

# Working with Children Policy

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**Purpose:** To minimise risk of harm to students by requiring staff and volunteers of Corner Inlet College to provide evidence that they have appropriate approvals to work with children in accordance with current legislation and in-line with the Child Safe Standards in Ministerial Order 870 and the Victorian Reportable Conduct Scheme in-line with the Child Wellbeing and Safety Act 2005.

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**Scope:** All CIC Staff, Volunteers, and contractors attending school during school hours.

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**Implemented by:** School Principal (Child Safety Officer)

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**Approved by:** CIC Board

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**Reviewed:** Every two years or as regulatory changes arise or improvements are identified.

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**Communicated via:** CIC Website, Staff Induction, Meetings and Handbook, Parent Handbook, Policies and Procedures Manual

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## Definition

The Working with Children (WWC) Clearance is a minimum checking standard set by the Worker Screening Act 2020 for those who work with children, either on a paid or voluntary basis. It checks for serious sexual, violent and drug-related offences as well as disciplinary findings of professional agencies such as the Victorian Institute of Teaching.

The Reportable Conduct Scheme is a Scheme overseen by the Commission for Children and Young People and is focussed on worker and volunteer conduct and how organisations investigate and respond to suspected child abuse. The scheme aims to improve organisational responses to suspected child abuse and to facilitate the identification of individuals who pose a risk of harm to children, but do not have a criminal record.

## Overview



Corner Inlet College owes a duty to students to take reasonable precautions to prevent the abuse of a child by an individual associated with the school while the child is under the care, supervision or authority of the school. The school will assess and verify the suitability of staff and volunteers who will work with children. Unless an exemption applies to a person, a valid Working with Children Clearance (WWC Clearance) is the minimum standard for all adults working with children. If a volunteer's occupation exempts them from the requirement to have a WWC Clearance e.g. police officers, teachers, they must provide evidence to support their claim to an exemption.

The school will also investigate and assess a potential staff member or volunteer's history of work involving children and seek references that can confirm that persons suitability for the job and working with children. Once engaged, CIC, will also continue to monitor and assess the continuing suitability of all staff members in relation to child related work.

From 1 August 2017, a Clearance is required whether contact with children is supervised or not. Under the Worker Screening Act 2020 ('the Act'), people who are doing **child-related work** and who are not exempt need a Clearance. This applies to both paid and volunteer workers.

**Child related work** is work within one or more of the occupational fields defined in the Act where contact with a child is direct and part of a person's duties.

There are several situations listed in the *the Act* where people doing **child-related work** are exempt and do not need a WWC Clearance. The exemptions in the Act are described in the Exemptions section below:

## Responsibilities

### Staff

It is the responsibility of the School Principal to ensure that only suitable and eligible persons are employed in the school. Prior to employing a person, the School Principal must be satisfied that the person meets the required Suitability for Employment Checks that include:

#### **Teachers & Casual Relief Teachers**

- Teachers must have a valid VIT registration card
- Proof of identity based on the following standard <https://www.humanservices.gov.au/customer/enablers/confirmation-identity>
- At least two positive reference checks completed before employment commences

#### **Non-teaching staff**

- WWC Clearances are required by all employed staff at Corner Inlet College whether or not working directly with children or supervised by a teacher.

#### **Contractors**



- WWC Clearances are required by all Contractors who will be on a cyclical schedule working on the school grounds during school hours, whether or not supervised by a teacher.

## **Volunteers**

It is the responsibility of the School Principal to ensure that only suitable and eligible persons volunteer in the school. The School Principal must be satisfied that the person meets the required Checks that include:

- A valid Working with Children Card provided by the Department of Justice.
- WWC Clearances are required by all volunteers who will be working with students for school activities whether or not supervised by a teacher and whether or not the activity is on school grounds or during school hours. For example, a volunteer who is assisting at a school camp or any other approved school activity outside of school grounds will require a WWC Clearance. This includes parents that are driving the school bus or driving their own car as part of a school excursion. Exemptions are listed below.
- A volunteer can commence work in Corner Inlet College when they provide a current WWC Clearance with the Department of Justice and have otherwise been considered by the school to be suitable.
- WWC Clearances for paid employment can be used to show suitability for volunteer work.

## **Maintaining records**

A copy of the staff member, contractor or volunteer's WWC Clearance will be kept on the file at the school and recorded on the Corner Inlet College WWC register which is maintained by Administration. **The WWCC will be validated and verified through searching for the records found at [service.vic.gov.au](http://service.vic.gov.au).**

Corner Inlet College will ensure staff members, contractors and volunteers hold a valid WWC Clearance card and will add expiry dates to a central calendar to allow monitoring of their expiry; at a minimum annually at the commencement of the school year.

It is the responsibility of the employees or volunteers to:

- provide Corner Inlet College with the successful WWC Clearance card or current VIT registration card prior to commencement
- notify the School Principal if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence or if their WWC Clearance or VIT registration has been suspended.
- apply for a new WWC Clearance before their card expires.

The VIT teacher register will be populated at the time of employment and a copy of a teacher's VIT card and identity documents will be put in their employment file. This task will be completed by administration staff and is included on the Staff Induction Checklist which is signed-off by the Principal.

VIT registrations will be checked via the VIT School Portal at the time of employment, during the annual VIT Census in April and during September of each year.

Staff employment contracts require teachers to advise any changes to their registration or permission to teach, including conditions, limitations or limitations or restrictions to the Principal as soon as they occur. They are also required to advise the school if they are under investigation or charged with any offence that would impact their ability to work with children, drive a vehicle or be employed at the school.

Should a teacher have any condition, limitation or restriction on their registration or permission to teach, this will be noted in the relevant column in the teacher register. The Principal will check this register when changes are made to a teacher's subject or year level allocation to ensure they have adequate permission to teach at that level or in that curriculum area.

## Exemptions







The Worker Screening Act 2020 identifies categories of individuals who are exempted from the requirement to have a WWC Clearance. Corner Inlet College reserves the right to require an exempted individual to have a WWC Clearance if the School Principal considers it necessary in the circumstances.

### **Parents volunteering in an activity with their child**

Parents volunteering in an activity in which their child participates or normally participates, are exempt from needing a WWC Clearance except for the scenarios listed under the Volunteer section. **Example:** *Emily has volunteered to make and fit costumes for other children in her daughter's school play. As Emily's daughter usually participates in the school play, Emily does not need a Clearance, even if her daughter does not attend all of the play rehearsals or performances.*

### **Family members and people who are closely related to the child**

Family members closely related to each child in the child-related work are exempt from the WWC Clearance. 'Closely related' to a child means:

-  parent or step-parent
-  spouse or domestic partner
-  mother-in-law or father-in-law
-  grandparent
-  uncle or aunt
-  brother or sister, including half siblings, step siblings, brother-in-law or sister-in-law

The exemption does not apply for the scenarios listed under the Volunteer section.

### **Teachers**

Registered teachers or teachers who have permission to teach from the Victorian Institute of Teaching under Part 2.6 of the Education and Training Reform Act 2006 are exempt from requiring a WWC Clearance.

### **Police officers**

Sworn Victoria Police officers or sworn Australian Federal Police officers are exempt from requiring a WWC Clearance.

For a full list of exemptions and examples refer to: [Working with Children Clearance – Exemptions](#)

## Reportable Conduct Scheme

The Reportable Conduct Scheme came into effect from 01 July 2017 and requires the Principal to respond to allegations of child abuse (and other child-related misconduct) made against their employees and volunteers, and to notify the Commission for Children and Young People (CCYP). They also need to notify Victoria Police where criminal behaviour is suspected. This is in addition to the obligations under the PIVS Mandatory Reporting Policy.

Employees and volunteers include those directly engaged by the school to provide services, including as a volunteer, contractor, office holder, officer or other position.

### Types of Reportable Conduct

There are five types of 'reportable conduct' listed in the *Child Wellbeing and Safety Act 2005*:

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

Examples and detailed definitions can be found [here](#).

### Timeframes for notification of Reportable Conduct

The Principal must comply with the following timeframes:

- **Three business day notification**

When the Principal becomes aware of a reportable allegation a worker or volunteer, they must notify the Commission for Children and Young People within three business days.

- **30 calendar day update**

Within 30 calendar days after becoming aware of a reportable allegation, the Principal must provide the Commission with detailed information about the allegation, disciplinary or other actions undertaken, and the response of the worker or volunteer to the allegation.

- **Advice on investigation**

The allegation must be investigated as soon as practicable after the Principal becomes aware of it. The investigation may be conducted by the organisation, their regulator or an



independent investigator. The Principal must inform the Commission of who will conduct the investigation.

- **Outcomes of investigation**

At the conclusion of an investigation into a reportable allegation, a final investigation report must be prepared. The final investigation report should set out the findings, reasons for the findings and recommendations made at the conclusion of the investigation. A copy of the final investigation report should be provided to the Commission as soon as practicable.

### Method of Notification

The Commission operates an online form for notifying of a reportable allegation, which guides the Principal through the notification process. Supporting documentation can be submitted through the online form. The relevant online form can be found at <https://ccyp.vic.gov.au/reportable-conduct-scheme/reportable-conduct-scheme-forms/>

If there is an instance in which the actions of concern are alleged to have been taken by the Principal the Chairperson of the School will notify the Commission of alleged reportable conduct via the online form.

The contact details for the Commission for clarification and guidance, and to talk through any issues of concern are:

- Telephone: (03) 8601 5281
- Email: [childsafestandards@ccyp.vic.gov.au](mailto:childsafestandards@ccyp.vic.gov.au)

Further information is also available on the Commission for Children and Young People's website at [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

Employees or volunteers who are the subject of an allegation should review the [CCYP Information Sheet for Workers and Volunteers](#).

### Related Documentation

- WWC Register
- Employment Contracts and Terms and Conditions of Employment
- CCYP Information Sheet for Workers and Volunteers
- VIT Register

### Related Policies

- Child Safety Policy
- Mandatory Reporting Policy
- On-Site Supervision of Students Policy
- Off-Site Supervision of Students Policy