

Form 15

Working with Children Compliance Guidelines



The aim of the Perth Catholic Archdiocese Safeguarding Working With Children Compliance Guidelines is to raise the awareness of our collective responsibility to safeguard and promote the welfare of children within the Archdiocese in line with the *Working With Children (Criminal Record Checking) Act 2004* (WWC Act 2004).

These parish WWC guidelines are designed to:

- assist in the compliance of the WWC Act 2004 when applying for a WWC Check and / or renewing a WWC card for parish workers engaged in child-related work
- deter parish workers who propose to be, or are engaged in child-related work, from applying to work with children where they have a relevant charge or conviction on their criminal record that indicates they may harm a child
- detect new relevant charges and convictions of parish workers who hold a current WWC card and prevent them from continuing to engage in child-related work within parishes where their criminal record and behaviour indicates they may harm a child.

1. Card Holders

Who needs a Working With Children's card?

A parish employee, volunteer (paid and unpaid) or student on placement over the age of 18 years (hereafter church worker) who undertakes child-related work, as defined in Section 6(1) of the WWC Act 2004, is required to apply for a Working With Children card (WWCC).

Category 11 (Religious Organisations) of the WWC Act 2004, relates to all Church workers who are engaged in or propose to be in 'child-related work'.

What is Child Related Work?

Child-related work is when the usual duties involve, or are likely to involve, contact with a child. Contact with a child includes any form of physical contact, oral communication (e.g. telephone) and electronic communication (e.g. email or Internet) unless an exemption applies.

Refer to Annexure 1 – Church roles likely to require a WWCC

<https://workingwithchildren.wa.gov.au/docs/default-source/default-document-library/factsheet-2-child-related-work-and-exemptions-2015.pdf>

The Application Process

When a Church worker applies for a WWC Check he / she gives ongoing consent to the collection, use and disclosure of information about Church workers (including criminal records) that is relevant and determines if he / she will be issued with a WWC card. This consent is for the initial checking based on their application and, if issued with a WWC card, checking on an ongoing basis until the card expires.

How does this process work?

Church workers complete a WWC check application form available from an authorised Australia Post outlet or the Perth Catholic Archdiocese Safeguarding Program Office.

The parish priest as the authorising representative, checks the application. (The parish priest is required to be the authorised representative for parish employees, volunteers or students on placement within the Perth Archdiocese.) In the case of the appointment of parish Safeguarding Officers, the authorised representative is the Director Safeguarding Program, Andrea Musulin, or a delegated authority of the Safeguarding Program.

The parish employee / volunteer / student on placement then lodges the form at Australia Post and pays the applicable fee. Once received he / she is issued with a receipt.

The WWC Screening Unit undertakes an assessment and will either issue an assessment notice (WWC Card) or a negative notice. The WWC screening will advise the applicant and authorised representative of this outcome.

Responsibilities of WWC applicants and card holders include the need to:

- retain a copy of the application or renewal receipt until the card is received and provide a copy to the authorised representative
- only engage in Child-related work if you hold a current WWC card or have re-applied for a WWC check and have a receipt
- apply to renew your WWC card before it expires if you are continuing to engage in Child-related work
- if there is a relevant change in the criminal record, notify the WWC Screening Unit, parish priest and the Safeguarding Program Office immediately
- do not engage in child-related work if convicted of a Class 1 offence committed when an adult
- do not engage in child-related work if issued with an Interim Negative Notice or Negative Notice
- return the WWC card to the WWC Screening Unit immediately, if required to do so, and notify the authorised representative immediately.

Parish employees, volunteers or students who have a current WWC card:

- can engage in paid and unpaid child-related work in Western Australia and/or the Christmas and Cocos (Keeling) Islands
- have a card which is valid for three years, unless cancelled sooner
- can use the same WWC card across all categories and for all child-related work. For example, if a teacher has a WWC card for paid employment at a school and then facilitates children's liturgy, the WWC card can be used for both roles. The Church worker must ensure the parish-authorised representative has advised the Working With Children Screening Unit of this
- can check the WWC card's validity on the WWC website to ensure it is current
- are subject to ongoing checking until their WWC card expires or is cancelled
- must be informed their eligibility to continue to hold a WWC card may be re-assessed if new information about the safety of children is received, such as, a new charge or conviction for a relevant offence. If re-assessment results in a Negative Notice, the authorised representative will be notified
- are subject to penalties for not complying with the WWC Act 2004.

Assessment Notice

When the WWC Screening Unit has completed the assessment of an applicant, the applicant will either receive an assessment notice in the form of a WWC card or, alternatively, a negative notice will be issued prohibiting them from child-related work. Notification of the outcome will also be sent to the authorised representative (parish priest or Safeguarding Program Director).

Renewal

The WWC Screening Unit will notify Church workers that their card is due to expire three months prior to the expiry date via email or written correspondence. Renewal of a WWC card must be completed before the expiry date if a person continues in child-related work. Application for renewal must commence at least one month before the WWC card expires but no earlier than three months. Church workers must not engage in child-related work if their WWC card has expired even by one day. Penalties can apply for non-compliance. Application for renewal may be completed online or by lodging a renewal application form at Australia Post.

Withdrawals

A person may withdraw his / her application for a WWC check at any time before the final decision is made except where an Interim Negative Notice has been issued for that application. Once the application has been withdrawn, he / she cannot engage in child-related work. The WWC Screening Unit will give written notice of the withdrawal of his / her application to the authorised representative at the parish or Safeguarding Program Office.

Cancellations

A person can request the cancellation of his / her current WWC card if:

- he / she are no longer in child-related work; or
- he / she wishes to withdraw his / her consent to ongoing checking and no longer engage in any child-related work.

If a person's eligibility to hold a current WWC card is being re-assessed, he / she cannot apply to cancel his / her current WWC card nor continue in child-related work until the re-assessment is complete. The WWC Screening Unit will also give written notice of the cancellation of the card or re-assessment outcome to the authorised representative at the parish or Safeguarding Program Office.

Exemptions

When an exemption applies from holding a Working With Children's card for Church workers engaged in child related work, a National Police clearance must be obtained and the **Form 2 Declaration** signed.

2. Parish Responsibilities

Managing WWC checks

All parishes within the Perth Archdiocese must ensure that:

- all church workers who engage in child-related work must hold a current WWC card or have applied for a WWC check. A copy of the WWC card or application receipt must be produced prior to commencing work with children
- Church workers who apply for a WWC check must sign **Form 2 Declaration** of the Safeguarding Program Handbook prior to commencing child-related work
- validity of WWC cards of current Church workers is checked on the WWC website every six months
- all current WWC card holders renew their WWC card before it expires if they are continuing to engage in child-related work and a copy of the renewal receipt is kept on file
- all Church workers who use their WWC card originating from other child-related work are also registered under category 11 (Religious Organisations) with the Working With Children Screening Unit
- they keep current records to ensure compliance with the WWC Act 2004
- they do not engage a person in child-related work if they know that they have been convicted of a Class 1 or 2 offence
- they do not engage a person in child-related work if they have been issued with an Interim Negative Notice, Negative Notice or if they have withdrawn their application for a WWC check; the parish must notify the Director Safeguarding Program by completing **Form 3 Child Concern Referral**
- they notify the WWC Screening Unit and the Director Safeguarding Program if they reasonably suspect a Church worker has been charged with or convicted of an offence which makes it inappropriate for them to engage in child-related work by completing **Form 3 Child Concern referral**.

<https://workingwithchildren.wa.gov.au/docs/default-source/default-document-library/factsheet-3-class-1-and-class-2-offences-2015.pdf>

Record Keeping

The Perth Catholic Archdiocese Parish WWCC Register, as supplied to all parishes, is to be used as the record-keeping database. This database must be maintained and updated regularly, ensuring all fields are completed.

The following are to be kept on file within the parish:

- receipts and copies of WWC cards for all Church workers who engage in child-related work
- all correspondence and notifications received from the WWC Screening Unit
- any Interim Negative Notice(s) or Negative Notice(s) issued and the action taken by the Parish and or Safeguarding Program office.

This information should be stored securely, remain confidential and to be updated regularly.

WWCC Concern

If a Church worker or Safeguarding Officer receives information about the safeguarding or welfare of children or a vulnerable individual, notification must be given to the Director Safeguarding Program by completing **Form 3 Child Concern Referral** who will then notify the WWC Screening Unit in written format of the alleged concern and, if necessary, the Department for Child Protection and Family Support.

If the alleged person referred to in the child concern referral is engaged in child-related work within the parish, **Form 15a Cessation of Child-Related Work** is to be issued to the alleged person by the authorised representative, pending further assessment by the Director Safeguarding Program and / or Professional Standards Office.

The eligibility to hold a WWC card may be re-assessed also by the WWC Screening Unit. The parish-authorised representative (parish priest or Director Safeguarding Program) will be notified of the outcome of any re-assessment.

Expiry

Three months prior to the expiry of a WWC card, the parish is responsible for sending a reminder notification to the Church worker via email or phone to commence the renewal of his / her WWC card. This notification is to be recorded on the parish database.

Expired card holders

When a Church worker has not renewed his / her WWC card, written notification from the authorised representative by completion of **Form 15a Cessation of Child Related Work** must be issued immediately. This person cannot engage in child-related work until he / she has have reapplied and a receipt produced.

Interim and Negative Notices

When a Church worker has been issued an Interim Negative Notice or Negative Notice, written notification from the authorised representative by completion of **Form 15a Cessation of Child-Related Work** must be given to the person and he / she cannot engage in child-related work until the assessment is completed by WWC Screening Unit and a re-assessment outcome advised.

By complying with the WWC Act and Perth Catholic Archdiocese Working with Children Guidelines, you are not only abiding by the civil law of Western Australia but also helping to create a safer environment for children within the Perth Catholic Archdiocese by minimising the risk of harm occurring to children.



Annexure 1 Parish Safeguarding WWCC Guide

Who in my parish needs a Working With Children check?

Any employee, volunteer or student doing paid or unpaid parish-based, child-related work that involves or likely to involve physical, verbal or electronic contact with children such as:

- Acolytes
- Altar Servers over 18 years
- After-school care leader
- Catechists
- Children's Liturgy team leaders
- Choir leaders
- Parish Priest
- Special Eucharistic Ministers
- Visitors (including priests) visiting for more than 2 cumulative weeks
- Youth group leaders
- Permanent Deacon

For more information, contact
compliance.safeguarding@perthcatholic.org.au
or www.workingwithchildren.wa.gov.au