

CONDUCT

WORKING WITH CHILDREN CHECKS

STAFF + STUDENTS

4.14

Policy Rationale

In order to maintain high levels of safety for all students and a commitment to maintaining high standards of professional conduct, it is a College requirement that all new employees, including volunteers, undergo a satisfactory Working with Children records check.

Policy Aims

To ensure all employees, and those volunteers involved in activities with potentially high levels of student contact, are responsible and of sound character.

Procedure – Administration of Working with Children Checks

- Those seeking a National Working with Children Certificate will be referred to the on-line application system.
- Employees/Volunteers will be required to complete application form and provide the accompanying 100 point ID evidence.
- It is the Employee's and Volunteer's responsibility to take their completed application form, identification documents and photocopies to an authorised certifier [Justice of the Peace] for documents and signature to be witnessed and certified. A Justice of the Peace provides this service at no cost to CCAE. Should an Employee or Volunteer use a registered certifier who charges fees, they must pay such costs and CCAE will not reimburse.
- It is the responsibility of the Employee and Volunteer to mail their application, certified documents and fee to the address specified on the application form. Employees must bear the appropriate fees for the cost of the Working with Children Check since it will enable them to derive income. Volunteers will have their fees paid for by the College.
- Working with Children records checks have a 5 year 'life'.
- Employees/Volunteers seeking re-employment after that date will require a new check.
- Those seeking re-employment or volunteer role in the 5 years, must present the original report as well as sign a Statutory Declaration indicating any proven or pending criminal offences since the applicant signed the last Working with Children records check form.
- The wording of Statutory Declarations must be as follows: "I declare that I do not have any convictions, findings of guilt and/or pending charges (non traffic) in either Victoria, any other state of Australia or under Commonwealth Law"
- Volunteers on camps have all undergone satisfactory Working with Children records checks and this will be communicated to all parents and guardians and to participants of such camps/excursions.
- The **Office Administrator** will record the receipt date of the official reply in the data base with a flag fall three months ahead of its expiration so that the employee/volunteer is warned of the need to reapply.

Procedure - Probationary Period

- Before the Employee or Volunteer can commence work within the College, they will provide the Manager with a copy of their application for a Working with Children Check which will be held in their personal file until the official reply is received. They can work with Children whilst awaiting the official reply, but must be under supervision at all times.
- Upon receipt of the official certificate from Working with Children Records Check, employment will either continue in the case of a satisfactory check or cease immediately in the case of an unsatisfactory check.
- Upon receipt of a satisfactory official certificate from Working with Children Records Check, the Employee or Volunteer will be able to work within the College and have unsupervised dealings with students.

Evaluation

- This policy will be reviewed bi-annually and as Working With Children's Check requirements alter.

National Working with Children Certificates: Issued by Victoria Working with Children - 20 Frequently Asked Questions

1. Where can I obtain an application form?

The Victoria Working with Children website contains information on how to apply for a National Working with Children Check and includes details explaining the release policy. To access the above information visit www.Working with Children.vic.gov.au then on the side menu bar under “Our Services” click “Working with Children Records Check”.

2. What is the cost of a National Working with Children Certificate?

For the current fees visit the Victoria Working with Children website www.Working with Children.vic.gov.au under “Our Services” then click “Working with Children Records Check” or contact our information line on 1300 881596. Fees change annually, in order to ensure your application is not going to be rejected due to the incorrect fee, please ensure you check the current fee prior to submitting your application.

3. How long does it take for an application for a National Working with Children Certificate to be processed?

Victoria Working with Children allows 10 working days for an application to be processed. If more than 10 working days have elapsed since the time the application has been received, then the client may contact the Public Enquiry Service on 1300 881 596 to check the status of their application.

4. How do I get a fingerprint check done?

You may have your prints taken at either a Working with Children station or at the Customer Service Centre at the World Trade Centre, 637 Flinders Street Melbourne. However, you MUST ring and make an appointment first. The telephone number for fingerprint appointments at the Customer Service Centre is 1300 881 596.

5. How can apply for an Australian National Working with Children Certificate from another country?

Victoria Working with Children does not conduct Working with Children checks for overseas residents. To obtain a National Working with Children Certificate you must apply to the Australian Federal Working with Children. You may visit their website: www.afp.gov.au

The direct link is: http://www.afp.gov.au/business/national_Working with Children_checks.html

6. Can I lodge my completed application form at a Working with Children station?

The form must be posted to the Public Enquiry Service using the address specified on the application form. Victoria Working with Children will not accept faxed applications and we do not fax certificates to the applicant. You may nominate a postal address on the application form.

7. Can I use my certificate for more than one purpose?

No, the Victoria Working with Children information release policy determines what level of information is released based on the purpose of the check eg. a certificate stating the purpose as ‘application for overseas visa’ is not appropriate for a job where there is ‘Contact with children’. However the certificate may be used more than once provided that it is for the same purpose which will be displayed on the top left corner. The information contained on the certificate is only current on the date of issue.

8. Will my interstate convictions appear on my certificate?

The National Working with Children Certificate will display all releasable court outcomes from all states of Australia based on respective policies/legislation. Where release policies/legislation differ, the original states releasable policy/legislation will be applied first and then the Victorian Information Release Policy.

9. What are acceptable types of identification?

Applicants must supply a minimum of two (2) types of acceptable identification from the list below with a minimum total of 100 points. Identification must include at least one type of photo ID plus identification that contains the applicant's current residential address, signature and date of birth. A minimum of one photo identification is required. Further information can be found on the application form.

- Current passport (Australian/Foreign)
- Driver licence/Learner's permit/Boat licence
- Firearms/Private security licence
- Current tertiary student identification card (with photo)
- Key pass/Proof of age card (with photo)
- Certified current passport size photo (only required if the applicant does not possess any other photographic identification.)
- Australian citizenship certificate
- Birth certificate (not extract)
- Birth card
- Australian travel documents or current Australian Visa

Adoption Date: 20 June 2012

Review Date: 08/06/2014

Version Control: V1-25/11/08

V2-01/06/10

V3-08/06/12

- Department of Veterans Affairs (DVA) card
- Centrelink card (with reference number)
- Government employee ID
- Medicare card
- Credit card or account card
- Marriage certificate (registry issue only)
- Change of name certificate (registry issue only)
- Bank statement (with residential address)
- Motor vehicle registration or insurance papers
- Property rates notice/utilities notice
- Property lease agreement
- Home insurance papers
- Taxation assessment notice
- Records of primary, secondary or tertiary education
- Records from a current or previous employer
- Records of a professional or trade association

10. Who can witness my signature?

Your completed form and original and photocopies of identification documents must be taken to an authorised person to sign as witness to your signature and **certification** of your photocopied identification documents. List of authorised certifiers:

- Justice of the Peace, Bail Justice or Registrar of the Magistrate's Court
- Permanent employee of Australia Post with 5 or more years of continuous service
- Bank manager or employee with 5 or more years of continuous service
- State executive public service (Level 1, 2 or 3)
- State non-executive public service (Grade 2-6)
- Minister of Religion authorised to celebrate marriages
- Commonwealth exec. Public service employee (Level 1-2)
- Commonwealth non-exec. public service employee (APS 2-6)
- Member of Commonwealth or State Parliament
- Australian lawyer (Legal Profession Act 2004)
- Accountant (member of the ICA, ASA or NIA)
- Principal/teacher in the teaching service
- Registered Medical Practitioner (Medical Practice Act 1994)
- Registered Dentist (Dental Practice Act 1999)
- Registered nurse
- Pharmacist
- Veterinary Practitioner
- Councillor of a Municipality
- Secretary of a building society
- Member of the Working with Children force
- Sheriff or Deputy Sheriff
- Public Notary
- Clerk to an Australian lawyer
- Casino special employee

11. Can I find out over the phone what the outcome of my application for consent to check and release National Working with Children Certificate is?

Public Enquiry Service cannot release information over the phone. This is to protect the privacy of individuals, as well as the confidentiality of the information held.

12. Who will receive the National Working with Children Certificate?

To ensure the protection of privacy and application of natural justice principles the National Working with Children Certificates will be forwarded to the applicant at their nominated postal address on the application form. There is no longer the option for the applicant to have the certificate forwarded to a prospective employer etc. It is not recommended that copies be made unless the person or organisation can assure the applicant that it will be kept confidential, securely stored or disposed of appropriately. The original certificate must be sighted by the organisation/employer and may be photocopied and/or retained with the consent of the applicant.

Adoption Date: 20 June 2012

Review Date: 08/06/2014

Version Control: V1-25/11/08

V2-01/06/10

V3-08/06/12

13. What security features are included in a National Working with Children Certificate?

The certificate contains a number of inbuilt security features such as:

- The page border is printed in MICROTYPE which reads Victoria Working with Children
- Wave-line watermarks are visible under light
- Security fibres visible under ultra violet light
- The Victoria Working with Children badge on the reverse will fade if heat or friction is applied
- The paper contains laser printer toner adhesion which could result in disturbance of background printing should an attempt to remove the laser toner be made
- The paper will visibly discolour if the document comes into contact with certain chemicals or solvents
- The certificate will show VOID if photocopied

14. How long is a certificate valid for?

Victoria Working with Children does not have an expiry date for validity of National Working with Children Certificates. The Working with Children certificate is the result of a check of Working with Children records only up until the day it is issued. It is up to each organisation (in the absence of any legislation applicable to their industry/profession) to determine how often they require a new certificate to be issued.

Some areas do have either direct legislation or licensing requirements which require a Working with Children check be conducted at certain intervals. The best source of information in regard to this is the professional or industry governing body which relates to the area.

15. Why do Working with Children Record Checks include “Without Conviction” results?

Victoria Working with Children releases all court outcomes with a finding of guilt. A “Without Conviction” result is a finding of guilt and is released in accordance with the Victoria Working with Children Information Release Policy.

16. The court (or Working with Children officer) told me that a particular matter would not be recorded against my name after 12 months (or the length of a Good Behaviour Bond, Community Based Order, etc). Why was this released?

Victoria Working with Children releases all court outcomes with a finding of guilt. Good Behaviour Bonds and Community Based Orders are findings of guilt and releasable under the Victoria Working with Children Information Release Policy. Although the bond expires after the period stated, the finding of guilt remains. Victoria Working with Children does not delete criminal history information. Criminal history information continues to be available for the purposes of law enforcement and the administration of justice.

17. Can I have my Victorian criminal history “spent” or “rehabilitated”?

No. In some states there is legislation in place to have criminal history spent or rehabilitated so it is not released for employment purposes. Victoria does not have this type of legislation. The release policy is applied automatically when convictions reach the appropriate age. In most cases, criminal history will not be released after 10 years if the last finding of guilt was heard in an adult court or 5 years if it was heard in a children’s court. An exception to this is that if a single charge received a sentence of imprisonment of longer than 30 months, in which case that charge (or charges) only will be released. In all states, criminal history information will continue to be available for the purposes of law enforcement and the administration of justice.

18. Some or all of the information on my National Working with Children Certificate is incorrect and I would like a new certificate. How do I have this information corrected?

Any enquiry where the client suspects information relating to their criminal history is incorrect must be put in writing. This should be addressed to The Manager, Offender Records, Records Services Division, PO Box 418, Melbourne 8005.

Note: These matters will not be investigated unless they are put in writing. After an investigation, a letter will be written to the person informing them of the result of their complaint and any action to be taken. If the information is incorrect, Victoria Working with Children will issue a new certificate.

19. I have lost my National Working with Children Certificate, can I have a copy sent to me?

Victoria Working with Children only provides one original certificate, copies are not provided. A National Working with Children Certificate is current only at the date of issue. If a National Working with Children Certificate is lost, the client must reapply via the normal process.

20. Can I check somebody else’s criminal record?

Other than checks for Victoria Working with Children investigation/prosecution purposes no-one is permitted to check another person’s Working with Children record without their consent. The release of a criminal history for other purposes can only be done with the signed consent of the individual through the Public Enquiry Service.

Adoption Date: 20 June 2012

Review Date: 08/06/2014

Version Control: V1-25/11/08

V2-01/06/10

V3-08/06/12