



Working With Children Check Policy

Context

- 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*.
- 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.

Determining when checks are required -

Category of work	Relevant checks	Responsibilities
<p>1.1 Staff located in NSW Government schools</p> <p>For example, school teachers; executive staff and principals; school administrative and support staff; student support officers; paraprofessional staff; Public Service staff in schools (for example, General Assistants and Farm Assistants).</p> <p>1.2 Teaching Service staff (for example, NSBTS positions)</p> <p>1.3 TAFE teaching and related positions</p> <p>1.4 Staff in Sport and Recreation programs and facilities where the work will ordinarily involve direct contact with children (i.e. physical or face to face contact) for extended periods.</p>	<ul style="list-style-type: none"> WWCC Clearance (as issued by the NSW Children’s Guardian) NCRC 	<ul style="list-style-type: none"> The person must provide a WWCC Clearance number. If they do not have this yet, they must apply to obtain this from the NSW Children’s Guardian (Appendix 4). Paid employment therefore the person is also subject to the NCRC requirements and must provide: <ul style="list-style-type: none"> (i) completed Declaration for Child-related Work–NCRC (Appendix 7); and (ii) completed National Police Checking Services Application/Consent Form (Appendix 8); and (iii) 100-point Proof of Identity (Appendix 6).
<p>1.5 Paid employment (other than those in sections 1.1 to 1.4 above) where the work will ordinarily involve direct contact with children (i.e. physical or face to face contact) for extended periods.*</p> <p>*Notes:</p> <ul style="list-style-type: none"> If a person will provide administrative, clerical or maintenance services or other ancillary services, which do <u>not</u> involve contact with children for 		<ul style="list-style-type: none"> WWCC verification and NCRC screening process to be initiated by the relevant recruiting via the relevant HR system (for example, iSeries, Lattice, STMS, or eCPC), or, in the case of the Office of Communities, by forwarding a request (using the approved template) to the Department’s Staffing Services Probity Unit. The NSW Children’s Guardian to verify that the person is cleared.

<p>extended periods, the person is <u>not</u> considered to be in child- related work.</p> <ul style="list-style-type: none"> • A person in non child-related work is <u>not</u> required to have a WWCC Clearance however the person will still be required to meet NCRC requirements. • Section 1.5 does not limit the operation of any legislation which may require a worker to obtain a WWCC Clearance as a condition of employment. 		<ul style="list-style-type: none"> • The person cannot be employed until the NSW Children’s Guardian has verified that the person is cleared, and the person has met NCRC requirements.
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2. Volunteers

- A volunteer is a person who works without being paid.
- The Department’s NCRC requirements do not apply to volunteers.
- The reference to “**formal mentoring program**” in the table below includes, but is not limited to a mentoring program for children approved by the Department or another government agency; a mentoring initiative approved by the school principal; a mentoring/counselling service for children conducted through a non-government organisation where the roles of mentor and mentee are formally assigned.
- The provisions below do not apply to existing volunteers (including those already placed on a volunteer engagement list or similar) until a certain date, subject to conditions. Refer to [Appendix 9](#) for relevant conditions.

Category of work	Relevant checks	Responsibilities
<p>2.1 Volunteers who will provide:</p> <ul style="list-style-type: none"> • personal care services to children with disabilities involving intimate contact with those children (such as assistance with toileting, bathing or dressing); or • mentoring services as part of a formal mentoring program provided by a government or non-government agency; 	<p>WWCC Clearance (as issued by the NSW Children’s Guardian)</p>	<ul style="list-style-type: none"> • The person must provide a WWCC Clearance number. If they do not have this yet, they must apply to obtain this from the NSW Children’s Guardian (Appendix 4). • WWCC verification to be initiated by the relevant recruiting area via the relevant HR system (for example, iSeries, Lattice, STMS, or eCPC); or in the case of the Office of Communities, by forwarding a request (using the approved template) to the Department’s Staffing Services Probity Unit. • The NSW Children’s Guardian to verify that the person is cleared. • The person cannot be engaged until the NSW Children’s Guardian

<p>2.2 Volunteers who will have direct contact with children (i.e. physical or face to face contact) <u>other than</u> those providing:</p> <ul style="list-style-type: none"> • personal care services to children with disabilities involving intimate contact with those children (such as assistance with toileting, bathing or dressing); or • mentoring services as part of a formal mentoring program provided by a government or non-government agency; <p>The above volunteers include but are not limited to the following:</p> <ul style="list-style-type: none"> • unpaid sports coaches; • unpaid band/music tutors; • unpaid choreographers; • people undertaking unpaid research; • work experience persons who are 18 years old or older 	<p>WWCC Declaration for volunteers and contractors (Appendix 5)</p>	<ul style="list-style-type: none"> • The person must complete the WWCC Declaration (Appendix 5) and provide this to the relevant manager or Principal. • The person cannot be engaged until they have provided a completed declaration.
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Category of work	Relevant checks	Responsibilities
<p>Teacher education students seeking to undertake an internship (interns) or associate teacher program</p>	<p>The higher education institution is responsible for ensuring that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.</p>	<ul style="list-style-type: none"> • Prior to the start of each semester, the higher education institution will confirm in writing to the Director, Staffing Services, that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.

<p>Other people undertaking practical training as part of an educational or vocational course</p>	<p>The course workplace supervisor is responsible for ensuring that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.</p>	<ul style="list-style-type: none"> • Prior to the start of each semester, each course workplace supervisor will confirm in writing to the relevant Principal (if the training is undertaken in NSW Government school), or to the relevant manager (for example, if the training is undertaken in a TAFE NSW Institute) that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013. • The person cannot commence practical training in schools until the written confirmation has been provided.
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Category of work	Relevant checks	Responsibilities
<p>Paid employees of the School Parents and Citizens' Association working in schools. This includes but is not limited to:</p> <ul style="list-style-type: none"> • Paid canteen workers • Paid Outside of School Hours Centre workers • Paid music tutors employed by the school P&C. 	<p>The P&C is responsible for ensuring that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.</p>	<ul style="list-style-type: none"> • Prior to the start of the work, the P&C will confirm in writing to the Principal that the person has met relevant requirements under the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013. • The person cannot work in schools until the written confirmation has been provided.
<p>Volunteers of the School Parents and Citizens' Association working in schools. This includes but is not limited to:</p> <ul style="list-style-type: none"> • Volunteer canteen workers • Volunteer Outside School Hours Centre workers 	<p>WWCC Declaration (Appendix 5) that the person is not a "disqualified person".</p>	<ul style="list-style-type: none"> • The person must complete the WWCC Declaration (Appendix 5) and provide this to the P&C. • The P&C will confirm in writing to the Principal that the person has submitted a completed WWCC Declaration (Appendix 5). • The person cannot work in schools until the written confirmation has been provided.