



### INTRODUCTION

This policy has been developed in accordance with the Department of Education and Training document **Working with Children Check Policy**. The Working with Children Check is a screening mechanism to prevent certain persons from engaging in child-related work.

#### 1. Objectives - Policy statement

##### 1.1

In accordance with the Child Protection (Working with Children) Act 2012, the safety, welfare and well-being of children and, in particular protecting them from child abuse, is the paramount consideration in the operation of this policy and the Working with Children Check Procedures.

##### 1.2

The Working with Children Check is an important part of the NSW Department of Education's recruitment process to prevent people who pose a risk to the safety, welfare and well-being of children from being employed or engaged in child-related work.

#### 2. Audience and applicability

##### 2.1

This policy takes effect from 15 June 2013 following the implementation of the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.

This policy must be applied in conjunction with the Working with Children Check Procedures (15 June 2013).

##### 2.2

This policy outlines processes for conducting the:

- Working with Children Check (WWCC) for child related-work; and
- National Criminal Records Check requirements for all paid employees of the department and contractors in the Assisted School Travel Program to determine a person's suitability for employment or engagement.

**\*\*Note:** Employment or engagement may also be subject to other checks as prescribed in relevant legislation, industrial instruments or policy. This includes but is not limited to the conduct and service check; health assessment requirements; and verification of professional and/or academic qualifications.

##### 2.3

This policy applies to people who are employed or engaged (or who are seeking to be employed or engaged) in child-related work in the NSW Department of Education, in any one of the following capacities:

- as a paid employee;
- as a self-employed person or as a contractor or subcontractor;
- as a volunteer;
- as a person undertaking practical training as part of an educational or vocational course (other than as a student undertaking work experience);
- as a minister, priest, rabbi, mufti or other religious leader or spiritual officer of a religion or

other member of a religious organisation.

### **3. Context**

#### **3.1**

From 15 June 2013, people who are seeking to be employed or engaged in child-related work in the department are subject to relevant requirements under the [Child Protection \(Working with Children\) Act 2012](#) and the [Child Protection \(Working with Children\) Regulation 2013](#). For further details, including the transitional provisions for existing workers (i.e. those employed or engaged in child-related work immediately prior to 15 June 2013), refer to the [Working with Children Check Procedures](#).

#### **3.2**

In addition to the WWCC requirements, workers who are engaged in child-related work as a paid employee of the department or as a contractor in the Assisted School Travel Program are required to meet the department's National Criminal Records Check requirements to determine their suitability for employment or engagement. From 15 June 2013, a new process was put in place for conducting the National Criminal Records Check. Subject to conditions, a person may meet National Criminal Records Check requirements through a declaration process. For further details, refer to the [Working with Children Check Procedures](#).

### **4. Responsibilities and delegations**

#### **4.1**

As an employer, the department has a responsibility to take reasonable steps to ensure that all persons to be employed or engaged in child-related work in the department are suitable for child-related work.

#### **4.2**

Human resources areas, directors, managers and principals are responsible for ensuring that recruitment processes within their area/s of responsibility are consistent with the Working with Children Check Policy and the Working with Children Check Procedures. This includes ensuring that all persons who are required to either obtain a Working with Children Check Clearance or provide a Working with Children Check Declaration (as referred to in section 3.2 of the Working with Children Check Procedures) have met the relevant requirement, prior to commencing employment or engagement.

#### **4.3**

Human resources areas (and other recruiting areas as applicable) are responsible for records management, including keeping relevant Working with Children Check and National Criminal Records Check documents for five years after the employment or engagement has been completed, or longer if required (for example, if the recruitment or engagement action has been the subject of legal action); and for disposing these documents thereafter in a secure manner (for example, shredding).

### **5. Monitoring, evaluation and reporting requirements**

#### **5.1**

The Executive Director, Human Resources, or nominee, is responsible for the periodic review and revision, as appropriate, of the Working with Children Check Policy and the Working with Children Check Procedures.

#### **5.2**

Human resources areas, directors, managers and principals are responsible for maintaining records of the status of each position within their area/s of responsibility (i.e. whether a position is child-related) and for reviewing these periodically to ensure consistency with policy and procedural requirements.

### **6. Contact**

Enquiries in relation to the Working with Children Check Policy and the Working with Children Check

Procedures should be referred to the relevant human resources area in the first instance.

### Implementation documents

- [01. Working with Children Check procedure - 14 February 2017 \(PDF 170.99 KB\)](#)
- [02. Appendix 1 - Working with Children Check - WWCC requirements \(PDF 282.69 KB\)](#)
- [03. Appendix 2 - Working with Children Check - checklist for school principals \(PDF 433.02 KB\)](#)
- [04. Appendix 3 - Working with Children check - checklist for corporate managers \(PDF 124.77 KB\)](#)
- [05. Appendix 4 - Working with Children Check - information for applicants - how to apply for the WWCC clearance \(PDF 319.78 KB\)](#)
- [06. Appendix 5 - Working with Children Check - declaration for volunteers and non child related contractors \(PDF 98.3 KB\)](#)
- [07. Appendix 6 - Working with Children Check - proof of identity \(PDF 46.08 KB\)](#)
- [08. Appendix 7 - Working with Children Check - declaration national criminal records check \(PDF 240.94 KB\)](#)
- [09. Appendix 8 - Working with Children Check - CRIMTRAC \(NPCS application and consent form\) \(PDF 1796.98 KB\)](#)
- [10. Appendix 9 - Working with Children Check - transition dates for existing child-related workers \(PDF 404.42 KB\)](#)
- [11. Appendix 10 - Working with Children Check - school principal's pack \(PDF 414.42 KB\)](#)
- [12. Appendix 11 - Working with Children Check - declaration for child related work - specified volunteer and contractors \(PDF 73.27 KB\)](#)
- [13. Working with Children check factsheet - working with children check procedures \(PDF 19.21 KB\)](#)
- [14. Working with Children factsheet - volunteers \(PDF 23.42 KB\)](#)