



## WORKING WITH CHILDREN CHECK PROCEDURE

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## 1. INTRODUCTION

This Working With Children Check Procedure (the Procedure) should be read in conjunction with the WA Health Working with Children (WWC) Check Policy. The Procedure provides minimum process requirements for implementation of the WWC Check Policy and includes Guidance Notes and links to Factsheets located on the [WWC Check website for Western Australia \(WA\)](#).

## 2. DEFINITIONS

2.1 The following definitions and links to reference material are taken directly or adapted from the WWC Website WA.

<b>Blanket Policy</b>	When organisations/employers require all or a group of their employees to apply for a WWC Check, regardless of whether a person undertakes child-related work or not. When deciding who in their organisation needs a WWC Check an employer must make this decision on a case by case basis.
<b>Categories of Persons that may require a WWC Check</b>	Employees, volunteers, students and self-employed (contractors)
<b>Child</b>	A person who is under the age of 18 years.
<b>Child related work</b>	“Work” is child-related 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 18 categories of child-related work. Refer to Factsheet 1 What is Child-Related Work? at <a href="http://www.checkwwc.wa.gov.au">http://www.checkwwc.wa.gov.au</a>
<b>Contact</b>	Contact includes: (a) any form of physical contact (b) any form of oral communication, whether face to face, by telephone or otherwise (c) any form of electronic communication  But does not include contact in the normal course of duties between an employer and an employee or between employees of the same employer.
<b>Class 1 and Class 2 offences</b>	Offences specifically listed in the Working with Children (Criminal Record Checking) Act 2004 (the Act). Refer to Factsheet 4 – Class 1 and Class 2 Offences at <a href="http://www.checkwwc.wa.gov.au">http://www.checkwwc.wa.gov.au</a>
<b>Exemption</b>	Where a category of person or type of work is excluded by the Act or <a href="#">Working with Children (Criminal Record Checking) Regulations 2005</a> from the definition of child-related work.
<b>Five Day Threshold Defence</b>	It is an offence to carry out child-related work without having lodged a WWC application with Australia Post or holding a valid WWC Card. However, the Act

	allows reasonable flexibility to enable employers/volunteer organisations/education providers to deliver services in unforeseen circumstances, such as the illness of a worker. The 'threshold' is different for self-employed/volunteers/employees/students and employers/volunteer organisations/education providers. Refer to Factsheet 9 Information for the Health Sector <a href="http://www.checkwwc.wa.gov.au">www.checkwwc.wa.gov.au</a>
<b>Interim Negative Notice (INN)</b>	Notice that prohibits a person from undertaking child-related work in Western Australia before a final decision is made by the WWC Screening Unit.
<b>Negative Notice</b>	Notice that prohibits a person from undertaking child-related work in Western Australia and is valid until its cancellation under the Act.
<b>Working with Children Card</b>	Issued to a person when their WWC Check has been successful. It is also referred to as an assessment notice.
<b>Working with Children Check</b>	Compulsory national criminal record check for people who undertake child-related work in Western Australia.
<b>Working with Children Screening Unit (WWCSU)</b>	Unit established to administer the WWC (Criminal Record Checking) Act 2004

2.2 The following definitions are specific to WA Health.

<b>Employee</b>	Includes permanent, fixed term, acting, secondment, temporary deployment or casual.
<b>Contractors</b>	Are deemed to include persons who work under a contract for service and are engaged by the health service to do work, provide a service or labour for remuneration. This includes, but is not limited to, tradespersons, visiting health professionals, agency staff and academics.
<b>Health Corporate Network Employment Services (HCN ES)</b>	Corporate Shared Services Centre providing recruitment, employment contract management and establishment services.
<b>Health Service Medical Administration</b>	Responsible for recruitment and contracting of medical practitioners.
<b>Local Health Service Human Resources (HR)</b>	Workforce Services/HR personnel who can provide advice about the application of the Act and related processes.
<b>WWC Flagged position</b>	Identifies positions in the Human Resource Information System (HRIS) that requires the occupant to obtain a WWC Check.

### 3. PROCEDURE

The following procedure outlines the key steps and responsibilities required to ensure that persons deemed to be in child-related work undertake a Working with Children Check. Different processes are outlined for employees, volunteers, students and contractors within each step. An employee WWC process flowchart is included on page 12.

For a table containing the key steps and specific responsibilities, refer to Guidance Note 2.

#### STEP 1 IDENTIFY IF A WWC CHECK IS REQUIRED

##### EMPLOYEES

In accordance with WA Health position establishment requirements, positions that are deemed to be child-related work are flagged. A WWC flagged position indicates that the occupant is required to obtain a WWC Check.

Prior to filling a vacancy, the line manager will review the job status in the Human Resource Information System (HRIS) to see if the position is flagged as requiring a WWC Check. Line managers unable to access the HRIS should contact local Health Service HR or Health Corporate Network Employment Services (HCN ES) for assistance.

If a position is WWC flagged, the applicant will be informed through the recruitment process that their continued or commencing employment is subject to a WWC Check.

HCN ES will ensure all advertisements for positions (internal and external) that require a WWC Check will include the following statement: *This position is subject to a WWC Check.*

WWC blanket policies are not to be adopted in WA Health.

For more information about WWC flagging, including how to determine if a new or reviewed position should be flagged, refer to Guidance Note 1 and contact local Health Service HR for advice.

If a line manager considers a position's WWC flag is not correct, they are required to obtain advice from local Health Service HR and, if a WWC flag amendment is needed, submit an E10 form to the [HCN Establishment Unit](#).

##### VOLUNTEERS

If a volunteer role has been deemed as requiring a WWC Check, the volunteer coordinator or supervisor will advise the volunteer that the role is subject to a WWC Check.

For further information, including how to determine if a volunteer requires a WWC Check, refer to Guidance Note 1 or contact local Health Service HR.

## STUDENTS ON PLACEMENT

For students on placement, their educational institution is responsible for:

- identifying if a WWC Check is required (in consultation with the relevant Health Service), and
- for advising the student accordingly.

## CONTRACTORS

The relevant Health Service contract manager is responsible for identifying if a contractor requires a WWC Check and for advising the contractor accordingly.

If the services to be provided by the contractor are deemed child-related work, the customer contract must include specific clauses as outlined in the Department of Finance procurement template '*Request Conditions and General Conditions of Contract*' available at

[http://www.finance.wa.gov.au/cms/uploadedFiles/Government\\_Procurement/Guidelines\\_and\\_templates/goods\\_and\\_services\\_request\\_conditions\\_and\\_general\\_conditions\\_of\\_contract.pdf?n=8772](http://www.finance.wa.gov.au/cms/uploadedFiles/Government_Procurement/Guidelines_and_templates/goods_and_services_request_conditions_and_general_conditions_of_contract.pdf?n=8772)

For further information, including how to determine if a contractor requires a WWC Check, refer to Guidance Note 1 or contact local Health Service HR.

## STEP 2 ENSURE APPLICATION FOR WWC CHECK IS UNDERTAKEN

During the process, if it is determined that a person has already applied for, or holds a current WWC Card, go to Step 3.

## EMPLOYEES

If the position is flagged as requiring a WWC Check, in accordance with the appointment process, HCN ES will provide an "Application for a Working with Children Check" form to the new employee prior to commencement.

Alternatively, new or existing employees can obtain the application form from Australia Post or their line manager. For medical practitioners, it can also be obtained from Health Service Medical Administration.

After the new or existing employee has completed the application form, the line manager must complete the employer's section on the form to certify the applicant is, or will be employed in child-related work.

Employees **must** be advised to enter the following information in the **Employer Postal Address** section in Part 6 of the application form:

**Manager Employment Services  
Department of Health  
GPO Box 8545  
Perth WA 6849**

An example of how to complete the WWC application appropriately can be found at [HCN ES](#).

The new or existing employee must lodge the application form in person at a nominated Australia Post outlet and pay the required fee. A list of Australia Post outlets can be found at [www.auspost.com.au](http://www.auspost.com.au).

Australia Post will issue a receipt which must be retained by the employee as evidence of the application and for reimbursement purposes (if eligible).

## **VOLUNTEERS**

If a WWC is required, volunteers are to obtain the application form from Australia Post or from the volunteer coordinator or supervisor.

Volunteers are to enter their volunteer coordinator's or supervisor's name and contact details in the postal address section in Part 6 of the WWC application form.

After the volunteer has completed the application form, the volunteer coordinator or supervisor must complete the employer's section on the form to certify the volunteer is, or will be in child-related work.

The volunteer must lodge the application form in person at a nominated Australia Post outlet and pay the required fee. A list of Australia Post outlets can be found at [www.auspost.com.au](http://www.auspost.com.au)

Australia Post will issue a receipt which must be retained by the volunteer as evidence of the application and for reimbursement purposes.

### **Eligibility for WWC Check reimbursement**

#### **Employee WWC Checks**

The following employees must pay for their **initial** WWC Check:

- new employees required to obtain a WWC Check as part of their commencing employment
- existing employees who voluntarily choose to apply for and are the recommended applicant for a child-related position within WA Health.

HCN will reimburse:

- the cost for existing employees who move to child-related work on a temporary or permanent basis at the request of the employer
- the cost of **all** employees' WWC Check renewals.

*Source: [Department of Commerce Circular to Departments and Authorities, No. 6 of 2008 – Working with Children Check](#)*

For further information about reimbursement, and requirements for making a claim (K6 Form) go to [HCN ES](#).

#### **Volunteer WWC Checks**

HCN will reimburse the cost of the initial WWC Check and all WWC Check renewals for volunteers who are obliged to obtain a WWC Check.

For further information about reimbursement, and requirements for making a claim (AP1 Form) [contact HCN Accounts Payable](#).

## **STUDENTS ON PLACEMENT**

Educational institutions are responsible for advising students about applying for their WWC Checks and co-signing the application forms of students.

## **CONTRACTORS**

Contractors are responsible for their own WWC applications. They should enter their own name and contact details in the employer declaration and postal address sections in Part 6 of the WWC application form.

## **STEP 3 CONFIRM AND RECORD EVIDENCE OF WWC CHECK/CARD**

### **EMPLOYEES**

New or existing employees being appointed to a position that requires a WWC Check must forward their evidence to their line manager and HCN ES ([HCN.WWC@health.wa.gov.au](mailto:HCN.WWC@health.wa.gov.au)) of either:

- a valid WWC Card or
- a receipt from an Australia Post outlet indicating that the applicant has applied for a WWC Check.

When evidence of a WWC Card is provided, HCN ES will check its validity by going to [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au). If the WWC Card is not valid, HCN ES will advise the line manager to ask the employee to reapply for a WWC Check.

In cases where evidence of an employee's application for a WWC Check has not been provided to HCN ES prior to commencing employment, HCN ES will send an email to the line manager (and local Health Service HR) to remind them that the new employee must provide evidence by the end of the 5th working day.

If the evidence is not provided in the required time, the line manager will liaise with local Health Service HR to address the non-compliance.

Where a WWC Check is required, the following statement is included in the contract of employment:

*This employment contract is subject to the Working With Children (Criminal Record Checking) Act 2004. Your continued employment is subject to you applying for an Assessment Notice and maintaining an Assessment Notice. General information from the Working With Children Check website is attached. Please note this is an incomplete statement and should you require further information see the Working With Children Check website at [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au) or seek independent legal advice.*

### **Record keeping and compliance reports**

HCN ES will maintain data in the HRIS that includes:

- WWC flagged positions and the applicable category of child-related work
- details of the application and/or assessment notice including the date the application was made and/or the effective date and expiry date of the assessment notice
- the status of an employee's WWC Check.

A WWC Check compliance report is emailed to designated officers on a fortnightly basis. Designated officers are required to review and action WWC Check compliance reports.

This report can also be run from the Data Warehouse by line managers or site HR. Performance Activity and Quality Division (PAQ) can provide access to this report upon application.

## **VOLUNTEERS**

The volunteer coordinator or supervisor must ensure that the volunteer presents on commencement:

- a current WWC Card or
- a recent receipt from Australia Post which indicates that the volunteer has applied for a WWC Check.

When evidence of a WWC Card is provided, the volunteer co-ordinator or supervisor will check its validity by going to [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au). If evidence is not provided by the specified dates, the volunteer coordinator or supervisor will contact local Health Service HR for advice.

The volunteer coordinator or supervisor will ensure that WWC Check details are recorded and stored in accordance with WA Health requirements.

## **STUDENTS ON PLACEMENT AND CONTRACTORS**

The relevant Health Service manager must ensure that students and contractors present on commencement:

- a current WWC Card or
- a recent receipt from Australia Post which indicates that the person has applied for a WWC Check.

When evidence of a WWC Card is provided, the relevant Health Service manager should check its validity by going to [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au).

The relevant Health Service manager will ensure that WWC Check details are recorded and stored in accordance with WA Health requirements.



## STEP 4 REVIEW AND MANAGE WWC CHECK OUTCOMES

A **successful** WWC Check results in a WWC Card which is portable for three years across all types of child-related work, unless cancelled.

An **unsuccessful** WWC Check results in a “Negative Notice” or “Interim Negative Notice” which prohibits the person from carrying out child-related work with WA Health or with any other employer or as a contractor in WA.

### EMPLOYEES

The Manager HCN ES is notified by the WWCSU of the outcome of a WWC Check. In the event that the line manager receives notification of a WWC Check outcome (successful or unsuccessful), a copy should be emailed to HCN ES as soon as possible to [HCN.WWC@health.wa.gov.au](mailto:HCN.WWC@health.wa.gov.au).

If a Negative Notice or Interim Negative Notice is received, the Manager, HCN ES or the Health Service line manager will advise the Health Service HR Manager and the Health Service Workforce Director/Human Resources Director (or equivalent) who will manage the process thereafter.

The preferred applicant, new or existing employee will be notified that the offer of employment or contract of employment has been rescinded or terminated.

### VOLUNTEERS

The Volunteer coordinator or supervisor will be notified of the outcome of a WWC Check by the WWCSU. If a WWC Check is unsuccessful, the Volunteer coordinator or supervisor will immediately contact local Health Service HR for advice.

### STUDENTS ON PLACEMENT/CONTRACTORS

The outcomes of WWC Checks are received and managed by the Educational Institution (for students on placement) or by the contract provider.

### Notification of relevant change

A ‘relevant change’ occurs if a person is charged with or convicted of a Class 1 or Class 2 scheduled offence under the Act.

**Employees, volunteers and students** are required to notify the WWCSU and the relevant Health Service Manager in writing as soon as practicable after any ‘relevant change’ to their criminal history. The Health Service Manager must contact local Health Service HR to advise of the ‘relevant change’. Disclosure of details of the charge or conviction is not required – just the fact they have had a relevant change to their record.

**Contractors** are required to notify the WWCSU and the Health Service/s where they are providing services in writing after any ‘relevant change’ to their criminal history occurs.

## **STEP 5      ARRANGE SUBSEQUENT WWC CHECKS**

Three months prior to the expiration of a person's WWC Card, a person will receive a reminder letter from the WWC Screening Unit requesting that they re-apply for a new card if they wish to continue in child-related work. Card holders should re-apply at least one month before their WWC Card expires.

### **EMPLOYEES**

Designated officers will receive a WWC non-compliance report on a fortnightly basis, and a four weekly "due to expire" report identifying employees whose WWC card is due to expire in the next 2 months. Delegated officers will follow up with employees that are non-compliant and those with WWC cards that will soon expire.

### **VOLUNTEERS/STUDENTS/CONTRACTORS**

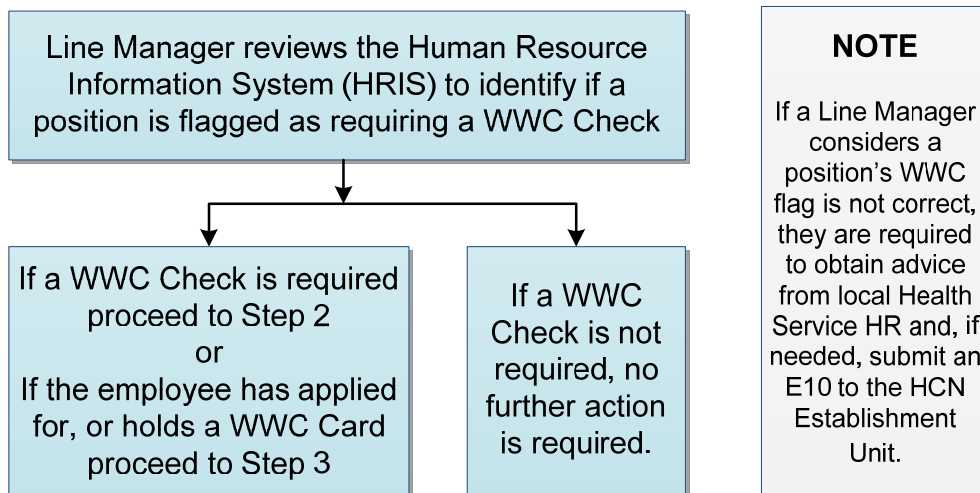
Persons in the above categories are responsible for renewing their WWC cards every three years.

#### 4. FLOWCHART

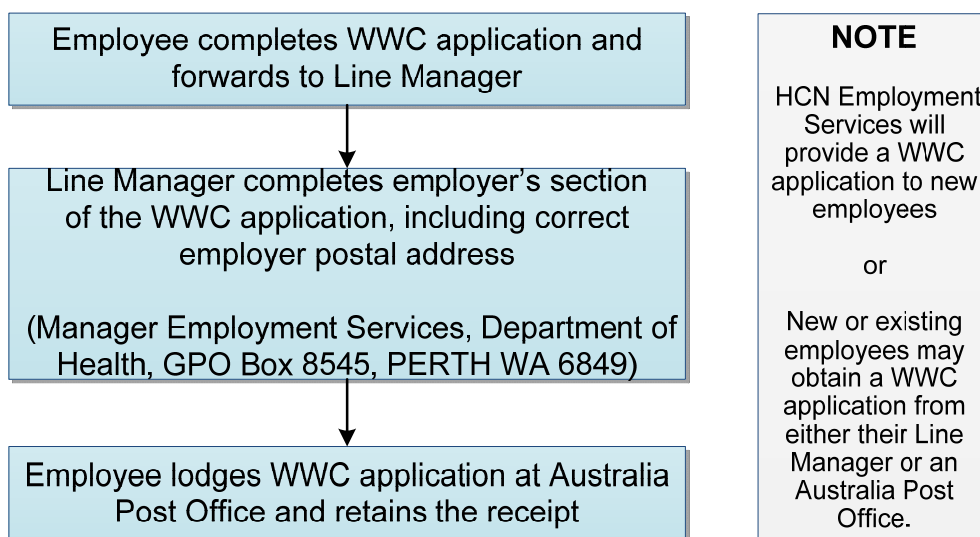
### WWC CHECK PROCESS FOR EMPLOYEES

(Employee: includes permanent, fixed term contract, acting, secondment, temporary deployment, casual or prospective employee)

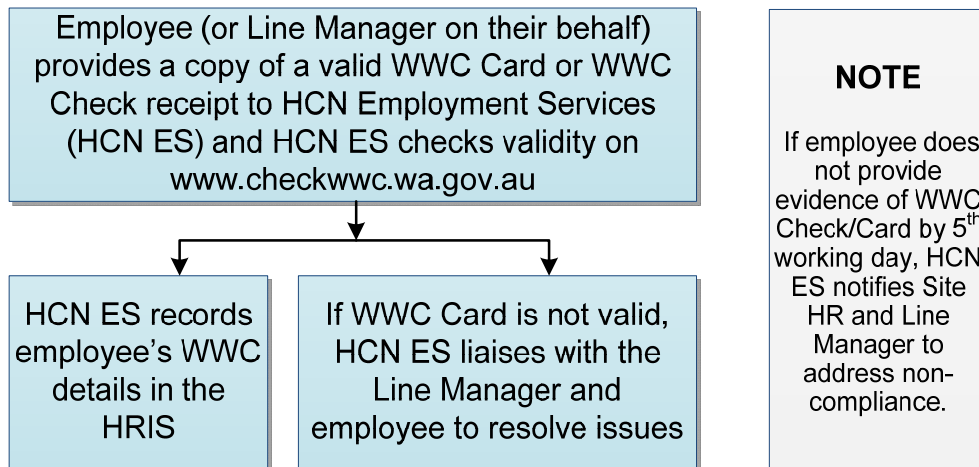
#### Step 1 – Identify if an employee requires a WWC Check



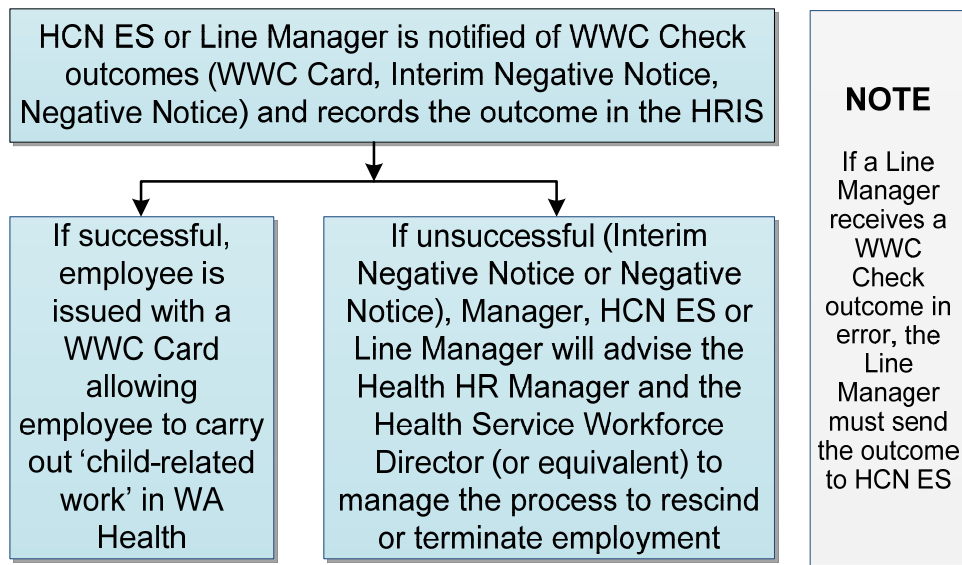
#### Step 2 – Ensure application for WWC Check is undertaken



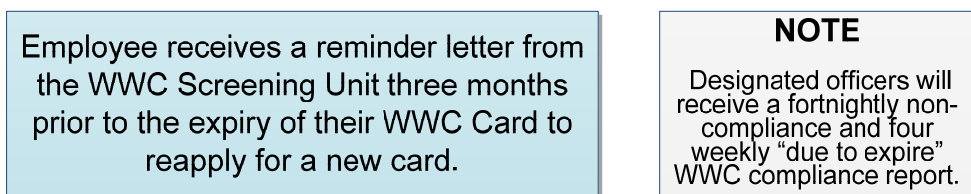
### Step 3 – Confirm and record evidence of WWC Check/Card



### Step 4 – Review and manage WWC check outcomes



### Step 5 – Arrange subsequent WWC Checks



## 5. QUESTIONS AND ADVICE

For queries or advice, contact local Health Service Human Resources or HCN ES.

For external advice, contact the WWCSU at:

Telephone: (08) 6217 8100

Freecall: 1800 883 979

Fax: (08) 9221 6345

Email: [checkquery@dcp.wa.gov.au](mailto:checkquery@dcp.wa.gov.au)

## 6. GUIDANCE NOTES

1. [How to determine if a WWC Check is required \(including examples of child-related work in the Health Sector\)](#)
2. [Working with Children Check Steps and Responsibilities](#)
3. [Working with Children Screening Unit Factsheets](#)

## 7. AUTHORITY

<b>Policy and/or Procedure link</b>	<a href="http://www.health.wa.gov.au/circularsnew/circular.cfm?Circ_ID=13007">http://www.health.wa.gov.au/circularsnew/circular.cfm?Circ_ID=13007</a> <a href="http://intranet.health.wa.gov.au/policies/doh_policy.cfm">http://intranet.health.wa.gov.au/policies/doh_policy.cfm</a>
<b>Policy Owner</b>	Workforce Directorate
<b>Contact</b>	<a href="mailto:policyofficer@health.wa.gov.au">policyofficer@health.wa.gov.au</a>
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