

POLICY: WORKING WITH CHILDREN CHECK



PURPOSE:

- The Working with Children Check (WWC) 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.

A WWC check is required for individuals who engage in 'child related work' that involves direct contact with a child. It does not include occasional direct contact with a child that is incidental to the work the individual is performing at the school. 'Direct contact' with children has been expanded to include oral, written or electronic communication as well as face-to-face and physical contact.

A WWC Check is 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.'

A parent, or immediate relative, who volunteers at their child's school as part of an activity that their child is participating in, (such as BPPS morning reading) is not required by law to have a WWC Check.

A police record 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.

AIMS:

- The 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.

IMPLEMENTATION:

- 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 Brentwood Park Primary 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.

- 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
- Commencement is conditional upon receipt of a successful Assessment Notice or WWC check card. Any queries should be directed to the principal.
- 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.
- A ‘volunteer’ card cannot be used for paid ‘child-related’ work. You must re-apply, pass the Check and receive an ‘Employee’ WWC Check Card.
- The school must:
 - identify all staff who require a Working with Children 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 principal and business manager may enquire on the status of a WWC card at any time by visiting www.justice.vic.gov.au/workingwithchildren and entering a WWC check unique number, alternatively telephone 1300 652 879. It is recommended that the principal and business manager periodically verify the status of WWC checks held by people engaged in ‘child-related work at their workplace as WWC checks are subject to ongoing monitoring and it is possible that if an individual has a relevant change in circumstances, their WWC check may cease to be valid.
 - 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.
 - The school will take a copy of each WWC card and file the copy in the administration filing cabinet as per the Staff Registers Policy. The register will be placed on the admin network.

EVALUATION:

This policy will be reviewed as necessary.

CONDUCTING A DEPARTMENT CRIMINAL RECORDS CHECK

There are no changes to the procedures to be followed where it is determined that a new employee or volunteer is required, or has elected, to undergo a criminal records check conducted by the Department. Principals and managers, or their authorised delegate, will continue to process such checks by arranging for the applicant to complete a Consent to Check and Release National Police Record form and these details entered online at: www.eduweb.vic.gov.au/PROCS/.

Procedures for processing such criminal records checks and a User Guide may be found at: www.eduweb.vic.gov.au/hrweb/employcond/res/crimcheck.htm.

Principals and managers should consult Circular S183-2006 'New Price Structure for Criminal records checks' for information on the fee payable by the applicant for criminal records check conducted by the Department.

Criminal records checks conducted by the Department are valid for up to three years. Criminal history information is received by authorised personnel in the Conduct and Ethics Branch and not released outside of that office. Schools are not provided with details of criminal history information, if any; they are provided with a copy of the clearance or rejection letter only.

Criminal history information received by the Department is not retained and is securely destroyed no longer than three months after the criminal records check process is completed.

Where an employee or volunteer is not registered with the Victorian Institute of Teaching, nor do they require a WWC Check under the Act, only a criminal records checks conducted by the Department can be accepted as an alternative to determine suitability for employment and remain valid for up to three years. Criminal records checks obtained directly from Victoria Police or other sources cannot be accepted as the Department cannot be assured that all relevant offences were considered or a 100 point identity check was performed.

Criminal records checks conducted by the Department are for 'child-related work' purposes and permit the release to the Department of both spent and non-spent criminal records and disclose findings of guilt where no conviction was recorded.

There may be circumstances where a principal or manager considers that a criminal records check conducted by the Department may be required in addition to a WWC Check. Such circumstances may include the need to consider whether any offences exist that may be relevant to the duties to be performed, such as dishonesty offences or driving offences, that are not considered by the WWC Check.

Principals or managers should consult the Conduct and Ethics Branch on 9637-2594 in such circumstances prior to proceeding.