



Working with Children Check Policy

Policy coverage

This Working with Children Check Policy (**Policy**) has been prepared for and applies to the Old Ways New Ways program (**OWNW**). The OOWNW is made up of a consortium of strong and culturally secure organisations, being:

- Aboriginal Legal Service of Western Australia Limited (**ALSWA**);
- Wadjak Northside Aboriginal Community (Aboriginal Corporation);
- Stephen Michael Foundation Ltd; and
- Hope Community Services Ltd.

(collectively, the **Consortium**)

ALSWA is the lead agency in the Consortium.

All members of the Consortium must comply with this Policy in relation to their participation in the OOWNW and a reference to the Consortium is also a reference to each Consortium member.

Introduction

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

This is a Consortium wide policy that applies to all workers engaged by any member of the Consortium that is performing work for the OOWNW and 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, contractor or any other person performing any form of work (for example, an elder or community member attending a camp or activity with a child participating in the OOWNW) engaged by the Consortium (**Consortium Worker**).

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

The Consortium has adopted an over-arching approach for compliance with its obligations under the WWC Act.

This Policy sets out the obligations on every member of the Consortium and on their workers in respect of protecting children while providing services.

Responsibilities of the Consortium

To ensure compliance with their WWC obligations, all members of the Consortium:

- ensures that prior to having any contact with children, all Consortium workers who perform roles that involve child-related work have obtained (or applied for, as permitted by WA law) a WWC Check (**WWCC**) and WWC Card as required by WA law. This may include making this a requirement under the worker's employment contract, contract of engagement or, where there is no formal contract, the general terms of the person's engagement;
- maintain a register of individuals engaging in child-related work and their WWCC applications and WWC Cards, including monitoring the currency of WWC Cards and ensuring workers renew their WWC Cards before they expire;
- maintain copies of all notifications received from the WWC Screening Unit, including Interim Negative Notices or Negative Notices and actions taken by the Consortium;
- 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 the WWC process if a person is assessed as posing an unacceptable risk to Children); or
 - has been convicted of an offence which means the person is prohibited from working with children;
- comply with their obligations under WA law, including updating this Policy and any related WWCC process to align with changes to WA law;
- provide WWC training to their 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 immediate risk of harm;
- identify and act on any breach of this Policy, the WWC Act, other WWC legislation or other WWC obligations promptly;
- maintain other related policies that focus on the protection of children, including, but not limited to, a Reportable Conduct Scheme Policy and a Safe Child Organisation Policy; and
- undertake an annual review of this Policy.

To the extent any of the Consortium responsibilities outlined above can be delegated to a single member of the Consortium (such as the annual review of the Policy), these will be delegated to ALSWA unless otherwise agreed by the Consortium Partners Council (as defined in the Old Ways New Ways Consortium Deed).

Responsibilities of Consortium Workers

It is the responsibility of every Consortium Worker to:

- ensure they hold a current WWC Card or have applied for one;
- ensure WWC Cards are renewed before their approval expires;

- ensure they keep adequate records to demonstrate their compliance;
- immediately report to a manager or human resources representative if their WWC Card is cancelled, or any conditions are placed on it;
- provide the Consortium member the worker is engaged by a copy of their WWC Card or WWCC 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-Consortium workers are accompanying them on activities with children, they have obtained and verified that the person has a current and valid WWC Card and recorded the person's WWC Card number and expiry date in the WWC Card register.

Adverse findings

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

- that a Consortium Worker has received a Negative Notice (i.e. where the worker's WWC Check 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,

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

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

Document and resource sharing

In order to ensure all Consortium members are discharging their obligations under this Policy, all documents relating to this Policy's implementation must be shared between the other Consortium members. This may be done through the use of the Consortium's shared drives.

Notwithstanding the need to share documents and information, each Consortium member must do this with consideration to any privacy obligations owing to their employees, volunteers, contractors, clients or other workers.

31 October 2024