



## Working with Children Check Procedures

### 1. STRATEGIC PLAN THEME AND COMPLIANCE OBLIGATION SUPPORTED

[Recruitment, Selection and Appointment Policy](#)

[Working with Children \(Criminal Record Checking\) Act 2004 \(WA\)](#)

Strategic Plan Theme: [People and Culture](#)

### 2. PROCEDURAL DETAILS

These procedures assist in aligning university processes with our obligations under the *Working with Children (Criminal Record Checking) Act 2004 (WA)* [‘the WWC Act’].

#### 2.1. Any person who:

- (a) has been issued with a current Interim Negative Notice or a current Negative Notice;
- (b) has a relevant change to their criminal record; or
- (c) has withdrawn their WWC Check application,

will cease child-related work immediately, and will notify the WWC Screening Unit and their relevant Head of School/line manager in writing within two working days of the change occurring.

#### 2.2. On receipt of a notification by a person or the WWC Screening Unit that a person:

- (a) has been issued with a current Interim Negative Notice or a current Negative Notice; or
- (b) has had a relevant change to their criminal record,

the relevant Head of School/line manager (or nominee) will act on the advice and notify the WWC Screening Unit and the Compliance Officer (or nominee) by providing a copy of the notice and details of associated action taken.

#### 2.3. Staff, volunteers and University Associates

2.3.1. No person will engage in and no line manager or supervisor will allow a person to engage in child-related work in the Early Childhood Centre or University Counselling Services if:

- (a) they are aware that the person has a conviction or pending charge for a Class 1 offence or Class 2 offence;
- (b) they are aware that the person has been issued with a current Interim Negative Notice or a current Negative Notice; or
- (c) the person does not have a valid WWC Check.

2.3.2. Staff, volunteers and University Associates, except those identified in clause 2.3.1, may undertake child-related work for a total of five days (or five part days) in a calendar year provided they:

- (a) have not been issued with a current Interim Negative Notice or a current Negative Notice; and
- (b) do not have a conviction or pending charge for a Class 1 offence or Class 2 offence.

2.3.3. Staff, volunteers and University Associates, except those identified in clause 2.3.1, who wish to undertake child-related work for more than five days (or five part days) in a calendar year:

- (a) must meet the requirements in clause 2.3.2;
- (b) must hold a valid WWC Check or have an application pending and have provided the receipt of that application for sighting to their line manager; and
- (c) must not withdraw or have withdrawn their WWC Check application.

2.3.4. Any staff, volunteer or University Associate eligible to undertake child-related work

in accordance these procedures will not begin child-related work if they have been expressly requested by the University or other external provider to obtain a valid WWC Check prior to commencement. The Director, People and Culture (or nominee) and the external provider (as appropriate) must sight and record the receipt of a valid WWC Check.

2.3.5. A staff member, volunteer or University Associate:

- (a) who is required to undertake child-related work due to a change in employment to a new position or a change in duties in their current role, or
- (b) continues in a role for more than 3 years that requires them to undertake child-related work,

and does not hold or cannot hold a valid WWC Check, no longer meets the inherent requirements to be eligible to hold that position.

## **2.4. Students**

2.4.1. Heads of Schools/Areas (or nominee) will ensure that all units that require students to undertake child-related work will have the WWC Check attribute checked in the University Curriculum Management System (i.e. Akari) and will ensure that instructions relevant to obtaining a WWC Check are published in the unit outline and Curtin Courses Handbook.

2.4.2. Heads of Schools/Areas (or nominee) will ensure that students enrolled in the University's units/courses that require child-related work (e.g. clinical placements, research, OUA offering, offshore and external availabilities) have obtained a valid WWC Check or equivalent as required for the location in which the child-related work is undertaken.

2.4.3. Heads of Schools/Areas (or nominee) will identify research projects and other activities undertaken by students within their area of responsibility that may require a WWC Check and provide direction to those individuals of their obligations under the WWC Act and these procedures.

2.4.4. External employers engaging Curtin University students in paid or volunteer roles will be required to advise if the role will involve child-related work prior to the relevant staff member approving the student's participation.

2.4.5. Students will not commence child-related work in association with University activities:

- (a) if they are expressly requested by the University, placement provider or other external organisation to obtain a valid WWC Check prior to commencement; and
- (b) until their Head of School/Area (or nominee) has sighted and recorded their WWC Check or receipt of application.

2.4.6. A student who does not hold or cannot hold a valid WWC Check, and is required to undertake child-related work in a core unit, will not meet the professional accreditation requirements of their course. Where the University's resources and external providers permit, the student may still participate in the rest of the course.

## **2.5. Applying for or renewing a WWC Check**

2.5.1. A person who is not required to undertake child-related work as part of their engagement with or study at the University may not apply for a WWC Check on behalf of the University.

2.5.2. The relevant Head of School/line manager (or nominee) must endorse an application as confirmation that a person is, or will be required to, carry out child-related work.

2.5.3. The cost of a WWC Check will be borne by the person required to undergo a WWC Check. The cost may be reimbursed at the discretion of the Head of School/line manager.

2.5.4. All individuals within the scope of this procedure are required to renew their WWC Check before it expires (every 3 years) and provide a copy of the current details to their Head of School/line manager (or nominee) if they are continuing to engage in child-related work.

## 2.6. Notifying staff, compliance monitoring and recordkeeping

2.6.1. The Director, People and Culture (or nominee) will:

- (a) in liaison with line managers, ensure that positions involving child-related work (including research) state the requirement that the incumbent must hold a valid WWC Check in their position descriptions;
- (b) record positions with WWC Check requirements in the Human Resources Information System (HRIS);
- (c) maintain up-to-date records of all positions requiring staff to undertake child-related work;
- (d) maintain an up-to-date record of WWC Checks received from schools/areas or individuals;
- (e) notify new staff, volunteers and University Associates of any requirement to obtain a WWC Check prior to the commencement of a new role or changes to their existing role;
- (f) provide written notice and further direction to any staff member, volunteer or University Associate who is no longer eligible to hold a position due to non-compliance with the WWC Act or these procedures; and
- (g) conduct a review of the WWC status of staff who occupy positions on a three-yearly basis or as required by the Compliance Officer.

2.6.2. Heads of School and line managers (or nominee) will:

- (a) maintain up-to-date records of all students and volunteers undertaking University courses, units, clinical/work placements, research and other associated activities within their area of responsibility that require WWC checks; and
- (b) on receipt of a WWC Check from a staff member, volunteer or University Associate forward it to the Director, People and Culture (or nominee) for recording.

2.6.3. The Director, People and Culture and Heads of School/Area (or nominee) will:

- (a) provide a summary of information pertaining to students, staff, University Associates and/or volunteers within their area of responsibility as required by the Compliance Officer (or nominee) to ensure the University can review and report on compliance with the WWC Act; and
- (b) notify the Compliance Officer (or delegate) of any non-compliance issues and provide details of a proposed resolution.

2.6.4. The Compliance Officer (or nominee) will maintain records of Interim Negative Notices and Negative Notices notified to the University and will ensure the relevant area has taken appropriate action.

2.6.5. Staff will keep information regarding a person's WWC Check confidential and secure, and will ensure it is used only for the purpose of complying with the WWC Act or [as otherwise required](#).

## 3. RESPONSIBILITIES

Responsibilities are as set out in section 2.

## 4. SCOPE OF PROCEDURES

4.1 These procedures apply to persons who carry out, or propose to carry out, child-related work related to the University within Western Australia for whom an exemption under the WWC Act does not apply. Such persons may include:

- (a) students aged 18 years and over who are required to undertake child-related work;
- (b) persons in the Early Childhood Centre;
- (c) persons in the University Counselling Services;
- (d) persons who supervise Curtin students engaged in child-related work and who in their supervisory role will also have contact with children;

- (e) persons who, as part of their duties, undertake child-related work;
- (f) persons who undertake research which brings them into contact with children.

4.2 These procedures do not apply to persons exempted under the WWC Act as follows:

- (a) Curtin staff interacting with Curtin students in the course of their normal teaching, research or administrative duties (even if a student is under 18 years of age). This is due to universities being specifically excluded from the definition of an educational institution for children under the WWC Act;
- (b) persons supervising children who attend Curtin for work-experience or educational programs (unless otherwise engaged in child-related work which requires a valid WWC Check);
- (c) persons carrying out child-related work related to the University located outside of Western Australia;
- (d) Curtin students under the age of 18 years who are required to undertake child-related work for which they are not remunerated;
- (e) Curtin volunteers under the age of 18 years.

## 5. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

### **Child(ren)**

A person under the age of 18 years.

### **Child-related work**

Where the usual duties involve, or are likely to involve, contact with a child in connection with at least one of the 19 categories of work identified under the WWC Act (refer to the [WWC Check website](#)). For students, child-related work includes any approved practical work, teaching, study or research activity required by the University as an integral part of the course or unit of study, where the usual duties involve contact with children.

### **Class 1 offence**

Serious sexual offences against young children, as defined in the WWC Act (refer to the [WWC Check website](#)).

### **Class 2 offence**

Other serious offences mostly of a sexual or violent nature, as defined in the WWC Act (refer to the [WWC Check website](#)).

### **Contact**

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

### **Interim Negative Notice**

A notice issued by the WWC Screening Unit which prohibits a person from undertaking child-related work in Western Australia before a final decision is made by the WWC Screening Unit.

### **Negative Notice**

A notice issued by the WWC Screening Unit which prohibits a person from undertaking child-related work in Western Australia.

### **Relevant change of criminal record**

When a person is charged with, or convicted of, a Class 1 offence or a Class 2 offence.

### **WWC Screening Unit**

The Department for Community Development - Working with Children Screening Unit or other screening agency authorised under the WWC Act.

### **Working with Children Check (WWC Check)**

A national criminal record check that is compulsory for people who carry out child-related work in Western Australia. The WWC Check bears the holder's photograph, signature, Assessment Notice number and expiry date, and is portable across all types of child-related work. A WWC Check is not a National Police Clearance (NPC).

## 6. SCHEDULES

*Nil*

## 7. RELATED DOCUMENTS/LINKS/FORMS

[Working with Children Check Website for Western Australia](#) (the WWC Check website)

[Appointment of Fixed-Term and Continuing Staff Procedures](#)

[Disclosure of Personal Information Procedures](#)

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### REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes and Notes
New	Approved	17/05/2012	Vice President, Corporate Services	EM1207	Conditional upon PMC rescinding the current policy and procedures at its 29 May 2012 meeting
	Administratively Updated	05/02/2014	Director, Legal and Compliance Services		Updated Policy Contact
	Administratively Updated	02/02/2015	Director, Legal and Compliance Services		Updated Policy Contact
	Administratively Updated	11/02/2015	Director, Legal and Compliance Services		Updated Policy Manager
	Administratively Updated	20/04/2015	Director, Legal and Compliance Services		Director, Human Resources changed to Director, People and Culture
	Administratively Updated	06/10/2015	Director, Legal and Compliance Services	EC 76/15	Executive Manager Title Changes
	Approved	15/04/2018	Deputy Vice-Chancellor, Academic	EM1802	Unconditional