
Working with Children Checks Policy

Policy Code: STU-003 **Version:** 11.0 **Effective Date:** 13 March 2018

Purpose:

The College is committed to providing a safe environment for all staff, students, visitors and clients. This policy enables the College to meet the legislative requirements of the various Australian States & Territories as they relate to employees/contractors or students who are likely to engage in direct-contact activities with children throughout the period of their employment or studies with the College.

Definition of “College” – *In the higher education sector, ACPE Limited trades as The Australian College of Physical Education (ACPE); Australian College of Natural Medicine Pty Ltd trades as Endeavour College of Natural Health (Endeavour); Study Group Australia Pty Limited trades as Martin College, Martin Higher Education (Martin). For the purpose of this policy, any reference to ‘College’ or ‘the College’ should be considered a reference to each or any of these respective entities or trading names.*

Scope:

- All prospective employees/contractors whose role may require direct contact with a child
- All persons enrolling in a course where direct contact with a child may be necessary for course completion

Policy Statement:

Introduction

The objectives of this policy are to:

- ensure the safety of children in their places of learning;
- ensure the suitability of employees/contractors, job applicants and students for direct contact with children as part of their employment or studies at the College;
- prevent people with a criminal history which affects their suitability to work with children, from working in child-related employment or participating in clinic/practicum studies.

Relevant employees/contractors and students, as defined by the scope of this policy, must undergo a Working with Children Check (or its equivalent) as a means of ensuring that the above objectives are met.

State & Territory Legislative Requirements

There is no single national system setting out the requirements for obtaining a Working with Children Check (WWC Check) or its equivalent. Each State and Territory has their own legislative requirements (except Tasmania) and it is necessary to fulfil the requirements in the jurisdiction in which you are working or studying (for international students, this is the State in which you are enrolled). As legislative requirements may change from time to time, it is important that employees/contractors and students remain abreast of such developments, and ensure their continued compliance with the applicable requirements.

A link to the relevant legislation for each State/Territory is provided [here](#).

Further information to assist with making your application for a WWC Check is below:

Jurisdiction	Period of Currency	Name of Check	Responsible Authority
NSW	5 years	WWC Check	Office of the Children's Guardian
QLD	3 years	Blue Card/Positive Notice	Blue Card Services
VIC	5 years	WWC Check	Department of Justice
WA	Point in time (must renew annually)	National Police Certificate*	Western Australia Policehttp://www.checkwwc.wa.gov.au/checkwwc
SA	3 years	DCSI Child-related Employment Screening	DCSI Screening Unit
NT	2 years	Ochre Card/WWC Clearance	Northern Territory Government
TAS	N/A	No legislative requirement	N/A

* Whilst WWC Checks are available for some occupations and volunteers in WA, the Working with Children Screening Unit has advised that College employees and students don't meet the eligibility criteria to apply. As such, in WA all staff and students must apply for a National Police Certificate and have this certificate renewed each year for the period of their employment/studies with the College.

It is important to note that WWC Checks (or equivalent) are not valid indefinitely, and the

length of time for which a WWC Check remains valid differs between States as outlined in the previous section's table. Throughout a student's term of enrolment or a College employee's/contractor's term of employment, a WWC Check (or equivalent) may 'expire' (E.G.: part-time or returning academics). Although the College monitors the currency of WWC Checks (or equivalents) already recorded during teaching periods, students are responsible for ensuring their WWC Checks (or equivalent) are maintained.

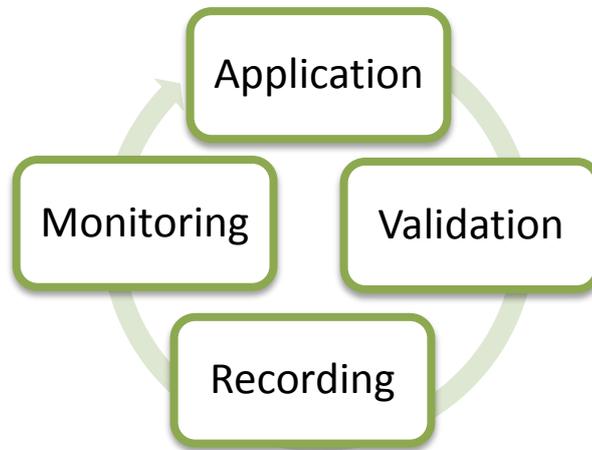
Maintenance and Renewal

If a student's WWC Check or equivalent expires throughout a teaching period the applicable student will be excluded from practicums (including clinic or external work integrated learning placement) after the expiry date. Similarly, College employees/contractors are responsible for ensuring their WWC Checks (or equivalent) are maintained and notifying their direct manager as and when renewal is required. This means students and College employees/contractors are required to renew expiring WWC Checks (or equivalent) in accordance with local State legislation throughout their term of study or employment with the College and prior to its expiry. To this end, a new application may be required to be submitted up to six months prior to an existing WWC Check's (or equivalent's) expiry date to ensure coverage is maintained, dependent on jurisdictional requirements and / or recommendations.

In instances where the College is required to initiate the student application and/or renewal process, the College's Requesting Officer shall be notified promptly to initiate the approved process. In instances where the College is required to initiate the employee application and/or renewal process, direct managers shall notify the College's Requesting Officer promptly to initiate the approved process.

The College's Quality and Compliance department shall maintain oversight and perform regular reporting and monitoring of the internal procedures to ensure compliance. Reports shall be forwarded to the Director, Student Services & Retention (Endeavour and Martin HE) or Dean & Operations Director (ACPE).

The WWC Check process, whether new or renewal, involves multiple steps:



Costs

The cost of a WWC Check or its equivalent varies between jurisdictions and also differs dependent on the employment type of the applicant. For instance, in some States, there is no cost for a volunteer/student to apply, but in other States there is a cost of \$10-60. The cost for paid employees varies between approximately \$30-105. Refer to the responsible authority above to determine the exact cost for your State/Territory as the definition of an employee and volunteer can differ between jurisdictions. It should be noted that the cost for employees and students based in Western Australia will be an annual cost to obtain a National Police Certificate which at the time this policy was written was \$52.60.

Students are responsible for initial and reoccurring associated costs.

For existing permanent College employees and those employed on a fixed term contract for 12 months or more, the College will cover the renewal cost where applicable. Contracted employees are required to maintain a successful WWC Check or equivalent status at their own expense throughout the period of their engagement.

Student Requirements

Where students are enrolled in a qualification that includes a work integrated learning / practicum / clinical component, there will likely be instances requiring them to work with or practice on children. Working with children could include school placements, external clinic clients or fellow students who are under the age of 18. As such, a successful WWC Check (or its equivalent) is a condition of enrolment for these courses and must be submitted to the College and maintained for the period of a student's enrolment with the College unless

an exemption applies. Students should be aware that maintaining a WWC Check may be a requirement of their employment post-graduation if intending to practice on children unless an exemption applies.

Students who are not able to produce or maintain a successful WWC Check (or equivalent) will not be able to complete any qualification at the College that has a practicum component requiring them to be able to work with or practice on children (refer to definition of direct contact). In these instances, the student is unable to meet the requirements for course completion and the College will immediately cancel their enrolment in the course. The provisions of the [Deferral, Withdrawal and Course Variation Policy – Higher Education \(domestic students\)](#) or the [Deferring, Suspending or Cancelling Enrolment Policy - International](#) and the relevant [Fee Policy](#) will apply.

The College is unable to supply any references or letters of support in relation to WWC Checks (or equivalent) other than being the supporting educational institution / organisation on the application form.

If a student is found to have misled the College regarding their WWC Check status (or equivalent) (i.e. using falsified documents to claim legal ability to work with children when this is not the case), they may be excluded from the College on a permanent basis.

Timeframes

To allow appropriate time for processing, it is expected that students will submit their application for a WWC Check (or equivalent) **at least** 8 weeks prior to the stated timeframes below.

Relevant authorities experience peak processing at particular times of the year and this should be taken into consideration when submitting an application. In some instances, WWC Checks (or its equivalent), particularly those for international students, may take longer to receive than the timeframes stated.

All students requiring a WWC Check (or equivalent) are required to present it to, and have the WWC Check or its equivalent validated by the College prior to undertaking any work integrated learning or client-based clinical/practicum components of their qualification.

This means:

- **Higher Education students** (normal enrolment) – where the student enters the course at the first semester, they must supply their WWC Check (or equivalent) **prior** to commencement of their second teaching period (i.e. prior to their second semester).
- **Higher Education students** (pathway enrolment) - where the student enters the

course at a later point through a pathway (e.g. moving from one course to another with advanced standing of at least one semester), they must supply their WWC Check or equivalent on entry to the course (i.e. **prior** to the start of the first semester).

All WWC Checks (or equivalent) must be maintained for the period of a student's studies with the College. In Western Australia a renewed certificate is required each year, refer to [period of currency](#) above.

Responsibility

It is important to note that having submitted an application for a WWC Check (or its equivalent) without yet having received the WWC Check **is not sufficient** to undertake a work integrated learning / practicum / clinical component and exclusion from these activities shall occur. The student assumes responsibility for delays incurred in receiving a WWC Check or its equivalent from any jurisdictional authority / agency.

Students shall not be entitled to a refund of related tuition fees for any work integrated learning or client-based clinical/practicum components of their qualification that were not able to be undertaken as a direct consequence of:

- having failed to obtain their WWC Checks (or its equivalent) within the applicable timeframe and/or
- having been excluded from any work integrated learning or client-based clinical/practicum components of their qualification resulting in a Fail grade due to enrolment attendance / participation requirements.

Application Process

Students will be advised of the WWC Check requirements on enrolment and will be directed to the appropriate application mechanism for their State. International students will apply in the State in which they are enrolled. The Director, Student Services & Retention (Endeavour and Martin HE) or the Dean & Operations Director (ACPE) acts as the employer representative when completing student application and renewal forms; the task of signing student application forms has been delegated to relevant Compliance and/or Student Services Staff on each campus with the exception of SA which has specific College appointed 'Nominated Officers' for the varying roles in the SA process. See relevant State procedures for more information.

The general process is as follows (outlined in more detail in relevant State procedures):

- Student completes the relevant application form and presents their proof-of-identity for verification to the relevant authority in their State (this could be to the College or

to another authority – refer to State procedures);

- Student lodges their application with the relevant State Authority;
- Student receives the successful WWC Check or equivalent directly from the State Authority;
- Student presents the WWC Check or equivalent to Student Services staff on their campus for recording on their file;
- Students who have not submitted their WWC Check or equivalent by the stated timeframes will be monitored by the Quality and Compliance department and may have their subject enrolment cancelled.
- Students may be required to present proof of a valid WWC Check or equivalent to employer representatives on work integrated learning placements (e.g. Principal of a school or Clinic Manager), so should carry it at all times when undertaking a practicum.

NOTE: The application process in SA shall be initiated by the College.

Student Exemptions

National Exemptions - AHPRA Recognised Professional Registration

AHPRA on behalf of [National Boards](#) completes criminal history checks on all applications during their registration process. As such, the College will accept **current** registration with the relevant National Board as appropriate evidence that a person is suitable to work with children provided that the **original** or **certified copy** of the National Board registration certificate is provided to and validated by the College as a WWC Check equivalent. The same timeframe applies for presenting 'equivalent' evidence to the College as it does to an actual WWC Check. To view the Registration Standards for your profession review the [Criminal history checks](#) page of the [AHPRA](#) website.

NSW exemptions

Refer to the information stated on the [Exemptions](#) page of the [Office of the Children's Guardian](#) website.

QLD exemptions

- [QPS Police Officers](#) (QPS Police Officers enrolled as BHSc students must apply for an Exemption Card).
- [QCT Registered Teachers](#) (Registered teachers enrolled as BHSc students must apply for an Exemption Card).

SA exemptions

Once the [Child Safety \(Prohibited Persons\) Act 2016](#) commences only 'DCSI Child-related

Employment Screening Clearance' shall be accepted for students requiring a WWC Check. While the Act has been passed, or 'assented', by Parliament, it has not yet 'commenced'. This means that the Act has not yet been implemented and that the new system of working with children checks has not started. In the interim period a SA Police (SAPOL) Criminal History Check issued within the past three (3) years is considered an equivalent to 'DCSI Child-related Employment Screening Clearance' for the purposes of reporting and monitoring unless suspended or cancelled.

VIC exemptions

- [Victorian Institute of Teaching \(VIT\) Registered Teachers](#) until such time as registration is cancelled or suspended.
- [Victoria Police officer or an Australian Federal Police \(AFP\) officer](#) unless suspended or dismissed.
- [Interstate visitors](#) - can perform child-related work in Victoria without a Victorian Check for a period of up to 30 days in the same calendar year under **strictly limited conditions**.

WA exemptions

WA students do not require a WA Working with Children Check as they do not meet the legislated criteria however the College requires an ('equivalent') National Police Certificate, renewed on an annual basis.

Other student exemptions

- Persons under the age of 18 (excepting QLD students undertaking clinical placement).

Note: If that person turns 18 during the period of their employment/studies, then they must make application at the soonest practicable date once they turn 18. They will not be permitted to undertake unsupervised activities with children until a successful WWC Check or equivalent is supplied to the College.

- Persons enrolling in a course where a WWC Check or equivalent is not a condition of enrolment.

If you believe you are eligible for an exemption not outlined within this Policy we encourage you to contact your local jurisdictional authority/agency for current advice and the College's Compliance department to discuss your individual circumstances. In these instances evidence in support of an exemption will be required by the College with details recorded in the student's file once validated. Students shall contact the Compliance department via email to WWCChecks@endeavour.edu.au.

Employee / Contractor Requirements

As the College's community includes students and clinic clients who may be under the age of 18, it is a condition of employment that those who are working in a role involving student contact in a teaching, coaching, tuition or counselling/advisory capacity or in roles specified by this policy must successfully undergo a Working with Children Check (WWC Check) or its equivalent as per [legislative requirements](#).

Roles which must obtain a Working with Children Check

- All teaching staff
- Student Advisers
- Enrolment/Sales/Admissions Advisers
- Library Staff
- Clinic Manager
- Clinic Services Coordinators
- Clinic Receptionists

Where a role is not identified above but requires 'direct contact' (with children), the need for a WWC Check or equivalent will be determined on a case-by-case basis and guidance should be sought from the Quality and Compliance Department in conjunction with the Human Resources Department.

All offers of employment for roles of this nature will be offered subject to those individuals obtaining a WWC Check or equivalent. It is the responsibility of the prospective employee/contractor to apply for their WWC Check or equivalent and cover the cost prior to commencement of their employment (unless duties will be performed in SA, in which case the College is required to initiate the application process. Initial costs remain the responsibility of the employee/contractor).

Upon commencement, evidence of application or proof of a successful check must be produced to the employee's direct manager and the HR Department. Evidence of completed checks must be produced prior to the employee commencing duties involving 'direct contact' with students. In instances where an application has been made but the completed check has not been received, employees must be supervised during direct contact with students under 18 years of age by another employee that holds the relevant WWC Check or equivalent.

The Quality and Compliance Department or the Human Resources Department act as the employer representative when completing application and renewal forms for employees/contractors, with the exception of SA, where particular roles (e.g. requesting) are delegated to College appointed 'Nominated Officers'. Nominated Officers will liaise as appropriate with the Quality and Compliance Department to facilitate the application and renewal of SA WWC Checks.

All employees/contractors must advise the Quality and Compliance Department and the Human Resources Department of any change to the status of their WWC Check or equivalent, as soon as possible. Failure to adhere to the applicable requirements may be considered misconduct and may result in disciplinary action. If an employee/contractor is found to have misled the College regarding their WWC Check (or equivalent) status (e.g. using falsified documents), this may result in immediate termination of contract.

Employees/Contractors with AHPRA Recognised Professional Registration

National Exemptions

AHPRA on behalf of [National Boards](#) completes criminal history checks on all applications during their registration process. As such, the College will accept **current** registration with the relevant National Board as appropriate evidence that an employee/contractor is suitable to work with children provided that the **original** or **certified copy** of the National Board registration certificate is provided to and validated by the College as a WWC Check equivalent. To view the Registration Standards for your profession review the [Criminal history checks](#) page of the [AHPRA](#) website.

Timeframes for when AHPRA registration certificates must be supplied to the Human Resources Department are as follows:

- For employees - on renewal of their contract
- For contractors – prior to commencement of each new teaching period for which they are engaged

As stated above, all employees/contractors must advise the Quality and Compliance and Human Resources Departments of any change to the status of their National Criminal History Check as soon as possible. Failure to adhere to the applicable requirements may be considered misconduct and may result in disciplinary action.

NSW exemptions

Refer to the information stated on the [Exemptions](#) page of the [Victorian Working with Children Check](#) website.

QLD exemptions

- Registered health practitioners if the work they are doing relates to their function as a registered health practitioner.
- [QPS Police Officers](#) (An Exemption Card is required).
- [QCT Registered Teachers](#) (An Exemption Card is required).
- Volunteer guest of a school or recognised body and are;
 - observing or supplying information or entertainment to ten or more people,

- and
 - the activity is for ten days or less on no more than two occasions per year, and
 - the person is unlikely to be alone with a child without another adult present.
- Volunteer at a national or state event organised by a school or recognised body:
 - for a sporting, cultural or skill based activity, and
 - the event is attended by more than 100 people, and
 - the work is for ten days or less on no more than two occasions per year, and
 - the person is unlikely to be alone with a child without another adult present.

SA exemptions

Once the [Child Safety \(Prohibited Persons\) Act 2016](#) commences only 'DCSI Child-related Employment Screening Clearance' shall be accepted for students requiring a WWC Check. While the Act has been passed, or 'assented', by Parliament, it has not yet 'commenced'. This means that the Act has not yet been implemented and that the new system of working with children checks has not started. In the interim period a SA Police (SAPOL) Criminal History Check issued within the past three (3) years is considered an equivalent to DCSI Child-related Employment Screening Clearance for the purposes of reporting and monitoring unless suspended or cancelled.

VIC exemptions

Refer to the information stated on the [Exemptions](#) page of the [Office of the Children's Guardian](#) website.

WA exemptions

WA students do not require a WA Working with Children Check as they do not meet the legislated criteria however the College requires an ('equivalent') National Police Certificate, renewed on an annual basis.

Other exemptions

If you believe you are eligible for an exemption not outlined within this Policy we encourage you to contact your local jurisdictional authority/agency for current advice and the College's [Compliance](#) department to discuss your individual circumstances. In these instances evidence in support of an exemption will be required by the College with details recorded in the employee/contractors file and the College's WWC Check register once validated.

Research Requirements

Chapter 4.2 of the [National Statement on Ethical Conduct in Human Research](#) refers to the

ethical considerations of research involving Children and Young people.

Researchers at the College who are conducting research projects that involve participation from children and/or young people are responsible for ensuring that they are aware of the jurisdictional requirements for obtaining a Working with Children check and have obtained clearance to work with children. Existing staff and researchers at the College undertaking a new research project with children and/or young people participants must apply for a Working with Children check before commencing the research project unless exempt. Evidence of exemption will be required.

Researchers are required to obtain ethical clearance from the College's Human Research Ethics Committee, as per the [Research Policy](#), [Human Research Ethical Clearance Policy](#) and [Office of Research Funding Policy](#), and are required to provide evidence of an approved Working with Children check at submission of their research proposal. Failure to provide evidence will result in delay or rejection of ethical clearance.

Related Procedures:

[Working with Children Checks - Student Application Procedures \(per State\)](#)

[Working with Children Checks - Student Validation Procedures \(per State\)](#)

[Working with Children Checks - Student Monitoring Procedures \(per State\)](#)

[Underage Students – Mandatory Reporting Procedure](#)

Definitions:

Child – any person under the age of 18 years old.

Direct Contact - physical, face-to-face, written, oral or electronic contact.

Student – is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID. For the purposes of this policy, a student may also be defined by State/Territory legislation as a volunteer.

Further Information:

Related Policies: [ACPE Admissions Policy – Undergraduate - Higher Education](#)

[Admission and Enrolment Policy – International](#)

[Admissions Policy – Undergraduate - Higher Education](#)

[Children on Campus Policy](#)

[Deferral, Withdrawal and Course Variation Policy – Higher Education](#)

[Deferring, Suspending or Cancelling Enrolment Policy – International](#)

[Fees Policy – HE](#)

[Fees Policy – International](#)

Benchmarking: [University of Adelaide](#)
[University of Melbourne](#)
[University of South Australia](#)
[Charles Sturt University](#)

Supporting Research and Analysis: [N/A](#)

Related Documents: [Intent to Cancel Enrolment Template](#)
Refer to relevant State/Territory websites or College Procedures for Application Forms
[Criminal History Registration Standards \(CMBA\)](#)

Related Legislation: [NSW - Child Protection \(Working with Children\) Act 2012](#)
[NT – Care and Protection of Children Act 2007](#)
[QLD – Commission for Children and Young People and Child Guardian Act 2000](#)
[SA – Children’s Protection Act 1993](#) and [Child Safety \(Prohibited Persons\) Act 2016](#)
[VIC - Working with Children Act 2005](#) and [VIC - Child Wellbeing and Safety Act 2005](#)
[WA – Working with Children Check \(Criminal Record Checking\) Act 2004](#)

FAQs: [Working with Children \(WWC\) Checks FAQs](#)

Policy Author:	Higher Education Compliance Administrator
Policy Owner:	National Higher Education Compliance Manager
Contact:	Higher Education Compliance Administrator wwcchecks@endeavour.edu.au (students) compliance@endeavour.edu.au (staff)
Approval Body:	Academic Board – ACPE Date: 7 December 2017 College Council - Endeavour Date: 8 December 2017 Academic Board (East) – Martin Date: TBA
Policy Status:	Revised – updated all State requirements as per legislative changes
Responsibilities for Implementation:	<ul style="list-style-type: none"> • Quality & Compliance Department • Director, Student Services & Retention • Dean & Operations Director • Human Resources Department • Student Services Staff • Nominated Officers
Key Stakeholders:	<ul style="list-style-type: none"> • Quality & Compliance Department • Director, Student Services & Retention • Dean & Operations Director • Human Resources Department • Student Services Staff • Nominated Officers • Admissions and Enrolment Department • Clinic staff • Work Integrated Learning / Practicum supervisors • Students • Staff
Date for Next Review	<ul style="list-style-type: none"> • December 2018