



Working With Children Check Policy

ECM Ref 493510 (019 of 2020)

Document Type Policy

Approval Date 1 December 2020

Replaces Document & No. new

Owner Service Area People & Culture

Review Date December 2023

Audience Internal / Public

1. Introduction and Purpose

Catholic Schools Parramatta Diocese (CSPD) is committed to providing a safe environment for all members of the community including children, students, staff, and visitors. This Policy ensures CSPD meets its legislative requirements to prevent individuals who pose a risk to the safety, welfare and wellbeing of children and students from being employed or engaged in child-related work.

CSPD has in place a variety of strategies to ensure child safe schools and communities are maintained. This includes guaranteeing compliance with legal responsibilities, including the obligation for all staff members undertaking child-related work to hold a valid NSW Working with Children Check clearance.

2. Scope

This policy applies to people who are employed or engaged (or who are seeking to be employed or engaged) in child-related work with CSPD, in any one of the following capacities as:

- a paid staff member
- a self-employed person or as a contractor or subcontractor
- a volunteer
- a university student undertaking a university practicum placement and their supervisor
- clergy or members of religious orders.

3. Definitions

CSPD means Catholic Schools Parramatta Diocese.

Child or **Children** refers to any person under the age of 18 years.

Child-related work means work involved in one or more of the occupational fields or other areas that deliver education and services that usually involves direct contact with a

child or children. Child-related work does not include incidental or occasional contact with child/ren.

Direct contact means any contact between a person and a child/ren that involves face-to-face contact or, contact by post or other written communication, or contact by telephone or other oral communication, or contact by email or other electronic communication.

Interim bar means a determination by the OCG preventing an applicant from engagement in child-related work.

OCG means NSW Office of the Children's Guardian. The OCG administers the WWCC in NSW.

Staff includes:

- a paid employee whether employed on a permanent, temporary or casual basis
- Religious, volunteers, contractors, sub-contractors, consultants and students on tertiary practicum placements.

Student means any student enrolled in a CSPD school, including children and those aged 18 years or over.

Volunteer means unpaid engagement or unpaid student placement.

Working with Children Check (WWCC) is a legislative requirement and process of assessment as prescribed in the *Child Protection (Working with Children) Act 2012* (NSW).

4. Working with Children Check Requirements

The WWCC is a legal requirement for any person in paid or volunteer child-related work.

In assessing an application for a WWCC, the OCG considers among other things an applicant's full criminal history and certain sustained findings of workplace misconduct involving children.

A WWCC application will result in a:

- clearance to engage in child-related work; or
- bar from engaging in child-related work; or
- closed application where insufficient information is provided, or an application is withdrawn.

Persons with a WWCC clearance will be subject to ongoing monitoring by the OCG of any new relevant records over the five-year period of the clearance.

The OCG may cancel or revoke a person's WWCC or issue an "interim bar" on a person, at any time throughout the duration of the WWCC.

Where a staff member or applicant's WWCC status is barred, interim barred, closed or expired they must not engage in child-related work as defined in the *Child Protection (Working with Children) Act 2012*, CSPD must not engage that staff member, and that staff member must not engage in child-related work.

Where the OCG informs a staff member of their intention to conduct a risk assessment on the staff member or to impose an "interim bar" or "bar" on the staff member, the staff member must immediately inform their Principal/Manager or Director in writing.

All staff members are responsible for renewing their WWCC before the date it expires and must provide CSPD Safeguarding with evidence of the renewal of their WWCC before its expiry date.

Where CSPD becomes aware that a staff member either does not hold a valid WWCC, or cannot engage in child-related work, regardless of the reason, CSPD may take steps to terminate their employment, contract or volunteer arrangement.

Staff -

CSPD staff, regardless of the work they perform or the location in which it is performed, may have access to records of children enrolled and enrolling in CSPD schools, and may have direct contact, or work face-to-face, with children in CSPD. All CSPD staff are deemed to be engaged in child-related work and it is an essential condition of employment with CSPD that any staff obtain and hold a valid WWCC clearance.

Where a CSPD staff member is a teacher, it is an essential condition of employment with CSPD that the staff member is accredited under the *Teacher Accreditation Act 2004 (NSW)*, which requires a teacher to hold a valid WWCC clearance.

CSPD will verify the WWCC of every person that it employs.

Prior to commencing employment with CSPD, it is the responsibility of the Principal/Manager to ensure that such a person has a valid and verified WWCC. See Section 5 of this Policy for further information.

It is a requirement of CSPD that all staff are registered with the OCG and with CSPD under the same legal name listed on the staff member's WWCC.

5. Pre-engagement and WWCC Verification process

The WWCC verification process for all CSPD staff members is managed centrally by CSPD's People & Culture team.

All records pertaining to the WWCC details for CSPD staff members are maintained confidentially and securely in accordance with privacy legislation and the [Privacy Policy](#).

5.1 Pre-employment Process

Prior to commencing employment with CSPD, the recruitment ensures the applicant:

- Is suitable for child-related work
- Is accredited by the NSW Education Standards Authority (for teaching staff)
- Has a current WWCC. CSPD's People & Culture - Safeguarding team will verify an applicant's WWCC number.
- Meets the qualification requirements of the role (where relevant)
- Has no employment or re-employment restrictions placed on them.

Applicants for teaching positions will be issued with a CSPD Clearance Letter once the above requirements are confirmed.

5.2 Staff - Process for Schools

Prior to any staff member commencing employment or being offered employment the school must do the following:

- For teaching staff (including casuals), schools must obtain a copy of the CSPD Clearance Letter which must not be more than 12 months old. In engaging any staff member, notwithstanding the candidate's possession of a CSPD Clearance Letter, schools must contact People and Culture - Payroll to verify that the candidate is cleared to work via the *Payroll Classification Spreadsheet*.
- For non-teaching staff the school must contact People and Culture – Payroll to confirm that the person has a current valid and verified WWCC via the *Payroll Classification Spreadsheet*.
- Ensure the applicant completes the Safeguarding [QUESTIONS FOR APPLICANTS](#) Form (Links are accessible for internal staff only)
- Contact the two most recent referees (whether internal to CEDP or external) and ensure they complete the Safeguarding [QUESTIONS FOR REFEREES](#) Form (Links are accessible for internal staff only)
- Should any concerns arise from referee checks please contact the People & Culture team at peopleandculture@parra.catholic.edu.au.

5.3 Process for CEO Staff Members (including COSH and CELC)

Applications will apply via the Applicant Tracking System (currently PageUP) and their WWCC will be verified by People & Culture prior to appointment.

5.4 Contractors & Volunteers - process for schools

Volunteers and contractors are to complete the online *Building Child Safe Communities – Undertaking* form which will determine whether they are required to obtain a WWCC. The form can be found [here](#).

Volunteers including university students on practicum placement and their supervisors must have a WWCC clearance verified prior to commencing work with CSPD.

It is the responsibility of the school to ensure that all Volunteers and Contractors engaged by the school have a current WWCC if required and have completed the *Building Child Safe Communities – Undertaking* form. Schools must confirm that the WWCC is valid and verified if applicable. Schools can confirm this information by utilising the Building Child Safe Communities dashboards.

5.5 Clergy & Religious

Priests in the Parramatta Diocese who hold a Diocesan ministry card have fulfilled the requirements for a WWCC and are not required to complete the *Building Child Safe Communities - Undertaking* form.

Other clergy and members of religious orders volunteering or visiting a CSPD site are required to complete the online *Building Child Safe Communities – Undertaking* form. This confirms their acceptance of CSPD's expectations and determines whether they require a WWCC. It is the responsibility of the site (school/CEO) to ensure that this has occurred. The form can be found [here](#).

6. Responsibilities and Delegations

As an employer, CSPD has a responsibility to take reasonable steps to ensure that all persons to be employed or engaged in child-related work in CSPD are suitable for child-related work.

CSPD Safeguarding Directors, Heads / Chiefs / Learning Leaders, Managers and Principals are responsible for ensuring that recruitment processes within their area/s of responsibility are consistent with the Working with Children Check Policy. This includes ensuring that all persons who are required to either obtain a WWCC clearance or complete a WWCC undertaking have met the relevant requirement, prior to commencing employment or engagement.

7. Legislative Framework

The legislative framework that underpins this policy includes:

- *Child Protection (Working with Children) Act 2012 (NSW)*
 - *Child Protection (Working with Children) Regulation 2013 (NSW)*
 - *Children and Young Persons (care and Protection) Act 1998 (NSW)*
 - *Teacher Accreditation Act 2004 (NSW)*
-

8. Further information

Further information on this policy can be directed to People & Culture - Safeguarding via the Enterprise Service Desk on (02) 9840 5620 or via email esd@parra.catholic.edu.au or the ESD Self Service Portal or email Safeguarding directly via safeguarding@parra.catholic.edu.au.
