


GEELONG BAPTIST COLLEGE WORKING WITH CHILDREN CHECKS POLICY AND PROCEDURES			
Adopted by: Board	Reviewed by: Principals	Date: 2020	
To Be Reviewed: 2024			

INTRODUCTION

Geelong Baptist College is a Child Safe school which takes the care of its students seriously.

The Working with Children Act 2005 and Working with Children Check (WWCC) helps protect children from physical and sexual harm. It does this by screening people's criminal records and professional conduct, and by preventing those who pose an unjustifiable risk to children from working with or caring for them.

Passing a Check is a legal requirement for everyone in Victoria doing paid or voluntary *child-related work* who doesn't qualify for an exemption.

The Act exempts a range of people from the Check including teachers registered with the Victorian Institute of Teaching (VIT) as teachers have already been screened.

PURPOSE

Benefits of the Check include:

- Ongoing checking of a person's criminal record while the person's WWCC Check is valid
- Providing employers, volunteer organisations and agencies with the ability to verify WWCC cards at any time
- Card holders don't need to apply for a new WWCC when they change their employer or volunteer organisation, unless they are moving from volunteer to paid work. They must, however, notify the Department of Justice and Regulation of any change within 21 days
- WWCC cards are valid for five years unless they are suspended or revoked.

AUGUST 2017 UPDATE

The Working with Children Amendment Bill 2016 (Vic) has recently been passed and the amendments to the Working with Children Act 2005 (the Act) come into effect on 1 August 2017. Significant changes have been made to the definition of child-related work.

The Royal Commission into Institutional Responses to Child Sexual Abuse made several recommendations aimed at strengthening the protection children receive through Working with Children Checks. **The following 5 amendments to the Act implement these recommendations:**

1. Expand the definition of '**direct contact**' in the Act.

Previously, the term 'direct contact' only referred to physical contact or face-to-face oral communication with a child. In order to reflect the growing use of technology, which is presenting more opportunities for grooming children, the new definition of 'direct contact' has been expanded to include the following types of contact:

- face-to-face contact
- contact by post or other written communication
- contact by telephone or other oral communication
- contact by email or other electronic communication.

2. Remove references to ‘supervision’ from the Act.

Previously, the element of supervision was used to determine whether a person required a Check. If a person’s contact with children was directly supervised by another person, then they were not required to hold a Check.

Now, a Check is required whether contact with children is supervised or not. This amendment responds to the Royal Commission’s findings that perpetrators can often groom children in the presence of other people.

For example: Chris has taken up a position as an assistant coach of a junior football team. Even though he is directly supervised by the head coach, Chris is still required to hold a Check.

3. Create a new occupational category of ‘child-related work’, known as ‘kinship care’. Family members or other persons of significance caring for a child placed by Child Protection under the *Children, Youth and Families Act 2005* are required to obtain a Check.
4. Ensure that non-conviction charges (charges that have been finally dealt with other than by a conviction or finding of guilt) for serious sexual, violent or drug offences are considered as part of Check assessments and re-assessments.
5. Enable the Secretary to the Department of Justice and Regulation to compel the production of certain information for the purposes of compliance monitoring. (Further detailed on Pg 4)

GEELONG BAPTIST COLLEGE’S OBLIGATIONS

The College must ensure:

1. all teaching staff have current VIT registration
2. all non-teaching employees have a current Working with Children Check card (ie not just the Application Receipt)
3. all volunteers who are required to apply for a WWC Check do so by the required deadline and provide the College with their Application Receipt, prior to commencing
4. we do not allow people who are charged with, convicted or found guilty of sexual, violent or drug offences specified in clause 2 of Schedule 3 of the Act to work with or care for children while their application is processed or their Check reassessed. We check whether a person is allowed to work with children on [Check status](#) by entering their application number
5. we check that any self-employed person, such as a coach or tutor, has a valid Check and is not prohibited from working with children
6. employees are not undertaking child-related work with a ‘volunteer’ Assessment Notice and WWC Check card; employees must apply for an ‘employee’ Assessment Notice and WWC Check card
7. employees or volunteers who are given a Negative Notice do not undertake child-related work, even if directly supervised
8. we comply with obligations to keep employees’ and volunteers’ information confidential as required under the Working with Children Act 2005 and by any other relevant laws
9. we ensure that all VCE written examination supervisors, clarifiers, scribes and readers obtain a Working with Children Check before commencing work

Visitors and Volunteers to the College

The College encourages parental involvement through many means. All visitors and volunteers must report to the front office to sign in and be provided with a visitor's pass. Visitors without a pass should be asked to report to the office.

It is important that we uphold current law and ensure that all volunteers and visitors that work with our children obtain a WWCC. This system aims to protect children from abuse, and all staff must abide by these guidelines.

Volunteers who have received their WWCC card are required to present their card to the office. The College will keep a register of all volunteers with a valid WWCC.

At any time a new person volunteers to help at the College during school hours, the receptionist will check if the person is on the Working with Children Check register. If they are not, they will be required to apply for a WWCC prior to commencing their voluntary work.

Volunteers will require a WWCC for:

1. Assisting in the classroom or a school related activity even if their own child is participating and the volunteer is under the direct supervision of a teacher
2. Participation in any excursions, incursions, camps, off site events, sport activities, swimming programs etc.
3. Assisting with any works at the College (office, classrooms, grounds) during school hours
4. Involvement in other events as deemed appropriate by the Principal and/or College Board.

Contractors

All contractors and trades people must report to the front office to sign in and be provided with a visitor's pass. The College will ask to sight their WWCC card, but as contractors generally do not provide a service to the students, in most cases, a WWCC card will not be required.

The Principal will assess the duties to be performed by contractors to determine whether they constitute 'child-related work' and will therefore require a WWC Check before work can commence on the school site within school hours. Contractors who are frequently in the College during normal school hours require a WWCC.

GEELONG BAPTIST COLLEGE'S RECORDING PROCEDURE

1. Record all employees'/volunteers'/contractors' unique Application Receipt Number (received when they lodge their application) into a data based spreadsheet (register)
2. Confirm that employees/volunteers/contractors have passed the WWC Check via Check Status on the website
3. Sight the WWCC card, photocopy it for our file, and record WWCC Number (different to the Application Receipt Number)
4. Record expiry date of the WWCC for each individual and the card type ('E' for paid employees or 'V' for volunteers)
5. Check the register when parents seek to help out as volunteers or contractors work on the College grounds
6. If we engage a self-employed person (who is required to pass the WWC Check), we need to sight the person's WWC Check card and take a photocopy to keep on file. When we make initial contact with such a person or company, we need to make sure they have a current WWC Check
7. Check the status of a WWC Check at any relevant time either by visiting the website or by calling the info line
8. Retain and secure all correspondence the Department of Justice sends about any workers and volunteers

9. Ensure workers notify the department within 21 days of commencing child-related work with the College and whenever their personal and contact details change
10. At the commencement of each year, the College register will be checked and updated in the following way:
 - i. Highlight those that will expire within 6 months in orange and contact these individuals. (Semester 1)
 - ii. Highlight those that will expire during the second part of the year in yellow. (Semester 2)
 - iii. Check the register again just prior to commencement of Semester Two and contact those people whose Check will expire in these six months.
 - iv. Any person whose WWCC has expired will be removed from the list and if they wish to continue to volunteer, they will need to get a new WWCC.

In the event of an existing employee or volunteer being given an Interim Negative Notice or Negative Notice, their employment or volunteering would cease immediately.

WHAT IS CHECKED?

The Working with Children Check examines relevant information from national criminal records and, in some cases, reports by some professional bodies about professional conduct.

The offences that are relevant to the Check are:

- sexual, violent or drug offences
- any offence that presents an unjustifiable risk to the safety of children
- offences against the *Working with Children Act 2005*.

The Department of Justice also considers reports about professional conduct such as the cancellation or suspension of registration or conditions imposed by the following bodies:

- the Victorian Institute of Teaching
- the Suitability Panel
- relevant determinations by VCAT under current and historical health practitioner legislation.

POWER TO REQUIRE INFORMATION

If the Secretary to the Department of Justice and Regulation suspects that a person has committed an offence against the Act, the Working with Children Check Regulations 2016 or Part 5 of the *Sex Offenders Registration Act 2004*, then the Secretary has the power to require anyone to provide information to help determine if the suspicion is reasonable. The Secretary can also notify the Chief Commissioner of Police about these suspicions.

These offences include:

- i. a person engaging in child-related work without a Check
- ii. a person who has been given a negative notice applying for a Check or engaging in child-related work
- iii. a person using a volunteer Check for paid work
- iv. a person using a false or other person's Check
- v. a person engaging a person in child-related work who does not have a Check
- vi. an agency offering the services of a person who does not have a Check
- vii. a registered sex offender engaging in child-related work.

If a person receives a request for information from the Secretary and fails to provide that information without a reasonable excuse, they may be charged and face a fine of 60 penalty units (maximum penalty).

It is a reasonable excuse for an individual to fail to provide the information requested, if providing that information would incriminate them.

CONCLUSION

The College recognises that the WWC Check is just a starting point. The Check does not assess a person's suitability to work with or care for children in a particular role. It is the responsibility of the College to assess paid and voluntary workers' suitability to work with children and to establish sound, ongoing supervision practices so that children are safe from harm.

The College acknowledges that the Check is just one part of creating and maintaining a child-safe environment.

Therefore staff must also refer to other relevant College policies and documents such as:

- Staff Handbook
- Child Safety and Code of Conduct Policy
- Reportable Conduct Policy
- Staff Performance and Conduct Management Policy
- VIT Code of Conduct
- Mandatory Reporting Policy
- Recruitment Policy
- Induction Policy
- Managing Complaints or Grievances Policy
- Student Welfare Policy
- Discipline Policy
- Internet Use Policy and Procedures
- Staff Using Information Technology
- Facebook Policy and Guidelines
- Student Diversity Policy
- Respectful Workplace Policy
- Parent Participation Program
- Confidentiality Agreement Form for Volunteers

Helpful Websites

- Commission for Children and Young People
- Working With Children Checks
- VIT

Suitability Check Flowchart for Geelong Baptist College Visitors and Volunteers

Is the visitor/volunteer likely to have any contact with children while performing their work duties?

YES

NO

What is the nature of the work/engagement?

Suitable identification and screening checks, if any, relevant to the role should be undertaken and risks identified.

Child-related work

Work that usually involves direct contact (including phone, written and online communication) with a child as part of work duties. (e.g. attendant care, school camps, excursions (including swimming), literacy and numeracy/classroom support, sporting/musical and other extra-curricular assistants and coaches, breakfast/lunch clubs and other student support activities, canteen assistant, Allied health/NDIS therapists, Departmental Staff who are working with children, SRI, Distance education)

Child connected work

Work duties that only involve occasional direct or indirect contact with children that is incidental to the work. (e.g. fete/fundraising activities, tradespeople, working bee, parents and clubs.)

A Working with Children Check is legally required.

Suitable identification checks relevant to the role should also be undertaken and risk identified**

The Person is exempt from a Working with Children Check due to higher level of screening for their profession.*

(e.g. teachers, police officers)
Suitable identification and screening checks relevant to the role should also be undertaken and risks identified**

Requiring a Working with Children Check is at the discretion of the school principal.

Other suitability and identification checks, if any, relevant to the role should be undertaken and risks identified**

NOTE: A Working with Children check is recommended where the visitor/volunteer will regularly be present at GBC and/or children can reasonably be expected to be present.

NOTE: Parents are legally exempt from the requirement to hold a WWC check when volunteering in an activity in which their child normally participates. In these cases requiring a WWC Check is at the discretion of the school – but it is recommended in most circumstances where the parent is regularly involved in the volunteer activity and working directly with children and/or the nature of the activity poses a higher risk, e.g. overnight camps, swimming, or activities involving close contact, etc.