



## Child Protection Policy

### Reportable Allegations Against Employees

#### Policy Document Information

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Compliance	
Legislative Requirements	<p>Children and Young Persons (Care and Protections Act 1998) Sect 23  <a href="http://www.austlii.edu.au/au/legis/nsw/consol_act/caypapa1998442/">http://www.austlii.edu.au/au/legis/nsw/consol_act/caypapa1998442/</a>            The Child Protection (Working with Children) Act 2012.  <a href="http://www5.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/">http://www5.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/</a>            The Children's Guardian Act (2019)  <a href="https://legislation.nsw.gov.au/#/view/act/2019/25/part8/div5/sec134">https://legislation.nsw.gov.au/#/view/act/2019/25/part8/div5/sec134</a>            The Crimes Act (1990)  <a href="http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/ca190082/">http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/ca190082/</a></p>
NESA	Registered and Accredited Individual Non-Government Schools (NSW) Manual
Other Policy Relationships	<p>Child Protection Policy, Guidelines and Procedure – Protecting and Supporting Children and Young People            Reportable Allegations Against Employees Policy, Guidelines and Procedures            Complaint Handling Policy            WHS Policy            Excursion Policy            Volunteer Policy            Staff Code of Conduct</p>
Document Location	MySPCC/Policies and Procedures; SPCC Website
Key Dates	
Date of Issue/last revision	January 2024
Review Date	January 2027
Policy Review	This policy will be reviewed every 3 years, or as needed in line with legislative changes and the requirements of the Association of Independent Schools
Applies to	All schools and operations of St Philip's Christian Education.

SPCE policies are made pursuant to the requirements set out in section 47 of the *Education Act* and of the NESA for registration of the schools



## Working with Children Check Policy

### 1. General

The Office of the Children's Guardian (OCG) is responsible for employment screening for child-related employment. A Working With Children Check (WWCC) is a prerequisite for anyone in child-related work.

Child-related work involves direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work.

A WWCC involves a national criminal history check and review of reported workplace misconduct findings. The result of a Check is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring by the OCG, and any relevant new records which appear against a cleared applicant's name may lead to the Check being revoked.

It is an offence for an employer to knowingly engage a child-related worker who does not hold a WWCC clearance or who has a bar.

It is the responsibility of the child-related worker to ensure that when they are eligible to apply for a Check or when their Check is up for renewal that they do so.

As St Philip's Christian Education (SPCE) desires to be a child-safe environment, all staff must hold a valid and current WWCC, whether in direct child-related work or not.

### 2. Responsibilities

#### 2.1 Human Resources Manager (Central Office)

- Oversee WWCC processes across SPCE.
- Routinely check the school WWCC databases to ensure all staff hold a valid and current clearance to work with children.

In the event an employee's WWCC clearance changes during the 5-year clearance period.

- The CEO and Human Resources Manager will be contacted by the OCG.
- The Human Resources Manager oversees the appropriate course of action.
- If the matter pertains to a non-current staff member/volunteer/contractor, the Human Resources Manager will provide the necessary information to the OCG, and communicate with the Principal the changed employment status of the non-current employee. A confidential note will be made on the person's employment file.
- If the matter pertains to a current staff member/volunteer/contractor, the Human Resources Manager will contact the Principal immediately and the appropriate course of action decided upon and undertaken.
- All action undertaken will be recorded and a copy placed in the staff member's file, as well the Human Resources Manager's confidential 'WWCC' folder.

- Communicate necessary information to the OCG and CEO.
- Record action taken and keep in a confidential file.

## **2.2 Principal**

- The Principal is responsible for only employing or engaging child-related workers or eligible volunteers who have a valid WWCC clearance.
- The Principal is responsible for ensuring all referee checks are questioned about the suitability for a prospective staff member to work with children.
- The Principal is responsible for ensuring all employment forms capture WWCC information.
- The Principal is responsible for establishing processes to ensure that all new and current staff WWCC's are verified and appropriate records maintained.
- The Principal may delegate the WWCC verification process to a staff member (WWCC monitor).
- The Principal is responsible for advising the OCG of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. (A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OCG's Working with Children Check Directorate (WWCC Directorate)).
- The Principal will communicate with the Human Resources Manager (Central Office) about any WWCC matters of concern.
- If an employee's WWCC clearance is revoked during the five-year clearance period, the Principal will work with the Human Resources Manager (Central Office) and the OCG re the appropriate action to be taken.
- The Principal will determine what information relating to the above point is to be communicated to other staff and the parent body.

## **2.3 WWCC Monitor**

- The WWCC Monitor will be responsible for verifying all prospective staff's WWCC clearances prior to their employment
- The WWCC Monitor will be responsible for verifying all current staff members, volunteers and peripatetic staff WWCC when they are due for renewal, and maintaining appropriate records.
- The WWCC Monitor will be responsible for maintaining all appropriate records of WWCC verifications and ensure expired WWCCs are archived.
- The WWCC Monitor will communicate with the Principal immediately if any prospective or existing staff member's WWCC are not valid or do not have a clearance to work with children.
- The WWCC Monitor will at regular intervals check the status and expiry dates of staff WWCCs.

## **2.4 Staff**

All employees of SPCE are required to:

- hold and maintain a valid Check;
- provide all relevant WWCC information and Date of Birth to the WWCC Monitor.
- ensure renewal of WWCC occurs before other WWCC expires
- when a WWCC has been renewed, send all relevant data to the WWCC Monitor.
- not engage in child-related work at any time that they are subjected to an interim bar or a bar; and

- report to the Principal if they are no longer eligible for a Check, the status of their Check changes or are notified by the OCG that they are subjected to a risk assessment.
- notify the OCG of any change to their personal details within 3 months of the change occurring.

### **2.5 Peripatetic Staff**

All peripatetic staff (eg. Music tutors) of SPCE are required to:

- hold and maintain a valid Check;
- provide all relevant WWCC information and Date of Birth to the WWCC Monitor.
- ensure renewal of WWCC occurs before other WWCC expires
- when a WWCC has been renewed, send all relevant data to the WWCC Monitor.
- not engage in child-related work at any time that they are subjected to an interim bar or a bar; and
- report to the Principal if they are no longer eligible for a Check, the status of their Check changes or are notified by the OCG that they are subjected to a risk assessment.
- notify the OCG of any change to their personal details within 3 months of the change occurring.

### **2.6 Volunteers**

All volunteers are required to:

- sign the College Volunteer Statutory Declaration annually.
- volunteers who assist with overnight camps must have a valid and current WWCC. They must give the College their WWCC details and Date of Birth for verification purposes;
- inform the College when their WWCC has been renewed, and provide relevant details.
- be aware and follow the expectations of conduct expressed in the School Volunteer Code of Conduct.
- notify the OCG of any change to their personal details within 3 months of the change occurring if holding a WWCC.

## **3. Monitoring, evaluation and reporting requirements**

This policy document will be reviewed every three (3) years or more frequently if legislation changes.

## **4. Document details and history**

This policy supersedes any other Working With Children Check policies in SPCE schools. This document was reviewed in January 2024 by E. Moir and G. Irwin.

## **5. Additional Materials**

This policy must be read in conjunction with SPCE Working With Children Check Guidelines, SPCE Reportable Allegations Against Employees Policy, Guidelines and Procedures, and the SPCE Child Protection Policy, Guidelines and Procedures; as well as the Staff Code of Conduct.