



Relevant Legislation / Related information	<ul style="list-style-type: none"> • Child Protection (Working with Children) Act 2012 • Registered and Accredited Individual Non-government Schools (NSW) Manual - November 2022 (educationstandards.nsw.edu.au) - 3.6.2
Related school policies (Including but not limited to)	<ul style="list-style-type: none"> • Staff Code of conduct • Visitor Policy • Contractor on boarding • Reportable conduct policy and procedure
Review Cycle	Annual
Approval / date	Principal – 30 August 2023
Feedback	Principal - Darren McPartland d.mcpartland@stpetersbroulee.nsw.edu.au
Accessible	<input checked="" type="checkbox"/> Staff (Policy & procedure) <input checked="" type="checkbox"/> External Homepage (Policy only)

1. Commitment

St Peter's Anglican College (SPAC) is committed to providing a safe and supportive environment for children. SPAC adheres to the requirements of the Child Protection (Working with Children) Act 2012 (WWC).

It is the responsibility of the child-related worker to ensure that when they are eligible to apply for a Check, or renew when approaching expiry.

2. Purpose and Scope

The object of the WWC Act is to protect children:

- (a) by not permitting certain persons to engage in child-related work; and
- (b) by requiring persons engaged in child-related work to have working with children check clearances.

Any person working in the school is obliged to follow this policy and provide a WWCC before commencing work in the school. This consists of both volunteers and paid employees including:

- peripatetic staff
- tutors
- specialists
- contractors including cleaners

- coaches
- other professionals who visit the school to deliver educational services.

3. Definitions

Child-related work: work that involves direct contact by the worker with a child and that contact is a usual part of and more than incidental to the work. Child-related work includes, but not limited to,:

- early education and childcare including education and care service;
- schools and other educational institutions and private coaching or tuition of children;
- religious services;
- residential services including homestays more than three weeks, and overnight camps; or
- transport services for children including school bus services and supervision of school road crossings
- counselling, mentoring or distance education not involving direct contact.

Child-related worker: persons employed at SPAC including volunteers, and other professionals who visit the school to deliver educational services unsupervised

Disqualified person: A disqualified person is a person who has been convicted, or against whom proceedings have been commenced for a disqualifying offence outlined in Schedule 2 of WWCC Act. A disqualified person cannot be granted a WWCC clearance and is therefore restricted from engaging in child related work.

Risk assessment: an evaluation of an individual's suitability for child-related work.

4. Responsibilities

The Principal, upon employment of the Registrar, provides instruction and training on the maintenance of the WWCC Register. The Principal provides clarification should a community member need additional information about this policy and procedure.

The Registrar, ensures all child-related workers are compliant with this policy.

All child-related workers, upon verbal offer of employment and at the beginning of each school year, are required to supply updated information on their WWCC and are provided with the Child Protection Policies and the Staff Code of Conduct. Individuals are required to read and sign a declaration that they have read the policies by which they are bound. Information is recorded on the WWCC register.

Personnel organising activities within the school requiring a **visiting teacher, tutor or coach**, are to provide the visiting professional with the College's Visitor policy ahead of time, so that the required details are provided to Reception upon their arrival. Returning visitors are required to sign in and out through Reception each time they attend the school.

Reception staff will verify all child-related workers online via the OCG website, as required by the Registrar or upon presentation of the individual to reception. Persons with constant supervision are not required to present WWCC information.

All workers in the school are required to report to the Principal if they are no longer eligible for a WWCC clearance, the status of their WWCC clearance changes or are notified by the Office of the Children's Guardian (OCG) that they are subjected to a risk assessment; and notify the OCG of any change to their personal details within three months of the change occurring. Failure to do so may result in a fine.

It is an offence for an employee to engage in child-related work when they do not hold a WWCC clearance or if they are subject to a bar.

5. Working with Children Checks

5.1 Application/Renewal

An application or renewal can be made through Service NSW. The process for applying for and renewing a WWCC clearance with the OCG involves a national police check and a review of findings of misconduct. If the OCG grants or renews a WWCC clearance the holder will be issued with a number which is to be provided to the School to verify the status of a staff member's WWCC clearance.

5.2 Refusal/Cancellation

The OCG can refuse to grant a WWCC clearance or cancel a WWCC clearance. The person is then restricted from engaging in child-related work and not able to apply for another clearance for five years. Employers are notified by the OGC and instructed to remove such persons from child-related work.

5.3 Bars

5.3.1 Final bar

This bar is applied based on a decision made by the OCG, following a risk assessment. This person is barred against working with children.

5.3.2 Interim bar

The OCG may issue an interim bar, for up to 12 months, to high-risk individuals to prevent them from continuing to work with children while a risk assessment is conducted. An interim bar may be applied for up to 12 months. If an interim bar remains in place for six months or longer, it may be appealed against through the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those representing a serious and immediate risk to children.

Interim bars are issued only for risks considered likely to result in a final bar

6. Findings of misconduct involving children

SPAC is required to advise the OCG of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct.

When informing an employee of a finding of reportable conduct against them, the SPAC should alert the individual to the consequent report to the WWCC Directorate in relation to sustained findings of sexual misconduct, a sexual offence or a serious physical assault. Such information is considered by OCG's WWCC Directorate for an interim WWCC bar, as per Section 17 of the WWC Act, pending a formal risk assessment.

SPAC may also be obliged to report, amend or provide additional information to the OCG.

Section 46 of the WWC Act enables a person who has a sustained finding referred to the OCG to request access to the records held by the school in relation to the finding of misconduct involving children, once final findings are made. A finding of misconduct involving children must be substantiated to allow access to records.

6.2 Risk assessment

The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received. This may include an offence under Schedule 1, pattern of behaviour or offences involving violence of sexual misconduct representing a risk to children, findings of misconduct involving children or notification made to OCG.