

<b>10.6</b>	<b>WORKING WITH CHILDREN CHECK COMPLIANCE</b>
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<b>Applies to:</b> Staff, Management Committee
<b>Specific responsibility:</b> Management Committee, HECIS Co-Ordinator

<b>Version: 2</b>
<b>Date approved: 24.5.16</b>
<b>Next review date: Aug 21</b>

<b>Policy context:</b> This policy relates to	
Standards or other external requirements	
Legislation or other requirements	Child Protection(Working with Children) Act 2012 Child Protection (Working with Children) Regulations 2013 Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013
Contractual obligations	

### **POLICY STATEMENT**

HECIS operates within the requirements of the Working with Children Check Legislation of NSW being a pre-requisite for anyone in child related work in NSW.

A Working with Children Check (WWC) includes a national police check and review of findings of misconduct involving children. The result is either a clearance or a bar.

### **WWC REQUIREMENTS TIMEFRAME**

- All child-related workers starting a new job must apply for a check before they begin their new role.
- All existing Paid child-related workers phasing in from old system have applied for a WWC check and have been cleared (phasing in to 31/3/2018)
- Volunteers commencing volunteering with HECIS will need to provide a current and cleared WWC prior to beginning their role

### **RESPONSIBILITY**

The Management Committee delegates the responsibility for completing and monitoring the Working with Children Check requirements to the **HECIS CoOrdinator**.

### **PROCEDURES**

#### **Working with Children Check requirements**

(refer to the NSW Office of the Children's Guardian at [www.check.kids.nsw.gov.au](http://www.check.kids.nsw.gov.au) for full information and requirements).

The WWC is only available for child-related workers.

**DEFINITIONS** (from the NSW Office of the Children's Guardian)

#### **Child Related work**

Face-to-face contact with children in a child-related sector or work in a child-related role

#### **Child Related Industry Sector (in part)**

Early education and child care

Education

#### **Exemptions (in part)**

There are specified exemptions from the WWC under part 4, clause 20 and these people are not required to have a WWC.

## HECIS: Working With Children Check Compliance

- Administrative, clerical or maintenance work, or other ancillary work, that does not ordinarily involve contact with children for extended periods.

### HECIS REQUIREMENTS

HECIS (as the employer) must:

- register online with WWC at [www.check.kids.nsw.gov.au](http://www.check.kids.nsw.gov.au)
- verify every new paid employee online before hiring them (unless specifically exempted under the WWC requirements).
- verify current paid workers and all volunteers online
- Remove any barred or unauthorised person from child-related work.

### Results of a Check

If the applicant receives a clearance, the Check is valid for 5 years and may be used for any child-related work in NSW. Cleared applicants will be subject to on-going monitoring for relevant new records which could lead to a bar and the clearance being revoked before the 5 year expiry date.

Barred applicants must not engage in any child-related work (paid or unpaid). It is an offence for them to do so and penalties apply. It is also an offence to hire a barred worker for child-related work.

When submitting the details to verify a WWC online a brief report will appear, with the following results:

Status	Meaning
Application in progress	A Working with Children Check application is being processed and the applicant may work with children. If the applicant becomes barred, you will be contacted and advised on what to do next.
Cleared	This applicant has a Working with Children Check clearance that is valid until the listed expiry date. The applicant may work with children.
Barred	The applicant has been barred from working with children and it is an offence to engage this person for child-related work.
Interim barred	The applicant has been barred from working with children during the course of a risk assessment. It is an offence to engage this person for child-related work.
Not found	The database cannot find a matching Working with Children Check for any one of these reasons: <ul style="list-style-type: none"><li>• The date entered for verification (name, date of birth and Working with Children Check number or application number) has error;</li><li>• The person's application has been withdrawn or terminated without an outcome;</li><li>• An application has not been completed by this individual.</li></ul> It is an offence to engage this person in child-related work or child-related roles.

### STAFF REQUIREMENTS

HECIS employees and volunteers are responsible for applying for their own Working with Children check. HECIS as the employer cannot apply on behalf of a worker.

The application is a two-step process:

- Applicants complete an online form at [www.check.kids.nsw.gov.au](http://www.check.kids.nsw.gov.au) and will receive an application number.
- Applicants take their application number and proof of identity to a NSW motor registry or NSW Council Agency and pay a fee for a 5 year clearance.
- The WWC remains free for volunteers and other specified applicants.

The NSW Office of the Children's Guardian will remind workers to renew their Check 3 months before it expires but no notification will be sent to employers.

This is because workers are responsible for applying for and renewing their own Working with Children Checks; and employers have a responsibility for verifying the status of Working with Children Checks.

**RECORD KEEPING**

The **Office Manager** will maintain a *WWC records schedule* for HECIS staff ensuring replacement of the WWC clearance prior to expiry of current certificate. The schedule will include:

- The workers full name
- Working with Children Check number
- Date and outcome of the check verification
- Check expiry date

The **HECIS CoOrdinator** will report the outcome of any Working with Children Check clearances and any changes to a current workers WWC status to the Management Committee through the Co-Ordinators report.

**DOCUMENTATION**

Documents related to this policy	
Related policies	
Forms, record keeping or other organisational documents	WWC records schedule template

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Annually	HECIS Co-Ordinator	Management Committee

**INDEXING**

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due
1	16.8.17	HECIS CoOrdinator	Aug 2018
2	10.9.18	HECIS CoOrdinator	Aug 2019
3	17.9.19	HECIS CoOrdinator	Aug 2020
4	15.9.20	HECIS CoOrdinator	Aug 2021