

Seventh-day Adventist Schools (WA) Working With Children Check Policy

Roles, Responsibilities and Processes

1. Rationale

Seventh-day Adventist Schools (WA) Ltd, trading as Adventist Christian Schools Western Australia (ACSWA), acknowledges that the safety and wellbeing of all students is of paramount importance. The *Working With Children (Criminal Record Checking) Act 2004 (WA)* (WWC Act) became effective in Western Australia on 1 January 2006. The WWC Act is the first line of defence in ensuring the ongoing safety of students is the screening of all adults who are involved in child related work.

It is an offence to engage a person in child related work if they do not hold an active Working With Children (WWC) Card or have an active WWC application in progress. Failure to comply can result in significant fines or imprisonment.

The objective of the WWC Act is to:

1. Provide procedures for checking the criminal record of people who carry out, or propose to carry out, child-related work; and to
2. Prohibit people who have been charged with or convicted of certain offences from carrying out child-related work.

2. Aims

This policy aims to ensure:

- a) Compliance of ACSWA and its schools to the WWC Act;
- b) That every child related worker engaged to work with students has a validated WWC Card or has commenced the application process prior to their first access to students;
- c) That any person exempt from applying for a WWC Check (except a parent volunteer) has completed a National Police Check with appropriate records being maintained;
- d) That appropriate records are maintained and procedures followed for the immediate removal of any person from having access to students in the event that:
 - a. Their status changes to a Negative Notice or Interim Negative Notice
 - b. Their WWC Card has expired and has not been renewed
 - c. They have cancelled their WWC application process or WWC Card.

3. Scope

This policy applies to the recruitment, selection and training of all child related workers engaged by ACSWA and its schools.

4. Responsibility

To the ACSWA Board of Directors.

5. Point of Contact

Director of Education or Principal and approved authority.

6. Definitions

Term	Definition
Authorised Representative	The person/s authorised to sign WWC Check application forms and sign and confirm WWC Check online renewal forms on behalf of ACSWA. They are: <ol style="list-style-type: none">1. The Director of Education (Primary Authorised Representative)2. The School Principal (Authorised Representative of respective school)
Child related work	The following extract comes from The WWC Act Section 6: Work is “child-related work” if the usual duties of the work involve, or are likely to involve, contact with a child in connection with: <ol style="list-style-type: none">i) an educational institution for children;ii) a coaching or private tuition service of any kind, but not including an informal arrangement entered into for private or domestic purposes;iii) an arrangement for the accommodation or care of children, whether in a residential facility or private residence, but not including an informal arrangement made by a parent of the child concerned or accommodation or care provided by a relative of the child;iv) an overnight camp, regardless of the type of accommodation or how many children are involved;v) a transport service specifically for children;vi) a school crossing service, being a service provided to assist children to cross roads on their way to or from school;vii) a children's entertainment or party service; orviii) any other work of a kind prescribed by the regulations.
Child-related worker	A child related worker does work or is carrying out a business in connection with any of the categories of child related work. Examples of child-related workers in the education and training sector are inclusive of but not limited to:

Term	Definition
	<ul style="list-style-type: none"> • People tutoring children, whether individually or in groups (not including informal arrangements); • Teaching staff of schools, community kindergartens or pre-primary schools; • Training providers who run coaching or private tuition classes primarily for children; • School support staff working in various areas in a school and who have contact with children as part of the usual duties of their work; • People who provide health services to school children at the school; • The grounds person who works during school hours, and assists with activities that involve contact with children, as part of the usual duties of the work; • School bus drivers; • Entertainers who provide services to children at schools; • Sports coaching or private tuition services for school children; • TAFE lecturers and other staff whose usual duties involve or are likely to involve contact with a child; • Students on placement doing child-related work, such as student teachers or nurses working in connection with one of the 19 categories; • Volunteers helping with various school activities (except parents whose children are enrolled at the school); • Parents volunteering at overnight school camps.
Contact	<p>Contact is defined as:</p> <ul style="list-style-type: none"> • Any form of physical contact • Any form of oral communication, whether face to face, by telephone or otherwise • Any form of electronic communication. <p>The contact needs to occur as part of a person's usual duties but does not include contact in the normal course of duties between an employer and an employee (including employees under 18 years) or between employees of the same employer.</p>
Department for Communities, Children Protection and Family Support (CPFS)	The government department responsible for the screening of all WWC Checks for Western Australia.
Director of Education	Executive Director of Adventist Christian Schools Western Australia

Term	Definition
Exemption	<p>Certain volunteers do not need to have a WWC Check and should not apply for one. See Fact Sheet 2 at the following link for a more comprehensive list of exemptions https://workingwithchildren.wa.gov.au/resources/publications/fact-sheets-booklets/resources-for-employers-and-organisations</p> <p>Following are some of the common exemptions:</p> <ul style="list-style-type: none"> • volunteers and students on unpaid placement who are under 18 years; • employers of children and people who work alongside children as fellow employees, unless otherwise doing child-related work; • parents volunteering in connection with their child’s activity may be exempt (<i>this exemption does not apply to other relatives or guardians or to parents volunteering in connection with overnight camps</i>); • short-term visitors to WA, for two weeks after their arrival, and for no more than two weeks in any period of 12 months.
Findings of misconduct involving children	<p>A finding that a person (an employee of the school) has committed or been suspected of committing a Class 1 Criminal Offence:</p> <ol style="list-style-type: none"> a) sexual misconduct committed against, with or in the presence of a child, including grooming of a child; or b) any serious physical assault of a child.
National Police Check	<p>Used for the purpose of screening volunteers who are exempt from a WWC Check (with the exception of parent volunteers), information regarding National Police Checks is found at:</p> <p>http://www.police.wa.gov.au/OurServices/PoliceChecks/tabid/1202/Default.aspx</p>
Schools	<p>All schools that report directly to Seventh-day Adventist Schools (WA) Ltd</p>
Working With Children Card	<p>A Working With Children (WWC) Card gives authorisation under the <i>Working With Children (Criminal Record Checking) Act 2004 (WA)</i> to engage in child-related work. It is valid for 3 years.</p>
Working With Children Check	<p>A compulsory criminal check for child related workers who work with children under the age of 18 in Western Australia (note that some exemptions apply). The WWC Check considers criminal records to determine if the individual has charges pending or convictions that indicate they may be of harm to a child. It involves the ongoing collection and assessment of information relevant to whether a child may be exposed to a risk of harm should a person engage, or continue to engage in child related work. Only people who are engaged in or propose to be in child related work can apply for a WWC Check.</p>

7. Responsibilities

7.1 Director of Education

The Director of Education is required to:

1. Act in the role of Primary Authorised Representative, thereby being the contact person if further information regarding the application is required or issued from the WWC Screening Unit.
2. Establish systems for the administration, retention of records and compliance of WWC Checks to meet the obligations under the WWC Act.
3. Appoint a WWC Check Coordinator to oversee the administrative and compliance requirements for employees working for ACSWA, including the maintenance and archiving of all records in accordance with the requirements summarised within these guidelines. *See Section 8. Record Keeping and Audits.*
4. Identifying all roles within the school that are legally required to hold a valid and current WWC Card for Western Australia
5. Nominate Authorised Representatives at each school (Principal) to sign WWC Check Application forms, sign and confirm WWC Check online renewals.
6. Engage child-related workers who carry a current and valid WWC Card, or under special circumstances, their current application number.
7. Not engage a child related worker who holds a negative Notice or Interim Negative Notice.
8. Be listed as the Authorised Representative to receive notifications of changes or outcomes of WWC Card processes from the WWC Screening unit.
9. Notify the WWC Check Coordinator to update the register with a change to the Validation Outcome and Status for the employee.
10. Immediately remove any individual from any position upon advice that the person has received a Negative Notice or Interim Negative Notice.
11. Supply written notification to the authorised WWC Check Coordinator of the WA Conference of Seventh-day Adventists of all changes to WWC Check changes of status.
12. Establish an annual audit process of all ACSWA child-related worker WWC Checks.
13. Report to the WWC Screening Unit when a finding has been made that a person (a child related worker or other employee of a school) has committed or been suspected of committing a Class 1 Criminal Offence:
 - a) sexual misconduct committed against, with or in the presence of a child, including grooming of a child; or
 - b) any serious physical assault of a child.
14. Report findings of misconduct involving children made against child-related workers or volunteers to AdSAFE Ltd.
15. Report findings of misconduct involving children made against child-related workers or volunteers to the TRBWA.
16. Provide support to the Schools to ensure their compliance with the WWC Act.

7.2 School Principal

The School Principal is required **at school level** to:

1. Act as the Authorised Representative of the school, thereby authorised to sign WWC Check application forms and sign and confirm WWC Check online renewal forms at school level.
2. Ensure that WWC Check applications are completed accurately, including the correct employer's details, thus ensuring that WWC Screening Unit notifications come to the Director of Education.
3. Ensure that all child related workers within the school hold a current and validated WWC Card. If an exemption applies (except for parent volunteers), a National Police Check of not more than 12 months old is required, and must be renewed every 3 years.
4. Ensure the maintenance of a register of all child-related workers at the school, to include:
 - a. Full name
 - b. WWC Card number
 - c. Expiry date
 - d. WWC application number (for new child-related workers)
 - e. Validation date and name of validator
5. Notify in writing the Director of Education and WWC Check Coordinator of the WA Conference of Seventh-day Adventists of any new child-related workers, and their WWC Card details (as per 4 above).
6. Identifying persons with exemptions from applying for a WWC Check and replacing with the requirement for a National Police Check (except for parent volunteers).
7. Not engage a child related worker who holds a negative Notice or Interim Negative Notice.
8. Immediately stand down any child related worker from any position upon advice that the person has received a Negative Notice or Interim Negative Notice. If such an action is taken, immediately notify the Director of Education.
9. Notify current workers who hold a current WWC Card when their card is about to expire so either a paper or online resubmission can be completed.
10. Conduct an annual audit to ensure all child related workers in the school have a current and valid WWC Card.
11. Report to the Director of Education and the WWC Screening Unit when a finding has been made that a person (a child-related worker or other employee of a school) has committed or been suspected of committing a Class 1 Criminal Offence:
 - a. sexual misconduct committed against, with or in the presence of a child, including grooming of a child; or
 - b. any serious physical assault of a child.
12. Report findings of misconduct involving children made against child-related workers or volunteers to the Director of Education, AdSAFE Ltd and the TRBWA.
13. Supply written notification to the Director of Education, and the authorised WWC Check coordinator of the WA Conference of Seventh-day Adventists of all changes to WWC Check changes of status.

7.3 ACSWA WWC Check Coordinator

The ACSWA WWC Check Coordinator is required to:

1. Oversee the administrative and compliance requirements for employees working for ACSWA, including the maintenance and archiving of all records in accordance with the requirements summarised within these guidelines. *See Section 8. Record Keeping and Audits.*
2. Complete the Register Card Holders online form on the WWC Check website to advise the WWC Screening unit when you engage a child related worker with an already current and validated WWC Card that is commencing work with ACSWA.
3. Update the ACSWA WWC Check Register with changes to the Validation Outcome and Status for the employee.
4. Notify current workers who hold a current WWC Card when their card is about to expire so either a paper or online resubmission can be completed.
5. Conduct an annual audit of all ACSWA child related worker WWC Checks.

7.4 Child-related Workers

Prior to commencing any child related work, child-related workers and/or eligible volunteers are required to:

1. Hold and maintain a valid WWC Card; or if they are exempt from applying for a WWC Check (except for parent volunteers), applying for and supplying a copy of a National Police Check that is not more than 12 months old, and must be renewed every 3 years.
2. Not engage in child related work at any time that they are subjected to an Interim Negative Notice or a Negative Notice; and
3. Report to the Director of Education or the School Principal if they are no longer eligible for a WWC Card, the status of their WWC Check changes or they are notified by the WWC Screening Unit that they are subjected to a risk assessment.

8. Implementation

8.1 Working With Children Check Application Process

- a) Applicant completes an application for WWC Check signed or authorised by their employer or organisation (if they are an employee, volunteer or student).
- b) Applicants ID checked, fee paid and application form lodged at an authorised Australia Post outlet.
- c) WWC Screen Unit receives application and requests the applicant's National Police History.
- d) Applicant's criminal history is received and assessed by the WWC Screening Unit.
- e) Two possible outcomes are:

- a. WWC Card issued with an individualised number; subsequent ongoing checking by the WWC Screening Unit; OR
- b. Negative Notice issued, leading to Compliance Monitoring by the WWC Screening Unit. It is an offense to engage in child related work.
- f) Once the application process is successfully completed, the current and valid WWC Card needs to be provided to the school prior to the commencement in any child related role.
- g) Subsequent renewals can be completed under the same process or online at www.workingwithchildren.wa.gov.au.
- h) Either option requires authorisation from the employer.

8.2 Working With Children Check Validation Process

1. It is not sufficient for the organisation to sight a WWC Card and accept it as valid. The Authorised Representative needs to complete the online validation process.
2. Once the WWC Card is validated, the Authorised Representative or delegate needs to link the school as the employer to this individual through the online system at www.workingwithchildren.wa.gov.au.
3. The result provided by the Screening Unit is correct at the point in time when the WWC check is done.
4. The WWC Screening Unit will hold records that this validation process has been undertaken on that applicant.
5. The Screening Unit Compliance Officer can revoke a WWC Card at any time. They will notify all Authorised Representatives of this information for any person where they have signed and nominated that person as working for ACSWA.
6. ACSWA and the Schools need to complete and retain all necessary records around WWC Checks to comply with requirements of the WWC Act. (See Section 8. Record Keeping and Audits.)

8.3 Status of the Application or Validation

The following outlines the possible results of a WWC Check or validation:

Result	Description
Application Receipt	The application receipt is proof that the applicant has a pending application and in most cases this allows them to start or continue in child related work. It is valid for as long as it takes for a final outcome to be made.
Assessment Notice (WWC Card)	If an application is successful, the applicant will be issued with an Assessment Notice in the form of a WWC Card and may engage in child-related work. It is valid for three years from application unless cancelled by the Screening Unit Compliance Officer.

Result	Description
Authorised Representative	The Authorised Representative on the WWC Check application form will receive the notices for the organisation, and will be notified if the applicant is issued with a WWC Card, an Interim Negative Notice, Negative Notice or if the applicant withdraws their application.
Expired	The WWC Card has expired and the employee has not renewed it. <i>It is an offence to engage this person in child-related work or child-related roles.</i>
Interim Negative Notice	In certain circumstances an Interim Negative notice may be issued when the WWC Screening Unit receives information relevant to the immediate safety of children. <i>This prohibits a person from engaging in child related work during the assessment or re-assessment until a final decision is made.</i>
Negative Notice	Where the WWC Screening Unit identifies a risk of harm to a child when assessing a person's criminal history, they will be issued with a Negative Notice, which <i>prohibits them from engaging in any child related work and remains current unless cancelled under the WWC Act.</i> If an assessment indicates that a Negative Notice should be issued, this will not happen until the applicant has been given opportunity to provide a submission.
Not Found	The database cannot find a matching Working With Children Check for any one of these reasons: <ol style="list-style-type: none"> 1. The data entered for validation (name, application number or WWC Card number) has errors. You need to reconfirm details with applicant and retry; 2. The person has not completed an application for a Working With Children Check (filled in the online form, presented proof of identity and paid any applicable fee). <i>It is an offence to engage this person in child-related work or child-related roles.</i>
Validated	This applicant has a valid WWC Card that is valid until the listed expiry date, unless cancelled earlier by the WWC Screening unit, or if the applicant chooses to cancel their WWC Card.

9. Record Keeping and Audits

1. ACSWA and Schools' WWC Check Coordinators will keep an up-to-date register preferably in electronic form tracking the following fields relating to the WWC Checks. It should include but not necessarily limited to:
 - a. Full name, WWC Application Number
 - b. WWC Card Number
 - c. Name of Verifier
 - d. Verification date

- e. Verification outcome
 - f. Expiry date
 - g. Status and whether the worker has completed a National Police Check (not more than 12 months old, and renewable every 3 years).
2. The record keeping of the WWC Check Coordinators should also include:
 - a) A list of all persons in child related roles with the School;
 - b) WWC Check Application numbers (where applicable);
 - c) WWC Card Numbers and expiry dates for all persons who are required to hold a current WWC Card;
 - d) Copies of WWC Cards for all persons who are engage in child related work;
 - e) All notifications received from the WWC Screening Unit or Compliance Officer;
 - f) Copies of any WWC Card validations from the WWC Check Website; and
 - g) Any Interim Negative Notice(s) or Negative Notice(s) issued and the action taken by the School.
 3. This information should be stored securely, remain strictly confidential and be regularly updated and backed up.
 4. These records can be paper or electronic and must be kept for at least seven years.
 5. ACSWA, as part of its regular auditing routine, will check compliance with this policy at least once a year.
 6. Additional records that may assist with the audit process may include but are not limited to the commencement of employment date for new employees, list of volunteers attending excursions, trainee teachers visiting on practicum, the engagement of tutors and coaches, and other contractors.
 7. Recommendations from audit reports should be used to modify this policy.

10. Staff Training

The new Staff Orientation program should include:

- a) Who in the school needs a WWC Check?
- b) How the WWC Check is processed, recorded and the school's processes and procedures to ensure compliance with the WWC Act.

The annual Child Protection training for staff should include:

- a) The Staff members' responsibility relating to the WWC Check including:
 - i. holding and maintaining a valid WWC Card;
 - ii. not engaging in child-related work at any time if they have been issued with either a Negative Notice or an Interim Negative Notice; and
 - iii. reporting to the Principal if they are no longer eligible to hold a current WWC Card.

- b) The WWC Check process – who notifies a person if a reason has been provided to the School which requires their immediate removal from working in a child related role.?

Ongoing training for staff with responsibilities in the WWC Check process should be developed and include:

- a) an overview of the process
- b) most common errors
- c) record keeping
- d) recommendations from recent audit reports

Document Controls

Document Name	Seventh-day Adventist Schools (WA) Ltd Working with Children Check Policy Roles, Responsibilities and Processes
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Change Log	
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