Catholic Schools Office
Diocese of Lismore

Working with Children Check
Standard Operating Procedure

Policy Number: WWCC01:06

Status: Version 1

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Evaluation and Review: 2015 or with Legislative requirements

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Related Documentation: CSO Child Protection Legislation
CSO: Code of Professional Standards.
Ombudsman Act 1974
Commission for Children and Young People Act 1998
Children and Young Persons (Care and Protection) Act 1998
Child Protection (Working with Children) Act 2012
Child Protection (Working with Children) Regulation 2013
Rationale:

The Catholic Schools Office Lismore is committed to creating and supporting a culture of safety for children and ensuring that its children and young people are protected from all forms of reportable conduct. It supports child protection and all measures for the prevention of reportable conduct in the workplace.

All employees of the Diocese of Lismore working with children will be required to undertake the Working with Children Check (WWCC) or a National Criminal History Check (NCHC).

Volunteers in parish Schools will be required to complete a statutory Declaration as a minimum and if requested be required to undertake a WWCC or NCHC.

Scope:
This policy describes the process for effectively managing the new Working with Children Act proclaimed in 2012 and regulations coming into effect June 15 2013, for existing and new employees of the Catholic Schools Office, Diocese of Lismore.

This policy applies to all employees in Catholic schools, the Catholic Schools Office and any related units under the administration of the Catholic Schools Office, Diocese of Lismore. The policy shall be implemented in accordance with appropriate industrial legislation and the relevant award and/or enterprise agreement.

Principles:

Definitions:

*Child/ren*: Includes all children and young people up to the age of 18 years.

*WWCC*: Working with Children Check – a clearance from CCYP for an employee to work in an occupation with children

*CCYC*: Commission for Children & Young People

*CCER*: Catholic Commission for Employment Relations

*Employer*: Catholic Schools Office (CSO)

*Employee*: An employee is any person who is employed by the CSO, whether or not they are employed to work directly with children, as well as anyone from outside the agency who is engaged to provide services to children such as contractors, foster carers, volunteers, students on placement, instructors of religion.

*Applicant*: Employee or volunteer
IMPLEMENTATION:

In June 2012, the Child Protection (Working with Children) Act 2012 was passed by the NSW Parliament, introducing a NEW process for Working with Children Checks (WWCC).

The purpose of the Act is to create legislation to support a new Working with Children Check. This will include the utilising of a centralised agency which is responsible for administering the Working with Children Check.

The Commission for Children and Young People (CCYP) is the centralised agency which will take over the role of the Approved Screening Agencies to process all Working with Children Checks and complete any risk assessments.

This new check will commence June 15, 2013. CCER will stop processing checks as of June 5 2013 to enable existing checks in their system to be completed.

1. THE RESPONSIBILITY OF THE EMPLOYEE / VOLUNTEER

1.1 It is the responsibility of the employee to:

a. Apply online with CCYP for a Working with Children Check clearance, visit the nearest Transport, Roads and Maritime Registry or Government Access Centre to provide proof of identity and pay the fee of $80-00 and to supply this WWCC number to prospective employers. A volunteer will also need to complete this process however at this stage they will not be charged a fee.

b. Notify the Employer of any change to clearance status, no matter how minor (even if the matter has not been updated on the CCYP database).

1.2 Existing employees have until 2016 (for those in secondary Schools) and 2017 for all other employee to comply with 1.1a above.

1.3 New employees are required to comply with 1.1a above effective June 15 2013

1.4 All employees are required to provide their WWCC number to the CSO.

CCYP provides free telephone support to those without access to a computer. A trained officer will complete the application over the phone.

Although an applicant may apply from the age of 17 years and 9 months, a clearance will not be given until a person has turned 18 years of age.

Those who are refused an approval can appeal the refusal to the Administrative Decisions Tribunal (ADT) of CCYP.

The Check remains valid for a period of 5 years and must be renewed by the employee before the expiry date. Proof of renewal must be provided to the employer.

2. THE RESPONSIBILITY OF THE EMPLOYER:

2.1 It is the responsibility of the CSO / Diocesan Schools to:

a. Check the identity of the applicant by photo identification and check the validity of the WWCC number online before any child related employment commences.
b. Maintain the status of an employee by way of database and expiry date.

c. Make sure all external advertised positions include the phrase “Child Protection Legislation requires preferred applicants to be subject to an employment screening”

d. Ensure that a clearance is current.

e. Not engage a barred person in a child related role.

f. Keep a record of every clearance for every worker and volunteer showing the workers name, WWCC number, expiry date and date of verification by employer as this information can be a part of the audit process by CCYP.

3. PROCESS:

3.1 The Employee:

3.1.1 Teacher
A prospective employee must complete CCYP online application https://check.kids.nsw.gov.au/background-check-consent.php. The status of the employee will be communicated with the applicant and this notification number must be submitted with the applicant’s Teacher’s Application for Employment for registration with the Diocese of Lismore. This check has a 5 year expiry date.

3.1.2 Auxiliary Staff
A prospective employee must complete CCYP online application https://check.kids.nsw.gov.au/background-check-consent.php. The status of the employee will be communicated with the applicant and this notification number must be submitted with the applicant’s resume to the principal before or upon impending engagement.

3.1.2 Non- Child Related
Where an applicant’s employment is not deemed as “Child Related” by CCYP on application, the Catholic Schools Office asks that the prospective employee complete a National Criminal History Record Check, at the cost to the employee of $41-00 (as at 2013) before commencing employment. This check has a three year expiry date.

3.2 Volunteers
The new legislation requires volunteers in child related activities in our schools to obtain a Volunteer Working with Children Check by completing the application through the CCYP website https://check.kids.nsw.gov.au/volunteer-declaration.php. The status of the volunteer will be communicated with them and this notification number must be submitted to the Catholic Schools Office /school at which they are volunteering.
Exemptions to this requirement are listed on the CCYP website however a volunteer may be requested to complete a Volunteer Working with Child Check Application dependant on the role of the volunteer.

3.3 Chaplains / Student Welfare Workers.
Staff employed as a Chaplain / Student Welfare Worker under the National School Chaplaincy / Student Welfare Program undertake a National Criminal History Records...
Check updated every two years. No changes to the current system have been advised.

3.4 The Employer:

On receiving an application for employment, the CSO office will check the validity of the information given. The CSO or representative (e.g. Principal) must also confirm the identity of the applicant by photo identification, checking also the current address and date of birth.

The CSO may only engage a worker or volunteer (subject to exemptions and limitations) with a 'clearance', or a 'current application'.

This process is to take place before someone is employed by the Catholic Schools Office.

4. RESULTS

Results for a Working with Children Check include:

a) Clearance
b) Bar (or interim bar)
c) No result or Current Application in process

The CSO/ Schools may only engage a worker or volunteer (subject to exemptions and limitations) with a clearance or a current application in process. (Requiring evidence of application e.g. receipt of payment at RTA or copy of email stating receipt of the application).

5. HOW LONG DOES A CHECK REMAIN VALID?

A Working with Children Check clearance will remain valid for a period of five years. The expiry date will be shown at the time of validation.

A National Criminal History Check clearance will remain valid of three years.

A National Criminal History Check clearance with regards to the National School Chaplaincy / Student Welfare Worker program has to be renewed every two years.

It is the CSO's legal obligation is to ensure that a clearance is current and to not engage a barred person in a child related role.

This new system remains constantly monitored so if someone previously ‘cleared’ becomes ‘barred’, as an employer who has ‘verified a clearance number’ the Catholic Schools Office will be notified of the change of circumstance by CCYP and must act accordingly.