



WORKING WITH CHILDREN CHECK POLICY

1. POLICY STATEMENT

WA Health has a duty of care to provide a high level of safety for all clients, including children. WA Health will ensure that the wellbeing and protection of children is paramount in its decision-making concerning the acceptance or exclusion of persons from working in “child-related work”.

The *Working with Children (Criminal Record Checking) Act 2004* (the Act) requires that people who start or continue in “child-related work” obtain a Working With Children (WWC) Check. Following a successful WWC Check, a WWC Card is issued. A WWC Card is valid for three years, after which time the holder is responsible for obtaining a renewal.

The aim of the WWC Check is to help protect children by:

- deterring people from working with children where they have a criminal record that indicates they may harm children; and
- preventing people with such records who do apply for work with children from working in a paid or unpaid capacity.

WWC Checks are managed at a state or territory level in accordance with respective state legislation. A WWC Card is only valid in the state or territory it was issued. It cannot be used in any other state or territory.

Failure to comply with the WWC Act may result in penalties as prescribed under the Act.

2. SCOPE

This policy and associated procedure apply to all persons in WA Health, which incorporates the following entities:

- Department of Health
- Metropolitan Health Services
- Peel Health Service
- WA Country Health Service.

This is a whole of Health policy and supersedes all policies and procedures related to WWC Checks in WA Health.

This policy is different and additional to the requirements under the WA Health Criminal Records Screening (CRS) Policy. For more information, see Operational Circular [OP 0275/10 – Criminal Record Screening Policy and Guidelines](#).

3. MINIMUM REQUIREMENTS

WA Health will ensure a WWC Check is undertaken if the usual duties of a person's work involve or are likely to involve contact with a child **in connection with** one of the 18 work categories of "child-related work" as specified under Section 6 the Act.

WA Health has obligations under the Act, which includes:

- not engaging a person in child-related work unless the person has applied for, or already has, a valid WWC Card.
- ensuring that designated representatives do **not** sign the employer declaration section on WWC Check application forms for people who are **not** in child-related work.
- not engaging a person in child-related work if they are issued with an Interim Negative Notice or Negative Notice or if their WWC application has been withdrawn.
- keeping records to demonstrate compliance.

A full list of **definitions** is outlined in the WA Health WWC Check Procedure.

4. PROCEDURE AND GUIDANCE NOTES

The WWC Check Procedure outlines the minimum process requirements for implementation of the policy and includes reference to Guidance Notes.

5. RELEVANT LEGISLATION

Working with Children (Criminal Record Checking) Act 2004

Working with Children (Criminal Record Checking) Act Regulations 2005

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

6. RELEVANT WEBSITES

Department of Communities Working with Children Check Website

<https://workingwithchildren.wa.gov.au/>

7. RELEVANT DOCUMENTS

[WA Health Working with Children Check Procedure](#)

[WA Health Working with Children Check Guidance Notes](#)

[WA Health Criminal Record Screening Policy and Guidelines](#)

[WA Health Recruitment, Selection and Appointment Policy and Procedure](#)

Medical Practitioner Recruitment, Selection, Appointment, Credentialling, Reappointment and Recredentialling Processes within WA Health

[Department of Consumer and Employment Protection Circular to Departments and Authorities No. 6 of 2008 Working with Children Check](#)

8. AUTHORITY

Policy and/or Procedure link	http://www.health.wa.gov.au/circularsnew/circular.cfm?Circ_ID=13007 http://intranet.health.wa.gov.au/policies/doh_policy.cfm
Policy Owner	Workforce Directorate
Contact	policyofficer@health.wa.gov.au
Superseded Documents	Operational Directive OD 0160/08
Authorised by	Director General
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