

# WORKING WITH CHILDREN CHECK POLICY

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## 1. Purpose

The Working with Children Act 2005 was introduced by the Victorian Government to protect children from physical harm by checking a person's criminal history for serious sexual assault, serious violence or serious drug offences. ELTHAM College has a responsibility to ensure the safety of all children. This policy sets out the requirements for new employees, contractors and volunteers with regards to the Working with Children Check.

## 2. Scope

This policy covers all employees, contractors and volunteers who form part of the College community. It also covers the Homestay and Host guardians and families, who form part of the International Student and Exchange Student programs at ELTHAM College.

## 3. Guidelines

The Working with Children Check will be conducted by the Department of Justice and will review an individual's criminal record and findings from relevant professional disciplinary bodies.

Individuals who are deemed suitable to engage in child related work will be issued with an Assessment Notice and a Working with Children Check card which will remain in force for 5 years unless sooner revoked or surrendered.

New employees requiring Working with Children Checks must organise and pay for the checks themselves as a precondition of appointment.

Existing College employees requiring Working with Children Checks must provide, at their own expense, a satisfactory assessment notice every five years at the expiration of their Working with Children Check.

The employee is responsible for ensuring their Working with Children Check is current.

All employees are required to immediately advise the Principal or Deputy Principal (Human Resources) should they be the subject of any police investigation, charge or conviction that could impact on whether they are a fit and proper person to be trusted to work in a school environment. The College may take appropriate action, including: suspending an employee with or without pay or termination of employment if, in the opinion of the College any such investigation, charge or conviction is detrimental to the continued performance of duties by the employee. Employees who fail to advise may be subject to disciplinary action including suspending an employee with or without pay, or termination of employment.

## 4. Negative Notices

Individuals who are deemed unsuitable to work or volunteer with children will be issued with a negative notice from the Department of Justice. An individual can appeal to the Victorian Civil and Administrative Appeals Tribunal (VCAT) against the decision to issue a negative notice.

It will be an offence to engage a person in child related work where the person does not have a current Assessment Notice.

If a current employee receives a negative notice, the college will follow [EC108-POL Termination and Suspension Policy](#).

## **5. Employees Exempt from a Working with Children Check**

The following individuals are exempt from the Working with Children Check:

- Individuals under 18 years of age
- Teachers registered with the Victorian Institute of Teaching (VIT)
- Parents volunteering in an activity with their child
- Family members volunteering in an activity who are closely related to the child e.g: grandparent, step-parent, uncle, aunt, brother/sister-in-law, domestic partners
- Contractors who are supervised at all times by an employee who holds current VIT Registration or a Working with Children Check.
- Interstate visitors to Victoria for a period of up to 30 days in the same calendar year
- Police officers.

## **6. Volunteers and Contractors**

The College requires volunteers to provide a satisfactory Working with Children Assessment Notice. The check is free for volunteers.

Contractors to the College are divided into 2 types, and different rules apply:

- Regular Contractors – these are contractors which work at the College on a regular basis and hold keys to the property and have their own swipe cards. These contractors must provide a satisfactory Working with Children Assessment Notice and a 100 point Proof of Identity Check ([EC030-FORM](#)) as a precondition of appointment.
- Occasional Contractors – these are contractors which visit the college upon occasion. These contractors must provide a satisfactory Working with Children Assessment Notice, however they are not required to carry out the 100 point Proof of Identity Check, they are just required to provide Identification such as a Driving Licence.

Each contractor is checked when they sign in at Reception to carry out a work task.

## **7. Procedure for maintaining the Register**

A Register is maintained by the HR Administrator with the details of teachers with VIT and of non-VIT registered staff and volunteers with a Working with Children Check. When new staff provide their VIT or Working with Children Check Assessment Notice, the details including the expiry date are recorded into the Register which is located in Synergetic.

The data is checked fortnightly by the IT Manager, this includes a check for any recent convictions and expiry date. Staff are sent a reminder if their Working with Children Check requires renewal. The checks are carried out on the following websites:

<https://online.justice.vic.gov.au/wwccu/checkstatus.doj>

<http://www.vit.vic.edu.au/search-the-register>

A copy of the original Working with Children Assessment Notice, once sighted and noted by the HR Department will be held on the employee's personal file and the original returned to the staff member.

## **8. Reference Documents**

### **External References:**

- [Working with Children Act 2005](#)
- [VRQA Child Safety Standard 4: Staff Selection Checklist](#)

- [Working with Children Website](#)

**Internal References:**

- [EC030-FORM – Acceptable Identification Documents Form](#)
- EC108-POL Termination and Suspension of Employees - WIP

**9. Document Version Control and Amendments**

<b>Version</b>	<b>Date</b>	<b>Amendment</b>	<b>Author</b>
2	June 2017	Review of first policy	Deputy Principal
3	February 2018	Updated contractor requirements in section 6. Occasional Contractors are not required to do the 100 point Proof of Identification Check.	Deputy Principal
4	April 2018	Included reference to EC108-POL Termination and Suspension of an Employee at point 4. – Negative Notices and listed in the Internal References.	Deputy Principal
5	March 2020	Revised scope to include the homestay and host families who look after the international student and exchange students.	Deputy Principal
6	April 2020	Bi-annual review, no change to text.	Deputy Principal