

Policy and Procedures concerning Working with Children Checks

1. What are Working with Children Checks?

The Working with Children (WWC) Check helps protect children from physical and sexual harm. The scheme aims to prevent those who pose a risk to children from working or volunteering with them. *Working with Children Checks* are checks of the databases of law enforcement agencies, mandatory in the majority of Australian states and territories.

A list of the *Working with Children Checks* that apply in each state and territory is set out at **Appendix A**.

2. Why is a Working with Children Check necessary?

If you are engaged in or intending to do child-related work and do not qualify for an exemption, you need a WWC Check.

It is a legal requirement in Queensland, NSW, Victoria, South Australia, Western Australia, the Australian Capital Territory and Northern Territory. It is a Diocesan Policy requirement in Tasmania where a police check is necessary for screening purposes.

3. In the Australian & New Zealand Diocese of the ROCOR, who requires a Working with Children Check?

In accordance with Ukase №1-23-11, all of the following people require a *Working with Children Check*:

- Priests (married, celibate and monastic)
- Deacons (married, celibate and monastic)
- Monastics (who are in contact or working with children)
- School teachers

These checks are required by law (or the Diocese in case of Tasmania), irrespective of the extent of the contact that any individual priest or deacon might have with children.

People in positions such as Diocesan employees, Parish officials, Church Workers and Volunteers, may have varying degrees of contact with children. Any person who has face to face contact with children will require a Working with Children Check. This is required by law in every state or territory (by the Diocese in case of Tasmania).

4. Who are Diocesan employees, parish officials, church workers and volunteers?

Diocesan employees are those men and women contributing labour and expertise to the life of the Australian & New Zealand Diocese of the ROCOR and who receive payment for that work, whether from the Diocese, a parish, or a church organisation.

Parish officials are all those men and women elected to Parish Councils, Sisterhood Councils, and Auditing Committees.

Church Workers are men and/or women elected or appointed by parishes to assigned duties without payment.

Volunteers are those men and women contributing labour and expertise who receive no payment for that work, including altar servers, members of church choirs, youth leaders and Parish school teachers.

5. How will the Working with Children check be undertaken?

The *Working with Children Check* will be undertaken in accordance with the relevant state and territory procedures. These procedures are set out at **Appendix B**.

6. When will the Working with Children Check be undertaken for new positions?

For candidates for ordination to the priesthood or the diaconate, the Working with Children Check is a mandatory pre-requisite for ordination.

For all new Diocesan employees, Parish officials, church workers, volunteers, and school teachers, the Working with Children Check should be undertaken before employment, volunteering or teaching commences.

To avoid confusion, embarrassment or misunderstanding, the need for a Working with Children Check should be made clear at the earliest possible opportunity when ordination, employment, volunteering, teaching or service in an official capacity is being considered.

Visiting clergy may be allowed to take part in church services for a single period, not exceeding 7 consecutive days, without a WWC check subject to approval from the Ruling Bishop under the following conditions:

- A. The Rector of the church being visited will induct the visitor(s) in the Diocesan policies on Addressing Inappropriate Behaviour and Child-Safe Child-Friendly church environments. A record of this must be kept.
- B. The visitor(s) are not permitted to have one on one contact with children.
- C. The Rector takes full responsibility for the behaviour of the visiting clergy.

All clergy transferred to the Diocese or Parish from another Orthodox jurisdiction must obtain a Working with Children Check clearance before commencing employment in ANZ Diocese of ROCOR. Clergy transferred from one State/Territory to another need to ensure WWC Check compliance in the new State/Territory.

7. When should the Working with Children Check be undertaken for those already in positions requiring it?

Immediately. If persons listed above are working with children, they should already have a Working with Children Check otherwise they are breaking the law and Diocesan policy.

8. How frequently will the Working with Children Check be undertaken?

The requirements of each state and territory must be complied with. These are set out at Appendix B.

9. What steps will be taken to ensure that the Working with Children Check is in fact undertaken for those in positions requiring it?

Prior to appointment to any church position, clergy, parish officials, church workers and volunteers must undertake a Working with Children Check as required in their State/Territory. In most States it is illegal to proceed with employment (paid, unpaid or voluntary) until they have received a valid check.

The Diocese will do the screening for all clergy.

Screening for all other parish officials, church workers and volunteers, will be done at the Parish level by the Rector or appointed Child Safety Contact Person. The person will be asked to:

- Provide a certified copy of Blue Card (Qld) or WWC card (Vic & WA) or WWC number (NSW) or Ochre card (NT), Working With Vulnerable People Background Check in the ACT and a National Criminal History Check in Tasmania.
- The information is transferred to a Working with Children Register at parish level.
- A Register of parish officials is sent to the Diocesan Office with a copy of WWC Register

The Parish Auditing Committee will report on compliance to the Diocese.

The Diocese will undertake spot checks at parishes to ensure that procedures in screening for Working with Children Checks are maintained and current.

10. How will the privacy of individuals be protected?

The Diocesan Auditing Committee and Parish Auditing Committees will also be required to confirm that the relevant documentation is appropriately and securely stored.

11. What information is kept and where?

Parish Level:

- A copy of the Working with Children card or check for every person who has face to face contact with children.
- A Working with Children register with the following information- Name, position, DOB, WWC number, Expiry date of WWC, Training undertaken and date.
- This information will be stored in a secure manner with all official parish documentation.
- The register must be kept up to date and made available for auditing by the Commission of children and young people in your state.

Diocesan Level:

- A copy of the Working with Children Register from every parish.
- For all clergy a certified copy of Working with Children card, check or Police Check.
- This information will be stored in parish compliance file in a secure manner.

12. What action will be undertaken upon

Once the check reveals no impediment to ordination, employment, service in an official capacity, volunteering, or teaching, the applicant

completion of the Working with Children Check?

may proceed to work in his/her official capacity.

A person who has been convicted or found guilty of a listed serious offence against children is prohibited by law from child-related employment, and will be deemed unsuitable for the position under consideration. The Diocese has no discretion in this matter.

13. Is there a cost associated with the Working with Children Check?

In NSW there is no cost for a volunteer and \$80.00 for an employee.

In SA and Tasmania, the cost is that of the National Criminal History Check. In accordance with Diocesan policy, the cost of that check is to be shared between the Diocese and the relevant parish.

In Queensland, NT, Victoria, ACT and WA the cost for employees ranges from \$50.00 to \$77.80. The cost for volunteers in Queensland is \$5.00.

Costs should be shared equally by the Diocese and the relevant parish or Diocesan organisation or institution.

14. What if an individual declines to have the Working with Children Check?

If a candidate for ordination, an applicant for employment, a prospective volunteer or school teacher declines to have a *Working with Children Check*, the individual concerned is prohibited from child-related employment and will be deemed unsuitable for ordination, employment, or appointment.

In all Australian States and Territories, with the exception of Tasmania, any clergyman who declines to have a *Working with Children Check* is in breach of the law and thus cannot be employed to serve as a priest. Diocese policy applies the same conditions on clergy in Tasmania.

Appendix A: State and Territory Legal Requirements

State/Territory	Who will undertake the Check	Legal Requirements
Australian Capital Territory	Apply in Person	<p>The <i>Working with Vulnerable People (Background Checking) Act 2011</i> (the Act) commenced on 8 November 2012, with individuals working or volunteering in 'Activities or Services for Children' having until 7 November 2013 to become registered.</p> <p>The Act requires people who have contact with vulnerable people while engaging in regulated activities and services to register with the Office of Regulatory Services (ORS).</p> <p>More information is available at http://www.ors.act.gov.au/community/working_with_vulnerable_people</p>
New South Wales	Apply in Person Through the Parish for Church Workers And through the Diocese for Clergy	<p>The NSW Commission for Children and Young People is responsible for the <i>Working with Children Check</i>, which helps determine whether or not people are suitable to work in child related employment.</p> <p>In NSW, all work in any religious organisation is considered to be work in a “child-related” setting. A child is any person aged under 18.</p> <p>In 2013 a new Working with Children Check starts in NSW under the new check:</p> <ul style="list-style-type: none"> • workers and volunteers will apply for their own check once every five years • employers will verify a child-related worker's or volunteer's clearance number • the same Working With Children Check will apply to everyone • everyone with a clearance will be continuously monitored for serious sex or violence offences. <p>More information is available at www.kids.nsw.gov.au/check.</p>
Northern Territory	Apply in person	<p>As of 1 March 2011 it is mandatory in the NT for people who have contact or potential contact with children to hold a <i>Working with Children Clearance Notice</i> and an <i>Ochre Card</i>.</p> <p>In the NT, work in a religious organisation or vocation that usually involves contact with children is “child-related”.</p> <p>More information is available at www.workingwithchildren.nt.gov.au.</p>
Queensland	Apply in person	<p>In Queensland people working or volunteering with children need to hold a <i>Blue Card</i>. The <i>Blue Card</i> is issued by the Commission for Children and Young People and Child Guardian.</p> <p>More information is available from: http://www.ccypcg.qld.gov.au/employment/index.html.</p>
South Australia	Police Check will cover Working with Children.	<p>Under the <i>Children's Protection Act</i> (Section 8B) people in SA who work in jobs which require regular contact with children are required to obtain police clearance before they commence employment.</p> <p>For the purposes of this policy, a person in SA who has obtained the <i>National Criminal History Check</i> will be considered to have complied with</p>

		the requirement for a <i>Working with Children Check</i> .
Tasmania	No legal requirement as yet, Police Check will cover Working with Children.	<p>Although the Commissioner for Children Tasmania released a consultation paper in 2005 discussing proposals for the Government to introduce screening procedures for Tasmanian organisations who want to employ people to work with children, there are currently no legal requirements for people working with children to undertake a police check in Tasmania.</p> <p>For the purposes of this policy, a person in Tasmania who has obtained the <i>National Criminal History Check</i> will be considered to have complied with the requirement for a <i>Working with Children Check</i>.</p>
Victoria	Apply in person.	<p>In Victoria the <i>Working with Children Check</i> is compulsory for people who wish to work with or volunteer with children.</p> <p>More information is available from www.justice.vic.gov.au/workingwithchildren.</p>
Western Australia	Apply in Person.	<p>In Western Australia a <i>Working with Children Check</i> is compulsory for people who carry out child-related work in Western Australia.</p> <p>More information is available from www.checkwwc.wa.gov.au.</p>

Appendix B: Procedures for obtaining the Working with Children Check

State/Territory	Procedure
Australian Capital Territory	<p>In the ACT it is the responsibility of the employee to obtain a Working with Vulnerable People Registration. Employees obtain the check by completing and lodging the form available online at http://www.ors.act.gov.au/resources/attachments/Working_With_Vulnerable_People_Application_For_Registration_-_PDF.pdf</p>
New South Wales	<p>In 2013 a new Working with Children Check starts in NSW under the new check:</p> <ul style="list-style-type: none"> • workers and volunteers will apply for their own check once every five years • employers will verify a child-related worker's or volunteer's clearance number • the same Working With Children Check will apply to everyone • everyone with a clearance will be continuously monitored for serious sex or violence offences. <p>The New Application process: Workers and volunteers will have a simple two-step process for getting a new Working with Children Check:</p> <ol style="list-style-type: none"> 1. fill in an online form or call the helpline to have someone fill in a form for you 2. take the application number to a motor registry or government access centre, pay the fee (if applicable) and have your identity confirmed. <p>The Working with Children Check will cost \$80 for paid workers for a five-year period. There is no fee for volunteers. A person with a volunteer clearance will be able to work in paid child-related roles as long as the \$80 fee is paid within 30 days of starting the paid work. In the meantime, the current check continues to apply.</p>
Northern Territory	<p>In the NT it is the responsibility of the employee to obtain the <i>Working with Children Check</i>. Employees obtain the check by completing and lodging the form available online at http://www.workingwithchildren.nt.gov.au/forms.html.</p> <p>The employee must provide a passport photograph with the completed form. The form and a copy of photographic ID must be validated by a Qualified Person such as a JP or legal practitioner. It is important to read the Applications Guidelines: http://www.workingwithchildren.nt.gov.au/docs/Application%20Guidelines.pdf</p> <p>The employee is issued with the <i>Ochre Card</i> that certifies suitability for employment. Upon receipt of the <i>Ochre Card</i>, a certified copy should be provided within seven days to the Diocese and the relevant parish.</p> <p>The <i>Ochre Card</i> is valid for two years. The cost is \$50.00 for employees and \$5.00 for volunteers.</p>
Queensland	<p>In Queensland it is the responsibility of the employee to obtain the <i>Working with Children Check</i>. Paid employees obtain the check by completing and lodging the form available online at http://www.ccypcg.qld.gov.au/pdf/bluecard/forms/04-139-Paid-Employee-JUN10.pdf. Volunteers obtain the check by completing and lodging the form available online at http://www.ccypcg.qld.gov.au/pdf/bluecard/forms/04-138-Volunteer-Form-JUN10.pdf.</p>

	<p>Part of the form must be completed by the employer. The applicant's identity must be verified by the employee or a Prescribed Person such as a JP or legal practitioner.</p> <p>The employee is issued with the <i>Blue Card</i> that certifies suitability for employment. Upon receipt of the <i>Blue Card</i>, a certified copy should be provided within seven days to the Diocese and the relevant parish.</p> <p>The <i>Blue Card</i> is valid for three years. The cost is \$70.00 for employees. There is no fee for volunteers.</p>
South Australia	The Procedures for obtaining the <i>National Criminal History Check</i> apply.
Tasmania	The Procedures for obtaining the <i>National Criminal History Check</i> apply.
Victoria	<p>In Victoria it is the responsibility of the employee to obtain the <i>Working with Children Check</i>. Employees obtain the check by completing and lodging the relevant form at a participating Australia Post outlet. The form is available from participating Australia Post outlets or by making an online request at https://submit.justice.vic.gov.au/CA25691800094F30/WWCCAppRequest?OpenForm.</p> <p>The employee must submit a passport photograph with the application.</p> <p>The employee is issued with the <i>Working with Children Check Card</i> that certifies suitability for employment. Upon receipt of the <i>Working with Children Check Card</i>, a certified copy should be provided within seven days to the Diocese and the relevant parish.</p> <p>The <i>Working with Children Check Card</i> is valid for five years. The cost is \$77.80 for employees. There is no fee for volunteers.</p>
Western Australia	<p>In WA it is the responsibility of the employee to obtain the <i>Working with Children Check</i>. Employees obtain the check by completing and lodging the relevant form at a participating Australia Post outlet. The form is available from participating Australia Post outlets.</p> <p>The employee must submit a passport photograph with the application.</p> <p>The employee is issued with the <i>Working with Children Check Card</i> that certifies suitability for employment. Upon receipt of the <i>Working with Children Check Card</i>, a certified copy should be provided within seven days to the Diocese and the relevant parish.</p> <p>The <i>Working with Children Check Card</i> is valid for three years.</p> <p>The cost is \$50.00 for employees. There is no fee for volunteers.</p>