

know risk

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Working with children check - Australian Capital Territory

The Australian Capital Territory government is currently developing legislation for working with vulnerable people that will extend to screening requirements for child-related employment.

There is no legal requirement that requires people working with children to undergo a police check in the ACT. Criminal history check application forms are covered by the ACT Police Department.

Mandatory reporting

The following people are legally required to report reasonable suspicions of abuse:

- Medical practitioners
- Dentists
- Nurses
- Teachers
- Law enforcement officers
- School counselors
- Child-care providers
- Public servants providing services relating to the health or well being of children, young people or families, the community advocate, or the official visitor

What should be notified?

A reasonable suspicion that a child or young person has suffered or is suffering sexual abuse or non-accidental physical injury arising during the course of the person's work.

For notification purposes in the Australian Capital Territory, a Child is any person under 12 years old. A Young Person is 12 years or older but not yet an adult.

Reports should be made to:

Department of Disability, Housing & Community Services Office for Children, Youth and Family Support

Address: GPO Box 158 Canberra City, ACT 2601
Enquiries: 132281
Fax: (02)62057187
Email: ocyfs@act.gov.au

Sources

- National Child Protection Clearinghouse: Australian Institute of Family Studies <http://www.aifs.gov.au/nch/pubs/sheets/rs3/rs3.html>
- Mandatory Reporting – 'Summary of Grounds & Contacts for Notification of Abuse'
- Herbert Greer & Rundle (Lawyers),
- Choose with Care (Childwise)
- Children and Young People Act 2008 s356
- <http://www.dhcs.act.gov.au/ocyfs>

Summary

While the Working with Children Check must be complied with, it cannot solely be relied upon to determine the suitability of a worker or volunteer. The check is only ONE of the strategies that organisations must establish to ensure that people who work with children are suitable to do so. Organisations must ensure that other measures are in place to assess a person's suitability to work with children, including interviews, thorough reference checks, a code of conduct, vigilant supervision and regular training.

This material is for information purposes only. It is not intended to give specific legal or risk management advice nor are any suggestions, checklists or action plans intended to include or address all possible risk management exposures or solutions.

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