

Resource ORG01

Working with Children Check

Compliance toolkit

General information and summary only. Factsheet last updated January 2023. For more information see the WWC Act at www.legislation.wa.gov.au

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| Organisation |  |
| Document owner |  |
| Role |  |
| Date |  |

This toolkit has been designed to be used by your **organisation** as an induction to your compliance requirements with the [*Working with Children (Screening) Act 2004*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1095_homepage.html)*.* It may be most beneficial to community groups/organisations and start-up businesses, for example churches (local level), Guides and Scouts groups and holiday activity providers.

This toolkit can also be used as an induction for individuals who are assigned responsibility for Working with Children (WWC) Checks within your organisation. Further information about your organisational responsibilities can be found in [Factsheet PEN02 - Offences and penalties, employers, volunteer organisations and education providers.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)

This toolkit contains

* Compliance Checklist including links to factsheets, templates and supporting information.
* Attachments:
	+ Attachment 1: WWC Check Registration Officer position description template.
	+ Attachment 2: **Categories** of [child-related work](https://www.wa.gov.au/organisation/department-of-communities/working-children-check-who-needs-wwc-check) record sheet template.
	+ Attachment 3: Roles record sheet template.
	+ Attachment 4: WWC Check policy template.
	+ Attachment 5: WWC Check procedures.

### Compliance checklist

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| 1. Raise awareness |  |
| * Attend a WWC Check Workshop**,** register at [WWC Screening Unit Eventbrite](https://www.eventbrite.com.au/o/working-with-children-screening-unit-33449292425)
* WWC Checks added as an ongoing agenda item at committee/board meetings.
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| 2. Organisation representatives |  |
| * Determine who can verify applications and online renewals on behalf of the club/association.
* Identify the WWC Check point of contact within the club/association (e.g., the President) to receive application outcomes and all correspondence.
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| 3. WWC Registration Officer |  |
| * Appoint a WWC Check Registration Officer or add duties to existing role (e.g., it may be the responsibility of the Secretary/Registrar/Senior Manager)*.*
* Identify if the WWC Check Registration Officer will also be an organisation representative.

Refer to:* Attachment 1: WWC Check Registration Officer position description template.
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| 4. Categories of child-related work |  |
| * Complete Attachment 2: Categories of child-related work record sheet and identify the categories relevant to the activities of your organisation. Please note there may be more than one category that applies, when applying applicants should pick the category where no [exemption](https://www.wa.gov.au/organisation/department-of-communities/working-children-check-who-needs-wwc-check) applies.

Refer to:* [Factsheets CAT01-19 – Categories of child-related work (1-20).](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
* Your organisation’s constitution/rules (if applicable).
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| 5. Roles and DutiesGeneral information and summary only. Factsheet last updated January 2023. For more information see the WWC Act at www.legislation.wa.gov.auGeneral information and summary only. Last updated January 2023. For more information see the WWC Act at www.legislation.wa.gov.au |  |
| * Complete Attachment 3: Roles record sheetidentifying organisation roles and if their duties involve '**contact**' with a **child/children**.
* Create/update position descriptions identifying the need for a WWC Check, where applicable.
* Check that adverts and notices for these roles state the need for a WWC Check.
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| 6. Employees and volunteers who engage in child-related work |  |
| * Complete the [WWC Check record keeping spreadsheet](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources), identifying employees and **volunteers** (workers) who have a category of child-related work, have 'contact' with a child/children (as per steps 4 and 5) and if any exemptions apply.

Refer to:* [Template ORG09 – WWC Check record keeping spreadsheet.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
* [Factsheet CRW02 – Exemptions, one off national event and national tour exemption.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
* [Factsheet CRW03 – Exemptions, the parent volunteer exemption.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
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| 7. Contractors and visitors |  |
| * Identify any contractors of, and visitors to your organisation, that have a category of child-related work, have 'contact' with a child/children and if any exemptions apply (as per step 6). For example, self-employed activity leaders, photographers and governing/parent/peak body representatives (e.g., Church Diocese).
* Update your record keeping spreadsheet.
* Update contracts and communications with visitors to include the need for a valid WWC Check, where applicable.
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| 8. Record keeping and monitoringGeneral information and summary only. Last updated January 2023. For more information see the WWC Act at www.legislation.wa.gov.au |  |
| * Take a copy of
	+ an individual’s WWC Card and check its [validity](https://www.workingwithchildren.wa.gov.au/online-services) or
	+ an individual’s WWC application receipt and check its [status](https://www.workingwithchildren.wa.gov.au/online-services).
* Ask volunteers who are exempt under the [child volunteer exemptions](https://www.wa.gov.au/organisation/department-of-communities/working-children-check-who-needs-wwc-check) or [parent volunteer exemption](https://www.wa.gov.au/organisation/department-of-communities/working-children-check-who-needs-wwc-check) to confirm that they are entitled to use the exemption. You can use [ORG04: Working with Children Check, Volunteer declaration](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources) as a template.
* Register as the employer/volunteer organisation of those who already have cards using the [WWC Card holder registration](https://www.workingwithchildren.wa.gov.au/online-services) page. There is no legal obligation for a person who is not in child-related work to have, or produce a WWC Card.
* Cease engaging individuals in 'child-related work’ if they do not have a valid WWC Card or have not applied for one (and provided a copy of the receipt).
* Update your record keeping spreadsheet.
* Store records in a secure location.
* Set reminders to re-check the validity of your employees and volunteers WWC Cards.
* Monitor WWC Card expiry dates and send relevant renewal reminders.
* Monitor that individual’s that are exempt remain exempt (e.g., if child volunteers turn 18 or become paid).
* Report any concerns to the WWC Screening Unit, including if you reasonably suspect an employee, volunteer or **student** has been charged with or convicted of an offence which makes it inappropriate for them to engage in child-related work.

Refer to:* [Factsheet CRW04: Exemptions, narrowing of access.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
* [Template ORG04: Working with Children Check, volunteer declaration.](https://www.wa.gov.au/government/document-collections/working-children-check-resources-and-guides-factsheets-and-other-resources)
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| 9. Policies, procedures and complianceGeneral information and summary only. Last updated January 2023. For more information see the WWC Act at www.legislation.wa.gov.au |  |
| * Obtain a copy of your governing/parent/peak body policies (if applicable).
* Develop your own WWC Check policy or integrate within existing child safeguarding policies.

Refer to:* Attachment 4: WWC Check policy template.
* Attachment 5: WWC Check procedure template.
* [National Principles of Child Safe Organisations.](https://www.wa.gov.au/organisation/department-of-communities/national-principles-child-safe-organisations)
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Definitions of **bold** terms can be found in the Working with Children Check glossary at [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)

### Attachment 1: WWC Check Registration Officer position description template

*Delete as appropriate*

[Insert Organisation Logo]

**Working with Children Check Registration Officer**

The Working with Children (WWC) Check Registration Officer is responsible for managing the organisation’s WWC Check record keeping processes.

**Accountability**

The WWC Check Registration Officer is directly responsible to the [insert title] of [insert organisation name].

**Responsibilities and duties**

* Adhere to the mission, vision, and values of the organisation.
* Manage the WWC Check record keeping spreadsheet.
* Act as an representative of the organisation on WWC Check application forms and online renewals.
* Check the validity of WWC Cards and status of application receipts.
* Advise the WWC Screening Unit of new workers who already hold WWC Cards.
* Cease engaging individuals in 'child-related work’ if they do not have a valid WWC Card or have not applied for one (and provided a copy of the receipt).
* Contact workers with expiring WWC Cards to remind them to renew.
* Ensure people who are accessing the child volunteer exemptions or parent volunteer exemption can legitimately access the exemption.
* Advise the committee/board/managerial team of any WWC Check issues.
* Manage all data in accordance with the [*Privacy Act 1988.*](https://www.legislation.gov.au/Details/C2014C00076)

**Knowledge and skills required**

* Good organisational skills.
* Ability to manage and maintain data.
* Computer literacy.
* Good communication skills.

This role may require a valid WWC Check if your organisation deems the role to be in ‘child-related work’.

**Time commitment**

The estimated time commitment required as the WWC Check Registration Officer of [insert organisation name] is [insert approximate hours] hours per week/month.

I have read and agree to the above position description.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Last reviewed on: [insert date] Next review date: [insert date]

Reviewed by: [insert title of person] Approved by: [insert title of person]

### Attachment 2: Categories of child- related work record sheet template

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| **Organisation activity** | **Category of child-related work** |
| E.g., Annual Leadership camp in Southwest WA | 15 – Overnight camp |
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### Attachment 3: Roles record sheet template

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| **Role** | **Category of child-related work** | **Usual duties*****(Consider what else this role might do that is not detailed in the Position Description)*** | **Do the duties involve, or likely to involve, contact with a child?** |
| Piano Teacher | Category 4  | * Delivers 1:1 piano tuition for adults and juniors.
 | Yes – physical and oral contact. |
| Caterer | Category 15 | * Prepare and serve meals to the camp participants.
 | Yes – oral contact.  |
| Holiday Activity Program Team Leader | Category 18 | * Develop holiday activity programs.
* Liaise with parents regarding attendance.
* Organise staffing rosters.
* Fill staffing gaps and deliver activities when needed.
 | Yes – physical and oral contact when filling staffing gaps. |
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### Attachment 4: WWC Check policy template

*Delete as appropriate*

[Insert Organisation Logo]

**Working with Children Check policy**

Last reviewed on: [insert date] Next review date: [insert date]

Reviewed by: [insert title of person] Approved by: [insert title of person]

The Working with Children (WWC) Check is a compulsory screening strategy in Western

Australia and the Christmas and Cocos (Keeling) Islands for people who engage in certain

paid or unpaid work with children, described as “child-related work” under the *Working with*

*Children (Screening) Act 2004* (the WWC Act).

The purpose of this policy is to outline the organisation’s obligations, responsibilities and expectations under the WWC Act.

This policy is to be read in-conjunction with the following documents and legislation:

* [Insert any relevant organisation and governing/parent/peak body policies]:
* [National Principles for Child Safe Organisations.](https://www.wa.gov.au/organisation/department-of-communities/national-principles-child-safe-organisations)
* [*Working with Children (Screening) Act 2004.*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1095_homepage.html)
* [*Working with Children (Screening) Regulations 2005.*](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2229_homepage.html)
* [Reportable Conduct Scheme (Ombudsman WA).](https://www.ombudsman.wa.gov.au/Reportable_Conduct/Reportable_Conduct.htm)

**Definitions**

* Child means a person who is under the age of 18 years.
* Contact means any form of physical contact, any form of oral communication, whether face to face, by telephone or otherwise and any form of electronic communication. However, it does not include contact in the normal course of duties between an employer and an employee or between employees of the same employer.
* Interim Negative Notice means that the WWC Screening Unit has received information relevant to the immediate safety of children, and the person is prohibited from engaging in child-related work during the assessment or re-assessment until a final decision is made.
* Negative Notice means that the WWC Screening Unit’s assessment or re-assessment of a person’s eligibility to hold a WWC Card indicates an unacceptable risk to children, and they are prohibited from engaging in child-related work.
* Representative means the person(s) who have who has been given permission by [insert organisation name] to sign WWC Check application forms and confirm online renewals on [insert organisation name]’s behalf.
* Voluntary work is where an individual receives no financial reward or remuneration. A person who receives payments that just cover the costs of carrying out their child-related work is considered to receive “no financial reward” and is considered to be a volunteer by the WWC Screening Unit.
* WWC Act means the *Working with Children (Screening) Act 2004.*
* WWC Check means the Working with Children Check.
* WWC Card means a Working with Children Card or Assessment Notice.

**Background**

Under the WWC Act, people whose usual duties of work involve (or are likely to involve) contact with a child in connection with one or more categories of child-related work and where no exemptions apply, are required to have a WWC Check. [Insert organisation name] will take all reasonable steps to identify who within the organisation is in child-related work and if a WWC Check is required.

**Obligations**

[Insert organisation name] has an obligation to comply with the WWC Act. When seeking nominations or expressions of interest for appointments (paid or voluntary) [insert organisation name] will provide the applicant with information regarding the screening process and the specific criteria for the position. [Insert organisation name] will keep and maintain accurate records of all individuals with a current WWC Check and periodically check the validity of a WWC Check, for both new and existing employees/contractors/volunteers/visitors.

Employees/contractors/volunteers/visitors have a responsibility to comply with all requirements to the satisfaction of [insert organisation name]. If individual circumstances change and contravene this policy and the WWC Act, it is the responsibility of the individual to notify [insert organisation name].

Where an employee/contractor/volunteer/visitor engaging in child-related work refuses to obtain or renew a WWC Check, [insert organisation name] will remove them from child-related work.

Employees/contractors/volunteers/visitors who are exempt from obtaining a WWC Check under the child volunteer exemption or parent volunteer exemption must confirm that they are eligible to do so.

If the organisation receives notification of a Negative Notice or Interim Negative Notice, the organisation will cease to engage the individual in child-related work.

**Confidentiality**

It is critical that confidentiality is maintained at all times. Information obtained during the screening process will not be provided to any person who is not authorised to access such information. The organisation will ensure that only organisation representatives will sign WWC Check applications and confirm online renewals and that the President/Senior Manager will be nominated as the representative to receive the outcomes.

**Interstate travel**

[Insert organisation name] employees/contractors/volunteers travelling with children to another state or territory will comply with the screening requirements of that particular state or territory.

**Policy application**

* This policy applies to all [insert organisation name] employees/contractors/volunteers/visitors and all other people or organisations which by agreement or otherwise, are bound to comply with this policy.
* This policy applies to behaviour occurring during the course of [insert organisation name] usual business/activities/events.

**Responsibilities**

[Insert organisation name] role and contribution in making this policy work is to take all reasonable steps necessary to ensure that everyone in the organisation knows:

* what the WWC Check is
* what this policy represents and their roles and responsibilities.

This will be achieved by:

* placing the safety and welfare of children above other considerations
* raising awareness of the WWC Check and the organisation’s compliance requirements throughout the organisation
* appointing a WWC Check Registration Officer
* identifying the categories of child-related work that the organisation’s employees/contractors/volunteers/visitors engage in
* keeping adequate records that demonstrate our compliance with the WWC Act
* checking, recording and validating WWC Cards of all new employees/contractors/volunteers/visitors
* notifying the WWC Screening Unit of new employees/volunteers who already have a WWC Card from a previous employer/volunteer organisation
* periodically checking and recording that all current employees/contractors/volunteers WWC Cards are valid, current and have not been cancelled
* having a process to ensure employees/volunteers engaging in child-related work renew their WWC Cards every three years, before their WWC Cards expire
* having a process in place to ensure that any employee/volunteer issued with an Interim Negative Notice or Negative Notice does not engage in child-related work
* having a process in place for child and parent volunteers to declare that they do not have a current Interim Negative Notice or Negative Notice and that they are eligible to access the child volunteer exemptions or parent volunteer exemption
* educating employees/contractors/volunteers/visitors on this policy and procedures; identifying that they will be required to comply with this policy and outlining the possible consequences associated with breaches of this policy
* providing opportunities for the sharing of best practice and feedback
* reporting any concerns to the governing/parent/peak body, WA Police and WWC Screening Unit as appropriate
* reviewing this policy and updating as required every 12 months.

**Policy breaches**

[Insert organisation name] will take all breaches of the policy seriously and will ensure they are dealt with promptly, sensitively and confidentially. Disciplinary action may be taken against a person who is found in breach of this policy, in accordance with the [insert organisation name] Complaints management procedure.

**Attachment 5: WWC Check procedure template**

[Insert Organisation Logo]

**Working with Children Check procedure**

Last reviewed on: [insert date] Next review date: [insert date]

Reviewed by: [insert title of person] Approved by: [insert title of person]

[Insert organisation name] aims to continually review the Working with Children (WWC) Check procedure to ensure the documented processes comply with current legislative requirements.

Positions in child-related work

[Insert organisation name] will:

1. identify all the activities undertaken within the organisation and the corresponding category of child-related work listed within the WWC Act, where applicable
2. identify all positions within the organisation and if the duties involve, or are likely to involve, contact with a child
3. review and develop position/role descriptions identifying the screening requirements where applicable
4. ensure that all adverts and notices identify the screening requirements.

**Working with Children Check screening**

[Insert organisation name] will identify those that require a WWC Check by:

1. identifying individuals undertaking positions/roles in child-related work and determining if an exemption applies
2. obtaining a statement from child and parent volunteers confirming their eligibility to access the child volunteer exemptions or parent volunteer exemption
3. obtaining copies of WWC Cards by:
	1. acting as a representative by signing new WWC Check applications or confirming online WWC Card renewals and
		1. nominating the President/Senior Manager as the Authorised Representative to receive application and renewal outcomes or
	2. obtaining a hard copy of current WWC Cards or application receipts and
		1. validating the card details or
		2. or checking the application status and
		3. notifying the WWC Screening Unit that the individual has commenced employment/voluntary activity with the organisation via the Card holder registration form, where applicable.

**Record keeping**

The WWC Check Registration Officer will maintain a register of those engaged in child-related work, which will be checked [insert frequency] to:

1. check the validity of WWC Cards of employees/volunteers and current contractors/visitors
2. notify the WWC Check Screening Unit of new and former employees/volunteers using the WWC Card holder registration form
3. set reminders for WWC Cards that are about to expire.

The register will be stored in a safe and secure location as determined by the committee/board/managerial team.

**Managing a Negative Notice or Interim Negative Notice**

On receipt of notification that an individual has received a **“**Negative Notice” or “Interim Negative Notice**”**, the organisation President/representative will:

1. inform the individual that they are prohibited from child-related work within the organisation
2. liaise with the committee/board/managerial team and/or governing/parent/peak body to determine if the individual can undertake any other role within the organisation that does not pose a risk to children and report any outcomes to the individual concerned
3. inform the individual of any restrictions placed on, or termination of, their involvement with the organisation (as determined by the committee/board/managerial team and/or governing/parent/peak body)
4. inform relevant organisation employees/contractors/volunteers/visitors that the individual is no longer undertaking that role, maintaining confidentiality at all times
5. share information with other organisation employees/volunteers and other organisations on a need-to-know basis, maintaining confidentiality at all times
6. document all actions and processes undertaken
7. liaise with the WWC Screening Unit where required
8. manage any media attention and requests
9. monitor that the individual is not undertaking child-related work with the organisation on an ongoing basis.

**Reporting**

[Insert organisation name] will:

1. report concerns to the governing/parent/peak body, WA Police and WWC Screening Unit as required
2. notify the WWC Screening Unit if [insert organisation name] believes that an individual is still undertaking child-related work following the issuing of an Interim Negative Notice or Negative Notice
3. notify the WWC Screening Unit in writing if [insert organisation name] reasonably suspects an employee/volunteer has been charged with or convicted of an offence which makes it inappropriate for them to continue to carry out child-related work.

**Raising awareness / education**

[Insert organisation name] will:

1. promote relevant training to key employees/contractors/volunteers within the organisation
2. promote the WWC Check on the organisation website/social media pages/newsletters
3. make the WWC Check policy available to staff and volunteers in the organisation handbooks and externally available at [organisations website]
4. ensure that this policy is included in the handover / induction for key employees/contractors/volunteers of the organisation
5. provide opportunities for the sharing of concerns and best practice through meetings and forums
6. seek feedback from employees/contractors/volunteers/visitors when reviewing the WWC Check policy annually.