

Working with Children Policy

Purpose:

To minimise risk of harm to students by requiring staff and volunteers of Phillip Island Village School 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

Scope:

All PIVS Staff & volunteers (as well as contractors attending school during school hours)

Implemented by:

Principal

Approved by:

PIVS Board

Reviewed:

Annually or as legislative changes arise or improvements are identified

Communicated via:

PIVS Website, Staff Induction, Meetings and Handbook, Parent Handbook, Policies and Procedures Manual

Definition

The Working with Children (WWC) Check is a minimum checking standard set by the Working with Children Act 2005 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.

Working with Children Check Overview

Phillip Island Village School 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. Phillip Island Village 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 Check (WWC Check) is the minimum standard for all adults working with children. If a volunteer's occupation exempts them from the requirement to have a WWC Check e.g. police officers, teachers, they must provide evidence to support their claim to an exemption.

The school may 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, PIVS, 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 Check is required whether contact with children is supervised or not. Under the *Working with Children Act 2005* ('the Act'), people who are doing **child-related work** and who are not exempt need a Check. 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 *Working with Children Act 2005* (the Act) where people doing **child-related work** are exempt and do not need a WWC Check. The exemptions in the Act are described in the Exemptions section below:

Responsibilities for Working with Children Check

Staff

It is the responsibility of the Principal to ensure that only suitable and eligible persons are employed in the school. Prior to employing a person, the 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
- At least two positive reference checks completed before employment commences

Non-teaching staff

- WWC Checks are required by all employed staff at Phillip Island Village School whether or not working directly with children or supervised by a teacher.

Contractors

- WWC Checks 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 Principal to ensure that only suitable and eligible persons volunteer in the school. The 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 Checks 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 Check. 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 Phillip Island Village School when they provide a receipt as proof they have applied for a WWC Check with the Department of Justice and have otherwise been considered by the school to be suitable.
- WWC Checks for paid employment can be used to show suitability for volunteer work.

Maintaining records for Working with Children Check

A copy of the staff member, contractor or volunteer's WWC Check will be kept on the file at the school and recorded on the Phillip Island Village School WWC register which is maintained by Administration.

Phillip Island Village School will ensure staff members, contractors and volunteers hold a valid WWC Check 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 Phillip Island Village School with the successful WWC Check card or current VIT registration card prior to commencement
- notify the 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 Check or VIT registration has been suspended.
- apply for a new WWC Check before their card expires.

Exemptions for Working with Children Check

The Working with Children Act identifies categories of individuals who are exempted from the requirement to have a WWC Check. Phillip Island Village School reserves the right to require an exempted individual to have a WWC Check if the 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 Check 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 Check, 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 Check. 'Closely related' to a child means:

- parent
- spouse or domestic partner
- step-parent
- 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 Check.

For a full list of exemptions and examples refer to: [Working with Children Check – 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 includes 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

Further information is also available on the Commission for Children and Young People's website at 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

Child Safe Standards Statement

WWC Register

Employment Terms & Conditions

CCYP Information sheet for Workers and Volunteers

Related Policies

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