

Aboriginal Legal Service of Western Australia Ltd

Working with Children Policy

Introduction

ALSWA recognises that it is the shared responsibility of all adults to maintain safe environments for children and protect them from harm. ALSWA expects its personnel to maintain the highest behavioural standards when working with children.

This is an organisation wide Working with Children (**WWC**) Policy that applies to all workers engaged by and/or performing work for ALSWA who carry out child-related work, as defined in the *Working with Children (Screening) Act 2004 (WA)* (**WWC Act**). This includes, without limitation, any employee, officer, volunteer or contractor engaged by ALSWA (**ALSWA Workers**).

For the purposes of this Policy, the term 'child' has the definition given in the WWC Act, meaning a person who is under 18 years of age.

Interpretation

Unless otherwise defined, the terms in this Policy have the same meaning given to them in the WWC Act.

Purpose and policy intent

ALSWA has adopted an organisation-wide approach for compliance with its obligations under the WWC Act.

This policy sets out the obligations on ALSWA as an organisation, and on ALSWA's workers in respect of protecting children while providing services.

Responsibilities of ALSWA

To ensure compliance with its WWC obligations, ALSWA:

- ensures that prior to having any contact with children, all ALSWA workers who perform roles that involve child-related work have obtained (or applied for, as permitted by WA Law) a WWC Check (**WWCC**) and Working with Children Card (**WWC Card**) as required by WA Law. This may include making this a requirement under the worker's employment contract or contract of engagement.
- maintains a register of individuals engaging in child-related work and their WWC Check applications and WWC Cards, including monitoring the currency of WWC Cards and ensuring workers renew their WWC Cards before they expire;
- maintains copies of all notifications received from the WWC Screening Unit, including Interim Negative Notices or Negative Notices and actions taken by ALSWA;
- in accordance with WA Law, does not engage or allow a person to perform a role that involves child-related work if that person:
 - does not hold and has not applied for a WWC Card, or has cancelled or withdrawn their WWC Card application;
 - has received a Negative Notice (a Negative Notice is a notice that will be issued by the Working with Children Screening Unit (**WWC Screening Unit**)) as part of

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- the Working with Children process if a person is assessed as posing an unacceptable risk to Children);
- has been convicted of an offence which means the person is prohibited from working with children;
- complies with its obligations under WA Law, including updating this Policy and related WWCC process to align with any changes to WA Law;
- provides WWC training to ALSWA workers whose role involves contact with 'child-related work', including training on the importance of ensuring the safety of children and the need to notify if a child is at an immediate risk of harm;
- identifies and acts on any breaches of this Policy, the WWC Act, other WWC legislation or other WWC obligations promptly;
- maintains other related policies that focus on the protection of children, including, but not limited to, a Reportable Conduct Scheme Policy, a Safe Child Organisation Policy and a Working with Vulnerable Children Policy; and
- undertakes an annual review of this Policy.

Responsibilities of ALSWA's Workers

It is the responsibility of ALSWA's Workers to:

- ensure they hold a current WWC Card or have applied for one;
- ensure WWC Cards are renewed before their approval expires;
- ensure that they keep adequate records to demonstrate their compliance;
- immediately report to a manager if their WWC Card is cancelled, or any conditions are placed on it;
- provide ALSWA a copy of their WWC Card or WWC application;
- notify the WWC Screening Unit, as required by law, of all changes to their contact details, address and employment status; and
- ensure that if non-ALSWA workers are accompanying them on activities with children, they have obtained and verified that the person has a current and valid WWC Card.

Adverse findings

The safety of children and their protection from harm is the primary consideration of ALSWA. If ALSWA becomes aware:

- that a worker has received a Negative Notice (i.e. where WWC Check of that person has identified a risk of harm to a Child); or
- of any other information that may indicate a person is not suitable to perform a role that involves contact with Children,

ALSWA will act promptly to ensure the safety of Children, including by taking any of the following actions:

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- immediately reassigning the person to a role which does not involve contact with Children;
- withdrawing an offer of employment; or
- terminating the person's employment or engagement with ALSWA.

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