

<b>Functional Area:</b>	Human Resources	<b>Version:</b>	2.0	<b>Issue Date:</b>	14/12/2016
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**1. What does a Working with Children Check (WWC Check) include?**

The Working with Children Act 2005 (Vic) includes a compulsory Working with Children Check for all employees and volunteers who work in connection with twenty (20) occupational areas and who have regular, direct and not directly (indirect) supervised contact with children. This check has implications for all areas of Life Saving Victoria as many of our activities involve children and young people (U18) including:

1. Patrols
2. Competition
3. Coaching
4. Instructing
5. Assessing
6. Day-to-day club activities and operations

**2. Why is having a WWC Check so important?**

Life Saving Victoria is committed to the Safeguarding of Children and Young People (SCYP) and acknowledges a safeguarding organisation doesn't just happen; it requires conscious action to protect children from harm.

It is imperative that we provide a safe and supportive environment for children and young people, that focus' on fun, education and building the confidence of our people through positive learning and development.

Life Saving Victoria is a unique organisation that has multiple purposes including community service, sporting, education and leadership opportunities and programs. Each of these individual aspects inter-relate with each other. It is due to the multifaceted nature of Life Saving Victoria, that members 18 years of age and over, that this policy must be broadly applied.

**3. Who needs to have a WWC Check within Life Saving Victoria?**

Any person 18 years and over, in a voluntary or salaried position, who works with person's under 18 years of age in any capacity is required to have a valid Working with Children Check registered to Life Saving Victoria and their Life Saving Club. The Department of Justice WWC Check website defines the requirement as "being where contact with children is unsupervised, direct and part of a person's duties" (viewed 1 November 2016, [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au))

The following matrix illustrates the nature whereby Members 18 years and over require a WWC Check:

Categories	Working With Children Check Required by LSV
Active (Patrolling Members)	Yes
Trainers (qualified or unqualified) & Camp Leaders	Yes
Nipper Programs/Carnivals (qualified or unqualified eg. Officials, Age Managers, Team Managers, Coaches & Assistants)	Yes
Associate Members	Is required <b>only if and when</b> the member falls under the WWC Check website definition as above.
Life Members	Is required <b>only if and when</b> the member falls under the WWC Check website definition as above.

### **Clarification regarding persons exempt under the Act - Police Officers and VIT registered teachers**

The Working with Children Act 2005 provides for exemptions to Police Officers and VIT registered teachers. Life Saving Victoria requires these members to have a WWC Check - despite their exemption under the Act.

Why - Without undertaking a WWC Check there is no link between your profession as a teacher, Department of Justice and any volunteer organisation in which you participate. If you breach any laws (relevant to this check e.g. sexual misconduct) in the capacity of a teacher or Police Officer, Life Saving Victoria will have no way of being informed of such charges.

The WWC Check creates that vital link to ensure any alleged breaches can be picked up by the Department of Justice who then reviews and if deemed appropriate informs all relevant voluntary organisations.

#### **The WWC Check considers the following:**

A WWC Check will consider offences of a sexual, violent and drug related nature. The check includes: national criminal record check for relevant convictions, findings of guilt and relevant pending charges a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching)

There is no difference between a volunteer and employee check except the cost. A 'volunteer' WWC Check is FREE however an 'employee' WWC Check requires payment.

Please note: a Volunteer WWC Check cannot be used for employment purposes. However you can add volunteer organisations to an Employee WWC Check.

Staff who currently hold a Volunteer WWC Check, are required to obtain an employee WWC Check registered to Life Saving Victoria and their Life Saving Clubs.

#### **4. If my lifesaving activities involve my own child, why can't I be exempt?**

The legislation does provide certain exemptions from obtaining the check. However, given the broad nature of Life Saving Victoria's activities, it would be almost impossible to apply the exemptions.

Our clubs provide a broad range of activities from patrolling to competition. Many of these activities involve the same members who may be exempt from some activities but not others. For example a mother could be her child's Age Manager (an activity directly involving her as a parent) but also a Patrol Captain (an activity where her child is not involved).

Therefore to ensure our members are operating within the legal framework, it is compulsory that all members 18 years and older that fall under the definition of the WWC Check website (as above) complete a WWC Check.

#### **5. I'm about to turn 18, can I apply for a WWC Check?**

Yes, you can apply for a WWC Check prior to turning 18 and LSV would encourage you to do so if your birthday falls after the season has already commenced (E.g. turn 18 in Dec)

#### **6. How do I obtain a WWC Check card?**

Online Application Forms:

Members can now complete WWC Check Application form online before lodging with Australia Post

##### **Step 1:**

- Submit your details online
- Go to the WWC Check website <http://www.workingwithchildren.vic.gov.au/>
- Fill out the form online
- Print out the Application Summary and Receipt with all the details you entered

##### **Step 2:**

- Lodge your documents at Australia Post

- Go to a participating Australia Post outlet to lodge your application, taking with you: The Application Summary and Receipt, relevant proof of identity documents, a passport size photo and if you are applying for an Employee card the application fee.

**Step 3:**

- Provide your club with a copy of your receipt and application summary (your club will then enter details into SurfGuard)

**7. How can I check the progress of my application?**

You can use the Check Status Online Enquiry to check the progress of your application. You will need your Application Receipt number to do this.

Applicants and employers are encouraged to check the status of an application online at <https://online.justice.vic.gov.au/wwccu/checkstatus.doj>

**8. Can I become a member and volunteer before my assessment notice is received?**

Clubs may choose to take either of the approaches below while waiting for a new members WWC Check Assessment notice:

1. Clubs may choose to require the returned assessment notice from Department of Justice (DoJ) prior to approving active membership; **or**
2. Clubs may choose to provide provisional membership once they receive a copy of the receipt and application summary. A person can become a member and use club facilities however they must not hold a formal position or assist with children's programs/services/events until the DoJ Assessment notice is received. An appropriate form of supervision must be undertaken if the new member is using club facilities during periods when activities with children or young people (persons under 18 years of age) are being conducted.

Please speak to your club for advice on their process.

**9. What happens if I don't receive my WWC Check card within 60 days?**

If you do not receive your WWC Check Card within sixty (60) days you will be unable to conduct child related work. If an extension notice has been issued and your club has been notified you will be able to continue your provisional members (if relevant). This notice will specify how long the extension is valid

**10. What happens if my application is denied?**

The WWC Check looks for criminal activity relevant to the physical and sexual safety of children and young people under 18 years of age. If a member has their application denied, they are issued with a Negative Notice by the Victorian Department of Justice. The member (applicant) and Life Saving Victoria's Human Resource Manager will be informed.

It is important to understand that Life Saving Victoria maintains strict adherence to privacy legislation which regulates such personal information being broadcast to a wider audience. If a member does have their application denied, they cannot be a member of Life Saving Victoria.

**11. Interim Negative Notice and Negative Notice Obligations:**

In the event a staff or volunteer member is issued with an Interim Negative Notice or Negative Notice, the Department of Justice (DoJ) will issue a copy of the Notice to the organisation/s.

Upon issuance of an Interim Negative Notice, the organisation/s must ensure that the person is immediately suspended, pending the DoJ review process and referred to the Human Resource Manager.

In accordance with this policy, whereby a Negative Notice is issued and subsequent suspension of WWC Check Card, the person's membership and/or employment must be immediately suspended by the organisation referred to the Member Protection Coordinator and/or Human Resource Manager for action, which may result in termination

LSV and Clubs where applicable have a dual responsibility to advise each other upon receipt of an Interim Negative Notice and/or Negative Notice and the person's membership record immediately updated to reflect this status.

The WWC Check looks for criminal activity relevant to the physical and sexual safety of children under 18 years of age. If a member has their application denied, they are issued with a Negative Notice by the Victorian Department of Justice. The member (applicant) and Life Saving Victoria's CEO will be informed. It is important to understand that Life Saving Victoria maintains strict adherence to privacy legislation which regulates such personal information being broadcast to a wider audience. If a member does have their application denied, they cannot be a member of Life Saving Victoria.

**12. What do I do once I receive the card?**

When you receive your WWC Check Card please notify your club and provide a copy of your card so they can record the appropriate details under Member Protection in SurfGuard.

**13. How to record a WWC Check Card details and Assessment Notice in SurfGuard:**

Once the club has received your assessment notice they will record these details under Member Protection in SurfGuard.

The following fields must be completed -

**Member Protection Form**

This box may be ticked once the club has received the WWC Check assessment notice or sighted an application receipt from Australia Post.

**Member Protection Date**

This date can be calculated by subtracting five (5) years from the expiry date as listed on the WWC Check card or assessment notice.

**Member Protection Expiry Date**

This is the expiry date listed on the top right hand corner of the WWC Check card or as displayed on the assessment notice.

**Member Protection Registration Date (only applicable for application receipt from Australia Post)**

This is the date listed on the receipt from Australia Post. If you receive the assessment notice first then the 'note issue date' listed on the assessment notice should be used.

**Member Protection Registration Expiry Date (only applicable for application receipt from Australia Post)**

This date can be calculated by adding sixty (60) days to the date of application (in Victoria a Working with Children Check application is valid for a maximum of sixty (60) days)

**Member Protection Registration Number**

This is the ten (10) digit number that is listed in bold on the assessment notice

**14. What are the difference between an 'employee' WWC Check and a 'volunteer' WWC Check?**

Employees and volunteers have the same obligations in regard to the WWC Check. In recognition of the fact that volunteers do not work for profit or gain, there is no fee for a 'volunteer' WWC Check application or replacement card. If you move from a volunteer position to undertaking 'child-related work' for profit or gain, you will need to apply for an 'employee' WWC Check in order to avoid penalties.

**15. Moving from volunteer to paid work**

If you are a volunteer who holds a current assessment notice, you can only use your 'volunteer' WWCC card for volunteer work. If you intend to undertake 'child-related work' for profit or gain, you will need to re-apply for an 'employee' assessment notice and WWC Check card. If you do not comply with the above obligations, you may be subject to criminal penalties.

**16. How do I add an organisation to my existing Working with Children Check?**

You can update your personal details online by creating an account at here <https://online.justice.vic.gov.au/wwccu/login.doj?next=chgdet> or by calling the WWC Check Information Line on 1300 652 879.

You must list ALL organisations with who you are currently undertaking child-related work. This will update your record and any previous organisations you have listed will be deleted.

#### **17. How do I change my personal details?**

The Department of Justice website now provides an Online Change of Details service, which enables applicants and card holders to notify the Working with Children Check Unit of changes to their personal details.

Upon registering for the Working with Children (WWC) Check Online service (<https://online.justice.vic.gov.au/wwccu/>) you will be given a User ID. The password will be sent to you via SMS or post. To ensure you receive your password you must have previously provided:

- a) Your current mobile phone number, or
- b) Your current postal address if you have not provided us with any mobile phone number.

If you do not meet these conditions, then you can update your contact details by ringing the WWC Check Information Line on 1300 652 879 (8:30am to 5:00pm Monday to Friday) or print out and complete the Change of Personal Details Form (as listed above) and return it by mail to the WWC Check Unit.

#### **18. Why do I need to renew my WWC Check?**

Your WWC Check is valid for five (5) years, unless a relevant change in circumstances results in a negative notice being issued before the expiry date. You may submit a renewal application form up to eight (8) weeks before the expiry date clearly marked on the front and back of your WWC Check card.

It is an offence to continue to undertake 'child-related work' if you do not hold a valid assessment notice. There is a limited grace period during which you can continue to work without a current WWC Check. For more information please contact the Information Line on 1300 652 879 (8:30am to 5:00pm Monday to Friday).

#### **19. How do I renew my WWC Check?**

A renewal application form will be posted to you approximately eight weeks before your WWC Check expires. This form will be pre-populated to include your type of card and contact and work details you have previously supplied.

If the information is correct, take your application and your current WWC Check Card to a participating Australia Post Outlet to lodge your renewal.

#### **20. How do I renew if my details are incorrect or my renewal form contains out of date information?**

You should not lodge your renewal application until your details have been updated as it is an offence to provide false information. You can change/update your contact or work details online at: <https://online.justice.vic.gov.au/wwccu/login.doj>, or by calling the Information Line on 1300 652 879 (8:30am to 5:00pm Monday to Friday).

#### **21. Do I need to apply for a WWC Check if I live interstate?**

If you wish to become an LSV member and live interstate, you are required to obtain a Victorian WWC Check.

Why - Without undertaking a WWC Check, Life Saving Victoria and your club will have no way of being notified if you breach any laws (relevant to this check e.g. sexual misconduct).

When first applying for club membership, the relevant screening check for the state you reside in can be accepted and will be verified by LSV via your Club for clearance, before your membership can be accepted. Information on interstate checks can be found here - <http://www.workingwithchildren.vic.gov.au/home/resources/interstate+checks/interstate+checks>

When you arrive in Victoria, as soon as practical your WWC Check application must be lodged with a participating Australia Post outlet.

It is recommended prior to arriving in Victoria, that you submit your details online via the WWC Check website <http://www.workingwithchildren.vic.gov.au/>, print out the Application Summary and Receipt and book an appointment with an Australia post outlet.

## 22. What do I do if I already have a volunteer WWC Check and what to join a Life Saving Club?

If you want to join a Life Saving Club **or** become a multi-club member and already hold a volunteer or employment WWC Check, you are required to add the Life Saving Club you wish to become a member of to your current WWC Check.

The Department of Justice website provides an Online Change of Details service, which enables card holders to notify the Working with Children Check Unit when they want to add an additional volunteer organisation. Your organisation details can be updated via this link -

<http://www.workingwithchildren.vic.gov.au/home/cardholders/update+your+details/>. Alternatively, you can contact the WWC Check Information Line on 1300 652 879 (8:30am to 5:00pm Monday to Friday).

Clubs may choose to take either of the approaches below while waiting for new member WWC Check Assessment notice:

1. Clubs may choose to require the returned assessment notice from Department of Justice (DoJ) prior to approving active membership; **or**
2. Clubs may choose to provide provisional membership once they receive a copy of the receipt and application summary. A person can become a member and use club facilities however they must not hold a formal position or assist with children's programs/services/events until the DoJ Assessment notice is received. An appropriate form of supervision must be undertaken if the new member is using club facilities during periods when activities with children or young people (persons under 18 years of age) are being conducted.

## 23. Application Guidelines:

**Individual Members:** members are to complete the Working with Children Check Application Form as follows:

### Q. 11. List the area(s)

Use the following code/s and mark Volunteer:

42 (Clubs & Associations) - all applications

28 (Coaching and Tuition) - if applicable

10 (Overnight Camps) - if applicable

52 (Educational Institutions other institutions providing children's study or training programs) - if applicable. :

Details of Organisation/s

### Q. 12. Which organisation(s)

**Name of primary organisation:** Insert details for Life Saving Victoria:

LIFE SAVING VICTORIA

200 THE BOULEVARD

PORT MELBOURNE VIC 3207

03 9676 6900

**Name of other organisation:** Insert details for your club: please contact your club to obtain the appropriate contact information.

**Individual Staff:** Staffs are to complete the Working with Children Check Application Form as follows:

**Q. 11. List the area(s)**

Use the following code/s and mark Volunteer:

42 (Clubs & Associations) - all applications

28 (Coaching and Tuition) - if applicable

10 (Overnight Camps) - if applicable

52 (Educational Institutions other institutions providing children's study or training programs) - if applicable. :

Details of Organisation/s

**Q. 12. Which organisation(s)**

**Name of primary organisation:** Insert details for Life Saving Victoria:

LIFE SAVING VICTORIA

200 THE BOULEVARD

PORT MELBOURNE VIC 3207

03 9676 6900

**Name of other organisation:** Insert details for your club: please contact your club to obtain the appropriate contact information.

**24. Further information:**

Please direct any WWC Check related enquiries to the Membership and Leadership Development department on 03 9676 6945 or email [membershipandleadership@lsv.com.au](mailto:membershipandleadership@lsv.com.au).

Additional Frequently Asked Questions documents are available on the Department of Justice website <http://www.justice.vic.gov.au/workingwithchildren/home/resources/faqs/>