



# Working with Children Check Policy

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School Policy and Advisory Guide Reference: <a href="http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx">http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx</a>	Last updated May 2017
Last Ratified by School Council	May 2017
Line Manager	
Origin	WFGS
School	Wodonga South P.S.

## Contact Us

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## Introduction

Wodonga Federation of Government Schools (The Federation) and its member schools: Wodonga Primary School, Wodonga South Primary School, Wodonga West Primary School, Melrose Primary School, Baranduda Primary School, Wodonga Middle Years College, Wodonga Senior Secondary College, Belvoir Special School are committed to providing a safe environment for all staff, students, visitors, volunteers and contractors.

This policy enables member schools to maintain a high standard of professional conduct and meet the legislative requirements of the Working with Children Act 2005. The Act introduced a Working with Children Check (WWC Check), thereby creating minimum checking standards across Victoria for people who work or volunteer with children. The WWC Check ensures that people deemed unsuitable to engage in 'child related work' are unable to do so. A WWC Checks for serious sexual, violent and drug-related offences.

## Purpose

- To ensure students under the school's care are protected from being exposed to people deemed unsuitable to engage in 'child related work'
- To ensure all people engaged in 'child related work' in The Federation and its member schools and are required to have a WWC Check, do so
- To ensure that The Federation and its member schools comply with the relevant Acts and laws
- To provide an environment that is safe.

## Definition

Term	Definition
Child-related work	'Child-related work' is defined as work involving direct contact with a child, and where the contact required as a part of that person's duties. Work that involves only occasional contact with a child, and where the contact is incidental to the person's duties, is not considered child-related work.
Direct contact	Direct contact is defined as having face to face or physical contact with a child, as well as any oral, written or electronic communication.

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## Implementation

### Principal and Teachers

Members of the Principal and Teacher class employed by the department are exempt from the act and do not require a WWC Check due to their Victorian Institute of Teaching (VIT) registration.

### Casual Relief Teachers

Casual Relief Teachers are required to be registered with VIT. Accordingly, they qualify for an exemption.

### Volunteers

To be a volunteer at a member school a WWC Check Card provided by the Department of Justice is required.

All volunteers must present their WWC Check Card to the office where a list of registered WWC Checks will be established and kept up to date.

Volunteers will be required to present a valid WWC Check Card if they are engaged in contact with children in any capacity, such as:

- Participation in excursions, incursions and camps
- Classroom Helper programs (an exemption applies if the helper is a parent or direct family member of a student participating in the program)
- School Council or Parent Club membership duties
- Involvement in any other events or programs where it is deemed as appropriate by the Principal and/or School Council.

### Student Teachers and Student Internships

Student teachers/interns must produce a WWC Check prior to commencing a practicum in a Victorian Government School. As student teachers/interns do not receive payment for undertaking a practicum, a volunteer WWC Check is acceptable.

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### Education Support Staff

All ESS appointed staff will be required to undertake a police check. When appointed, an ESS member must produce their WWC Check and a copy is kept on their personnel file.

### Other Casual Employees

Casual employees in schools, other than casual relief teachers, are employed pursuant to the Education Act 1958 and therefore are required to demonstrate their suitability for employment by undergoing a WWC Check or criminal records check conducted by the DET.

### Contractors

A WWC Check may be required based on the nature of the work, and the type of contact the contractor will have with children. A WWC Check will be required if the contracted work is child-related work, and involves, or is likely to involve direct contact with a child (e.g. music lessons, cooking demonstrations or sports coaching).

The Principal will assess the duties to be performed by contractors to determine if they constitute 'child-related work' and therefore require a WWC Checks. Contractors such as IT Technicians, gardeners, cleaners and maintenance staff require a WWC Checks as they are frequently in schools during normal school hours. The Principal will contact the Conduct and Ethics Branch on 9637-2594 for advice on whether the duties to be performed by a contractor meet the definition of 'child-related work' as contained in the Act if there is any doubt.

### Visiting Professional (including DET representatives, Student Support Service Officers, Career Services, Allied Health Professionals, DHHS)

To be a visiting professional at a member school a WWC Check Card provided by the Department of Justice is required.

All visiting professionals must present their WWC Check Card to the office where a list of registered WWC Checks will be established and kept up to date.

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### Visitors

People visiting the school for events such as school assemblies, award ceremonies, 'special' days do not require a WWC Check as this is considered INCIDENTAL contact with children.

### **Exemptions**

The Working with Children Act identifies categories of individuals who are exempted from the requirement to have a WWC Checks. Member schools reserves the right to nevertheless require a WWC Check if the member school Principal considers it necessary in the circumstances.

### Children

A person under 18 years of age are exempt from the WWC Check.

### Parents volunteering in an activity with their child

Parents volunteering in an activity in which their child participates, or normally participates are exempt from the WWC Check.

### Family members and people who are closely related to the child (with the exception of kinship carers)

A person who is closely related to each child in their child-related work is exempt from the WWC Check except kinship carers who by law are required to have one. 'Closely related' to a child means:

- Spouse or domestic partner
- Parent, step-parent, mother-in-law or father-in-law
- Grandparent
- Uncle or aunt
- Brother or sister, including half sibling, brother-in-law or sister-in-law
- In the case of domestic partners, a person who would be closely related to the child if the domestic partners were married to each other

### Student volunteers

A student who is 18 or 19 years of age is exempt from the WWC Check for volunteer work organised by the school they attend.

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### Police Officers

Sworn Victorian Police officers or sworn Australian Federal Police officers are exempt from requiring a WWC Check.

### **Maintaining records**

A copy of all relevant and required WWC Check will be kept on file at each member school.

Member schools will implement procedures to ensure those that require a WWC Check hold a valid WWC Check card; at a minimum, these will be checked annually at the commencement of the school year.

### **Privacy**

Each member school will collect, use, retain or dispose of personal or health information in accordance with the *Privacy and Data Protection Act 2014 (Vic)* and the *Health Records Act 2001 (Vic)*.

### **Responsibility**

It is the responsibility of those identified in this policy to:

- Provide a copy of a valid WWC Check prior to engaging in child related work to the relevant member school
- Notify the relevant member school Principal if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence or if their WWC Check has been suspended
- Apply for a new WWC Check before their card expires.

It is the responsibility of the Principal to ensure that only suitable and eligible persons are employed in the school. Prior to employing a person, the Principal must be satisfied that the person meets the required Suitability for Employment Checks.

See Suitability for Employment Policy:

[http://www.education.vic.gov.au/hrweb/Documents/Suitability\\_for\\_employment.pdf](http://www.education.vic.gov.au/hrweb/Documents/Suitability_for_employment.pdf)

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To maintain high standards of conduct and professionalism in our member schools, Principals will ensure that the Department's procedures for criminal record checks are implemented.

<http://www.education.vic.gov.au/hrweb/employcond/Pages/crimcheck.aspx>

### Evaluation

This policy will be reviewed every three years or more often if necessary due to changes in legislation or circumstances.

### Relevant Policies and guidance

- Wodonga Federation of Government Schools' Child Safety Policy
- Wodonga Federation of Government Schools' Child Safe Code of Conduct
- Wodonga Federation of Government Schools' Mandatory Reporting Policy
- Wodonga Federation of Government Schools' Visitors Policy

### Victorian Department of Education and Training

- School Policy Advisory Guide:
  - Volunteer Checks
  - Volunteer Workers
- DET Human Resources:
  - Suitability for Employment Checks

External Link:

- Victorian Institute of Teaching
- Department of Justice

Endorsed by \_\_\_\_\_ School Council and effective as of: \_\_\_\_\_

Member school name

Insert date

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