



12 September 2013

*Transmitted via email: [solicitor@childabuseroyalcommission.gov.au](mailto:solicitor@childabuseroyalcommission.gov.au)*

## **RE: Royal Commission into Institutional Responses to Child Sexual Abuse. Public Submissions on Working With Children Checks**

The purpose of this submission is to provide Community Employers WA's (CEWA) brief comments on one question within the issues paper 1 on Working with Children Checks as it specifically relates to our membership base.

CEWA is a registered Employer Organisation with the Industrial Relations Commission of Western Australia, and represents non-government, not-for-profit employers in the community services sector of Western Australia. CEWA now has 120 members comprising many of the largest and smaller Community Sector employers in WA, and continues to grow in numbers and influence.

### **Question 5 of the Issues Paper asks:**

#### **Should a person be able to commence work before a Working with Children check is completed?**

Community Employers WA is of the opinion that a person should be able to commence work on the basis that an application for a check has been completed as part of overall due diligence by an employer on the background of a prospective employee or volunteer.

Whilst ideally it would be optimal for checks to be completed before a person commences work, the feedback we have had from members is that this is impractical as it takes too long for such checks to be completed in Western Australia. Were this to be extended to a national system, the likelihood is that this would take even longer.

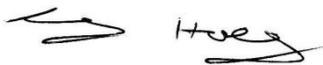
Anecdotal responses from CEWA members are that from time to time, Working with Children checks can take 3 months or more. We acknowledge that the majority are responded to within three weeks, but have heard of many instances where they can be far longer. The impact this can have on both the employer and the prospective employee or volunteer, are significant. It means that community services aren't appropriately resourced, prospective employees aren't able to be paid, or if they are being paid and not working, they are unproductive, and that volunteers are disillusioned at the delays and may go elsewhere or simply not proceed.

We do acknowledge and support the continuance of Working with Children checks as part of an overall due diligence into employing a person. However it is also important that this be done on a timely basis and if these checks are to take more than 7-10 days, it can become problematic in maintaining services and meeting the needs of all parties. With electronic systems and databases continuing to improve, this should be achievable and set as a performance level. Ideally, government departments should be appropriately resourced to deal with the volume of enquiries in a more expeditious manner. However we know the challenges of budgets and finding appropriate personnel and believe it unrealistic to assume or demand that this be significantly improved.

For these reasons, we are supportive of the current practice of a person starting work once an application has been submitted. We note for your information that in Western Australia, the State Government has implemented a Delivering Community Services in Partnership Policy which conflicts with this standard practice of the WA Working with Children Act (2004) and the practices of the Working with Children Unit and that this is being reviewed by the Minister.

Thank you for the opportunity to comment.

Yours sincerely,



Chris Hall  
Co-Chair



Tony Pietropiccolo AM  
Co-Chair