



commission for
children and young people
and child guardian

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16 FEB 2009

Ms Karen Taylor
Manager Directorate Support
Queensland Academy of Sport
PO Box 8103
WOOLLOONGABBA QLD 4102

Dear Ms Taylor

The Commission for Children and Young People and Child Guardian ('the Commission') has received several blue card applications from people employed by or who are proposing to be employed by the Queensland Academy of Sport ('QAS') as paid employees or volunteers in child related employment. I am writing to clarify whether in fact an exemption from blue card screening requirements may exist in relation to these individuals.

As you may be aware, only people providing certain essential and developmentally focused child-related services regulated by the specific categories in the *Commission for Children and Young People and Child Guardian Act 2000* ('the Act') are required to hold a blue card.

The category of regulated employment under the Act that is most relevant to people working as paid employees or volunteers at the QAS is 'sport and active recreation'. Under this category, individuals whose employer is a 'government entity' are exempt from blue card screening requirements as it is acknowledged that there is a requirement for government employees to undergo a separate employment screening process which involves a criminal history check.

I note that you spoke to Ms Alexandra Waters, A/Manager of the Commission's Community Information and Reporting Team on 9 January 2009 and that during this conversation you confirmed that the QAS is part of the Department of Local Government, Sport and Recreation under the portfolio of the Minister for Police, Corrective Services and Sport. As such, the exemption for employees of government entities discussed above applies to individuals from your organisation who provide sport and active recreation activities to children and young people, such as coaching. Accordingly, the Commission does not have legislative authority under the Act to conduct blue card screening in relation to these individuals.

I note that in the past, the Commission has processed applications received from the QAS on the basis that your organisation had signed the declaration on the form indicating that no exemption applied. However, it has recently come to my attention that QAS does in fact fall within the scope of the government entity definition and accordingly, the exemption is applicable.

I understand that the Commission has received a paid employee blue card application form for Scott Alexander Volkens for which the QAS is noted as the employer and the type of regulated employment identified is 'sport and active recreation'. On the basis of this information, the government entity exemption applies to this applicant and accordingly, the Commission does not have the jurisdiction to process his application. Correspondence has been sent to the applicant notifying him of the withdrawal of his application.

While your employees may be exempt from requiring a blue card, as your organisation provides essential and developmentally focused services to children and young people, I would strongly encourage the QAS to ensure that it has implemented appropriate policies and procedures to identify and mitigate the risks of harm to children and young people which may arise within your organisation.

If you would like further information in relation to the blue card screening process or child protection risk management strategies, I invite you to contact Ms Alexandra Waters, A/Manager of the Community Information and Reporting Team on **REDACTE**
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Thank you for your collaboration and support in ensuring the safety and wellbeing of Queensland's children and young people.

Yours sincerely

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Elizabeth Fraser
Commissioner for Children and Young People
and Child Guardian