

# Working with Children Policy

## Section 1 - Background and Purpose

- (1) The University is committed to growing stronger by improving our ability to attract and retain the best staff; capitalizing on our world class infrastructure; making more efficient and effective use of resources; and enhancing our commitment to operating sustainably and ethically.
- (2) The commitment towards growing stronger also encompasses ethical work practices in creating and maintaining an environment which is safe for children in compliance with the [Working with Children Act 2005](#) ('the Act').
- (3) This Policy sets out the University's requirements on staff and students working with children as part of their duties and/or studies who are involved in child-related work.

## Section 2 - Scope

- (4) The Policy applies to staff, students and directly engaged casuals, contractors etc who are:
- involved in child-related work as part of their duties;
  - undertaking a clinical or practical placement as part of an educational or vocational course as these people are classed as completing 'volunteer work' for the purposes of the Act (for example, a student teacher);
  - involved in University approved volunteer and community engagement programs;
  - undertaking work as a Residential Assistant within the University's Residential Services facilities irrespective of whether they are an employee of the University or a volunteer.

## Section 3 - Policy Statement

### Compliance with the Act

- (5) The University will comply with the principles below together with the requirements set out in the Act:
- the University will not engage anyone in child-related work who, unless they are exempt under the Act, do not have a valid WWC Check;
  - where staff members and students are engaged and they fall within the scope of this Policy, the staff member or student must hold a valid positive assessment notice from a Working with Children Check ('WWC Check') prior to the commencement of employment or placement;
  - the University will ensure that any person subject to obligations, orders or offences for serious sexual, violent or drug offence specified in Schedule 3 of the Act does not work with or care for children while their application is being processed or their WWC Check reassessed;
  - ensure workers who are directly supervising other workers' contact with children have a WWC Check, unless they are exempt under the Act;
  - ensure that any person who has a Negative Notice does not work with or care for children even if they are supervised or exempt;

- f. ensure paid workers doing child-related work are not working on a Volunteer WWC Check but on a valid Employee WWC Check;
- g. respect and protect workers' privacy;
- h. The Act does not apply to staff that may have students under the age of eighteen in their classes however, should their role require them to partake in activities involving children, then the requirements of that legislation will apply. For example, a lecturer visiting a student on placement at a kindergarten will require the lecturer to have the WWC check prior to entering the kindergarten.

### **Changes in Circumstances**

(6) A person holding a valid positive Assessment Notice must notify the Department of Justice and the relevant college in writing within 7 days of a relevant change of circumstances as required in the Act.

### **Notification of the WWC Check Requirement**

(7) All University publications providing information on courses and subjects which may involve working with children must state the requirement for a WWC Check and include the implications for students in the event of a negative assessment notice being received.

### **Privacy Principles**

(8) Assessment Notices received from the Department of Justice are subject to the Privacy Principles in the [Privacy and Data Protection Act 2014](#).

### **Applications for WWC Checks**

(9) Applicants should refer to the Working with Children Checks website which will provide information on [Working with Children Checks](#) and the application process.

### **Costs for WWC Checks**

(10) The WWC Check is free for volunteers however a charge is levied for paid employees. Refer to the [Working with Children Checks \(Fees\)](#) website.

## **Section 4 - Procedures**

(11) Refer to the [Working with Children \(Students\) Procedure](#).

## **Section 5 - Definitions**

(12) For the purpose of this Policy:

- a. Assessment Notice: Working with Children Check assessment.
- b. Child: A person under 18 years of age.
- c. Child-related work: Work that usually involves or is likely to involve regular, direct contact with a child in connection with any of the 20 child-related occupational fields set out in the [Working with Children Act 2005](#).
- d. Clinical or practical placement: means a professional practice placement undertaken within a workplace setting by teaching, allied health, medical, nursing and midwifery students who are enrolled in a tertiary institution
- e. The University: means La Trobe University.
- f. Working with Children Check: means the background checking process which is a prerequisite for individuals engaged in child-related work, and involves a full national criminal history check and a review of reported

workplace misconduct.

## **Section 6 - Stakeholders**

Responsibility for implementation – Colleges; Residential Services; Human Resources; Student Services; and Publications.

Responsibility for monitoring implementation and compliance – Deputy Director, Strategic Recruitment and Workforce Planning.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	9th November 2016
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