



EXCELSIA
COLLEGE
Sydney - Australia

**THIS POLICY AND PROCEDURE IS CURRENTLY UNDER REVIEW BY
MANAGEMENT COMMITTEE**

Document Name

WORKING WITH CHILDREN CHECK POLICY AND PROCEDURE

Document Number

PPR-STA-05

Document Status

Author	Director of People and Culture	August 2012
Approved by	Management Committee	September 2012
Publication	Issue 4	August 2018
Review Date	Issue 4	August 2020

Purpose and Scope

In accordance with legislative requirements, any positions with Excelsia College which are deemed to be 'child-related' require the successful applicant and/or volunteer to undergo a Working With Children Check (WWCC) in order to determine the overall suitability of all prospective employees, volunteers and current employees transferring from one area of work to another. Therefore, it is the responsibility of the Manager/Supervisor or delegated authority to ensure that the preferred applicant and/or volunteer undergo this check. This policy and procedure aims to set out the criteria and processes in a clear and transparent manner.

Context

The Commission for Children and Young People Act 1998 commenced in July 2000 and introduced mandatory requirements for background checking of people working with children. For the Working with Children Check, a child is anyone under the age of 18.

Definitions

1. The **Working with Children Check** is a pre-employment check for child-related employment. Volunteers in some high risk roles must be checked. The *Working with Children Check* involves a national criminal record check for relevant offences, relevant employment proceedings involving reportable conduct, and relevant apprehended violence orders.
2. A **volunteer** is a person who works without being paid. A person carrying out an unpaid role in an organisation e.g. reading tutor. This constitutes "employment" for the test in the procedure below.
3. A **mentor** is defined variously as an advisor, a counsellor, a guide, a tutor or a teacher. A mentor is somebody, usually older and more experienced, who advises and guides a younger, less experienced person. General supervision of a child does not constitute mentoring.
4. A **'Prohibited Person'** is a person convicted of sex offences, kidnapping or murder of a child or child related personal violence offences. In addition, a registrable person under the *Child Protection (Offenders Registration) Act 2000* is a Prohibited Person. Such people are prohibited from applying for, undertaking or remaining in child-related employment in NSW.

Responsibility

The following people have a responsibility in relation to this procedure:

- Chief Executive
- Department Heads
- Director of People and Culture

Procedure

Identify if the position is "child-related".

There are three tests that determine whether you provide child-related employment.

- Is the nature of the work "employment"?
- Is the work in a "child-related" setting?
- Do your employees need to have direct unsupervised contact with children to do their job?

If the answer to all these tests is "yes", you provide child-related employment.

When a contract is issued to a staff member, a 'Working with Children Check' Applicant Declaration and Consent form is also issued to be completed by the staff member.

For volunteers, the form to use is the 'Working with Children Check' Volunteer Declaration form.

Forms can be downloaded from NSW Office of the Children's Guardian website:
<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

Ensure all parts of the form are completed.



'Working with Children Check' Applicant Declaration and Consent form is to be returned to the Director of People and Culture.



The Director of People and Culture ensures form is filled correctly and 100 points of identifying documents have been collected. Photocopies of the 100 points documents need to be signed by the manager or the Director of People and Culture. Copies of ID do not need to be retained. Identity documents should verify all names a person is known by including middle names and former surnames and support the date of birth included on the Applicant Declaration and Consent. The result of the background check relies on the accuracy of information contained in the consent form and can be compromised by incomplete or false information.

Director of People and Culture completes the 'Employer Request for Background Check' and email with declaration and consent form to the NSW Department of Education and Training either by fax on 9836 9222 or email: Esumail@bkesu.det.nsw.edu.au

It can take up to 10 working days to receive a response from the NSW Department of Education and Training.

Once check is complete, the Director of People and Culture will receive an email from the NSW Department of Education and Training confirming the outcome of the check.



Once a response has been received, the Director of People and Culture will then email the Manager the results. Applications and information relating to this process will be stored securely in a locked personnel filing cabinet within the HR Department.

The Director of People and Culture saves the soft copy of the form in the Human Resource Folder on the S Drive.

Please note, failure to carry out the process in this sequence may result in disciplinary action.



Your *Working with Children Check* is valid only in New South Wales. Each Australian state and territory has its own system for checking people before they can work with children, so you will need to contact the relevant agency in the state or territory in which you plan to work.

If you plan to work overseas you can apply to the Australian Federal Police for a copy of your criminal history. You can find out how to apply at www.afp.gov.au