



## Child Protection Policy: Working With Children Check

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### MISSION AND VALUES

Each Catholic School in the Wilcannia-Forbes Diocese is inspired by an intimate relationship with God and is founded on a Christian view of the human person. Animated by a Spirit of communion and community and imbued with a Catholic worldview through the curriculum, each school is sustained by witness to the Gospel of Jesus Christ. Each School maintains the active and visible promotion of human rights, social justice and peace.

*“Our schools are communities of faith, learning and transformation, founded upon the person of Jesus Christ, the Way, the Truth and the Life, where the gospel is proclaimed and lived within the communion and rich Tradition of the Catholic Church.”* ([Diocesan Statement of Faith](#))

### 1. RATIONALE

Catholic Education Wilcannia-Forbes (CEWF) is committed to providing a safe and supportive environment for both students and staff. School communities have the right to expect that all persons who are employed or engaged in CEWF (paid or volunteer) are appropriately screened and suitable to be in child-related work.

The purpose of this Policy is to establish a framework to comply with the requirements of the NSW *Child Protection (Working with Children) Act 2012* (the ‘Act’) by following a process that prevents people who pose a risk to the safety, welfare and wellbeing of children from being employed or engaged in child related work. As an educational institution, CEWF complies with all applicable legislative requirements with respect to child protection, including demonstrating compliance with the Child Safe Standards in the *Children’s Guardian Act 2019* (NSW) and the Catholic National Child Safeguarding Standards.

### 2. POLICY FRAMEWORK

CEWF is responsible and accountable for promoting a culture in which employees are committed to ensuring the wellbeing, safety and protection of children.

The purpose of the Act and associated Regulations is to provide a framework for the Working with Children Check (**WWCC**) which is administered by the Office of the

Children's Guardian (**OCG**). This Policy outlines the processes for conducting and implementing the WWCC for child related work to assist in determining a person's suitability for employment or engagement with CEWF.

A WWCC is only one of the tools available to screen workers and determine their suitability to work with children. Employment or engagement in the school may also be subject to other checks as prescribed in relevant legislation or policy. CEWF acknowledges its responsibility to establish and maintain rigorous recruitment, selection and screening processes including thorough referee checking and appropriate induction processes as specified by the CEWF.

This Policy is to be read in conjunction with the related policies identified at Clause 8 of this document.

### **3. SCOPE**

This policy applies to people who are employed or engaged (or who are seeking to be employed or engaged) in child related work in CEWF in one of the following capacities:

- 3.1.** as a paid employee;
- 3.2.** as a self-employed person or as a contractor or subcontractor;
- 3.3.** as a volunteer;
- 3.4.** as a person undertaking practical training as part of an educational or vocational course (other than as a student undertaking work experience); or
- 3.5.** as a member of the clergy, seminarian, or religious.

### **4. POLICY CONTENT**

#### **4.1. General obligations**

- 4.1.1. All persons employed or engaged by CEWF are expected to be personally committed to CEWF's work and to act in a manner consistent with Catholic ethos.
- 4.1.2. All persons who are seeking to be, or who are employed or engaged in child-related work (paid or volunteer) in CEWF require a valid WWCC pursuant to the Act and prior to commencement of their employment or engagement with CEWF.
- 4.1.3. It is an essential condition of employment and engagement with CEWF that a person obtains and maintains, at their own cost, a valid WWCC at all times they are employed or engaged by CEWF.
- 4.1.4. Prior to engaging or employing a person in child-related work, CEWF will verify the person's WWCC with the OCG and retain relevant records at the Catholic Education Office (CEO) and the school, as applicable.
- 4.1.5. When CEWF employs a person in a position of a teacher, it is an essential condition of employment that the employee holds and maintains, at their cost, accreditation under the Teacher Accreditation Act 2004 (NSW).
- 4.1.6. All persons, whether or not they are required to hold a WWCC, are required to complete child protection training and professional standards induction and training prior to the commencement of their role at any CEWF school or at the CEO.
- 4.1.7. All employees are required to complete annual child protection and professional standards training on days nominated by the Principal, and as instructed by CEWF, where applicable.

#### **4.2. Engagement of Volunteers (including parent volunteers)**

- 4.2.1. CEWF may engage volunteers in a school or CEO as needed to enhance its

- educational programs and/or services.
- 4.2.2. All volunteers engaged in child-related work must have a WWCC, except where exempted under the Act. Volunteers cannot commence their role until their WWCC has been verified by the School.
  - 4.2.3. All volunteers, engaged in child-related work, are required to undertake an induction on a date/s nominated by the school or the CEO. Volunteers cannot commence their role until they have participated in an induction at the school or the CEO.
  - 4.2.4. An annual compliance session must be completed by a volunteer to maintain their eligibility to volunteer in CEWF schools or the CEO.
  - 4.2.5. All volunteers must complete a professional standards declaration and undertake to comply at all times with CEWF and/or the appropriate school policies and procedures.
  - 4.2.6. All documents are to be stored at the school or the CEO, along with a register of volunteers. Such a register must include, as a minimum: full name, date of birth, contact details, location of engagement, and dates and times engaged.
  - 4.2.7. All volunteers must work under the supervision of the CEO employees or school employees, as applicable and are required to sign in and sign out of the relevant site via Compass on each visit.
  - 4.2.8. The attendance of volunteers on a CEWF school or office site is with the express permission of the Principal, Head of Team at the CEO or Director of Catholic Education, as applicable, and can be retracted at any time, by the Principal or the Director of Catholic Education, in their absolute discretion.
  - 4.2.9. Principal or relevant Professional Officer need to ensure that tertiary students completing practicum placements, students on work placements or work experience complete relevant child protection training and induction prior to commencement.
  - 4.2.10. The Principal or the relevant Head of Team at the CEO will need to ensure that the process of engagement is consistent with all legislative requirements, including, but not limited to, the Act.

### **4.3. Engagement of Contractors**

- 4.3.1. All contractors engaged in child-related work must have a Working with Children Check clearance, except where exempted under the Act. Contractors cannot commence their role until their WWCC clearance has been verified.
- 4.3.2. All contractors engaged in child-related work, are required to undertake an induction on a date/s nominated by the school or the CEO. Contractors cannot commence their role until they have participated in an induction at the school or the CEO.
- 4.3.3. All contractors must complete an annual declaration and induction as part of their ongoing contractual arrangements with CEWF schools and/or the CEO
- 4.3.4. All contractors must comply at all times with CEWF and/or the appropriate school policies and procedures.
- 4.3.5. All documents are to be stored at the school or the CEO, along with a register of contractors.
- 4.3.6. All contractors must work under the supervision of CEWF staff and are required to sign in and sign out of the relevant site on each visit.
- 4.3.7. All contractors have a positive obligation to ensure that they meet the applicable and relevant best practice industry standards and all legislative requirements in their provision of services to CEWF schools or

the CEO.

- 4.3.8. All contractors must keep up-to-date all licences, clearances, insurance, registrations, and approvals needed to comply with Work Health and Safety (WHS) laws. This must align with the standards set by Safe Work Australia and Safe Work NSW.

#### **4.4. Risk Assessments**

- 4.4.1. CEWF has a legal obligation to report findings of a sexual offence, sexual misconduct and serious physical assault involving children by a child related worker to the OCG.
- 4.4.2. Where CEWF is notified that a staff member has had their WWCC cancelled by the OCG, or is subject to an interim bar, CEWF will take immediate steps in accordance with the law, to remove that person from child-related employment or engagement.
- 4.4.3. Where CEWF is notified that a staff member is subject to a risk assessment by the OCG, CEWF may take appropriate steps to manage that person's interaction with children, in consultation with the OCG and/or pursuant to its own risk assessment processes.

#### **4.5. Chancery Verifications**

- 4.5.1. Verification and monitoring of WWCC for all religious personnel and volunteers in parishes, engaged in child-related work, is conducted by the Diocese of Wilcannia-Forbes.
- 4.5.2. CEWF requires the Diocese of Wilcannia-Forbes to confirm that all clergy, religious members and volunteers in parishes, who engage with CEWF and provide services in schools or school and CEO related activities, hold a verified WWCC at all times.

### **5. RESPONSIBILITIES**

#### **5.1. Director of Catholic Education**

- 5.1.1. Ensure the child protection systems and operations in relation to the WWCC comply with the Act and other relevant legislation.
- 5.1.2. Authorise the reporting of child-related workers' or volunteers' names to the Office of the Children's Guardian in relation to reportable conduct investigations where there are sustained findings of sexual offence, sexual misconduct or serious physical assault.
- 5.1.3. Ensure appropriate action is taken to remove a child-related worker or volunteer from child-related employment if they are subject to an interim bar or bar imposed on their WWCC.

#### **5.2. Principals**

- 5.2.1. Ensure compliance with policies and procedures with respect to WWCC requirements and induction and training processes.
- 5.2.2. Ensure that all child related workers and volunteers are aware of and understand the requirements, policies and procedures in relation to the WWCC.
- 5.2.3. Comply with the requirements for the WWCC as outlined in the Guidelines for Schools: Working With Children Checks.
- 5.2.4. Ensure any additional probity checks for prospective employees are undertaken including thorough referee checking.

- 5.2.5. Ensure retention of appropriate records at the school as instructed by CEWF and comply with all reasonable and lawful instructions from CEWF with respect to observing lawful compliance.

### **5.3. People and Culture Team**

- 5.3.1. Provide advice and support to schools and other CEO personnel in relation to compliance with the Act with respect to WWCC requirements.
- 5.3.2. Establish and maintain appropriate procedures to ensure the CEO and all parish schools comply with the Act.
- 5.3.3. Ensure online verifications with the OCG for all staff employed and engaged by CEWF and maintain records of the outcome of WWCC.
- 5.3.4. With approval from the Director of Catholic Education, report child related workers' or volunteers' names to the OCG in relation to reportable conduct investigations where there has been a sustained finding of sexual offence, sexual misconduct or physical assault, in accordance with the Act.
- 5.3.5. Comply with all reasonable and lawful requests for information from the OCG.
- 5.3.6. Ensure child related workers or volunteers who are subject to an interim bar or bar are immediately removed from child-related work, upon notification, and the relevant personnel are informed.
- 5.3.7. Establish and maintain rigorous recruitment, selection and screening processes including informing new child-related workers of the requirements of the WWCC and undertaking thorough referee checking of all new staff.
- 5.3.8. Establish and ensure maintenance of training and induction processes for all staff at CEWF schools and the CEO.

### **5.4. CEWF Staff**

- 5.4.1. Comply with policies and procedures and all reasonable and lawful directions of CEWF.
- 5.4.2. Must apply for a WWCC (including a renewal every 5 years) as required and supply the WWCC number to the CEO for verification prior to being employed or engaged in any child-related work.
- 5.4.3. Undertake to honestly complete all relevant declaration documents and notify CEWF if there are changes in circumstances that result in a change in the responses contained in the declaration document.
- 5.4.4. Update any changes to personal details, including any name or address changes, to CEWF and the OCG within three months of the change.
- 5.4.5. For teaching staff, comply with all requirements to retain and keep current, the accreditation to teach pursuant to the Teacher Accreditation Act 2004 (NSW) for the duration of the tenure with CEWF.

## **6. DEFINITIONS**

**Child-related work:** has the meaning given to it under the *Child Protection (Working with Children) Act 2012* (NSW).

**Employee:** includes paid employees (whether employed on a permanent, temporary or casual basis), volunteers, contractor, sub-contractors, and consultants, tertiary practicum placements and students on work placements or work experience. A reference to staff in this Policy is intended to cover all references to Employees, as defined, unless otherwise not applicable in the context of the sentence.

## 7. RELATED LEGISLATION

- *Child Protection (Working with Children) Act 2012* (NSW)
- *Child Protection (Working with Children) Regulation 2013* (NSW)
- *Children's Guardian Act 2019* (NSW)
- *Children and Young Person (Care and Protection) Act 1998* (NSW)
- Child Safe Standards, NSW Office of the Children's Guardian (2019)
- Teacher Accreditation Amendment Act 2021 (NSW)

## 8. RELATED POLICIES AND PROCEDURES

- Guidelines for Schools: Working with Children Checks
- Child Protection Mandatory Reporting Policy and Procedures: Managing Risk of Significant Harm and Wellbeing Concerns
- Child Protection Policy and Procedures: Addressing Allegations of Inappropriate Behaviour by Staff towards Children
- Code of Conduct for Staff in their Relationships with Students
- NSW Education Standards Authority - Teacher Accreditation Manual - Revocation, Suspension and Voluntary Cancellation of Accreditation Policy (2022)
- CEWF Privacy Policy

## 9. POLICY CLASSIFICATION

- Policy Audience: Public
- Policy Approval: Catholic Education Leadership Team
- This policy supersedes all previous policies relating to matters contained herein.
- Contact: Head of People and Culture
- Status: **ACTIVE**