

# MORDIALLOC COLLEGE

## WORKING WITH CHILDREN CHECK POLICY

### **Rationale:**

Mordialloc College 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 (WWCC) is the minimum standard for all adults working with children. If a volunteer's occupation exempts them from the requirement to have a WWCC e.g. police officers, teachers, they must provide evidence to support their claim to an exemption. In addition to a WWCC, Mordialloc College 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.

### **Aims:**

The Working with Children Check (WWCC) 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 policy is to outline which positions at Mordialloc College require a WWCC and the process to be followed. Anyone engaging in 'child-related work' as part of their role or duties, whether an employee, volunteer, visitor or contractor must have a WWCC regardless of whether they are being supervised by a teacher or another adult with a WWCC. This policy applies to all positions at Mordialloc College. 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 Mordialloc College

Direct contact: refers to oral, written or electronic communication as well as face-to-face and physical contact

### **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, Mordialloc College will ensure that the Department's procedures for criminal record checks are implemented.

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

Mordialloc College adheres 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 WWCC to meet the Department's pre-employment suitability for employment requirements.

## Volunteers

**Definition** - WWCC 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 WWCC. See below for a list of exemptions.

**Commencing volunteering** - A volunteer can commence work in Mordialloc College when they provide a receipt as proof they have applied for a WWCC with the Department of Justice and have otherwise been considered by the school to be suitable.

## Working with Children Check (WWCC)

The WWCC 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 Mordialloc College 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
- Under the section marked 'Details of Organisation', candidates must ensure they state Mordialloc College

**Note:** WWCCs for paid employment can be used to show suitability for volunteer work.

## Maintaining records

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

Mordialloc College has procedures to ensure staff members and volunteers hold a valid WWCC card; at a minimum annually at the commencement of the school year.

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

- Provide Mordialloc College with the successful WWCC card prior to commencement and have Mordialloc College listed under Details of Organisation
- 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 WWCC has been suspended
- Apply for a new WWCC before their card expires

## Privacy

Mordialloc College applies 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).

## Exemptions

The Working with Children Act identifies categories of individuals who are exempted from the requirement to have a WWCC. Mordialloc College reserves the right to nevertheless require a WWCC if the Principal considers it necessary in the circumstances. The exempt categories are:

**Parents volunteering in an activity with their child** – Mordialloc College will use its discretion when deciding if a parent/s volunteering in an activity in which their child participates or normally participates, are exempt from needing a WWCC. This will be dependent on the activities and the nature of the volunteer work being performed.

**Family members and people who are closely related to the child** - Mordialloc College will use its discretion when deciding if a family member/s closely related to each child in the child-related work are exempt from the WWCC. This will be dependent on the activities and the nature of the volunteer work being performed. '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

**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 WWCC.

**Police officers** - Sworn Victoria Police officers or sworn Australian Federal Police officers are exempt from requiring a WWCC.

**Waiting for card** - Employees waiting for a card having paid for their check are able to work, as long as the receipt has been sighted. For a full list of exemptions and examples refer to: Working with Children Check – Exemptions.

**NB: The changes to the Working with Children Act 2005, does not impact on arrangements Mordialloc College has with work experience programs.**

## Contractors

The Principals and managers assess the duties to be performed by contractors to determine whether they constitute 'child-related work' and will therefore require a WWCC. Contractors such as IT Technicians, gardeners, cleaners and maintenance staff require a WWCC as they are frequently in schools during normal school hours.

The Principals and managers will contact the Conduct and Ethics Branch on 9637-2594 for advice on whether the duties to be performed by a contractor meet the definition of 'child-related work' as contained in the Act if there is any doubt.

## Related Documents:

School Policy Advisory Guide: DET Human Resources:

- <http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx>

#### Volunteer Checks Suitability for Employment Checks

- <http://www.education.vic.gov.au/school/principals/spag/community/pages/volunteers.aspx>

#### Parent volunteers

- For more information about parents in schools, see: [Parent Participation at School](#)

#### Other Visitors and Volunteer Workers

- <http://www.education.vic.gov.au/school/principals/spag/governance/pages/volunteers.aspx>

#### Working with Children Act 2005 (Vic)

- <http://www.workingwithchildren.vic.gov.au/home/resources/legislation/working+with+children+act+2005>

#### Department of Justice and Regulation (Vic)

- <http://www.justice.vic.gov.au/>

Working with Children information line on 1300 652 879

#### **Evaluation:**

This policy will be reviewed annually or when changes occur to the Department's School Policy and Advisory Guide (SPAG).

*Victorian government schools are child safe environments. Our school actively promotes the safety and wellbeing of all students and all of our school staff are committed to protecting students from abuse or harm in the school environment in accordance with their legal obligations including the Child Safe Standards. The school's Child Safe policy and Code of Conduct are available on the school's website.*

This policy was last ratified by School Council in

September 2017

# WORKING WITH CHILDREN CHECK FLOWCHART

**NB: It is mandatory that all volunteers and locally employed staff hold current Working with Children Checks (WWCCs)**

The Human Resource (HR) Manager has primary responsibility for checking and processing WWCCs

All Administration staff are also responsible for fully implementing this process in the event of the HR Manager's absence or at the instruction of the Business Manager

