

1.0 **Purpose**

- 1.1 Macquarie Grammar School (MGS) is committed to ensuring that children who attend the school are safe and supervised by adults who have obtained a positive Working with Children Check (WWCC) as required by the NSW Commission for Children and Young People.
- 1.2 This policy applies to all adults participating in child-related work and activities at MGS, Homestay Providers, Guardians and Homestay & Guardianship Companies.

2.0 **Responsibility**

- 2.1 The Chief Executive Officer, Principal and Deputy Principal (Designated Responsible Officer) are responsible for the implementation of this policy/procedure and to ensure that staff obtain the required WWCC.
- 2.2 The Student Services Accommodation Officer is responsible for ensuring that Guardianship and Homestay services to under 18 year olds have the required WWCC in place.

3.0 **Requirements**

- 3.1 All adults who are engaged in child related employment at MGS are required by legislation to apply for and receive a positive Working with Children pre-employment check before commencing employment.
- 3.2 All employment applicants including students, guardians & homestay providers and volunteers must complete a Prohibited Employment Declaration form and should be advised that employment is conditional upon successful obtainment of a positive WWCC.
- 3.3 No employee, consultant, contractor, student or volunteer may participate in child related employment at the school without a positive WWCC.
- 3.4 WWCC which are classified as negative indicate that a person has committed a child-related offence(s) and therefore may not be engaged in child related employment or activities of the school in any capacity.
- 3.5 It is the policy of MGS to disallow employee participation in child related employment if a negative notice has been obtained, the employee becomes a prohibited person or if an adult does not have a WWCC.
- 3.6 The recruitment process will be guided by relevant legislation including:
 - 3.6.1 Privacy Amendment (Private Sector Act 2000)
 - 3.6.2 Commission for Children and Young People Act 1998
 - 3.6.3 Commission for Children and Young People Act 1998 - Part 3A of the Ombudsman Act 1974
 - 3.6.4 Child Protection (Offenders Registration) Act 2000
 - 3.6.5 Freedom of Information Act 1989

4.0 **Method**

- 4.1 Designated responsible officers must sight the applicant's original identity documents which must amount to 100pts of I.D as per the list of document values
- 4.2 Complete the Working with Children Background Check request form confirming the 100pts check has been verified.

Note: *The following is a list of document values for the 100pt check to be listed on the application form*

70 points

Name of preferred applicant verified from one of the following (more than one from this list cannot be counted):

- Birth Certificate
- Birth Card issued by the NSW Registry of Births, Deaths and Marriages
- Citizenship Certificate
- Current Australian passport
- Expired Australian passport which has not been cancelled and was current within the preceding 2 years
- Current passport from another country or diplomatic documents.
- Identity of the applicant verified by an educational institution, either on a student card or a letter signed by the principal, deputy principal, head teacher, deputy head teacher or enrolment officer, confirming that the applicant currently attends the institution.

For a preferred applicant under 18 years, one document from the above list, or the following, is sufficient:

40 points

Name and photograph/signature of preferred applicant verified from one of the following (more than one document can be counted):

- Current driver photo licence issued by an Australian state or territory
- Identification card issued to a public employee
- Identification card issued by the Australian or any state government as evidence of a person's entitlement to a financial benefit
- Identification card issued to a student at a tertiary education institution.

35 points

Name and address of preferred applicant verified from any of the following (more than one document can be counted):

- Document held by a cash dealer giving security over property
- A mortgage or other instrument of security held by a financial body
- Council rates notice
- Document from current employer or previous employer within the last two years
- Land Titles Office record
- Document from the Credit Reference Association of Australia.

25 points

Name of preferred applicant verified from any of the following (more than one document can be counted):

- Current credit card or account card from a bank, building society or credit union
- Local council rates notices
- Current telephone, water, gas or electricity bill
- Foreign driver's licence
- Bupa Card
- Electoral roll compiled by the Australian Electoral Commission
- Lease/rent agreement
- Current rent receipt from a licensed real estate agent
- Records of a primary, secondary, or tertiary educational institution attended by the applicant within the last 10 years
- Records of a professional or trade association of which the applicant is a member

5.0 Requesting Consent

- 5.1 Preferred applicants must complete the **Application for a NSW Working with Children Check**.

- 5.2 The applicant will provide the completed **Application for a NSW Working with Children Check** to the Designated Responsible Officer who will retain the record as long as other personnel files are retained.
- 5.3 The prospective employer (MGS) will let applicants know in advance if they will need a Working With Children Check. Employers should also advise volunteers that they will need to sign the Volunteer/Student Declaration.
- 5.4 The Working With Children Check will not be completed without the applicant's consent.

6.0 **Approval results processing**

Before conducting an estimate of risk the Approved Screening Agency may

- 6.1 contact the employer to verify that the position is primary child-related employment; employers may need to provide supporting information such as the position description, and roles, responsibilities and supervision arrangements;
- 6.2 obtain any required documents such as the completed **Application for a NSW Working with Children Check**
- 6.3 contact the preferred applicant to verify their personal details and confirm that the provided information relates to them.
- 6.4 If a relevant record result exists the Approved Screening Agency will additionally provide an estimate of risk and a letter of outcome.
- 6.5 When a 'no relevant records exist' result is obtained the applicant may be made a letter of offer of employment.
- 6.6 When a relevant records result is produced MGS will inform the candidate using the **Relevant Employee Proceedings – Employee Advisory Letter**.

7.0 **Notifying of the Decision not to Employ**

- 7.1 In the event that a decision is made not to employ an applicant based on the outcome of estimate of risk, the Designated Responsible Officer will notify the Commission for Children and Young People by completing the Employment Decision Notification Form.
- 7.2 The Commission may take enforcement action for Failure to notify the Commission for Children and Young People of an applicant rejected for child-related employment.

8.0 **Definitions**

TERM	DEFINITION
Adult Person	18 years of age or more
Child	Person under 18 years of age
Which work setting requires a Working with Children Check?	Schools or other educational institutions (not being universities)
What is <i>Child-related employment</i> ?	Employment in the School and; -Primarily involves contact with children -Involves direct contact with children; and -Where that contact is not directly supervised by a person who has the capacity to direct the employee as per their supervision arrangement.
<i>Direct contact</i> between adult and child	<input type="checkbox"/> Physical contact; OR <input type="checkbox"/> Talking Face-to-face Contact with children by telephone or online is not direct contact.
Direct Supervision	An adult who does not have a WWCC who works in a Child-related employment must be <i>directly supervised</i> by a designated workplace supervisor as defined in a position description who does have a positive WWCC. To be considered ' <i>directly supervised</i> ' your supervision must

	<p>be:</p> <ul style="list-style-type: none"> • Immediate and personal • Undertaken by a person who has the role of supervision during 'child-related work' as defined by the supervisor's position description. The supervisor will have a higher authority or be delegated by the organisation. • Not allow more than a few minutes in which the supervising officer is not in direct view of the employee
An MGS Visitor	Any person who participates in child-related employment or activity as a visitor must be under direct personal supervision.
Who is exempt?	<p>The Working With Children background check is mandatory for:</p> <ul style="list-style-type: none"> • preferred applicants for paid child-related employment; • ministers, priests, rabbis, muftis or other religious leaders or spiritual officials of religion seeking child-related employment; • foster carers. <p>Working With Children background checks are not available for any other employees or self-employed people.</p> <p>Working With Children background checks are not available where:</p> <ul style="list-style-type: none"> • all the children with whom the person will have contact are related to the person; or • all the children with whom the person will have contact are related to the employer, and the person is related to the employer. <p>Information is available on What are other employment screening options. Alternatively, there are Child safe child friendly resources available as formal advice.</p>
Designated Responsible Officer	A nominated contact officer or other authorised person who can be contacted by the approved screening agency
Approved Screening Agency	A Minister appointed agency to carry out WWCC background checks- The Commission for Children and Young People
Preferred applicant	Desirable candidates for a child-related position in the organisation who are new to the organisation. Or they are existing employees who are desirable candidates for another child-related position in the organisation.
Estimate of Risk	<p>The estimate of risk is based on three components:</p> <ul style="list-style-type: none"> • the level of risk inherent in a particular position; • the level of control an organisation has over its risks; and • the extent of caution needed in employing a particular individual. <p>The process of analysing information gathered through Working With Children background checking to estimate the level of risk a person in child-related employment may pose to children in the workplace.</p> <p>Employers are provided with the outcome of an estimate of risk in the <i>Advice to employers - results of background check letter</i>.</p>

9.0 References

- 080-PP-MGS Younger Overseas Students policy

10.0 Revision History

Rev.	Date	Description of modifications
1	16/03/2009	WWC Policy linked to Standard 5 Younger Overseas Students Policy
2	10/06/2009	MGS 5.12-5.13 uncontrolled docs brought into QMS
3	10/11/2009	Amendments to Title and Footer
4	27/04/2010	Amendments to reference to forms
5	30/05/2013	Amendments to procedures in employee responsibility and approval.
6	20/08/2013	Updated WWCC Application name and links on 5.1, 6.2
7	10/04/2014	Replaced Medicare with Bupa