

WORKING WITH CHILDREN AND NATIONAL POLICE CHECK POLICY

1. PURPOSE

This policy has been developed to ensure GOTAFE meet the requirements contained within the *Working with Children Act 2005 (the Act)*.

This Policy is to be read in conjunction with GOTAFE's **Working With Children Check and National Police Check Procedure [OD2-P143]**, which provides detailed guidance on appropriate courses of action.

This Policy also sets out the requirement for a National Police Check (NPC) for all employees of GOTAFE on commencement.

2. SCOPE

This policy applies to all GOTAFE's existing, new and prospective employees, contractors and volunteers and applies across all areas and activities of GOTAFE.

3. DEFINITIONS

Term	Definition
Child/Children	A person/s under 18 years of age.
Child-related work	Means work where there is direct contact with children, and that contact is part of a person's duties. However, work is not child-related work by reason only of occasional direct contact with children that is incidental to the work. i.e. a Contractor being engaged to fix a leaky tap does not require a WWC, as their work is incidental to, not primarily related to child-related work
Contractor	Means any individual engaged by GOTAFE or a third-party to perform work for GOTAFE, who is engaged in child-related work, as defined. If the Contract work does not involve child-related work, or is within areas of GOTAFE where interaction with students is incidental to performing that work, then they will not require a WWC Check.
Direct contact	Means any contact between a person and a child that involves face to face or physical contact, oral, written or electronic communication.
Employee	Means permanent, sessional, casual and labour hire employees
Labour Hire Employee	The term applied to the provision of outsourced workers engaged for short- or long-term positions. They are employed by the labour hire company.

National Police Check (NPC)	Means a National Police Check obtained from Victoria Police or similar agency.
Volunteer	Includes unpaid engagement and unpaid student placement.
Working with Children Check (WWCC)	A legislative requirement and process of assessment as prescribed in <i>the Act</i> and subsequent Regulations 2006. An Employee WWC Check and a Volunteer WWC Check are the same however you are required to pay for an Employee WWC Check if you are doing paid child-related work. Penalties apply if you have the incorrect check.
Working with Children Card (WWC Card)	A card issued pursuant to the Working with Children Regulations 2006 which evidences that the holder has been given an Assessment Notice.

4. POLICY

Working with Children Check

GOTAFE aims to ensure compliance with the requirements of *the Act* and its regulations.

GOTAFE requires all existing, new and prospective employees, contractors and volunteers engaged in child related work to undergo or to have undergone a Working with Children Check (WWCC) conducted by the Department of Justice.

Under *the Act*, it is the responsibility of employees to obtain an Assessment Notice or WWC Card prior to engaging in work of the kind covered by *the Act*. Severe penalties apply to individuals, including Managers, who do not comply with the requirements of *the Act*. As part of this, GOTAFE is committed to implementing systems and processes to advise Managers and their employees of WWCC expiry dates. This is to include system generated prompts and reports to ensure compliance.

In the case of an employee or volunteer receiving a Negative Notice, GOTAFE will undertake any steps necessary to ensure the health and safety of children.

The WWCC is valid for five (5) years or as otherwise amended by legislation. It is the responsibility of each employee, contractor and volunteer to renew and fund their WWCC when it expires.

All employment contacts are subject to a satisfactory WWCC. The requirement to obtain a WWCC will be specified during the recruitment process.

National Police Check

New employees are also required to obtain a separate National Police Check prior to commencement. This is done as part of GOTAFE's ongoing commitment to Fraud and Corruption Management, and the protection of the GOTAFE community from individuals who may be considered unsuitable under the circumstances.

All employment contacts are subject to a satisfactory check. The requirement to obtain a NPC will be specified during the recruitment process.

Record Keeping

The collection, recording and storage of WWC information will be the dual responsibility of each respective Executive Manager and, Human Resources, and will be done in accordance with GOTAFE's ***Privacy and Freedom of Information Policy [OD7]*** and any other relevant legislative requirements.

All National Police Checks will be destroyed upon the date of citation, after this date is entered into the Institute's Human Resource Information System.

5. DOCUMENTS

- [Working With Children Check and National Police Check Procedure – OD2-P143](#)
- [Employee Code of Conduct Policy – POHR14](#)
- [Discipline Policy for PACCT Staff – CS34](#)
- [Discipline Policy for Employees Other Than PACCT Staff – CS11](#)
- [Privacy and Freedom of Information Policy – OD7](#)
- *Working with Children Act 2005*
- *Public Administration Act 2011*
- *Equal Opportunity Act 1995*
- *Human Rights and Equal Opportunity Act 1986*

Policy under review