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## Working With Children Checks

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### Western Australia

#### Legislation

In Western Australia and the Christmas and Cocos (Keeling) Islands, the Working with Children (WWC) Check is a compulsory screening strategy for people who engage in certain paid or unpaid work with children, described as “child-related work” under the WWC Act.

The WWC Check is administered by the WWC Screening Unit of the Department for Child Protection and Family Support. In the sport and recreation industry, the WWC Check applies to many people who work with children in Western Australia and the Christmas and Cocos (Keeling) Islands including:

- Self-employed people;
- Paid employees;
- Volunteers and unpaid people; and
- Students on placement.

Not all employees, volunteers, students and self—employed people require a WWC Check; only those who engage in child-related work as defined in the WWC Act. The WWC Check is only one strategy to keep children safe; there are other screening and safeguarding strategies your organisation can implement to make sure it is child-safe and child-friendly.

When a person applies for a WWC Check and they are successful, they are issued with an Assessment Notice in the form of a WWC Card. A valid WWC Card allows the person to engage in child-related work. In situations where a risk of harm has been identified if the person engages in child-related work, the WWC Screening Unit will issue the person a Negative Notice. A Negative Notice prohibits the person from engaging in child-related work.

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Employers, volunteer organisations and individuals have responsibilities to comply with the WWC Act and keep children safe in their organisations.

This document is a summary only. For more detailed information about the WWC legislation, download the 'Working with Children Checks: Information for the sport and recreation industry' booklet available at [www.dsr.wa.gov.au/safe-clubs-4-kids](http://www.dsr.wa.gov.au/safe-clubs-4-kids) or visit [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au).

## **Your organisation's WWC Check responsibilities:**

Your organisation has responsibilities under the WWC Act. It is important to know your responsibilities as some offences carry penalties of up to \$60,000 and five years imprisonment. Some of your responsibilities include that:

- all employees, volunteers, students and self-employed people who engage in child-related work have applied for a WWC Check or hold a current WWC Card;
- you validate WWC Cards of any new employees, volunteers or students who already hold current WWC Cards from other child-related work they engage in;
- all current WWC card holders renew their WWC Card before it expires if they are continuing to engage in child-related work;
- you keep records to demonstrate your compliance;
- you do not engage a person in child-related work if you know that they have been convicted of a Class 1 offence committed when an adult;
- you 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; and
- notify the WWC Screening Unit if you reasonably suspect an employee, volunteer or student has been charged with or convicted of an offence which makes it inappropriate for them to engage in child-related work.

More information about organisation responsibilities and offences and penalties is available on the [WWC Check website](http://www.workingwithchildren.wa.gov.au/employers-organisations/managing-wwc-checks/responsibilities):  
[www.workingwithchildren.wa.gov.au/employers-organisations/managing-wwc-checks/responsibilities](http://www.workingwithchildren.wa.gov.au/employers-organisations/managing-wwc-checks/responsibilities).

## **Your organisation's compliance with the WWC Act**

Your organisation must be able to demonstrate its compliance to the WWC Act, so good record-keeping is essential. The WWC Screening Unit can also audit employers and volunteer organisations.

When reviewing your compliance consider the questions below:

- Can your organisation demonstrate that all your employees, volunteers and students who engage in child-related work have applied for a WWC Check or hold a valid WWC Card?
- Does your organisation keep records?
- Does your organisation have copies of your employees', volunteers' or students' WWC Cards and/or notifications from the WWC Screening Unit?
- Does your organisation have policies and processes to ensure that any employee, volunteer or student issued with an Interim Negative Notice or Negative Notice does not engage in child-related work?

## Action

### Where can you get a Working with Children Check application form from?

Application forms are available at authorised Australia Post outlets. Once completed, applicants lodge their form in person at an authorised Australian Post outlet. When lodging the application form applicants need to present the required identity documents, pay the required fee; their photo will also be taken.

### Who has to apply?

Anyone who engages in child-related work in either a paid or volunteer capacity. Visit the [WWC website](#) for a more information'.

### What happens after a person applies?

Once a criminal history check has been conducted and assessed an applicant will be issued with either an Assessment Notice (WWC Card) or a Negative Notice (in certain circumstances, an Interim Negative Notice may be issued until a final decision on an application is made). Organisations and employers **must not** engage anyone with a Negative Notice or Interim Negative Notice in child-related work. A copy of any Notice is provided to the organisation or employer who completed the applicant's WWC application form. Notices do not contain details of any criminal history information.

### How do card holders renew their WWC Card?

WWC Cards expire after three years. Card holders must renew their WWC Card before it expires if they are going to continue their child-related work. Card holders have the option to submit an online renewal application or lodge an application at an authorised Australia Post.

## Useful information

### How much does the Working with Children Check cost?

- \$83 for employees and paid persons
- \$11 for volunteers or unpaid persons.

### **Are there exemptions?**

Yes there are exemptions. Certain people do not require a WWC Check because they fit within the description of an exemption that applies to the specific category or categories of child-related work they engage in.

**If a person's work is covered by an exemption then they are NOT in child-related work and are ineligible to apply for a WWC Check. Some exemptions apply across all categories while others are specific to a particular category.**

Below are some of the most common exemptions:

- Volunteers and unpaid students on placement under 18 years of age.
- Short-term visitors to Western Australia engaging in child-related work during the period of two weeks after their arrival in WA and for no more than two weeks in any period of 12 months.
- Parents volunteering in many activities where their child is also involved may be exempt (this exemption does not apply in all categories of child-related work or when parents volunteer at overnight camps attended by their children).

For more information about all the exemptions please refer to the [WWC Check website](#) and specifically [Factsheet 2: Child-Related Work and Exemptions](#).

### **What criminal history information is considered in a Working with Children Check?**

The WWC Check assess the criminal records and other relevant information to see if applicants and card holders have any charges, convictions and behaviours that indicate they may harm a child. The criminal history information obtained includes:

- any convictions (including where a court has made a formal finding of guilt in relation to an offence or convicted a person of an offence, or accepted a plea of guilty, or acquitted a person of an offence because of unsoundness of mind);
- any 'spent' convictions;
- any pending charges (charges that has not yet been finalised);
- where a person was charged with an offence but not convicted (referred to as a non-conviction charge); and
- charges and convictions when a person was under 18 years of age.

A criminal record in itself will not necessarily prevent a person from engaging in child-related work. The WWC Screening Unit will also consider the circumstances

surrounding any charges or convictions recorded and can request and consider any information that is relevant to whether a child may be exposed to a risk of harm.

**Note:** the WWC Check is not the same as the National Police Check and some people may need to have both a WWC Check and a Police Check (e.g. to reveal fraud, stealing or driving offences). For more information, visit the [WWC Check website](#).

### **How long is a Working with Children Check valid for?**

Three (3) years unless it is cancelled.

### **Is a WWC Card transferable across organisations?**

Yes, a WWC Card is transferable across all child-related work in WA. If a person holds a valid WWC Card they can use the same card for other child-related work they engage in. When an organisation engages a person with a valid WWC Card they can ensure it is valid by visiting the [WWC Check website](#) and using the online validation tool. .

### **Who administers the process?**

Employers and volunteer organisations (including clubs and associations) are responsible for ensuring that all employees, volunteers and/or students who carry out child-related work apply for a WWC Check. Organisations and people in child-related work are encouraged to contact their state sporting association to obtain their sport specific WWC Check policies or procedures.

## **Resources**

### **Where can I get further information or resources?**

- Visit [www.dsr.wa.gov.au/safe-clubs-4-kids](http://www.dsr.wa.gov.au/safe-clubs-4-kids) (and visit the 'resources' section)  
Visit the WWC Check website [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au) (including [Factsheet 18 Information for the Sport and Recreation Sector](#))