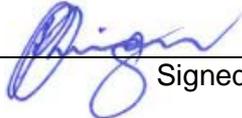


DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Approved
POLICY OWNER POSITION:	Manager Organisational Development
INTERNAL COMMITTEE ENDORSEMENT:	Consultative Committee
APPROVED BY:	Council
DATE ADOPTED:	23/04/2019
VERSION NUMBER:	1
REVIEW DATE:	23/04/2020
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Current Council Enterprise Agreement Current Early Education Employees Enterprise Agreement Child Safe Standards Framework Child Safe Standards Policy Child Safe Standards Procedure Councillor Code of Conduct Recruitment and Selection Policy and Procedure Staff, Volunteers and Contractor Code of Conduct Working with Children Check Procedure
RELATED LEGISLATION:	Children, Youth and Families Act 2005 (Vic) Working with Children Act 2005 (Vic) Child Wellbeing and Safety Amendment Act 2015 (Vic) Child Wellbeing and Safety Amendment Oversight and Enforcement of Child Safe Standards Act 2016 (Vic) Child Wellbeing and Safety Amendment Act Child Safe Standards) Regulations 2015 (Vic) The Charter of Human Rights and Responsibilities Act 2006 (Vic) The Commission for Children and Young People Act 2012 (Vic) Privacy and Data Protection Act 2014 (Vic) Failure to protect a child from sexual abuse 2015 (Vic) Failure to disclose child sexual abuse 2015 (Vic) Grooming offence 2014 (Vic)
EVIDENCE OF APPROVAL:	 _____ Signed by Chief Executive Officer
FILE LOCATION:	K:\EXECUTIVE\Strategies policies and procedures\Policies - adopted PDF and Word\POL Working with Children Check Policy v1.docx



WORKING WITH CHILDREN CHECK POLICY

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

ACKNOWLEDGEMENT OF COUNTRY

Loddon Shire Council acknowledges the Traditional Custodians of the land comprising the Loddon Shire Council area. Council would like to pay respect to their Elders both past and present.

1 PURPOSE

The purpose of this policy is to:

- enable Loddon Shire Council to meet the Victorian State Government's legislative requirement of the Working with Children Act 2005 relating to Councillors, staff, volunteers and contractors engaging with children and young people
- ensure that Councillors, staff, volunteers and contractors employed and or engaged in child related work hold a current Working with Children Check as prescribed in the Working with Children Check Act 2005 prior to commencing and during their work with the Loddon Shire Council
- ensure that a Working with Children Check is obtained where required.

2 SCOPE

This policy applies to Loddon Shire Councillors, staff, volunteers and contractors responsible for engaging with children and young people for the purpose of care, education, mentoring, support, stakeholder consultations and or work experience placements.

3 POLICY

This policy is in line with Council's Child Safe Standards Framework.

As a result of the introduction of the Child Safe Standards, it is Council's policy that, as a condition of employment or association with Council, the following representatives of Council will be required to have a current Working with Children Check (WWCC):

- any person who through their work with Council is deemed a mandatory reporter
- the Chief Executive Officer
- all employees who supervise work experience students under the age of 18 years
- all Councillors, employees, volunteers and contractors who meet the criteria set by the Department of Justice and Community Safety.
 - A self-assessment can be undertaken using "Do I need a Check?"
<http://www.workingwithchildren.vic.gov.au/home/about+the+check/who+needs+a+check/>.
 - Council may conduct its own check using "Do my workers need a Check?" at the same link and subsequently require a Councillor, employee, volunteer or contractor to obtain a WWCC.

This policy includes and expands upon the legal criteria for a WWCC.

4 OBTAINING A WWCC

4.1 Preferred candidates for paid employee/contractor positions listed

Where it is a mandatory requirement for the position to have a WWCC or equivalent, the position description will clearly identify the requirement. The preferred candidate must provide proof of a current WWCC. Costs of the WWCC are to be met by the successful applicant prior to commencement with Council. It is the employee's responsibility to ensure that Council is listed as an employer to their application or renewal and their online WWCC profile.

4.2 Any current paid and continuing, fixed term or casual representatives

With the exception of council contractors, all current, continuing, fixed term and casual representatives who require a WWCC and work for Council will not be required to pay for their own WWCC and renewal checks. It is the representative's responsibility to ensure Council is listed as their employee on their WWCC applications and profile.

4.3 For volunteer positions of Council

There is no charge for a volunteer WWCC when fulfilling a role on behalf of Council without payment. In the event that a volunteer is a successful candidate for paid employment, then they will be required to obtain an employee WWCC at their own expense.

5 MAINTAINING THE WWCC DATABASE

The Organisation Development Department is responsible for the upkeep and monitoring of Council's WWCC database.

It is the responsibility of all Council representatives with WWCC to ensure that they have a current WWCC and to renew them before the check expires.

It is the responsibility of all Council representatives holding a WWCC to inform the Manager Organisational Development if they are subject to an allegation of child abuse or their WWCC has been revoked or they have an interim negative notice. Each situation will be managed in accordance with the Child Safe Reporting Policy and the Managing Misconduct Procedure.

6 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

7 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
Child	Means a person below the age of 18 years unless, under the law applicable to the child, majority (adulthood) is attained earlier.
Child related work	The Act defines children as anyone under the age of 18. Child-related work involves contact with a child that is unsupervised, direct and a part of the person's duties. Child-related work is an activity undertaken in any of the services, bodies or places referred to in the Act as 'occupational categories'.

Term	Definition
Potential Council occupational fields when working with children	<p>Occupation fields including:</p> <ul style="list-style-type: none"> • kindergartens/ preschools • centre-based long day care • occasional care • family day care and or in-home care • outside school hours care • all overnight camps for children • supervision of child under 16 years of age in employment including work experience students • school crossing services • engagement with online communications with children <p>Please refer to the hyperlink for other potential occupational fields http://www.workingwithchildren.vic.gov.au/home/about+the+check/who+need+s+a+check/occupational+fields/</p>
Engaging and working with children checks	As a result of the Royal Commission into Institutional Responses to Child Sexual Abuse, people engaging in 'child-related work' that involves 'physical contact', 'face to face contact', 'oral', 'written' or 'electronic communication' are required to obtain a Working with Children Check (WWCC). The Act will continue to provide that a WWCC is not required in circumstances where the contact with a child is occasional and not incidental to the work.
Councillor	Democratically elected Local Government representative.
Staff	Paid employees of the Council, including the CEO.
Volunteer	An individual who provides support to the Loddon Shire Council without payment for labour.
Contractor	An external agent who is engaged to undertake work on behalf of the Council via a procurement process.
Supplier	An entity which supplies and delivers goods and services for use within the Loddon Shire.

8 REVIEW

The Manager Organisational Development will review this policy for any necessary amendments no later than 1 year after adoption of this current version.