



POLICY TITLE: WORKING WITH CHILDREN CHECK POLICY

DEVELOPED / REVIEWED BY

Human Resources Manager  
Siena College Policy Committee  
MACS (Melbourne Archdiocese Catholic Schools)

### REVIEW SUMMARY

This policy applies to the whole Siena College community in supporting safe environments for all children and young people.

It concerns the responsibilities of Siena College in complying with the provisions of the [Worker Screening Act 2020](#) (Vic.), which was enacted 'to assist in protecting children from sexual and physical harm by providing for screening of persons who work with, or care for, children' (section 1(b)).

Teachers with current Victorian Institute of Teaching (VIT) registration are exempt from obtaining a Working with Children Check (WWCC) as the VIT registration process includes screening for suitability for child-related work. Ministers of religion and those performing duties of a religious vocation are required to have a WWCC.

### DOCUMENT DEVELOPMENT PROCESS

This document was first developed by the Human Resources Manager in June 2022 considering the new Child Safe Standards coming into effect from 1 July 2022.

### RATIONALE

Siena College is committed to the safety and wellbeing of all students, and the creation of a just and respectful environment that supports the health and wellbeing of the College community. All in our College have a duty of care, a moral obligation, and a shared responsibility to protect the most vulnerable members of the community.

Ensuring children and young people are protected against sexual abuse is a community-wide responsibility, and schools have responsibilities to ensure children and young people are safe in their care, and to work actively and intentionally to eliminate all forms of abusive behaviour towards children.

### DEFINITIONS

<b>children</b>	For the purposes of the <i>Worker Screening Act 2020</i> , <b>children</b> are those under the age of 18 years.
<b>child-related work</b>	Work involved in one of the occupational fields listed in the Act, and usually involves direct contact with a child where that contact is not directly supervised by another person. <b>Note:</b> Work is <b>not</b> child-related work by reason only of occasional direct contact with children that is incidental to the work.

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<b>direct contact</b>	Is any contact between a person and a child that involves: <ul style="list-style-type: none"> <li>• physical contact</li> <li>• face-to-face oral communication</li> </ul>
<b>direct supervision</b>	Supervision of a person's contact with children, rather than of their work in general. Supervising another person's contact with children must be personal and immediate but can include a brief absence such as taking a telephone call in another room.
<b>unsupervised child-related work</b>	Any type of activity where an adult has 'direct contact' with a student or students/young people that is not directly supervised by a member of staff.
<b>Victorian Institute of Teaching (VIT)</b>	The registration body for teachers in Victoria.
<b>Working with Children Check (WWCC)</b>	Required by persons doing child-related work in Victoria as paid workers or volunteers, where that work is not directly supervised by someone with an appropriate check. A WWCC is not required by teachers who hold current VIT registration.

## PRINCIPLES / GUIDING PRINCIPLES

The following principles underpin our commitment to child safety and wellbeing within Siena College:

- all students deserve, as a fundamental right, safety, and protection from all forms of abuse and neglect
- a safe environment is required to protect children and young people from harm, and to prevent staff or other adults from abusing their position of authority and trust
- Siena College commitment to the protection of children is embedded in the culture of our College, and our individual and collective responsibility to take action is understood and accepted
- each child and young person's ongoing safety and wellbeing must be the primary focus of all decision-making.

At Siena College, the leaders, teachers and all staff must be fully self-aware of, and comply with, their professional obligations and responsibilities with regard to the protection of children.

## PROCEDURES

Siena College will ensure that all adults engaging in child related work, whether paid or unpaid, will have a current Working with Children Clearance, issued from the successful outcome of a WWCC. The College will maintain accurate and up to date WWCC and VIT registers for teachers, clergy, other staff, contractors, and volunteers. This duty is allocated to the Human Resources Coordinator and overseen by the Human Resources Manger.

Each year, all staff are made aware of the College procedures for volunteers, contractors, and other persons, including the need for prior approval of such work by the designated member of the school's leadership team.

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### Who requires a WWCC?

Only people doing child-related work (and who aren't otherwise exempt under the Act) need a WWCC. This applies to both paid and volunteer workers. Not everyone who has contact with children needs a WWCC. More information about the occupations requiring a WWCC is included in the [list of occupational fields](#).

A WWCC is required:

- by adults engaged in child-related work within the meaning of the Act, which includes engaging in voluntary work and providing practical training as well as paid employment
- if the work usually involves direct contact with a child or children
- when the contact with children is not occasional direct contact and is not incidental to the work
- for clergy and those performing duties of a religious vocation, including the Parish Priest, who must show the Principal or delegate their current WWCC
- by volunteers, including members of the College advisory committees and Board, and those involved in practical training, such as student teachers.

Siena College staff are responsible for obtaining their own WWCC; however, the College must ensure that valid checks are held by all those requiring one by maintaining a current and up-to-date WWCC register. The currency of WWCCs by all staff is monitored by the Human Resources Coordinator whose role specifically includes maintenance of the WWCC register and related tasks.

The College will ensure that a register of all teaching staff who, while having current registration with the VIT, are exempt from obtaining a separate WWCC is maintained by the College.

Each year, all staff are made aware of the WWCC requirements and that it is a condition of their tenure at Siena College to ensure currency is maintained.

### Working with Children Check (WWCC) failure – receipt of exclusion notice or interim exclusion notice

If a volunteer or staff member at the College receives an Exclusion notice or Interim Exclusion notice, the following procedure applies:

Working with Children Check Victoria will notify Siena College if a person in their employ receives an Exclusion notice. Siena College will not be told the reason for the Exclusion notice. By law, the person must tell the College in writing within seven days of the date they are given the notice. Once issued, the person is not allowed to do any child-related work effective from the date listed on the notice. Please refer to the Working with Children Check Victoria website for more information.

The person has an opportunity to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review or to get an assessment notice. They are only permitted to recommence 'child-related' work at the College upon successfully reapplying for a Working with Children Check (WWCC) and by providing a copy of their new WWCC to the College.

If a volunteer or staff member at the school receives an Interim Exclusion notice, the person has the opportunity to explain why they believe they should pass the check and respond to the reasons the Interim Exclusion notice was given.

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## RESPONSIBILITY

- Principal (Primary responsibility)
- Human Resources Manager
- Human Resources Coordinator
- Sienna College Staff

## RELATED LEGISLATION

- Worker Screening Act 2020 (Vic.)

## RELATED SIENA COLLEGE POLICIES

- Child Safety and Wellbeing Policy 2022
- Recruitment Policy 2022
- Teacher Registration Policy 2022

## RELATED DOCUMENTS

- Working with Children Check Victoria [website](#)

## RISK

In the Committee's deliberations it is important to consider the College's main strategic processes and the identification of associated risks. Some sample questions are included for referral. Answers are to be documented as part of the policy.

1. **Faith and Catholic Identity.** Identify any risks to Catholic Identity or Dominican charism of the school. How will this policy harm or enhance either?
2. **Reputation.** Identify if there are any reputational risks to the College. How will this policy impact Sienna and wider communities?
3. **Financial.** Identify any financial risks to the College. How will this policy impact the financial stability of the College?
4. **Contemporary Learning and Teaching.** Identify any risks to learning and teaching. How will this policy impact the academic performance of the College?
5. **Wellbeing.** Identify any risks to safety and wellbeing. How will this policy impact the mental and physical wellbeing of the College community?
6. **Community Engagement.** Identify any risks to building community engagement. How will this policy impact community relationships?
7. **Governance and Leadership.** Identify any risks to governance and leadership in the College. How will this policy affect the strategic direction of the College?

Do any risks identified above warrant changes to the proposed policy? If so the policy should be referred back to the developer/s.

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NEXT REVIEW

September 2023

POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/cms/file/46653?returnUrl=L2hvbWVwYWdlLzM0NTI%3D>

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