



ALL SERVICES

WORKING WITH CHILDREN CHECK (WWCC) PROCEDURE

1.0 PURPOSE

To ensure all personnel who work with or volunteer their time to Wesley Mission Victoria (WMV) and are involved in child-related work (anyone under the age of 18 years), do not hold inappropriate criminal records that could pose a risk to the safety of children.

2.0 SCOPE

- 2.1 This procedure shall apply to all staff, volunteers, contractors and consultants who are involved in child-related work at WMV, whose duties require regular, direct contact with children which is not directly supervised by another person. Refer to the following link for clarification of “Who needs to apply?”

<http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/Application+Process/Who+Needs+to+Apply/WWCC+-+Who+Needs+to+Apply+-+Home>

- 2.2 It is the responsibility of the applicant to provide *and maintain* a valid WWCC card when applying for a position that involves working unsupervised with children.
- 2.3 Confirmation of an offer of employment cannot occur and no appointee will commence any duties involving unsupervised work with children until a WWCC is obtained and validated by the relevant manager. An exemption can be received from the Executive Manager if the applicant has lodged an application for a WWCC and has provided the program with a copy of the receipt number.
- 2.4 However, if suitable work is available that is either supervised, or does not involve children; the applicant can commence employment prior to receiving their WWCC. In these situations an offer of employment conditional on a satisfactory WWCC being received will be issued by HR. Upon receiving their WWCC card the Program Manager will complete the appropriate validation process prior to allocating the full range of duties to the employee.
- 2.5 Staff who require a WWCC will also need to comply with Wesley Mission Victoria Police Check procedure (WMV HR QP 30).

POLICY

Policy 8 Compliance

REFERENCE

[Working with Children Act 2005](#), Department of Justice, Victoria.

<http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/>

3.0 PROCEDURE

3.1 Processing

- 3.1.1 The relevant Program Manager shall ensure that a pre-employment WWCC is undertaken for all persons mentioned under 2.1 of this procedure who have applied for a position within their respective program and to whom it is intended that a position will be offered.



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- 3.1.2 A photocopy of the WWCC is to be sent through to the Human Resources Administrator to be added to the employee/volunteer file, an additional photocopy shall be taken for the program's records.
- 3.1.3 Programs shall update the WWCC Register WMV HR QF 12 (Employee or Volunteer) ensuring that all details including WWCC review date are included.
- 3.1.4 The above Registers must include:
- The employees' and volunteers' unique Application Receipt Number (received when they lodge their application). Required for all current WMV employees as at the 1st July 2007.
 - The names of each person who this procedure applies to (see 2.1 above)
 - Confirmation that employees' and volunteers' WWCC card has been sighted as evidence that they have passed the WWC Check.
 - The WWCC Number, which is different from their Application Receipt Number is recorded for all new WMV employees' and volunteers'.
 - Confirmation that your employees and volunteers have passed the WWCC.
- 3.1.5 Administration Co-ordinators or designee are to send through an updated copy of Employee/Volunteer WWCC Registers to the Human Resources Administrator every 6 months (July and January) for audit purposes
- 3.1.6 *Employees and volunteers who hold a WWCC are required to renew the check every 5 years. The responsibility of renewing the check is that of the employee or volunteer. Once a renewal has been received a copy must be given to the Manager of the Program so the WWCC register can be updated. A copy of the renewed WWCC must be forwarded to the HR Department for filing in personnel files.*
- 3.1.7 *Staff who do not keep their WWCC current will need to provide an explanation to their Manager. Depending on the terms of the Programs service agreement and the role of the employee the employee maybe removed from duties involving working with children until such time as the WWCC is renewed. Where a renewal does not occur the Manager can instigate disciplinary processes as defined in Staff Discipline Procedure (HR QP 15).*
- 3.2 Confirmation of WWCC Status**
Prior to engaging a person as mentioned in 2.1 of this procedure, programs are to confirm the status of a WWCC. Programs can verify whether a WWCC card is valid, either on the following website; <http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/> or by calling the WWC Check Information Line on 1300 652 879.
- 3.3 Cost**
The cost of a WWCC shall be borne by the individual as mentioned under 2.2 of this procedure.
- 3.4 Offences Post Employment**
- 3.4.1 Once employed, staff members, volunteers, students, contractors and consultants are required to report in writing to their Manager/Executive Manager any occasion on which they are arrested, and/or charged by police or customs officers with any criminal offence, and the circumstance thereof, within 24 hours of such an event, if practicable, or otherwise as soon as possible.



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Depending on the offence and the requirements of the staff members position (as recorded in their position description) the Manager, in liaison with the Executive Manager, will be required to determine appropriate action in light of the information they receive (using the guidelines of 3.7.5)

- 3.4.2 The website will be checked every six months by the Program Manager or designee to establish if any offences have been recorded against employees who hold a WWCC.

3.5 Confidentiality of WWCC

WMV must ensure to comply with obligations to keep employees' and volunteers' information confidential as required under the *Working with Children Act 2005* and by any other relevant laws.

3.6 Informed Consent

- 3.6.1 All job advertisements and associated documents must include the statement "Current Working with Children Check required for employment."

- 3.6.2 The requirement for a WWCC shall be clearly stated in relevant position descriptions and terms of appointment and clearly explained during the interview process at interview or information sessions *using the information sheet at Annex A.*

3.7 Assessment of Records

- 3.7.1 All WWCC applications are assessed by the Department of Justice. If the department intends to give the applicant a Negative Notice, which means that they have not passed the WWC Check, they will first be given an Interim Negative Notice so that they have an opportunity to make a submission to explain why they believe they should pass the WWC Check.
- 3.7.2 As per the *Working with Children Act 2005*, WMV is to ensure that employees or volunteers who are given a Negative/Interim Notice do not undertake 'child-related work', even if directly supervised. An employee/volunteer issued with a negative or interim negative notice will be issued with alternative duties with no direct contact with people under the age of 18 at the Executive Managers discretion, pending a Victorian Civil and Administrative Tribunal (VCAT) appeal.
- 3.7.3 Any decision made for or against the employment of the applicant must be justified and fully documented.
- 3.7.4 If the applicant believes that a significant injustice has occurred, the Executive Manager may refer the applicant to the *WMV HR QP 08 Grievance Procedure*.
- 3.7.5 In assessing any WWCC results, the Executive Manager should consider:
- The relevance of the criminal offence in relation to the job or placement.
 - The nature of the disclosable outcome and the relationship of the offence to the job or placement for which the applicant is being considered.
 - The length of time since the offence took place.
 - Whether there is evidence of an extended police record.
 - The number of offences committed that may establish a pattern of behaviour which renders the applicant unsuitable.
 - Whether the offence was committed as an adult or a juvenile.



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- Whether the offence is still a crime, that is, has the offence now been decriminalised.
- Whether there are other factors that may be relevant for consideration. For example, cultural factors or mitigating or extenuating circumstances, such as provocation, peer group pressure at time of the offence and the circumstances in which the offence was committed or the effect of alcohol.
- The person's general character since the offence was committed.



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ANNEX A

INFORMATION SHEET FOR PROSPECTIVE STAFF AND VOLUNTEERS

INTRODUCTION

All staff of Wesley Mission Victoria (WMV) engaging in child related work are required to undergo a Working with Children Check (WWCC). *This includes volunteers, contractors and consultants who have direct contact with clients under the age of 18 years.* The information collected minimises the potential risks to our clients. WMV are also required to collect such information as part of our obligations with the Victorian Department of Justice and the *Working with Children Act 2005*.

INFORMED CONSENT

The Department of Justice does not release criminal offences or findings from professional disciplinary bodies to any organisation outside the sphere of law enforcement and/or the administration of justice without the individual's written consent. To obtain a WWCC you must agree to complete and sign a **"Working with Children Check Application and Guide Form"**, available from an Australia Post outlet. Applicants who do not have a WWCC will subsequently be withdrawn from the application process.

INFORMATION RELEASED DURING A WWCC

1. A national police records check which may include information held by police and other bodies, such as the courts including where a court has made a formal finding of guilt in relation to an offence, convicted you of an offence, accepted a plea of guilt from you or acquitted you of an offence because of mental impairment. It can also include information about any spent convictions you have, convictions and findings of guilt from when you were a child (aged under 18 years), any pending charges you have or the circumstances surrounding any of these charges or convictions.
2. Relevant criminal offences or where you are a person of interest to the police in relation to any related offences under the *Working with Children Act 2005* including serious sexual offences, serious violent offences and serious drug-related offences.

NON APPOINTMENT TO A POSITION DUE TO WWCC CONTAINING A NEGATIVE NOTICE

All WWCC applications are assessed by the Department of Justice. If the department intends to give you a Negative Notice, which means that you have not passed the WWC Check, you will first be given an Interim Negative Notice so that you have an opportunity to make a submission to explain why you believe you should pass the WWC Check. As per the *Working with Children Act 2005*, WMV is to ensure that employees or volunteers who are given a Negative Notice do not undertake 'child-related work', even if directly supervised.

MAINTAINING YOUR CHECK

As a Working with Children (WWC) Check card holder:

- you must advise the Department of Justice of any 'relevant change in circumstances', including being charged with, or found guilty, of a relevant offence.



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- *you must advise the department in writing within 21 days if you have changed or added a new employer, volunteer organization or agency. You must notify the department of the name, address and telephone number of the new or changed employer, volunteer organization or agency where you do 'child-related work'. You can update your details on the WWCC Department website or call the Information Line on 1300 652 879, or complete a Change of Details form and post to the department.*
- *you should renew your WWC Check promptly, if you intend to continue doing 'child-related work' after your card expires.*

CONTACT INFORMATION

General enquiries can be made by phoning the Working with Children Helpline on 1300 652 879, or via email workingwithchildren@justice.vic.gov.au. For more detailed information please visit the [WWCC website](http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/) <http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/>