

The Anglican Parish of St Stephen & St Mary, Mount Waverley

Working with Children Checks and Police Checks

Parish Policy Document

Introduction

The Victorian government has enacted legislation called the Working with Children Act 2005 to help protect children in the community. Over a five year period from 2006, employee and volunteer group staff whose role includes regular, direct, unsupervised contact with children, are required to apply for a Working With Children (WWC) card. Without the card they cannot work with children in any capacity.

It is a legislative requirement that religious organisations must ensure that all such paid or unpaid workers apply for a card before 30 June 2008. There are penalties applied to the worker (paid or voluntary) under the Working with Children Act 2005 for not applying for the card before the due date or continuing to work with children when issued with a negative notice or if false or misleading information is used in applying for the card or if another person's assessment notice is used. Likewise there are penalties for the employer if a worker (paid or volunteer) who is required to have a WWC card is engaged without one. The Diocese considers that overall responsibility for compliance with the Act and further Diocesan policy lies with the Vicar although the Churchwardens have assigned responsibilities for inspection. The Diocese has a further requirement that all relevant people also undergo a National Police Check, and complete a Diocesan leader Application Form, which includes verification of the leader's agreement to and familiarity with the Diocesan Duty of Care document.

Parish of St Stephen and St Mary: Application and Documentation Process

To comply with the legislation and Diocesan requirements, the following application and documentation processes have been developed:

1. Three categories of workers have been identified whose work may involve regular, direct and unsupervised contact with children within the parish have been identified:

i) Paid staff who have regular, direct and unsupervised contact with children, currently:

- Vicar
- Assistant Curate
- Children's Events Coordinator

In the future there may be other categories of paid staff whose work involves regular, direct and unsupervised contact with children, such as Associate Clergy and theological students.

ii) Volunteer workers: including

- Youth Torque leaders
- The overall supervisor of Sunday morning children's activities
- Special Sunday events crèche leaders
- Samaritan House volunteers

iii) Licensed Lay Workers, even ones whose work does not bring them into contact with children (Diocesan policy)

2. If they have not already done so in relation to their work at St Stephen and St Mary, those identified above are required to:

- obtain a WWC Card, as per legislative requirements; or to show the vicar and churchwardens their valid WWC Card (if they already have a WWC Card from other volunteer work or from their paid employment),
- undergo a National Police Check, as per Diocesan requirements. Note that Police Checks are not transferable between places of employment, and
- complete the Leader's application form contained in the Duty of Care package which includes familiarity and agreement with the Diocesan Duty of Care Policy.

3. Applications for the WWC checks are free to volunteers. It is recommended that the Parish pay for the applications of paid workers. Police check applications, for both paid and volunteer workers, if submitted via the Diocese, are at a reduced cost. It is recommended that the parish pay for these checks for paid staff and volunteers.
4. A Churchwarden is designated to oversee matters to do with the WWC check.
5. The WWC checks, when complete, are sent by the Victorian Department of Justice to the individual who must show the originals to the designated Churchwarden. The Department of Justice will also send an Employer Copy of their Assessment Notice to the parish if the parish has been named as employer. Police Checks are sent back directly to the parish.
6. The original WWC Cards are sighted by the designated Churchwarden, or delegated clergy. Details are recorded on the pro-forma documents recommended by the Diocese, and the copy of the Card is signed to verify the sighting of the Card.
7. The record of all applications and the results are maintained in a password-protected document on the Vicar's computer.
8. All paper documentation is held in a secure filing cabinet.
9. A listing is prepared for inclusion in the Vestry minutes, as per diocesan policy.
10. In the cases where a person's WWC Card has been issued because of paid or volunteer work in another organisation, it is the responsibility of the parish to regularly monitor the status of the Card on the Department of Justice website.

Information required for records:

- a) WWC Card
 - Name on card
 - Card number
 - Date of issue
 - Date of expiry
- b) Police Check
 - Name on police check
 - Receipt number
 - Date issued
 - Confirm the Reason for Check states "Child Care/Education"

It is recommended that for all relevant new staff or volunteers, Working with Children and police checks are obtained prior to employment, commencing 1 July 2007.

Special Notes:

Important definitions of the legislation, as given by The Victorian Department of Justice WWC check information:

"Under the Working with Children Act 2005, only people engaging in 'child-related work' must apply for and pass the Working with Children (WWC) Check. Not everyone whose work brings them into contact with children will need to apply for a WWC Check.

You need to apply for and pass the WWC Check if you meet all of the following criteria:

- your work or volunteer duties involves contact with children in connection with one of the 20 listed child-related occupational fields
- you volunteer or do this work on a regular basis
- you have direct contact with children under 18 years of age and are not directly supervised
- you do not qualify for an exemption from the need for a WWC Check"

The legislation defines supervision as: "For the purposes of this Act, direct supervision of a person requires immediate and personal supervision but does not require constant physical presence." (S9.2 of the Act)