



Working with Children and Young Adults

Process Description

1. Overview

New legislation came into effect in June 2012 that places the onus on the employer to ensure that the employee or volunteer is not a restricted Prohibited Person.

Accordingly, under the relevant ACT it is mandatory that all residents, employees and volunteers receive clearance from the Commissioner to work or be in the company of Children or young persons under the age of 18.

This legislation is due to change again as of 11 February, 2013. This document will be updated at that time to reflect the new process requirements. See point 6 for relevance.

This document defines the process to be followed to ensure compliance with this the current requirements.

2. Exemptions: Existing Residents, Employees and Volunteers

As part of the transition process, the new act assumes that all current employees and volunteers have already received some form of clearance. It does not mandate therefore that all existing staff need to apply for clearance.

It is strongly suggested however that over the course of the next 12 months, all existing residents and volunteers submit an application and consent for and receive clearance from the commissioner.

3. Registering the Ashram as a Child related employer.

As the Ashram provides two distinct services a) Satyananda Yoga Academy as a registered training organisation, and b) The Yoga Association of Mangrove Mountain as the Ashram. It will be necessary to register the Ashram twice;

3.1 The Satyananda Yoga Academy. This registered training organisation **is already registered** with the Department of Education and Training. The ABN needs to be verified as 12 075 357 818

3.1.1 The Authorised person will need to be updated. Go to <https://check.kids.nsw.gov.au/amend-employer-registration.php> to update this registration.

3.2 Yoga Association of Mangrove Mountain is **not currently registered** (as at Nov 2012). You can register this organisation by going to: <https://check.kids.nsw.gov.au/employer-registration.php>

3.2.1 The ABN number for this organisation is 48 596 099 032.

3.2.2 Under "Primary service your organisation provides (choose most appropriate)" on the drop down enter "Primary service your organisation provides (choose most appropriate)"



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- 3.2.3 Under “*Level of contact your employees have with children*” Enter ‘Yes’ to all three questions.
- 3.2.4 Under “Screening unit” in the drop down enter “Commission for Children and Young People (all other services)”

When complete ‘Print and Sign’ the application and submit to: check@kids.nsw.gov.au

4. New Employees, Volunteers, Sevaks and Residents

All new employees, volunteers, Sevaks and residents will need to complete an Application Declaration and Consent form to be considered for participation in Ashram life.

The following process is to be followed:

- 4.1 Application Declaration and Consent Form authorising the Ashram to undertake Clearance checks is completed and signed by the application.
- This form is available via <https://check.kids.nsw.gov.au/background-check-consent.php> and may also be printed in hardcopy
- 4.2 The Applicant must submit the completed, signed form.
- 4.3 The identification documents must be sighted as proof of authenticity. Certified photocopies for remote application are acceptable.
- 4.4 The Ashram request an applicant background check by submitting the online form found at <https://check.kids.nsw.gov.au/background-check-request.php>.
- 4.5 A determination is made as to a) whether the applicant is to work with the Registered Training Organisation (RTO); or b) whether the applicant is to work with the Ashram but has no involvement with the RTO.

If working for the RTO then submit to the NSW Department of Education and Training (DET):
 Fax or email the information to:
 Fax 02 9836 9222 or
 Email to esumail@bkesu.det.nsw.edu.au

If working for the Ashram with no involvement in the RTO, then submit to NSW Commission of Children and Young People (CCYP):

Fax 02 9286 7201 or
 Email to check@kids.nsw.gov.au

5. Approval process

The relevant Screening agency, i.e. DET or CCYP will provide written clearance for the application.



6. Change to Process – New Legislation

A new Working with Children Check will start in NSW from 11 February 2013. Until then, the current check continues.

Under the new check system:

- workers and volunteers will apply for their own check once every five years
- employers will verify a child-related worker's or volunteer's clearance number
- the same Working With Children Check will apply to everyone – paid workers, self-employed people and volunteers
- everyone with a clearance will be continuously monitored for serious sex or violence offences.

There can only be two results for a new Working with Children Check – a clearance or a bar. People with a bar may not work or volunteer in child-related roles.

In effect, the various screening agencies will merge into a single body with the onus going back to the applicant applying for and receiving clearance and the employer checking the clearance number online. This process should be much more efficient.

Find out more: <http://kids.nsw.gov.au/kids/working/newcheck#ixzz2AvdEsOzA>

NSW Commission for Children and Young People