



Working with Children Checks - Staff

(Last DET Update: 10/06/16)

First Developed May 2015
Reviewed: September & November 2015
February & April 2016
Updated: June 2016,
Reviewed: April 2017

1. Background and information

Rationale

- As part of the process for maintaining high standards of conduct and professionalism in the workplace, it is essential that principals/managers ensure that the Department's procedures for criminal record checks are implemented.
- Verification of a satisfactory criminal record is achieved by ensuring the employment of new employees and engagement of volunteers proceeds in accordance with Department of Education and Training policy (for Victorian Public Servants), and legislative obligations pursuant to the Working with Children Act 2005 (for school based non-teaching employees and volunteers), and to the Education and Training Reform Act 2006 Part 2.6 Victorian Institute of Teaching (for principals and teachers).
- The Department has developed procedures for the conduct of criminal records checks for all school based and non-school based employees, including arrangements that allow for the acceptance of the criminal records check conducted by the Victorian Institute of Teaching and Working with Children Checks to meet the Department's pre-employment suitability for employment requirements. The authority for the policy and procedures is [Ministerial Order 199](#) - which applies to the principal class, teacher class, and education support class employed by the Department, and [Ministerial Order 200](#) for all non-teaching staff and casual relief teachers employed by School Councils.
- Employees in the principal class, teacher class and paraprofessional class are employed pursuant to the *Education and Training Reform Act 2006* and are required to have valid and current registration with the [Victorian Institute of Teaching](#) as a condition of employment.

Definitions

The Act defines 'child-related work' as work which usually involves (or is likely to involve) regular, direct contact with a child where that contact is not directly supervised, and in any of twenty child-related occupational fields listed in the Act. 'Child-related work' may be either paid or unpaid (voluntary). Any person whose duties usually involve or is likely to involve work in a school (other than teachers and Principals) is considered to be engaged in 'child-related work' as defined in the Act and will need to ensure they are compliant with the legislative obligations contained in the Act.

Further information may be obtained from:

References:

www.education.vic.gov.au/school/principals/spag/hr/pages/hr.aspx

www.education.vic.gov.au/hrweb/employcond/Pages/crimcheck.aspx

Suitability for Employment Policy (Manual) 2 February 2016

Education and Training Reform Act 2006

Working with Children Act 2005

Please refer also to the school's *Child Safe Policy*.

2. Carranballac College Working with Children Checks - Staff Policy (October 2016)

Purpose

To ensure Carranballac P-9 College complies with DET policy and guidelines, legislative requirements and VRQA minimum standards in regard to the employment of teaching and non-teaching staff.

Implementation

The safety and wellbeing of students is this school's highest priority. Therefore, the Principal will ensure all staff have a Working with Children Check or VIT registration as part of their employment.

- All details will be recorded on CASES21.

Ratification and Review

- This policy will be reviewed as part of the school's three-year review cycle or if guidelines change.

This update was ratified by School Council on 18th October 2016

3. Carranballac College Working with Children Checks - Staff Procedures

- **Registered Training Organisation teachers and instructors** - the Principal or Coordinator must be satisfied that the teacher or instructor is suitable for employment by sighting either a criminal record check conducted by the Department, a WWC Check or provisional registration as evidence that a teacher or instructor is suitable for employment. Where the RTO's instructor is not registered with Victorian Institute of Teaching, s/he will be required to demonstrate evidence of having applied for a WWC Check.
- **Education support class employees** must demonstrate their suitability for employment by providing evidence of a WWC Check and Assessment Notice.
 - Principals and managers are requested to sight and retain a record of the employee's WWC Check unique number. This number is recorded on eduPay.
 - Employment may be terminated if an employee fails to provide the delegate with an Assessment Notice when required. Termination must not occur fewer than 14 days after the delegate has notified the employee to provide the Assessment Notice.
- **Casual relief teachers** are required to be registered with the Victorian Institute of Teaching. Accordingly they qualify for an exemption from the *Working with Children Act 2005* and do not require a WWC Check.
- Not all casual employees in schools will be required by the Act to undergo a WWC Check; it will depend on whether their duties meet the definition of 'child-related work' as defined in the Act.
- As the Executive Officer of School Council, a Principal retains the authority to require a casual employee to undergo a criminal record check conducted by the Department and should do so if it is considered relevant to the duties being undertaken.
- An employee or volunteer who receives an Interim Negative Notice or a Negative Notice is required by law to inform their employer within seven days.
- If a principal or manager becomes aware that an employee has been issued an Interim Negative Notice or a Negative Notice, they must contact the Employee Conduct Branch immediately.