



Thomastown Primary School

WORKING WITH CHILDREN CHECK POLICY

(Child Safe Standard 4)

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.

Thomastown Primary 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 the 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 if there is a cost.

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 WWCC 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.

PROCEDURE

VIT Registration and WWCC requirements

All employees of Example School employed to undertake teaching duties must be registered with the VIT. This includes Casual Relief Teachers (CRTs). Employee with VIT registration do **not** also require a WWCC.

All employees of Example School employed as education support employee or in roles that are non-teaching roles must have a current WWCC (unless they have VIT registration).

Employee VIT registration and WWCC details must be recorded in eduPay. Procedures for employee to enter VIT registration and WWCC details into eduPay are set out in the [Update Victorian Institute of Teaching and Working With Children Check card details](#) quick reference guide.

All volunteers and visitors (including contractors or employee placed through agencies/third parties) who are engaged in child-related work or are required to have a WWCC under our school's Volunteers or Visitors policies will be required to provide evidence of a current WWCC.

Volunteer and visitor WWCC details will be recorded in our WWCC Register.

Any employee, volunteer or visitor who does not have a current satisfactory WWCC or VIT registration where required under this procedure, will be removed from their duties until such time as they provide satisfactory evidence of their clearance.

WWCC Register

Our school maintains the WWCC Register in Admin on Google Drive.

Adding new employee, volunteers and visitors to the WWCC Register

Our Administration staff (front office) are responsible for sighting, verifying and recording WWCC information for any new employee, volunteer or visitor (where applicable), under the following process:

1. Record the relevant WWC clearance details in the [WWC Status Checker](#) – the person's first name can be entered into the 'Personnel #' column
2. Ensure the WWCC card type is correct (Employee or Volunteer)
3. Click "Start status check" to ensure the information provided is valid
4. Request that the employee, volunteer (or visitor if engaged to work at the school on a regular basis) access their [MyCheck account](#) to update their details to include the name of the school
5. Save the WWC Status Checker in [insert wording to describe the location of the WWCC Register at your school eg "our local network file"]
6. Retain a copy of any documentation sent by the Department of Justice and Community Safety (such

as the letter of confirmation for employees and any volunteers or contractors who have listed the school on their WWCC details), and records of any other child safety suitability checks (such as reference checks) in the employee file or relevant file for visitors and volunteers WWCC information.

1. At the beginning of each school year the Administration Staff (front office) will run another check of the [WWC Status Checker](#) to check if there have been any changes to a person's WWCC status
2. Where a person's WWCC status has changed to indicate a concern (eg expired, suspension or revocation of clearance) Administration Staff will inform the principal immediately and steps will be taken to ensure the person is removed from their duties until such time as they provide satisfactory evidence of their clearance.
3. At the same time as running the check Administration Staff will note where clearances are due to expire during the year
4. Where the check is expiring during the year Administration Staff will contact the WWCC holder to remind them that their WWCC is due to expire and to request updated information once it has been renewed
5. When the updated information is provided the information is entered into the [WWC Status Checker](#) and verified by clicking "Start status check"

Employee VIT or WWCC information on eduPay

Upon engagement of a new employee the business manager will follow the [eduPay User Guide: School Appointments](#) to ensure they are properly entered into eduPay (regardless of whether they are Department or school council employees) including:

- checking that employees have been entered correctly as either a teacher (if they are performing teaching duties) or education support employee, and that valid and current VIT registration or WWCC information (as applicable) has been entered into eduPay by the employee member
- for employees who have entered WWCC information, checking that the card type is entered as 'Employee' and verifying the WWCC details through the process outlined above.

VIT registration status is verified and monitored through a centralised process between VIT and the Department of Education and Training and our school will be informed by the Department of any change to VIT registration status that requires action.

Related policies and resources

Thomastown Primary School policies:

- Visitors Policy
- Statement of Values
- Volunteers Policy
- Child Safety policy
- Child Safety Code of Conduct

Department policies:

- [Child Safe Standards](#)
- [Contractor OHS Management](#)
- [Recruitment in Schools](#)
- [Suitability for Employment Checks](#)
- [Visitors in Schools](#)
- [Volunteers in Schools](#)
- [Working with Children Checks and other Suitability Checks for School Volunteers and Visitors](#)

POLICY REVIEW AND APPROVAL

Policy last reviewed	14/6/2022
Approved by	Marion Wetherbee
Next scheduled review date will	14/6/2026

GLOSSARY OF TERMS	
Term	Definition
The Act	<i>Child Safety and Wellbeing Act 2005</i>
Aboriginal child	<p>A person under the age of 18 who:</p> <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community
Child abuse	<p>For the purposes of these standards, abuse constitutes any act committed against a child involving:</p> <ul style="list-style-type: none"> • physical violence • sexual offences • serious emotional or psychological abuse • serious neglect <p>Further explanation of these types of abuse is provided in the section</p>

	'What is child abuse?'
Children from Culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child	A person who is under the age of 18 years.
Child safety	In the context of the child safe standards, child safety means measures to protect children from abuse.
Child safe organisation	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
Cultural competency	A set of congruent behaviours, attitudes and policies that come together in system, agency or among professionals that enable them to work effectively in cross-cultural situations.
Cultural abuse	Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community.

Cultural safety for Aboriginal children	<p>The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.</p> <p>A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal children to:</p> <ul style="list-style-type: none"> • identify as Aboriginal without fear of retribution or questioning • have an education that strengthens their culture and identity • maintain connections to their land and country • maintain their strong kinship ties and social obligations • be taught their cultural heritage by their Elders • receive information in a culturally sensitive, relevant and accessible manner • be involved in services that are culturally respectful
Cultural safety for children from culturally and/or	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. Efforts need to be made to ensure the culturally and/or linguistically

linguistically diverse backgrounds	diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.
Children with a disability	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child’s ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
Organisation	<p>The <i>Child Safety and Wellbeing Act 2005</i> (the Act) will provide that the standards apply to ‘applicable entities’, which are defined in the Act as:</p> <ul style="list-style-type: none"> ● an incorporated body or association ● an unincorporated body or association (however structured) ● an individual who carries on a business and engages contractors, employees or volunteers to assist in the business in providing services or facilities

A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)
www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence

ⁱ Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence)
www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence.

ⁱⁱ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)
www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first.

ⁱⁱⁱ For example behaviour, please see [An Overview of the Victorian child safe standards](http://www.dhhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc):
www.dhhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc