

Working With Children Check

Policy

Aim

NSW Water Ski Federation (NSWWSF) is committed to creating an environment that is safe for all members including Children. As part of this commitment, and in compliance with Federal and State government regulations, NSWWSF requires all persons involved in child related activities to complete a Working With Children Check (WWCC).

This policy will provide information to assist staff, coaches, managers, judges and other officials to understand their obligations to obtain a WWCC, the records that NSWWSF will keep, and the steps that will be taken in the event of identifying a barred person.

This policy will be fully implemented by 31 March 2016.

Legislation

This policy is in line with the following

- [Child Protection \(Working with Children\) Act 2012](#)
- [Child Protection \(Working with Children\) Regulation 2013](#)
- [Child Protection \(Working with Children\) Amendment \(Miscellaneous\) Regulation 2013](#)

The WWCC is administered by the Office of Children's Guardian (OCG).

Child related roles

Any staff member or volunteer in direct face to face contact with children must have a WWCC. This includes (but is not limited to) the following roles in a water ski context

- Coaches and assistant coaches
- Managers and assistant managers
- Any tournament officials that are involved in educating Children to take up official duties
- Organisers and volunteers at any overnight camp or accommodation
- Any other role that puts a person in ongoing direct face to face contact with a child

Child Safe Practices

Good child safe policies and practices are the best way to reduce potential environmental risks and keep children safer in our organisation. NSWWSF encourages all Divisions to use a range of responses to manage the potential risks in their individual environments, including meeting their Working With Children Check (WWCC) legal obligations.

While a WWCC can be an important tool in an organisation's approach to being 'child safe', they cannot identify people who have not previously been caught or are yet to offend. As such, although an important part of being a child safe organisation, practices such as reviewing risks,

appointing Member Protection Information Officers (MPIO), good communication and training, and managing allegations, are equally important.

Nominated people

The two nominated people within NSWWSF who will be contacted by the Office of Children's Guardian (OCG) if a person becomes barred:

- NSWWSF Executive Officer
- NSWWSF President

Working with Children's Check Procedures

At the beginning of each season, and as required through each season, each Division is required to

- Determine a list of staff and volunteers that are involved in Child Related Roles (see above)
- Submit that list to NSWWSF executive officer by email to admin@waterskinsw.com.au
- Contact each person on the list to advise them that they must submit their WWCC number and DOB to the executive officer of NSWWSF by email to admin@waterskinsw.com.au.
- In some cases, there may be a delay in receiving the WWCC number, and in the interim the APP number can be provided (must firstly provide proof of ID at a Motor Registry).
- NSWWSF will provide divisions and members with full details of the steps to follow to obtain a WWCC number.
- Once the person has provided the WWCC number (or an interim APP number) to NSWWSF, they can become involved with the role that requires face to face contact with children.

The figure below shows the flow of information.

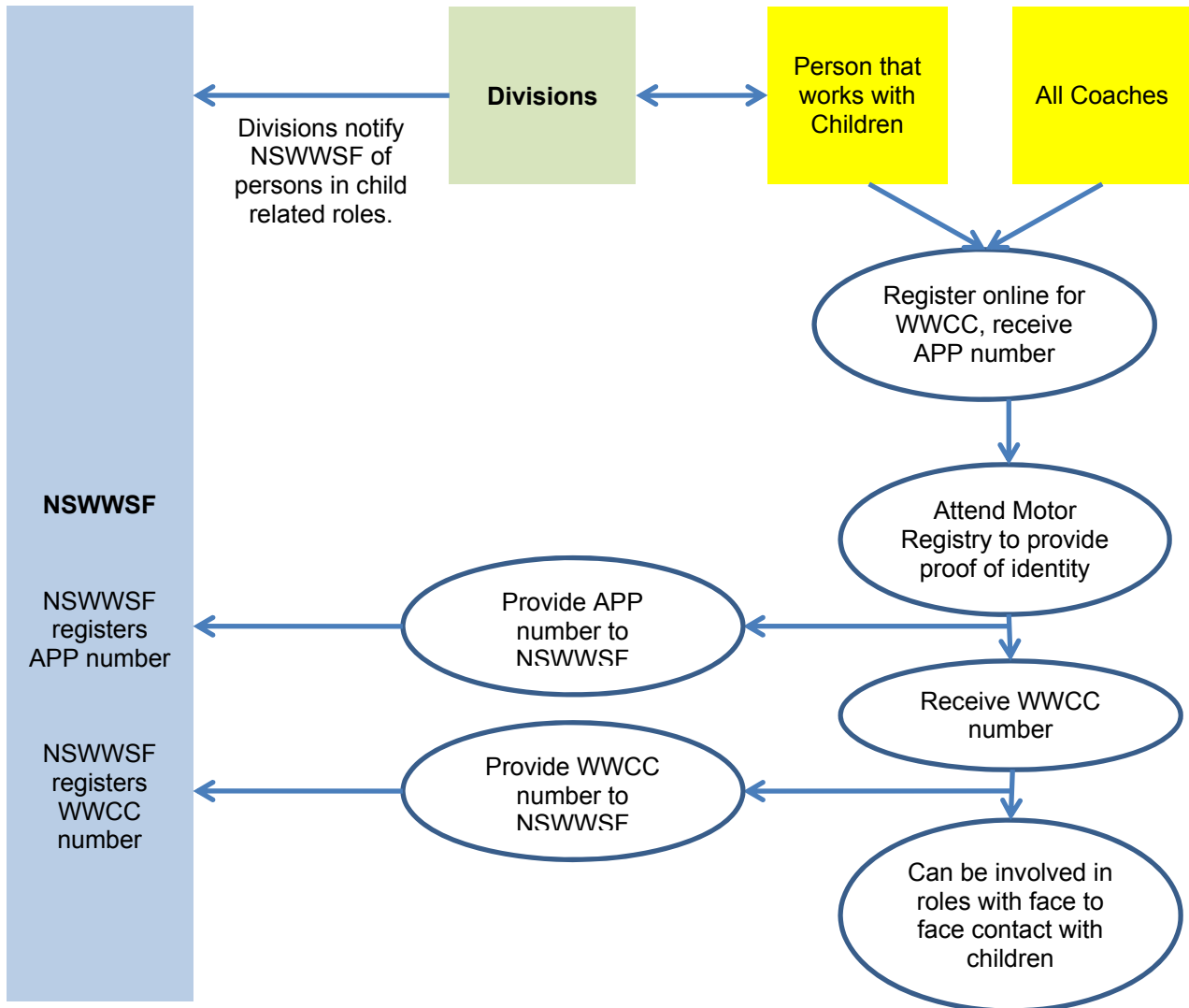


Figure 1 Completing the WWCC Obligations

Note that the WWCC is a pre-employment check – the steps above are required to be completed before the person undertakes any child related role.

Note that for volunteers, there is no cost in obtaining a WWCC number.

In some cases, there may be a delay in OCG issuing a WWCC number. In this case, the person can provide their APP number that was issued at the end of filling out the online application for a WWCC number. Note that this APP number will only be valid once the person has visited a Motor Registry (or Service NSW office) for verification of their Identification.

Once the person subsequently receives their WWCC number, they must also provide this to NSWWSF, along with their DOB

Record Keeping

All WWCC records will be kept by NSWWSF. For every registration of a WWCC number (or APP number), the following information will be recorded

- Full name
- Date of Birth
- WWCC Number (or APP number as applicable)
- Verification Date
- Verification Outcome (Status)
- Expiry Date
- Paid / Volunteer
- Division

These records will be made available to OCG for the purpose of audit, on request.

Outcome of WWCC verification

When the APP Number or WWCC number is registered by NSWWSF, the online system will confirm the registration, and provide a Status according to the following table.

Status	Meaning
Application in progress	A Working With Children Check application is being processed and the applicant may work with children. If the applicant becomes barred, the Office of the Children's Guardian will contact the person applying for the WWCC and any organisations who have completed the online verification to advise of what to do next
Cleared	This applicant has a Working With Children Check clearance that is valid until the listed expiry date.
Barred	The applicant has been barred from working with children and it is an offence to engage this person in child-related work or child-related roles.
Interim barred	The applicant has been barred from working with children during the course of a risk assessment. It is an offence to engage this person in child-related work or child-related roles.
Not found	The database cannot find a matching Working With Children Check for any one of these reasons: The data entered for verification (name, date of birth and Working With Children Check number or application number) has errors; The person's application has been withdrawn or terminated without an outcome; The person has not completed an application for a Working With Children Check (filled in the online form, presented proof of identity and paid any applicable fee). The person has filled in the online form, but not yet presented proof of identity and paid any applicable fee It is an offence to engage this person in child-related work or

	child-related roles.
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Change in Status

In some cases, there may be a significant delay in processing an application while previous records are investigated. In this case, the Status may change to “Interim barred”, and the person must not be allowed to be engaged in child related work or child related roles. Following investigation by OCG, the Status may revert to “Cleared”.

Once issued, the WWCC is valid for five years and during this time, cleared applicants will be subject to ongoing monitoring.

If at any time before expiry, if the Status changes to “Barred” or “interim barred”, NSWWSF will be notified using information supplied during the online verification process. See the Section below “Barred Person” for the steps that will be followed in this scenario.

Exemptions to WWCC

There are specified exemptions from the WWCC. People covered by these exemptions are not required to have a WWCC. The exemptions which are most relevant to NSWWSF include:

- Children (under the age of 18)
- Volunteering by a parent or close relative *with a team, program or other activity in which the child usually participates or is a team member*. Note that the parent is not exempt if their child is involved in a different team or group – this seems the more typical scenario in a NSWWSF event.
- Worker (or volunteer), who works in a one-off event for a period of no more than five days in a year, with minimal contact with children or is supervised when children are present.
- Overseas resident at a one-off event for up to 30 days, providing that the event is the only child related work in a year.
- Interstate resident (with or without an interstate WWCC) at a one-off event for up to 30 days, providing that the event is the only child related work in a year.
- Organising committees where there is no contact with children
- Spectators

NSWWSF has adopted the guidance from the OCG with regard to Exemptions to WWCC: persons that are not required to have a WWCC should not obtain and submit a WWCC. This would be a waste of NSWWSF and OCG resources.

Divisions are encouraged to use the Child Related Roles above to determine those people that need a WWCC.

For persons that do not need a WWCC, but that the Division would like to have a declaration that they are not a prohibited person, please use the Statutory Declaration included in Appendix 1.

Barred persons

In the event that NSWWSF is made aware that a staff member or volunteer is barred from working with children, the following procedure will be followed

- A barred person will receive formal notice from the Office of the Children's Guardian. They will be informed of their obligation to remove themselves from all child-related work and that it is an offence to continue working in child-related work.
- NSWWSF will notify the barred person that they may not continue with any child related work, whether they are paid or un-paid; supervised or unsupervised.
- NSWWSF will notify the Division involved that the barred person should not continue with any child related work, whether they are paid or un-paid; supervised or unsupervised.
- NSWWSF will notify WAWA of the identity of the barred person

NSWWSF will then have the option to

- Dismiss the barred person, or remove them from any further involvement with NSWWSF activities; or
- Suspend them from child-related work pending the outcome of an appeal; or
- Transfer them to a nonchild-related role within the sport (although NSWWSF are under no legal obligation to find an alternative position or role for a barred person)

Policy Review

NSWWSF may review this policy from time to time, or as required, and will place the modified policy on the NSWWSF website.

Further Information

NSWWSF will communicate with Divisions and Members to provide information on the latest WWCC regulations, obligations, and procedures for staff and volunteers to obtain their WWCC.

Further information is also available from the Office of Children's Guardian, www.kidsguardian.nsw.gov.au, check@kidsguardian.nsw.gov.au, 02 9286 7219.