

# Edgeworth Child Care Centre Inc.

## Working With Children Check Policy

### Aim

The aim of this policy is to ensure that the approved provider, nominated supervisor, educators and other staff have a current Working With Children Check prior to commencing employment at the service and that existing staff gain the Working with Children Check according to the phase-in schedule.

### Legislative Requirements

Education and Care Services National Regulation 2011  
Education and Care Services National Law Act 2010  
National Quality Standards 2011  
Child Protection (Working With Children) Act 2012  
Child Protection (Working with Children) Regulation 2013  
Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013

### Who is affected by this policy?

Staff  
Families  
Children  
Management  
Community

### Implementation

The Working With Children Check is a prerequisite for paid and unpaid child-related work.

Approved Providers must:

- register with the Working with Children Check (see <http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check/child-related-employers> for steps on how to register as an employer) and identify two nominated contact people within the service who will be contacted by the Office of the Children's Guardian if a staff member becomes barred
- identify all paid and unpaid workers in child-related work at the service
- identify the roles and individuals to whom an [exemption](#) from the Working With Children Check applies
  - eg children (under the age of 18)
  - eg parent/guardian/close relative volunteer at the service
  - eg administrative, clerical, maintenance or ancillary staff **not ordinarily involving contact with children for extended periods**

verify every Working With Children Check status online (the Approved Provider must NOT rely on a notification or email from an employee or volunteer containing an:

- application or clearance number)
- ensure current workers apply for the Working with Children Check during the phase-in period of 1 April 2017 to 31 March 2018 (as per the [Phase-in Schedule for Existing Workers](#))
- remove barred workers from child-related work

The Approved Provider must keep a record of Working with Children Checks including:

- Full name (including first, middle and last name)
- Date of birth
- WWC number
- Verification date (the date you verified them)
- Verification outcome (clearance, barred, interim barred or not found)
- Expiry date (when the WWC number expires)
- Status of the worker (paid or volunteer)

The Office of the Children's Guardian has a record keeping template on its website – see [http://www.kidsguardian.nsw.gov.au/ArticleDocuments/191/WWCC\\_Record\\_keeping\\_template.pdf.aspx](http://www.kidsguardian.nsw.gov.au/ArticleDocuments/191/WWCC_Record_keeping_template.pdf.aspx)

**If the Approved Provider or nominated contact person becomes aware that a current employee or volunteer has become barred (or has an interim bar), you must immediately remove them from child-related work. It does not matter whether they are paid or unpaid; supervised or non-supervised.**

It should be noted that the penalties for non-compliance with the Working With Children Check legislation is:

- a maximum penalty of 100 penalty units or imprisonment for 2 years or both for employees; and
- a maximum penalty of 100 units in the case of a corporation and 50 penalty units in any other case

(NB: 1 penalty unit is currently (as at August 2015) equal to \$110)

**The Approved Provider/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.**

## Sources

Education and Care Services National Regulation 2011  
 Education and Care Services National Law Act 2010  
 Child Protection (Working With Children) Act 2012  
 Child Protection (Working with Children) Regulation 2013  
 Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013  
 Guide to the National Quality Standard 2011  
 Office of the Children's Guardian [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)

## Review

The policy will be reviewed annually. Review will be conducted by management, employees, parents and any interested parties.

**Reviewed: 25 October 2017**

**Date for next review : October 2018**

