



# JOONDALUP KINROSS CRICKET CLUB

## WORKING WITH CHILDREN POLICY 2011

The sport and recreation sector plays a pivotal role in children's development. It is important that safe environments are provided for all children who participate as members of the Joondalup Kinross Cricket Club.

Under the Working with Children (WWC) legislation, people having contact with children aged under 18 in certain categories of work are required to have a Working with Children (WWC) Check. The Joondalup Kinross Cricket Club (JKCC) is required to ensure all members abide by this legislation.

The details below will constitute the Joondalup Kinross Cricket Club Working with Children Check Policy. It is a requirement that all members abide by their working with children requirements as per the WA Working with Children Check Legislation. The information below clearly outlines requirements associated with members, volunteers and parents of the Joondalup Kinross Cricket Club.

### **What constitutes child related work? Who needs to apply?**

With the Joondalup Kinross CC some Categories of child-related work include (but are not limited to):

#### Coaching & Tuition:

- A coaching or private tuition service of any kind.
- People coaching children's sporting teams
- Interstate or international coaches working with children in Western Australia at a sport or recreational club for more than 2 weeks in any period of 12 months
- Students over 18 years on placement doing children's coaching in sporting clubs
- People providing children's tuition such as dance and martial arts teachers.

#### Accommodation Arrangements:

- An arrangement for the accommodation or care of children, whether in a residential facility or private residence: includes camps and overnight stays
- People providing care and accommodation for children (eg billeting) from visiting sport teams

#### Club Activities and duties with significant involvement with children:

- Canteen staff who have contact with children as part of their usual duties at a sport or recreational club
- Support staff of children's sporting or recreational clubs, including managers and first aid or medical staff
- People in Board positions who have contact with children as part of their usual duties at a sport or recreational club
- Child transport (except for domestically organised activities) includes bus coach drivers or those specifically transporting children for the sporting club

### **Exemptions and Exclusions:**

Certain people don't need to have a WWC Check and should not apply for one. The following are some exemptions:

- Volunteers under 18 years of age (including students on placement)
- Parents volunteering at a club or within the team in which their child is ordinarily involved in some or all of the activities (this exemption does not apply to parents volunteering at overnight camps attended by their children)
- Volunteers whose child-related work occurs on no more than five days in a calendar year.

All exemptions are subject to the approval of the committee.

### **How to apply for the WWC Check**

The WWC Check application form is available at authorised Australia Post Outlets throughout the State – a list of these can be found at [www.auspost.com.au/workingwithchildren](http://www.auspost.com.au/workingwithchildren). An application must be lodged in person.

When applying, applicants need to present sufficient documents to meet the 100 points identification criteria. Accurate identifying information is essential to make sure the criminal history check is done for the correct person, which includes the applicant's current address details and photographic identification. See the guidelines on the application form for full information about what ID is acceptable.

Employees or volunteers applications must be co-signed by a representative of the employer or agency for whom they are working before being lodged at Australia Post. This is to certify that the applicant will be employed or volunteering in child-related work. The representative who signs the application form will receive any related correspondence about the WWC Checks and should therefore be someone in a position of responsibility within the organisation.

### **Outcome of the WWC Check**

- A 'successful' WWC Check results in a WWC Card which is portable for 3 years across all types of child-related work.
- A card with a photograph will be issued as proof of a WWC Check. However, a WWC Card **IS NOT** an endorsement of a person's general suitability to work with children. Suitability covers a wider range of factors than just offence history, such as character, skills and experience.
- Obtaining WWC Checks is only one of the practices that responsible organisations put in place to achieve safe environments for children. These include referee checks, supervision and training, as well as practices within the organisation which enable children to voice their concerns.
- An 'unsuccessful' WWC Check results in a Negative Notice, which prohibits the holder from carrying out child-related work (including voluntary work) under any category with any employer or as a self employed person.
- The agency representative on the WWC application form will be told what the outcome of the WWC Check is, and any subsequent changes to the person's status should they have a change in their criminal history, but will not be given details about a person's criminal record.
- The WWC Card is 'live' which means that it is monitored and updated information is received, including from the WA Police. If an offence of concern is committed, the WWC Card can be reassessed. If the re-assessment is unsuccessful a Negative Notice is issued. This cancels the WWC card.
- WWC Card and current employers will be notified of this.

### **Differences between the WWC Check and the National Police Check**

There are differences between the WWC Check and the National Police Check. For example:

- A WWC Check is valid for 3 years, during which time it can be used to work in any category of child-related work. Unlike the National Police Check, which is only current on the day it is issued, a WWC Check can be updated during the 3 years if a person's criminal record changes.
- Juvenile records and criminal charges, as well as all spent convictions, are assessed as part of a WWC Check but not for the National Police Check.
- The WWC Check is only concerned with identifying if someone's criminal history indicates they represent a risk of harm to a child if they carry out child-related work. In cases where a person's role involves working with money, for example, as well as children, a conviction for theft may be of interest to the employer. It is only the National Police Check which will inform the employer of this conviction and therefore both checks may be needed.
- A WWC Check is compulsory for people in child-related work, including those who have never had to have a criminal record check before. It has set obligations and penalties for noncompliance.
- For more information about the different checks, see [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

## Frequently Asked Questions

### **Why are parents who volunteer in sport and recreation with their children exempt from obtaining the checks?**

Parents come into contact with other people's children in various informal situations as well as through volunteering activities. For example, parents will have contact with their children's friends when they visit and sleepover and in sports clubs, parents may help out on excursions and at fundraising events. Western Australia, like other states, does not consider the voluntary work done by parents to support their children should be controlled by legislation. While recognising that there is always a risk, it is considered that there are child safety measures which are more workable and effective in these situations. For this reason many parents who volunteer in connection with their children are exempt from having to apply.

For example:

- a parent volunteer who umpires a sporting team where their child is a member of the sporting club
- a parent who volunteers in a canteen of a sporting club where their child is a member.

*Note: the exemption does not apply to parents who volunteer on overnight camps their children attend, as they must get a check.*

### **Does the parent volunteer exemption apply to grandparents, older siblings and other relatives?**

No, exemptions for parent volunteers include step parents, de facto partners and persons who have legal responsibility for the long term or day to day care and welfare and development of the child, but do not include other relatives who do need to apply for the checks if undertaking child-related work. Informal arrangements like babysitting by these relatives however, are not considered child-related work for which a WWC Card is needed.

### **Does a person working with a child still need to get the check if a child's parent supervises the activity?**

Yes, a person carrying out child-related work still requires a WWC Check, subject to any exemptions, even if the child's parent is present or supervises the activity.

### **Who is responsible for ensuring the relevant people have the WWC Check?**

Both the employer and employee/volunteer are responsible. For example, the 'employer' could be the volunteer coordinator, club manager, etc. Self-employed people are responsible for applying for their own WWC Check if they undertake child related work, subject to any exemptions.

### **Can a person undertake child-related work if they have applied for the WWC Check but have not received notification of the outcome from the Working with Children Screening Unit?**

Yes, a person can start or continue in child-related work when an application has been made and is still being assessed. This applies unless the person is issued with an Interim Negative Notice (see "Obligations of employers and people in child-related work" for more information), or has been convicted of a Class 1 offence committed as an adult, or has withdrawn their application.

People with a pending application should retain the receipt they receive from Australia Post when lodging their application. They can show this to their employer as proof that they have made an application for a WWC Check.