal Opportunity Act 2010

Carey may vary, remove or replace this policy at any time.

Responsible department:	People and Talent
Version:	
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