
WORKING WITH CHILDREN CHECK POLICY – VICTORIA

GUIDELINES

1. PURPOSE

To address queries that have been raised with regards to the Working with Children Policy.

2. SCOPE

This guideline applies to Working with Children Policy – Victoria and needs to be read in conjunction with the policy.

3. EXEMPTIONS

3.1 Adults who qualify for an exemption

The following categories of adults are not required under the Working with Children Act 2005 to obtain a Working with Children Check

- i) A teacher who has a current registered with the Victorian Institute of Teaching
- ii) a sworn police officer who is not suspended from duty
- iii) a parent whose own child ordinarily participates in the activity that the parent is volunteering in
- iv) an adult closely related to **each** child they have contact with in the child related activity that they work or volunteer in

3.2 Exempt Volunteers

3.2.1 Parents and Close Relatives

It is the preference of the Synod that those who qualify under the Act for an exemption when working as a volunteer with the Uniting Church in Australia still obtain a volunteers Working with Children Check. This ensures that the individuals such as parents or close relative are not open to an offence under the Working with Children Act if for any reason during an activity an individual (and the Synod and/or individual congregations) may find themselves in situation where the adult would legally be required to have a Working with Children Card.

Parents or close relatives volunteering in Synod child related activities and programs are required to ensure that if their circumstances change (the child/children who ordinarily participates in the activity that they volunteer in no longer attends the activity) that they immediately apply and obtain a positive Working with Children Check. Until a positive Working with Children Check is obtained the adult must be under direct supervision of an adult in the child related activity or program who does have a positive Working with Children Check.

3.2.2 Registered Teachers and Sworn Police Officers

It is the preference of the Synod that those who qualify under the Act for an exemption when working as a volunteer with the Uniting Church in Australia still obtain a volunteers Working with Children Check.

The Synod requires that a registered teacher or sworn police officer who does not have a volunteer Working with Children Check must supply to the Synod and the congregational contact the following documentation

- i) Registered Teachers; a **certified copy** of their Teaching Registration Certificate that clearly indicates the date of currency. As registration is renewed, an update certified, an updated **certified copy** must be immediately supplied.

In the event that a registered teacher has their teaching registration suspended, a positive Working with Children Check as per legislative requirements must be applied for and obtained. Until a positive Working with Children Check is obtained person must be under direct supervision of an adult in the child related activity or program who does have a positive Working with Children Check.

- ii) A sworn police officer who is not suspended from duty; a **certified copy** of formal recognition as a sworn police officer such as formal correspondence from their senior sergeant of their station that advises that they are a sworn police officer of the Victorian Police or Federal Police.

In the event that a sworn police officer is suspended, a positive Working with Children Check as per legislative requirements must be applied for and obtained. Until a positive Working with Children Check is obtained the suspended police officer must be under direct supervision of an adult in the child related activity or program who does have a positive Working with Children Check.

3.3 Exempt Employees

3.3.1 School Chaplains who are Registered Teachers

The Synod's preference is that ministers currently employed as school chaplains should obtain the full Working with Children Check, however those who choose not to undergo this check must supply to the Synod a **certified copy** of their Teaching Registration Certificate that clearly indicates the date of currency. As registration is renewed, an updated **certified copy** must be immediately forwarded to the Synod.

In the event that the registration of a teacher ceases or is suspended, and the person is still required to work with children then a positive Working with Children Check as per legislative requirements must be applied for and obtained. Until a positive Working with Children Check is obtained the employee may be subject to some work restrictions which would be dependent upon the work circumstances and legislative requirements.

3.3.2 Ministers in placement who are Registered Teachers

The Synod's preference is that ministers who are in placement who are registered teachers should obtain the full Working with Children Check, however those who choose not to undergo this check must supply to the Synod a **certified copy** of their Teaching Registration Certificate that clearly indicates the date of currency. As registration is renewed, an updated **certified copy** must be immediately forwarded to the Synod.

In the event that the registration as a teacher ceases or registration is suspended, then a positive Working with Children Check as per legislative requirements must be applied for and obtained. Until a

positive Working with Children Check is obtained the minister may be subject to some work restrictions which would be dependent upon the work circumstances and legislative requirements

4. DIRECT SUPERVISION.

Direct supervision requires that the supervision is "immediate and personal" which necessitates that the person who is the supervisor is in the immediate presence of those they are supervising (other than for a minute or two to go to the toilet etc).

For workshop situations and holiday programs where adults volunteer only for that program it is the preference of the Synod that they have a positive Working with Children Check. If a person volunteering for such a program does not have a check then they must be directly supervised. There must be at least one person with the Working with Children Check per room where children will be (after parents have dropped off or collected children), and that person must be able to clearly supervise any adult who is under their direct supervision.

5. CONGREGATION CONTACT PERSON

To enable a congregation (or parish) to know that all Children's Workers have a positive Working with Children Check there needs to be a person nominated as the Congregational Contact Person who does the following;

- i) Ensures that all children's workers have a WWC (from 30 June 2008 or 30 June 2007 for camp situations);
- ii) Keeps a confidential file of the congregation copies of the WWC (and reminds the children's workers to supply the Synod of a copy);
- iii) Is available for the HR department to contact in the event that the Department of Justice informs the HR department that the status of a UCA children's worker has changed from positive to negative;
- iv) Confidentially inform only those who need to know within the congregation (privacy laws come into play)
- v) Inform the person that they can no longer be involved in children's programs within the UCA

6. MONITORING AND IMPROVEMENT

The Synod will review these guidelines as required but at least every two years.

7. RELATED POLICIES AND PROCEDURES

Working with Children Policy - Victoria

Equal Opportunity Policy

Conducting a Police Records Check Procedure

8. REFERENCES

Equal Opportunity Act 1995 (Vic)

Human Rights and Equal Opportunity Commission Act, 1986 (Cth)

Privacy Amendment (Private Sector (Act 2000))

Working With Children Act 2005

Working with Children Regulations 2006