



**Sacred Heart Primary School**  
**Working with Children Check Policy and Procedures**

**Rationale:**

Sacred Heart 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.

The Working with Children Check assists in protecting children from sexual or physical harm by ensuring that people who work with, or care for, them are subject to a screening process. 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 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 school 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.

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.

Teachers who are currently registered with the Victorian Institute of Teaching (VIT), are exempt from the Working with Children (WWC) Check. This is because registered teachers are subject to extensive criminal history screening and weekly monitoring similar to the WWC Check. In addition to this, registration is only granted by the VIT to teachers who are appropriately qualified and assessed by the VIT as 'suitable to teach'.

**Working with Children Check Act 2005 - 1st August 2017 Amendments**

On 1 August 2017, a number of important amendments to the *Working with Children Check Act 2005* (the Act) came into effect.

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 amendments to the Act implement these recommendations:

1. Expand the definition of 'direct contact' in the Act. The definition of direct contact now includes oral, written or electronic communication as well as face-to-face and physical contact. The Act will continue to provide that a Check is not required in circumstances where the contact with a child is occasional and incidental to the work.
2. Remove references to 'supervision' from the Act. This means that even if a person's contact with children as part of their child-related work is supervised by

another person, they will still need to apply for 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 placed by Child Protection under the *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 a Check assessment or re-assessment.
5. Enable the Secretary to the Department of Justice and Regulation to compel the production of certain information for the purposes of compliance monitoring.

### **Criminal Record Check**

**The Working with Children Check (Check) and a Police Check are different checks.**

**Under the *Working with Children Act 2005* if you are doing child-related work and are not exempt, you must have a Check even if you already have a Police Check.**

**The Check by the Department of Justice and Regulation determines if a person poses an unjustifiable risk to the safety of children. The Check screens a person's criminal records and, in some cases, their professional conduct determinations and findings from prescribed bodies listed in the Act. The Check focuses on serious sexual, violent and drug offences. The department continues to monitor these records for the life of each card.**

**The Police Check is not an assessment by a government agency. It is only a list of some offences, at a given point in time. Organisations request this list to help them assess a person's suitability for other kinds of work. For example, an organisation might want to know about fraud offences if they were recruiting for a role with access to cash.**

### **Purpose:**

To minimise risk of harm to students, staff and volunteers of Sacred Heart Primary School are required to provide evidence that they have appropriate approvals to work with children in accordance with legislation.

### **Implementation:**

- It is the responsibility of the principal to ensure that only suitable and eligible people 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.
- It is the responsibility of the principal to ensure all volunteers have 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.

### **Maintaining records**

It is the responsibility of the principal to check that all teaching staff have their VIT registration up to date. A record of teaching staff registrations is accessed on the VIT site.

It is the responsibility of the principal to ensure that a copy of all non teaching staff, WWC Checks are kept on file and updated regularly

A copy of all volunteer's WWC Check will be kept on file at the school and maintained by the school secretary. This file is accessible to all staff and is used for allocating volunteers at school/class events where there is access to students.

It is the responsibility of all volunteers to:

provide Sacred Heart 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.

### **Exemptions**

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

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.

Police officers:

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

### **Evaluation:**

This policy will be reviewed in consultation with all members of the wider Sacred Heart Primary School community as part of an ongoing review cycle. (May 2018)