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From: Tracey Hansford (Scouts Australia NSW)
Sent: Friday, 2 May 2008 4:37 PM
To: Warwick Bateman
Cc: Graham Bargwanna (Scouts Australia NSW)
Subject: Working with Children Check.

Hi Warwick,

Graham asked me to seek your opinion on this matter.

I sent off details for 6 new employees of the Association to NSW Sport & Rec for them to do a working with children check (as we normally do.) Dianne, the lady who does the checks, rang me back and insisted that I fill out the attached form as she does not believe that we should be doing working with children checks on all employees.

I tried to explain the circumstances where all employees of the association can come into unsupervised contact with children at events and for peace of mind we would prefer to have all employees screened.

I filled out their form, but felt that we need to make a stronger case than just filling out the form, considering the review work that you and Bob have recently undertaken with the Children's Commissioner.

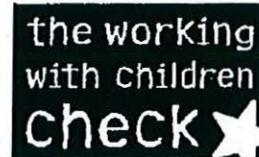
Would you like to review what I have suggested on the bottom of the form and offer your opinion before I fill out 6 forms relating to the positions?

I would need to respond by Monday 5/5/08 to Dianne at child Protection Employment Screening.

Regards

Tracey

ATTACHMENT 6

**6.3 IS THE POSITION CHILD-RELATED
EMPLOYMENT?**

Title of the position: _____

Date: 2-5-08**PART 1: IS THIS POSITION CHILD-RELATED EMPLOYMENT?****1. Does the position involve any of the following? (tick all that apply):**

- work under a contract of employment
- work as a self-employed person or as a subcontractor
- work as a volunteer for an organisation
- undertaking practical training as part of an educational or vocational course
- work as a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of a religion or other member of a religious organisation
- duties of an authorised carer

*If no box is checked this position is not child-related employment and you do not need to proceed further.
If you have checked any box proceed to question 2.*

2. Does the position fit within any of the following work settings? (tick all that apply):

- involving the provision of child protection services
- in pre-schools, kindergartens and child care centres (including residential child care centres)
- in schools or other educational institutions (not being universities)
- in detention centres (within the meaning of the *Children (Detention Centres) Act 1987*)
- in refuges used by children
- in wards of public or private hospitals in which children are patients
- in clubs, associations, movements, societies, institutions or other bodies (including bodies of a cultural, recreational or sporting nature) having a significant child membership or involvement
- in any religious organisation
- in entertainment venues where the clientele is primarily children
- as a babysitter or childminder that is arranged by a commercial agency
- involving fostering or other child care
- involving regular provision of taxi services for the transport of children with a disability
- involving the private tuition of children
- involving the direct provision of child health services
- involving the provision of counselling or other support services for children
- on school buses
- at overnight camps for children

*If no box is checked this position is not child-related employment and you do not need to proceed further.
If you have checked any box proceed to question 3.*

ATTACHMENT 3 (CONTINUED)

3. Does the position primarily involve contact with children?

Examples: The position of a school bus driver primarily involves contact with children as it is an essential requirement of the position that the driver transports children between their homes and school. The position of an electrician working in a school does not primarily involve contact with children, as it is not an essential requirement of the position that the electrician has contact with children.


 Yes

 No

If "No" is checked this position is not child-related and you do not need to proceed further.
If you have checked "Yes" proceed to question 4.

4. Does the position involve direct contact with children?

Direct contact means face to face contact. Examples: A school bus driver has direct contact with children. A telephone-based youth counsellor does not have direct contact with children.

 Yes

 No

If "No" is checked this position is not child-related employment and you do not need to proceed further.
If you have checked "Yes" proceed to question 5.

5. How frequently does the person working in this position operate in the view of an adult who has the authority to direct them?
 Always

 Never, or infrequently or intermittently

If "Always" is checked this position is not child-related employment and you do not need to proceed further.

If you have checked "Never, or infrequently or intermittently" then the position is child-related employment. The preferred applicant must complete a Prohibited Employment Declaration and you need to complete the question in Part 2 below to determine if a request for a background check is also required.

Note that preferred applicants who are related (i.e. all the children with whom the person will have contact are related to the person, or are related to the employer and the person is related to the employer) are exempt from these requirements.

PART 2: DO YOU NEED TO REQUEST A BACKGROUND CHECK**6. Does the position involve any of the following (tick all that apply):**
 paid employment

 employment as a minister, priest, rabbi, mufti or other like religious leader or spiritual official of a religion

 duties involving the fostering of children

If no box is checked this position does not require a background check and you do not need to proceed further. However, because the position is child-related employment you are encouraged to assess the level of risk associated with the position as this may help you evaluate your risk management planning and practice associated with it. A tool to help you do this can be found at www.kids.nsw.gov.au/check.

All staff, regardless of their position title, employed by Scouts Australia NSW come into unsupervised contact with children on a regular basis, as employed staff manage and attend Association events. Our preference is to ensure that children are not put at risk.