Tungamah Primary School is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Tungamah Primary School believes that, while protecting children and young people against sexual abuse is a community-wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

**Purpose:**

This policy applies to whole school community in supporting safe environments for all children and young people.

It concerns the responsibilities of schools in complying with the provisions of the Victorian *Working with Children Act 2005*, which was enacted to assist 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. [*Working With Children Act 2005*, s.1(1)]

A Working with Children Check (WWCC) is required of most people involved in twenty occupational fields of child-related work as paid workers or volunteers - where that work is not directly supervised by someone with an appropriate check:

- Current members of the Victorian Institute of Teaching are exempt from requiring a WWCC as they already undergo a similar regular check
- Sporting clubs also fall within these twenty occupational fields. Schools should consider how they will ensure associated sporting clubs manage their responsibilities
Tungamah Primary School

Working with Children Policy

- A check is required of people working in schools, including employees, volunteers and self-employed persons, as well as officers of a body corporate, members of committees of management, and persons involved in practical training, e.g. student teachers. There are some exceptions to this requirement, and schools must ensure these are understood and incorporated into their procedures and practices.

- The following groups are exempt from obtaining a working with children check:

  **People under the age of 18 years**

  **Parents who volunteer in activities that their child normally participates in**

  **People 'closely related' to each child they have contact with in their activity**

- However, as parents and family members will be interacting with children other than their own, it is best practice and an expectation that all volunteers will obtain a Working with Children Check.

While staff are responsible for obtaining their own check, each School must ensure valid checks are held by all those requiring one.

This also means that each school must ensure all teaching staff maintain their registrations with the *Victorian Institute of Teaching* and makes it even more critical that the school maintains ongoing records of this.

Volunteers who work with children will also require a WWCC, unless they are exempt.

**NOTE:** A Working with Children Check is a minimum requirement of a school’s Duty of Care – it provides evidence that a person has not been found guilty of sexual abuse. It does not endorse any person as being suitable to work with children. Systematic and rigorous screening processes also need to be undertaken in every school to reduce as much as possible the risk of harm to any student.

**Key Principles:**

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.

- The child and young person’s ongoing safety and wellbeing must be the primary focus of all decision making.
Tungamah Primary School

Working with Children Policy

- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation’s culture and responsibility for taking action is understood and accepted at all levels of the organisation.

Definitions:

For the purposes of the Working with Children Act 2005:

- **Children** are those under the age of 18 years
- **Child related work** is work involved in one of the occupational fields listed in the Act, and that “usually involves direct contact with a child and that contact is not directly supervised by another person.”
  
  **Note:** “Work is not child-related work by reason only of occasional direct contact with children that is incidental to the work.”

- **Direct contact** is any contact between a person and a child that involves:
  - physical contact, or
  - face to face oral communication

- **Direct supervision** is supervision of a person’s contact with children rather than of their work in general. Supervising another person’s contact with children must be personal and immediate but can include a brief absence such as taking a telephone call in another room.

Implementation:

This policy applies to the whole school community in supporting safe environments for all children and young people.

- An up-to-date WWCC and VIT Register for teachers, other staff, contractors, and volunteers is kept in the Office of the Business Manager and maintained by the Business Manager. Those who are exempt from a WWCC are included in this Register with appropriate notation.
- Selection and appointment processes for staff and volunteers require submission of evidence and active assurance of VIT registration or WWCC prior to engagement.
- The VIT and Department of Justice websites are checked each semester to ensure all registrations and WWCCs continue to be current. For VIT registrations, this is undertaken at the commencement of the school year and in early October each year (when registrations are renewed).
All staff are made aware each year (including during induction) of, understand and implement the school’s procedures in regard to volunteers and other persons, including the need for prior approval of such work by the designated member of the school’s leadership team.

When is a WWC check required?

A WWC check is required for positions that meet all of the following criteria:

- involve contact with children in connection with our school
- the contact happens on a regular (everyday) basis;
- involve direct contact with children and this contact is not directly supervised; and
- the position does not qualify for an exemption as listed under the act.

What is the application process?

The candidate must complete a Working with Children Check application form. The forms are available online or at Australia Post outlets in Victoria.

Under the section marked ‘Details of Organisation’, candidates should ensure they state The School

If the applicant passes the check they will be sent a successful Assessment Notice, followed by a WWC check card 2-3 weeks later.

Further information about the application process is available on the Department of Justice webpage.

What if the applicant does not pass the check?

If the applicant does not pass the check they will be given an Interim Negative Notice. The applicant can then make a submission to the Department of Justice to explain why they believe they should pass. If this submission is not successful the applicant will be issued with a Negative Notice. This means they have failed the WWC Check and cannot undertake ‘child-related work’ or work in The School.

When can the candidate commence?
Commencement in The School is conditional upon receipt of a successful Assessment Notice or WWC check card. Any queries should be directed to the Principal.

Who pays for the WWC check?

Candidates who are required to undergo a WWC check as a condition of working in the School will not be able to receive reimbursement for the cost from The School.

Responsibilities

The School must:

- identify all staff who require a Working with Children check;
- ensure existing staff and volunteers are informed of the requirement to undergo the check;
- ensure prospective staff and volunteers have passed a WWC check before commencement;
- check the card’s validity on the Department of Justice webpage;
- have a photocopy of the WWC card and with details updated on the school register (if individual is a staff member, copy to be kept on the staff member’s personnel file);
- ensure suitable monitoring procedures are in place to ensure staff members hold a valid WWC check card at all times.

The staff member or volunteer must:

- provide the successful WWC check card prior to commencement at The School;
- notify the office if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence;
- apply for a new WWC check before their card expires.

What is the difference between a WWC Check and a police records check?

A police records check gives information about a person’s past criminal record and is only valid at the time of issue. The WWC check is valid for 5 years (unless revoked). During this time, cardholders continue to be checked for new relevant offences or disciplinary findings from professional bodies such as the Victorian Institute of Teaching. In addition, not all criminal offences are relevant to the WWC check. Broadly, the WWC check considers serious sexual and violent drug offences.

A staff member or volunteer is required to undertake a WWC check even if they have already completed a police records check.

Related Procedures
Tungamah Primary School Working with Children Policy

- Police Records Check Procedure

Related Documents

- Working with Children Act 2005 (Vic)

Further information is available from the Department of Justice Working with Children webpage or the Working with Children information line on 1300 652 879

School Register

The School will take a copy of each WWCC and file it in the Administration Filing Cabinet as per the Staff Registers Policy.

The register will be placed on the admin network.

Related Documentation:

This policy should be read in conjunction with the other policies and procedures of Tungamah Primary School concerned with Child Safety and Wellbeing:

- Tungamah Primary School WWCC Register Procedures
- Tungamah Primary School WWCC List
- Tungamah Primary School Duty of Care Policy
- Tungamah Primary School Excursions Policy
- Tungamah Primary School Incursions Policy
- Tungamah Primary School On Site Supervision Policy
- Tungamah Primary School Privacy Policy
- Tungamah Primary School Staff Registers Policy
- Tungamah Primary School Student Engagement and Well Being Policy
- Tungamah Primary School Visitors in School Policy
- VIT Legal Obligations of a Teacher
- VIT Teacher Code of Conduct
- Child Protection and Safety Policy
- Child Protection – Mandatory Reporting Policy
Tungamah Primary School

Working with Children Policy

- Child Protection – Working With Children Checks Policy
- Child Protection – Failure to Disclose Policy
- Child Protection – Failure to Protect Policy
- Child Protection – Grooming Policy

References:

- Children, Youth and Families Act (Vic) 2005

<table>
<thead>
<tr>
<th>Date Implemented</th>
<th>March 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>Christine Purcell</td>
</tr>
<tr>
<td>Approved By</td>
<td>School Council</td>
</tr>
<tr>
<td>Approval Authority (Signature &amp; Date)</td>
<td></td>
</tr>
<tr>
<td>Date Reviewed</td>
<td>September 2016</td>
</tr>
<tr>
<td>Responsible for Review</td>
<td>Principal</td>
</tr>
<tr>
<td>Review Date</td>
<td>September 2019</td>
</tr>
<tr>
<td>References</td>
<td></td>
</tr>
</tbody>
</table>
FLOWCHART for WORKING WITH CHILDREN CHECKS

NB:
It is mandatory that
All volunteers and Locally
Employed staff hold current
Working with Children Checks.

Request Working With Children Check
(WWCC)

Does not hold WWCC.

Provide the volunteer/staff with an application or direct them to the Post Office to collect a form.

Instruct the volunteer/staff to lodge the completed form at the Post Office.

Inform the volunteer/staff to bring the WWCC to the office when they have received it.

Check that the card is current and the photo is of the volunteer/staff.
If card is current - green
If card is not current - red

File photocopy alphabetically in WWCC folder in office

Add all the details on the WWCC Register.

Copies to be kept in both electronic and hard

WWCC Card is provided.

Photocopy card

Business 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 Business Manager’s absence or at the instruction of the Business Manager.

NB: It is mandatory that All volunteers and Locally Employed staff hold current Working with Children Checks.