



# SCREENING POLICY

## WORKING WITH CHILDREN AND NATIONAL POLICE CERTIFICATE CHECKS

### Background

#### Working with Children Checks (WWC)

As a condition of Non-Government School Registration, the school has an obligation to provide a child-safe environment for its students as part of the Levels of Care and Prevention of Child Abuse Standards.

The Working with Children Check (WWC Check) is a compulsory screening strategy in Western Australia and the Christmas and Cocos (Keeling) Islands for people who engage in certain paid or unpaid work with children, described as *child related work* under the *Working with Children (Criminal Record Checking) Act 2004*.

The WWC Check aims to protect children by:

- deterring people from applying to work with children where they have a relevant charge or conviction on their criminal record indicating they may harm a child;
- detecting new charges and convictions of those people who hold a current WWC Card and preventing them from continuing to engage in child related work where their criminal record and behaviour indicates they may harm a child; and
- protecting children by creating awareness that safeguarding children is a whole of community responsibility

The WWC Check involves the ongoing collection and assessment of information relevant to whether a child may be exposed to a risk of harm should a person engage in child-related work. Once a person holds a WWC Card their eligibility to continue to hold it may be re-assessed if they have a new relevant charge or conviction or engages in behaviour which indicates they may harm a child while engaging in child related work.

#### National Police Certificate, (NPC)

A National Police Certificate (NPC) contains a list of a person's disclosable court outcomes and pending charges from all Australian police jurisdictions. This includes traffic and non-police prosecuted matters. It is undertaken principally to ensure persons in positions of trust, specified fields of endeavour (and/or) required to meet legislative requirements (*eg Teachers*) are adequately screened for criminal records.

## **Difference between a WWC Check and a National Police Certificate**

- A WWC Check includes a National Police History Check, but differs from a National Police certificate because it involves ongoing collection and assessment of information relevant to whether a child may be exposed to a risk of harm should the person engage in child-related work. This means a WWC Check is regularly updated during the three years a person holds a WWC card and if they have a change in their criminal record, it can be re-assessed and their eligibility to continue to hold a WWC Card reviewed.
- A WWC Check is valid for three years unless cancelled sooner, during which time it can be used to work in any category of child-related work and type of employment including paid and unpaid or voluntary work. The National Police Certificate is only current on the day it is issued.
- A WWC Check accesses more criminal record information than a National Police Certificate, including juvenile records, spent convictions and charges that did not result in conviction. In certain circumstances, police history information relating to charges and/or convictions for overseas offences may also be obtained. A National Police Certificate discloses a person's convictions and any pending charges.
- A WWC Check is compulsory for people in child-related work. It has set obligations and penalties for non-compliance.

## **Policy Scope**

This policy covers information relating to a criminal investigation, charge or conviction, pending charge or non-conviction, that comes to the school's attention via a:

1. National Police Certificate and/or
2. Working With Children Check and/or
3. Disclosure by a person(s)

This policy applies to persons involved in school activities, as determined by the school and includes:

- Full time and part time permanent and temporary staff;
- Casual, relief and peripatetic staff, including coaches;
- Independent Contractors;
- Trainees undertaking training as part of an educational or vocational course (Practicum Students and Interns);
- Workplace supervisors of work experience students carrying out child related work;
- Volunteers as appropriate.

Note: Working with Children Cards are not available for students under the age of 18 years.

## Policy Statement

All children have a right to be safe in their school environment.

As an employer, the school has a responsibility to take reasonable steps to ensure employees and recommended applicants are suitable for child-related employment. The WWC check is an important part of the recruitment process to prevent unsuitable people from being employed or engaged in child-related employment. Upon commencement at PVS, all staff must provide evidence of a current WWC (or provide the receipt to prove one has been applied for). In most cases child-related work may commence while the application is being processed. The receipt is valid for as long as it takes for an outcome to be made. WWC's are valid for a period of 3 years. It is the responsibility of the employee to renew the WWC as required and provide evidence. It is the responsibility of the school to ensure, wherever possible, all staff are covered by a current WWC by way of maintaining a register.

PVS requires access to information relating to a person's criminal history (charges and/or convictions) to assess the suitability for that person to become 'involved' or continue to be 'involved' in school activities, including employment. Upon commencement at PVS, all staff not covered by the Teacher's Registration Board of Western Australia must provide evidence of a National Police Certificate issued within the previous 3 months. All staff not covered by the Teacher's Registration Board of Western Australia must provide an updated National Police Certificate every 3 years.

This assessment will include the Principal's consideration of spent convictions which are not exempt, and a WWC Check will also include the consideration of any pending charges or "nonconviction" charges for Class 1 & 2 Offences. Refer to the WWC website for clarification. [https://workingwithchildren.wa.gov.au/docs/default-source/default-documentlibrary/factsheet-3-class-1-and-class-2-offences-2015.pdf?sfvrsn=a1e7d44d\\_18](https://workingwithchildren.wa.gov.au/docs/default-source/default-documentlibrary/factsheet-3-class-1-and-class-2-offences-2015.pdf?sfvrsn=a1e7d44d_18)

Under certain circumstances, a criminal charge or conviction or a pending or "non-conviction" charge for a Class 1 or 2 offence, may prevent a person's involvement or ongoing involvement with the school. This is at the Principal's discretion.

The school also requires access to information relating to an investigation by the Police (or similar authority) in relation to a serious offence. This may mean preventing a person from involvement with the school until the matter is cleared or suspension from involvement pending a positive outcome.

PVS may notify the Police if it becomes aware of any potential criminal activity by a person involved with PVS. PVS will not take the place of the Police at any time but may concurrently conduct its own internal investigations according to appropriate policies and procedures.

NPCs and WWC checks are conducted as part of a comprehensive approach to pre-employment screening, ongoing staff supervision and volunteer participation in school activities. Other

measures are in place to assess a person’s suitability for these activities, including interviews, identity checks, and thorough reference checks.

All persons covered by this policy, are obliged as a condition of employment or other involvement, to disclose to the school in writing any criminal convictions or pending charges, or police investigations that occur during the course of their employment or involvement in school activities.

If information comes to our attention not disclosed to us directly, an investigation will be undertaken with that person. Failure to disclose this information will be taken very seriously, and may result in disciplinary action or termination of employment.

## **Definitions**

### Child

A child is a person under the age of 18 years.

### Child-related Work

Child related work has a specific definition in the WWC legislation. “Work” is child-related work if the usual duties of the work involve, or are likely to involve contact with a child in connection with at least one of the categories of child-related work, unless an exemption applies.

### Contact

- any form of physical contact
- any form of oral communication, whether face to face, by telephone or otherwise, and
- any form of electronic communication

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## Appendix 1: Application of Policy Table

		TRBWA	WWC	NPC	COMMENTS
1	Teachers, Principal,	☐	☐	x	Must have TRBWA which includes NPC and a WWC
2	Operational Staff, Peripatetic and Prac/Work Experience	x	☐	☐	Must have NPC & WWC which are kept on file
5	After Hours Cleaners	x	x	☐	No WWC required as work done out of hours but must have NPC
6	Sports Coaches (paid)	x	☐	x	WWC must be sighted before commencing in Boarding House Coaches who are only paid a 'nominal fee', i.e. hobbyist will complete a WWC for Volunteers
9	After-school Care Provider	x	☐	x	Monitored and provided by the After-school care provider who ensures correct checks in place. Please see note below.
10	Board Members	x	☐	☐	Requirement of the Board to apply if they do not have a child currently attending the school.
11	Parent Volunteers / Direct Contact Volunteers	x	☐	x	Volunteer WWC - exemption for WWC for volunteers that have their own child who is under 18 years old in this setting, with the exception of those attending overnight camps.
12	Umpires	x	☐	x	Many will be exempt if: <ul style="list-style-type: none"> <li>• under 18 years of age and/or</li> <li>• will be involved in 5 or less occasions in a calendar year and/or</li> <li>• their 'normal duties' do not involve umpiring Volunteer (see Volunteer Management Policy)</li> </ul>