

# know risk

Ansvar Insurance Ltd. Level 18, 303 Collins St Melbourne, Victoria 3000. ABN 21 007 216 506 AFSL 237826  
Members of the Ecclesiastical Insurance Group

## Working with children check - Victoria

### What Is The Working With Children Check?

The Working With Children (WWC) Check is a mandatory checking system for people who work or volunteer in child-related work in Victoria. It checks a person's criminal history for serious sexual, violence or drug offences and findings from professional disciplinary bodies. The checks began in 2006 and will be incrementally phased in over five years.

### Who Requires A Check?

The WWC Check applies to people engaged in 'child-related work' as defined in section 9 of the Working with Children Act 2005.

Employees and volunteers who undertake child-related work which involves regular, direct contact with a child and where the contact is not directly supervised by another person require a Check. Employers and volunteer organisations need to ensure that employees or volunteers who are required to obtain a WWC Check, do so.

### Who Is Exempt?

Those under 18 years of age, volunteer parents whose child participates in the activity, police officers, registered teachers and visiting workers who do not ordinarily reside in Victoria, are exempt from the WWC Checks.

### What Are The Application Outcomes?

Applicants may be issued with either:

- An Assessment Notice and a WWC Check Card which allows an applicant to undertake child-related work.

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- An Interim Negative Notice which advises that the Department of Justice is intending to issue a Negative Notice. This provides an opportunity for the applicant to present a case against a Negative Notice.
- A Negative Notice is issued to applicants who are not suitable for child-related work. Under the Working with Children Act 2005 it is an offence (punishable by up to two years imprisonment or a hefty fine) to knowingly employ or engage in child-related work without a current Assessment Notice.

### Working with Children during the Application Process

A valid Working with Children (WWC) Check applicant can undertake 'child-related work' if:

- the application is still being assessed
- an Interim Negative Notice has been issued and there is a waiting period to hear the final outcome of the application (that is, until a final response is received in the form of an Assessment Notice or a Negative Notice).

The Working with Children Act 2005 allows an applicant to commence 'child-related work' before passing the WWC Check, yet in all cases employers, volunteer organisations or agencies should require that a person has passed the WWC Check before commencing work or volunteering with them, as part of their recruitment practices.

However, a person who has previously been given a Negative Notice that has not been successfully appealed to the Victorian Civil and Administrative Tribunal cannot commence or continue to undertake child-related work.

### Phase in Dates

The Working with Children Check commenced in 2006 and phasing-in of the Checks will occur over the next five years to 2011.

For details about the introduction dates for specific types of child related work please refer to the Working with Children website at: [www.justice.vic.gov.au](http://www.justice.vic.gov.au).

## 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 put in place 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.

Source: <http://www.justice.vic.gov.au>

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