



# CHILD PROTECTION And Working With Children

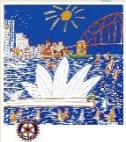
This Working With Children Information Pack is for the Rotary Club of Sydney Cove and contains summary information.

Members are encouraged to consult the authoritative sources at [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au).

Please address and queries to [secretary@sydneycoverotary.com](mailto:secretary@sydneycoverotary.com)

# Background – Working with Children

- There are now new Child Protection processes in NSW.
- “Child” is defined as Any child or young person under the age of 18, years, school, TAFE and University Students.
- Legislation has changed and is now broadly in line with other states
  - The new Check commenced in NSW on 15 June 2013
  - Child Protection (Working With Children) Act 2012
  - Child Protection (Working With Children) Regulation 2013
  - Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013.
- There is a phase in process and organisations like us are included in the process starting in 2015 and completing by 31 March 2016.
- Children and young people have a right to feel safe and be safe.
- Rotarians have an obligation to comply with the legislation which protects children and young people. All Rotarians have a responsibility to create the safest environment for young people at ALL Rotary activities.
- This applies to all Rotarians, Rotarian spouses/partners, family members and volunteers.



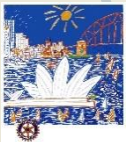
# Key Changes

- ▶ The previous “Prohibited Persons Declaration” is replaced by a new “Working With Children” Check.
- ▶ Everyone in child-related work must complete the Check.
- ▶ The Club is required to verify the Check before permitting a volunteer to work in ‘child-related work’.
- ▶ The Club must register with the Office of the Children's Guardian, have a Working With Children Administrator, keep records and have processes in place to deal with situations such as a person becoming barred from working with children.
- ▶ We have started this process
  - ▶ that the Club is registered and currently the Working With Children Administrator agreed by the Board is the Secretary ([secretary@sydneycoverotary.com](mailto:secretary@sydneycoverotary.com)), who is keeping the records as usual.
  - ▶ A number of members have already registered
  - ▶ The next move is for all who wish to be able to work in child-related activities to complete the Check process.
  - ▶ We also are starting the process to make sure only cleared individuals volunteer in child related activities.



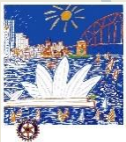
# The Working With Children Check

- A Working With Children Check is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct.
- Individuals apply for a Check, and the result is either a clearance to work with children for five years, or a bar against working with children.
- Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.
- The Working With Children Check is fully portable so it can be used for any paid or unpaid child-related work in NSW for as long as the worker remains cleared.
- The same clearance applies to workers, volunteers and self-employed persons.



# Who Needs a Check?

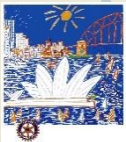
- ▶ Anyone – workers and volunteers - undertaking 'child-related work'
  - ▶ 'child-related work' is defined as work in a specific, child-related role or face-to-face contact with children in a child-related sector.
- ▶ Unless they or the nature of the activity is exempted, e.g.
  - ▶ People under 18 years of age
  - ▶ Workers and volunteers who have incidental interaction with children, ancillary workers/volunteers etc.
  - ▶ Short-term interstate visitors (less than 30 days)
  - ▶ Exemptions specified in the Regulation e.g. one off events, co-worker/peer, guest speaker at a school (see later).
- ▶ From the Club perspective, we don't require members to do a Check, but only cleared individuals verified by the Club can be assigned roles working with children.





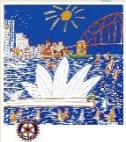
# Activities requiring a Check

- In the legislation, we fit under ‘Clubs or other bodies providing services for children’
  - (1) Work for a club, association, movement, society or other body of a cultural, recreational, sporting or community service nature that involves providing programs or services primarily for children is child-related work
  - (2) Without limiting subclause (1), work as a coach or as a team manager, or an assistant coach or assistant team manager, for a sport or activity for children is child-related work
  - (3) However, the work is not child-related work if the work is work as a referee, umpire, linesperson or otherwise as a sporting official or a groundsperson, and the work does not ordinarily involve contact with children for extended periods without other adults being present.
- We need to also consider “Child development and family welfare services”
  - Work in mentoring and counselling services for children is child-related work, if the mentoring and counselling services are provided to children as part of a formal mentoring program provided by a government or non-government agency.



# Short Summary – Exemptions

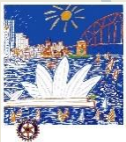
- ▶ A visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out if the work of the person at that place is for a one-off occasion and is carried out in the presence of one or more other adults
- ▶ A worker who works for a period of not more than a total of 5 working days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present
- ▶ Administrative, clerical or maintenance services, or other ancillary services, if the work does not ordinarily involve contact with children for extended periods
- ▶ A worker who is under the age of 18 years
- ▶ A worker who is working in and visiting New South Wales from outside the State for the purposes of a one-off event such as a jamboree, sporting or religious event or tour, if the event is the only child-related work carried out by the worker in New South Wales in that calendar year and the period of the work does not exceed 30 days
- ▶ See the regulation for more examples
  - ▶ Specifically - providing food or equipment at or for a sporting, cultural or other entertainment venue or providing a venue is not child-related work.



# Club Activities Affected

- The Youth Exchange program is a clear example and they have processes in place:
  - All host parents, siblings over 18 and relatives in the host family home MUST have a Working with Children Check. i.e. WWC number verified by the Rotary Child Protection Officer
  - The Host Club, (Club Counsellor) must ensure all approvals are recorded.
- Working in youth programs may need clearance, depending on nature. Clearly and face-to-face work, overnight camps and transporting children need Checks
- Note that work in the mentoring program would need clearance if the subject is under 18
- Maintenance work at Triple Care Farm or Stepping Stone House would not need clearance.

While most Club activities, apart from Youth Exchange have a marginal need of clearance, its obviously much simpler and safer to use cleared volunteers.





# How to get a Check

## ■ In Summary -

- Apply on-line
- Present proof of identity at the appropriate office
- Advise the Club WWC Administrator
- Administrator will verify the Check and update register
- Repeat in 5 years.



# Apply On Line

- Online application at this link:  
[www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)
- Click on “Start Here” then “Apply for your Check” (see picture)
- Make sure the details you provide are EXACTLY THE SAME as the details on your identity documents
- Ensure you select the correct category. Typically we are VOLUNTEERS, which is free. The \$80 fee for paid workers is not refundable
- Once you have submitted the form, you will receive an application number that looks like this: APP1234567.

The screenshot shows the 'Working with Children Check' website. It has a blue header with the title. Below the header, there are three main sections: 'Your Check', 'Verify', and 'Employer registration'. In the 'Your Check' section, there are four buttons: 'Do you need a Check? Take our quiz', 'Update your details', 'Apply for your Check' (which is circled in red), and 'Change from volunteer to paid'. The 'Verify' section has two buttons: 'Individuals (e.g. parents) verify' and 'Employer log in and verify'. The 'Employer registration' section has a 'Register' button and some explanatory text about the registration process.

# Present Proof of Identity and Get Clearance

- ▶ Applicants take their application number and proof of their identity to a NSW Motor Registry, Government Access Centre, or Service NSW office. Find a location at [www.service.nsw.gov.au/service-centre](http://www.service.nsw.gov.au/service-centre)
  - ▶ PLEASE NOTE: An applicant must appear in person to prove their identity – this task cannot be delegated to a third party. Proof of identity must also be performed within NSW. It cannot be completed from interstate or overseas.
- ▶ If cleared you will be issued with an WWC number within 4 weeks (usually much quicker). You will receive your outcome and Working With Children Check number by email (or post if you do not have an email address)
- ▶ Your number will be: WWC<number>V. V for volunteer or E (if you are employed e.g. Teacher).
- ▶ The number will remain with the applicant for life (unless they are barred) and the same number is used when renewing after 5 years.
- ▶ Valid for 5 years and can be used for all child-related volunteering

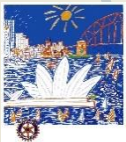


# Send the form to the WWC Administrator

- Simplest way is to email to [secretary@sydneycoverotary.com](mailto:secretary@sydneycoverotary.com)
- The WWC administrator will keep a confidential register and must verify the status on-line
- The register contains the minimal amount of information to satisfy the Act, and is kept in hard copy in Club records. In addition to the individual's name and date of birth it contains
  - Clearance number
  - Expiry date
  - Date of verification
- The records are retained for audit purposes

When a need arises to verify the status of a volunteer, the WWC Administrator should be consulted. The only way to accurately determine a person's clearance status is by verifying their Working With Children Check online; paper evidence of a clearance should not be accepted.

It is important that that we don't confuse lack of clearance – e.g. have not applied – with being barred or draw unnecessary inferences. The process is simple - all we need to know before assigning a volunteer is that the WWC administrator has a record of the verified, cleared status of the individual.



# Outcomes of a Check

- ▶ A person can work with Children if the status is

- ▶ Cleared
- ▶ Application in progress – This means:
  - ▶ Application submitted
  - ▶ Identity proven
  - ▶ Payment has been made (if required).

- ▶ Cleared applicants will be continuously monitored for serious Child Protection offences in NSW.

- ▶ A person cannot work with children if the status is:

- ▶ Barred
- ▶ Interim bar
- ▶ Expired (after five years)
- ▶ Not found.

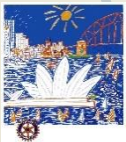


# More Detail

- ▶ Committees running affected activities need to be aware of these requirements, ensure only cleared volunteers are used, and confirm Checks are done
- ▶ The Club has a policy document – currently in draft - which will be signed off by the board
- ▶ The policy includes ways of handling a situation where a person becomes barred
- ▶ The role of WWC administrator is reviewed each year.

Each Committee will discuss this and evaluate their activities.

There will be separate material on the legal responsibility to follow through on ANY report that young people make whilst under the care of Rotary or engaged in a Rotary activity.



# Resources

- ▶ The primary source of information is this web site [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)
- ▶ There are video guides and Fact sheets on that site
  - ▶ especially FS22 – fact sheet for volunteers.
- ▶ Club documents include copies of the fact sheets and this presentation
  - ▶ Available on ClubRunner in “Club Documents” “Working With Children” folder.
- ▶ We acknowledge in particular the Rotary District 9685 Child Protection presentation available from their web site.

