



St Edward's Parish

Child Protection - Working With Children Checks Procedures

Working With Children Checks - Source of Obligation

The Child Protection (Working With Children) Act 2012 (NSW) (the Act) and the Child Protection (Working With Children) Regulation 2013 (NSW) (the Regulations) aim to protect children from harm by providing a high standard of compulsory national criminal record checking for people wishing to do paid, unpaid, or volunteer child-related work in NSW.

These background checks are referred to as Working with Children Checks (“WWC Checks”).

Who Needs a WWC Check?

Any person over the age of 18 years of age who engages in child related work that involves direct contact (being physical or face-to-face contact) with a child (being a person under 18 years of age) **must get a WWC Check**. If Volunteering a Volunteer WWCC is required and it is free of charge. If a paid employee, a Paid WWCC is required at a cost of \$80. WWCC are valid for 5 years.

Therefore, St Edward's Parish, in striving for best practice, has decided that all St Edward's Parish Priests, Deacons, staff, volunteers with direct contact with a child, members of various ministries, contractors or subcontractors, persons undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience), or other member of a religious organisation **will obtain a WWCC** in response to responsibilities and obligations under the Act and the Regulations.

How to Apply for a WWC Check?

All persons mentioned above is responsible for applying for his or her own WWC Check. All volunteers (in unpaid role at St Edward's Parish) may apply for a Volunteer WWCC which is free and valid for 5 years. If a paid employee, a Paid WWCC is required at a cost of \$80. WWCC are valid for 5 years.

To apply:

Fill out an online application form at <http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check>;

1. Upon completion of the application, an application number will be provided;
2. Take application number and proof of identity (NSW driver's licence) to a NSW motor registry or NSW Council Agency; and
3. **If the WWC Check is for paid work, a fee of \$80 is payable for a five year clearance.**

What is Checked?

The WWC Check obtains applicants' national criminal histories including:

- convictions (spent or unspent);
- charges (whether heard, unheard or dismissed);
- juvenile records;
- findings of misconduct (e.g. sexual misconduct or serious physical assault of a child) by a government agency; and
- notifications on matters indicating serious risk to children made by the Ombudsman.

Outcome of the WWC Check

There are only two results for a WWC Check – a clearance to work with children or a bar against working with children.

Where the outcome is a clearance, the applicant will be provided with a WWC Check number. The WWC Check is valid for five years. Cleared applicants will be subjected to ongoing monitoring for relevant new records which could lead to a bar and the clearance being revoked before the five year expiry date.

Where a bar is being considered, the Commission for Children and Young People will call and write to the applicant to inform them of the proposed decision. Applicants will be invited to submit information to support their application and the Commission will take this information into account when making their final decision.

Nevertheless, if the outcome is a bar, applicants must not engage in any child-related work. The barred applicant will receive a letter from the Commission notifying them of the decision and an explanation of the appeals process, should they wish to appeal through the NSW Administrative Decisions Tribunal.

The outcome of WWC Checks will be emailed or posted to the applicant. If the results are not received within four weeks of the application, email newcheck@kids.nsw.gov.au with details of the application including the application number. The Parish as a verifier of workers will be notified throughout the 5 year period if the worker's status changes to 'barred'.

Definition of Worker

A worker means any person who is engaged in work, as an employee, a self-employed person, a contractor or subcontractor, a volunteer, a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience), or as a minister, priest, rabbi, mufti or other like religious leader, or spiritual officer of a religion, or other member of a religious organisation.

Obligations

Upon receiving clearance, **it is compulsory that the worker provides their WWC Check number to St Edward's Parish Priest/Secretary, along with their full name and date of birth for online verification.**

Workers are responsible for renewing their own WWC Check as necessary. They will receive a reminder to renew their WWC Check three months before it expires.

Record Keeping

It is the responsibility of the Parish Priest/Secretary to verify the status of all St Edward's Parish staff and volunteers' WWC Checks.

Photocopies of ID documentation such as Driver's License or Passport is required by all workers and volunteers.

St Edward's Parish maintains records (electronic or hard copy format) of child-related workers including:

- full name;
- date of birth;
- working With Children number;
- start date and outcome of the Check verification;
- expiry date of the WWC Check; and
- whether the person is a paid worker or a volunteer.
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These details are accompanied by photocopies of identification documentation eg passport/driver's license.

Records must be readily available if required for audit and monitoring purposes.

Records are retained by the Parish for a minimum period of seven years after verification (electronically/hard copy) and closely monitored to ensure that all clearances are current for employed workers and volunteers at the Parish.

Privacy & Confidentiality

The Office of the Children's Guardian maintains a register for Working With Children Checks.