

# WHOROULY PRIMARY SCHOOL

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## Working with Children Policy

### **Preamble:**

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.

### **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 direct contact with children and this contact is not directly supervised; and
- the position does not qualify for an exemption as listed under the act.

### **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.

## 1. POLICY STATEMENT

Whorouly Primary School will assess and verify the suitability of staff and volunteers who will work with children. Unless an exemption applies to a person, a valid Working With Children Check (WWC Check) is the minimum standard for all adults working with children. If a volunteer's occupation exempts them from the requirement to have a WWC Check e.g. police officers, teachers, they must provide evidence to support their claim to an exemption.

In addition to a WWC Check, Whorouly Primary School may also require a criminal record check. This may be considered necessary when certain offences are relevant to the duties of the volunteer or staff member, for example checking for dishonesty offences may be required for a role that involves managing finances or petty cash.

## 2. POLICY PURPOSE

To minimise risk of harm to students by requiring staff and volunteers of Whorouly Primary School to provide evidence that they have appropriate approvals to work with children in accordance with legislation and Department policy.

## 3. IMPLEMENTATION

It is the responsibility of the principal to ensure that only suitable and eligible persons are employed in the school. Prior to employing a person, the principal must be satisfied that the person meets the required Suitability for Employment Checks. See **Suitability for Employment Policy:**

[http://www.education.vic.gov.au/hrweb/Documents/Suitability\\_for\\_employment.pdf](http://www.education.vic.gov.au/hrweb/Documents/Suitability_for_employment.pdf)

To maintain high standards of conduct and professionalism in our school, Whorouly Primary School will ensure that the Department's procedures for criminal record checks are implemented.

<http://www.education.vic.gov.au/hrweb/employcond/Pages/crimcheck.aspx>

Whorouly Primary School will adhere to the Department procedures for the conduct of criminal records checks for all school based employees, including arrangements that allow for the acceptance of the criminal records check conducted by the Victorian Institute of Teaching and WWC Checks to meet the Department's pre-employment suitability for employment requirements.

### 3.1 Volunteers

#### 3.1.1 Definition

WWC Checks are required by all volunteers who will be working with students for school activities whether or not supervised by a teacher and whether or not the activity is on school grounds or during school hours.

For example, a volunteer who is assisting at a school camp or any other approved school activity outside of school grounds will require a WWC Check. See section 3.5 below for a list of exemptions.

### 3.1.2 Commencing volunteering

A volunteer can commence work in Whorouly Primary School when they provide a receipt as proof they have applied for a WWC Check with the Department of Justice and have otherwise been considered by the school to be suitable.

## **3.2 Working with Children Check**

The WWC Check is a minimum checking standard set by the *Working with Children Act 2005* for those who work with children, either on a paid or voluntary basis. It checks for serious sexual, violent and drug-related offences as well as disciplinary findings of professional agencies such as the Victorian Institute of Teaching.

To be a volunteer at Whorouly Primary School a valid Working with Children Card provided by the Department of Justice is required. This card is:

- valid for 5 years
- transferable between volunteer organisations
- free of charge for volunteers, but cannot be used for paid employment.

Note: WWC Checks for paid employment can be used to show suitability for volunteer work.

## **3.3 Maintaining records**

A copy of the staff member or volunteer's WWC Check will be kept on the file at the school.

Whorouly Primary School will implement procedures to ensure staff members and volunteers hold a valid WWC Check card; at a minimum annually at the commencement of the school year.

It is the responsibility of the staff member or volunteer to:

- provide Whorouly Primary School with the successful WWC Check card prior to commencement
- notify the principal if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence or if their WWC Check has been suspended.
- apply for a new WWC Check before their card expires.

## **3.4 Privacy**

Whorouly Primary School will apply privacy principles when collecting, using, retaining or disposing of personal or health information in accordance with the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic).

## **3.5 Exemptions**

The Working with Children Act identifies categories of individuals who are exempted from the requirement to have a WWC Check. Whorouly Primary School reserves the right to nevertheless require a WWC Check if the principal considers it necessary in the circumstances. The exempt categories are:

### 3.5.1 Student volunteers

A student who is 18 or 19 years of age is exempt from the WWC Check for volunteer work organised by or held at the same educational institution they attend.

### 3.5.2 Parents volunteering in an activity with their child

Parents volunteering in an activity in which their child participates or normally participates, are exempt from needing a WWC Check.

### 3.5.3 Family members and people who are closely related to the child

Family members closely related to each child in the child-related work are exempt from the WWC Check.

‘Closely related’ to a child means:

- parent
- spouse or domestic partner
- step-parent
- mother-in-law or father-in-law
- grandparent
- uncle or aunt
- brother or sister, including half siblings, step siblings, brother-in-law or sister-in-law.

### 3.5.4 Teachers

Registered teachers or teachers who have permission to teach from the Victorian Institute of Teaching under Part 2.6 of the *Education and Training Reform Act 2006* are exempt from requiring a WWC Check.

### 3.5.5 Police officers

Sworn Victoria Police officers or sworn Australian Federal Police officers are exempt from requiring a WWC Check.

For a full list of exemptions and examples refer to: [Working with Children Check – Exemptions](#)

## **4. LINKS AND REFERENCES**

School Policy Advisory Guide:

- [Volunteer Checks](#)
- [Volunteer Workers](#)

DET Human Resources:

- [Suitability for Employment Checks](#)

External Links:

- [Victorian Institute of Teaching](#)
- [Working with Children Check](#)

## **5. EVALUATION**

This policy will be reviewed at least annually or more often if necessary due to changes in legislation or circumstances.

### Related Procedures

- Police Records Check Procedure

### Related Documents

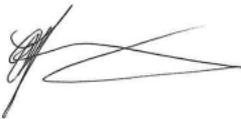
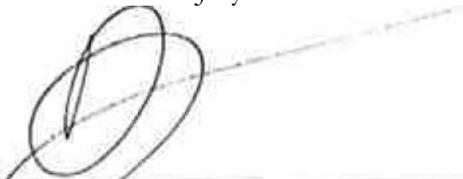
- Working with Children Act 2005 (Vic)

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 as per the Staff Registers Policy.

The register will be placed on the admin network.

<b>Date Implemented</b>	July 2016
<b>Author</b>	Fran Waterman – July 2016 
<b>Approved By</b>	School Council
<b>Approval Authority (Signature &amp; Date)</b>	Andrea Skahill – July 2016 
<b>Date Reviewed</b>	To be reviewed no later than July 2019
<b>Responsible for Review</b>	Principal
<b>Review Date</b>	
<b>References</b>	