

Factsheet 10: Working with Children Checks in the Education and Training Sector

A Working with Children Check (WWC Check) is a comprehensive criminal record check for certain people working with children in WA and Christmas and Cocos Islands. 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 19 categories of work** listed under the Act. A “child” is a person under the age of 18 years.

Who needs to apply?

Some Categories of child-related work include (but are not limited to):	Examples of child-related work in the education and training sector include:
An educational institution for children (category 3)	<ul style="list-style-type: none"> • Teachers • Non-teaching staff (including administrators, school psychologists, canteen staff, cleaners and gardeners who have contact with children as part of the usual duties of their work)
A coaching or private tuition service of any kind ,but not including an informal arrangement entered into for private or domestic purposes (category 4)	<ul style="list-style-type: none"> • Active After School Coach
An overnight camp, regardless of the type of accommodation or how many children are involved (category 15)	<ul style="list-style-type: none"> • Camp supervisors (no exemptions for volunteer parents)
A transport service specifically for children (category 16)	<ul style="list-style-type: none"> • School bus drivers
A children’s entertainment or party service (category 18)	<ul style="list-style-type: none"> • A story-teller reading to children (exemption for volunteer parents)

Who doesn’t need to apply?

Exemptions (for full details of all exemptions, see **Factsheet 5 “Child-related work and exemptions”**)

- volunteers under 18 years of age (including students under 18 years on placement);
- parents volunteering for school activities where they have a child enrolled in the school (this exemption does not apply to parents volunteering at overnight camps);
- short term visitors to WA carrying out child-related work for 2 weeks after their arrival, and for no more than 2 weeks over a 12 month period; and
- workplace supervisors of children on work experience, unless they otherwise carry out child-related work. This exemption includes supervisors of apprentices, trainees etc unless they are carrying-out child-related work.

What if a person works in child-related work occasionally?

People who undertake child-related work on **no more than 5 days** in a calendar year are not required to apply for a WWC Check (except for people working in connection with category 1 – a child care service). This is called a “5 day threshold” and it is a defence under the WWC legislation. * If you are unsure whether you may work in child-related work for more than 5 days in a calendar year it is recommended that you apply for a WWC Check.

*People doing child-related work in these circumstances are still subject to other requirements of the Act, such as reporting a “relevant change” in their criminal record, or ceasing work immediately if convicted of a Class 1 Offence committed as an adult.

When to apply for a WWC Check

It is important to check the full information about phasing-in which is available in **Factsheet 2 “When to apply for a Working with Children Check”** on the WWC Check website. In general, the following applies:

Members of the Western Australian College of Teaching (WACOT)

Teachers registered with WACOT who are working in connection with Category 2 (A community kindergarten), Category 3 (An educational institution for children), Category 4 (A coaching or private tuition service of any kind) and Category 15 (An overnight camp – school camp only) and who:

Started before 1 January 2007	Apply when they are required to renew their WACOT membership that was granted for 2, 3 or 5 years or by 31 December 2010, whichever comes first.
Started after 1 January 2007	Apply when starting child-related work.

Teachers registered with WACOT who carry out child-related work in connection with categories other than 2, 3, 4 and 15 (as described above) should apply according to the phasing in of the particular category. See the WWC Check website.

Paid employees

Paid employees who commenced from 1 January 2006 or will be commencing child-related work	Should have already applied or must apply upon commencement.
Existing paid employees who have continued in the same child-related work they were in before 1 January 2006	Must apply between 1 January 2009 and 31 December 2010 .

Volunteers (including students on placement who are over 18 years)

Volunteers working with children 0 – 12 years inclusive	Should have already applied
Volunteers working with children 13 – 17 years inclusive	Apply on starting child-related work or by 31 December 2008 if you are already in child-related work

Self-employed people

- All self-employed people (eg self-employed tutors, entertainers or coaches) **were required to apply in 2006 and should apply immediately if they haven't already done so.**

Cost of a WWC Check

- \$50 for paid people
- \$10 for volunteers and other unpaid people,

Both fees include the photograph, cover the 3 years validity of the WWC Card and are heavily subsidized by the Government.

How to apply for a WWC Check

- WWC Check application forms are available from and can be lodged at participating Australia Post outlets.
- Applicants who do not have sufficient identification *or* who live in remote communities *and* are unable to access an Australia Post outlet, should contact the WWC Screening Unit on (08) 6217 8100 (Metropolitan Perth) or 1800 883 979 (Country areas) to find out how they can apply.

Outcome of a WWC Check

- If successful the applicant;
 - Will be issued with a WWC Card which permits the holder to carry out child-related work
 - This Card is valid for 3 years and is portable across all types of child-related work, subject to any relevant changes to a persons' criminal record during that time
- If unsuccessful the applicant;
 - Will be issued with a Negative Notice which prohibits the holder from carrying out child-related work.

Employers will also receive a copy of the Card or Negative Notice but will not be given information about a persons' criminal record if they have one.

Legal obligations of people in child-related work include:

All teaching and non-teaching staff in child-related work have a number of obligations under the Act. For detailed information about these legal obligations consult Factsheet 3b: Employees and Volunteers – Checklist and Obligations.

Penalties of up to \$60,000 and 5 years imprisonment apply in relation to offences under the WWC legislation.

National Criminal History Record Check and the WWC Check

Many employees already require a National Criminal History Record Check (NCHRC) as part of their general employment screening process. These checks provide employers with information about “disclosable” adult convictions or spent convictions that a proposed or current employee may have.

The WWC Check differs from these checks in a number of ways.

- The WWC Check whilst accessing all criminal history information, only assesses information to determine if a child may be harmed.
- WWC Checks are able to access more criminal history information than other police checks, including juvenile records, pending charges and charges that have not resulted in a conviction.
- More detailed information about the differences between a WWC Check and other police checks can be found at www.checkwwc.wa.gov.au.

Where factors other than the safety of children are being considered, employers in the education and training sector may require some people who work with children to have standard National Criminal Record Checks *in addition* to WWC Checks.

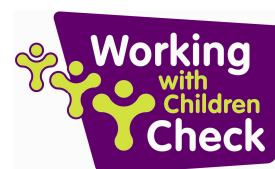
For more information about the Working with Children Check, please visit the WWC website at www.checkwwc.wa.gov.au



Example of a Working with Children Check Card



Department of
Education
and Training



The information contained in this Factsheet is a summary only – Content last updated April 2008