

WORKING WITH CHILDREN CHECK AND SUITABILITY POLICY

RATIONALE

The Working with Children Check (WWCC) and Suitability policy aims to assist in protecting children from sexual or physical harm. It is designed to complement good selection, supervision and training practices (including rigorous reference checking). The intent of this policy is to outline which positions at Melba College require a WWCC check and the process to be followed.

This policy applies to all positions at Melba College other than teaching positions, including volunteer, honorary, consultant and contractor positions. Any reference to 'candidates' also extends to staff currently occupying a position.

WWCC DEFINITIONS AND REQUIREMENTS

WWCC:

- verification of a person's history to make sure they do not have any relevant criminal offences or findings from professional disciplinary bodies

WWCC validity:

- 5 years (unless revoked). During this time the cardholder continues to be checked for new relevant offences or findings

WWCC administration:

- the WWCC is administered by the Department of Justice.

WWCC at Melba College:

- at Melba College a WWCC is required for any person, volunteer or paid, who engages with students in any school related/approved activity.

Child:

- a person who is under the age of 18 years.

Student:

- any child who is enrolled at the school.

Child-related work:

- involves an adult working with under 18 years old (both paid and unpaid work);
- having direct contact with children (physical, face-to-face, written, oral or electronic contact) and it is a usual part of the person's duties (and is not occasional or incidental to their work)
- A WWCC is required for anyone engaging in 'child-related work' regardless of whether contact with a child is supervised by another person or not. This means even if a volunteer or visitor is supervised by a teacher, they must still have (and provide evidence of) a WWCC if they intend to engage in 'child related work'.
- A WWCC is not legally required if the person:

- qualifies for an exemption (e.g. Victorian Institute of Teaching (VIT) registered teacher, police officer, parent whose child is participating or ordinarily participates in the relevant activity, or person working with a child who is closely related to them)
- is supervising a student in practical training organised by their educational institution
- takes part in an activity with a child in the same way that a child participates. e.g. as other players in a chess team.

For more guidance on when a WWCC is legally required, see the [Working with Children Checks](#) website.

Child-connected work:

- More broadly defined than child-related work, child-connected work is authorised by the principal, school council or Department and performed by an adult in a school environment (including online and school camps) when children are present or reasonably expected to be present.
- For child-connected work, it is up to each school to determine whether they will require WWC Checks for individuals, based on the nature of the person's interaction with children. Each school is unique and what checks are required should reflect the risks of each individual school setting, the school community and what duties the individual will be performing.
- Schools are encouraged to develop their own specific policies and practices, keeping in mind the broad intent of the Child Safe Standards to embed a child safe culture that has zero tolerance for child abuse.
- Note: Suitability requirements for both child-related and child connected work apply to adult volunteers and visitors to the school, including contractors.

ASSESSING SUITABILITY

In assessing what suitability checks should be made, Melba College will consider what (if any) level of risk is acceptable or reasonable in the circumstances, and adopt appropriate risk mitigation strategies.

Strategies may include:

- considering how much time the individual spends on school premises to perform their work while children are present
- considering whether the individual will be able to move freely around the school without staff members accompanying them or in close proximity to staff members
- adding a clause in contractor service agreements about the need to comply with the Child Safe Standards
- taking reasonable precautions to supervise individuals, including their contact with children, where this is considered necessary

Work Category	Work Examples	Suitability Check requirements
Child Related	<p>Activities:</p> <ul style="list-style-type: none"> • attendant care • school camps • excursions (including swimming) • literacy and numeracy support • homework clubs, breakfast lunch clubs and other student support activities • distance education <p>Positions:</p> <ul style="list-style-type: none"> • classroom / library assistant • sporting / musical and other extracurricular coaches • canteen and uniform shop assistant • allied health / NDIS therapists • Department staff who are working with children • Special Religious Instruction practitioners • distance education 	<p>WWCC Required:</p> <p>Other suitability checks may be required including:</p> <ul style="list-style-type: none"> • proof of personal identity • proof of professional qualifications • history of working with children • reference checks. <p>Note:</p> <ul style="list-style-type: none"> • parents are legally exempt from the requirement to hold a WWCC when volunteering in an activity in which their child normally participates • in this instance requiring a WWCC is at the discretion of Melba College • where the parent is regularly involved in the volunteer activity and working directly with children, and/or the nature of the activity poses a higher risk, e.g. overnight camps, swimming or activities involving close contact with students then Melba College will require a WWCC
Child Connected	<p>Activities:</p> <ul style="list-style-type: none"> • fete / fundraising activities • working bee assistance (outside school hours) • parents and friends clubs <p>Positions:</p> <ul style="list-style-type: none"> • external trades-peoples, eg gardening, building and grounds 	<p>Melba College Principal will decide as to what suitability checks are required, but a WWCC is recommended where the visitor / volunteer will regularly be present at the school and / or children can reasonably be expected to be present.</p>

THE APPLICATION PROCESS

The candidate must complete an online Working with Children Check application via the Department of Justice website <http://www.workingwithchildren.vic.gov.au/>.

Under the section marked 'Details of Organisation', candidates should ensure they state Melba College.

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

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

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 WWCC and cannot undertake 'child-related work' or work in the school.

COMMENCEMENT

Commencement at Melba College is conditional upon possession of a successful Assessment Notice or WWCC card. Any queries should be directed to the Principal.

Candidates who are required to undergo a WWCC as a condition of working or volunteering at Melba College will not receive reimbursement for any costs associated with the WWCC. Payment for a WWCC is the responsibility of the applicant.

Melba College will assess and verify the suitability of staff and volunteers who will work with children.

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.

Melba College may require a criminal record check in addition to a WWCC. The WWCC 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.

In addition, not all criminal offences are relevant to the WWCC. Broadly, the WWCC considers serious sexual and violent drug offences. A staff member or volunteer is required to undertake a WWCC even if they have already completed a police records check.

RESPONSIBILITIES

It is the responsibility of the Principal to ensure that only suitable and eligible persons are employed in the school.

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

Melba College will:

- assess and verify the suitability of staff and volunteers who will work with children
- identify all staff who require a WWCC. This applies to all non-teaching staff (all teaching staff must have a current VIT registration).
- ensure existing staff and volunteers are informed of the requirement to obtain a WWCC.
- ensure prospective staff and volunteers have passed a WWCC before commencement at the school.
- check each person's card validity on the Department of Justice webpage, during term 2 each year.
- Keep an electronic scan and photocopy of each WWCC card and keep the details (name, card number, expiry date) updated on the school's WWCC register. Staff members will have a hard copy on their personnel file.
- ensure suitable monitoring procedures are in place to ensure staff members hold a valid WWCC at all times.
- Card expiry dates will be monitored by the Business Manager on a regular basis.

The staff member or volunteer will:

- provide the successful WWCC prior to commencement at Melba College;
- notify the Business Manager and Assistant 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;
- apply for a new WWCC before their card expires.

EXEMPTIONS

The Working with Children Act identifies categories of individuals who are exempted from the requirement to have a WWCC. Melba College, nevertheless, reserves the right to require a WWCC check if the Principal considers it necessary in the circumstances.

The exempt categories are:

- Student volunteers - A student who is 18 or 19 years of age is exempt from the WWCC check for volunteer work organised by the educational institution which they attend
- Teachers with Victorian Institute of Teaching with permission to teach
- Police Officers

SCHOOL REGISTER

All staff who require a WWCC check will have a hard copy of their WWCC card on their personnel file and the details (name, card number and expiry date) recorded electronically in the Staff DET Training Register.

All other personnel, volunteers and paid workers, will have a hard copy of their WWCC card kept in a central WWCC folder, filed in the administration filing cabinet. The electronic register of these details (name, card number and expiry date) will be saved to the administration network.

RELATED LEGISLATION

- Working with Children Act 2005 (Vic)
- Working with Child Regulations 2006
- Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015
- Ministerial Order 870

REFERENCES

<https://www.education.vic.gov.au/school/principals/spag/community/pages/volunteers.aspx>

<http://www.workingwithchildren.vic.gov.au/home/about+the+check/>

http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubLawToday.nsf

Department of Justice website <http://www.workingwithchildren.vic.gov.au>

RELATED POLICIES

Melba College Philosophy

Melba College Duty of Care Policy

Melba College Child Safety Policy

Melba College Child Safety Code of Conduct

Melba College Student Engagement and Inclusion Policy

Melba College Visitors and Volunteer Policy

Melba College Child Protection Reporting Obligations

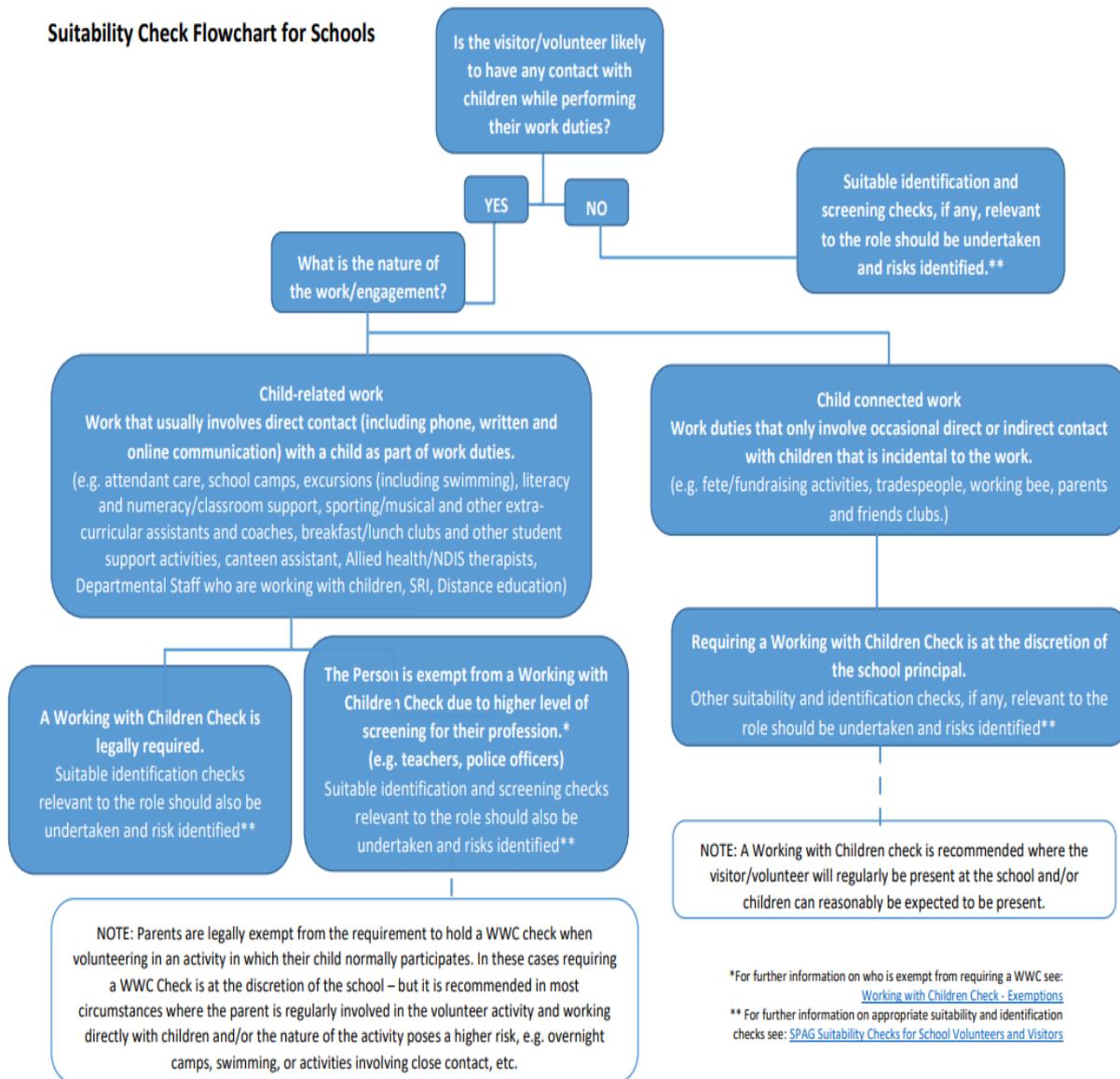
EVALUATION

This policy will be reviewed as part of the Melba College's three-year review cycle.

Policy Reviewed by School Council	Person Responsible for Policy	Next School Council Review
2018	Assistant Principal Compliance	2021

Flowchart for Working With Children Checks

Suitability Check Flowchart for Schools



MELBA COLLEGE SCHOOL VOLUNTEER AGREEMENT

Volunteer Name:

Phone:

Email:

As a volunteer at Melba College I agree to:

1. Work as a volunteer in the area/s of:
2. Discuss any concerns in relation to school matters with the appropriate staff member or a member of the senior management of the school.
3. Keep all school related matters confidential and under no circumstances approach parents or community members in relation to issues arising at the school. I understand this is the responsibility of the Principal.
4. Abide by the terms and conditions detailed in the volunteer policy which includes providing the college with a Working With Children Check.
5. As a volunteer I have participated in an induction program and I understand my responsibilities regarding mandatory reporting, occupational health safety & welfare procedures, duty of care to students and confidentiality. I have also received training specific to my area of volunteer work.
6. I understand that if I breach any of the above agreements my services as a volunteer may be terminated.

VOLUNTEER

Signed:

Date:

SCHOOL PRINCIPAL (OR DELEGATE)

Signed:

Name:

Date:

Title: