



SYDNEY JAPANESE
INTERNATIONAL
SCHOOL
シドニー日本人国際学校

Working With Children Policy and Procedures

WWC ACT

Overview

The OFFICE OF CHILDREN'S GUARDIAN (OCG) is responsible for employment screening for child-related employment. A Working with Children Check (WWCC) is a prerequisite for anyone in child-related work. It involves a national criminal history check and review of reported workplace misconduct findings. The result of a WWCC is either a clearance to work with children for five years (Clearance) or a bar against working with children. Cleared applicants are subject to ongoing monitoring by the OCG, and any relevant new records, which appear against a cleared application's name, may lead to the Clearance being revoked.

The WWC Act provides that persons engaged in work in a school are engaged in child-related work if the work involves direct contact (physical or face to face) by the worker with a child or children and that contact is a usual part of and more than incidental to the work performed, or they are engaged as school cleaners.

The School's position is that all employees, after-school club coordinators, charter bus drivers, contract cleaners and volunteers engaged in classroom activities on a regular basis are child-related workers.

It is the responsibility of each person engaged in child-related work to ensure that when they are eligible to apply for a Clearance or when their Clearance is up for renewal they so apply or renew.

If you are an existing employee, employed by SJIS in paid child-related work prior to the commencement of the new Working with Children system, or you are a volunteer, you were required to obtain Check Clearance by 31st March 2018 at the latest.

Responsibilities

The object of the WWC Act is to protect children:

- By not permitting certain persons to engage in child-related work; and
- By requiring persons engaged in child-related work to have Working with Children Check clearance.

Sydney Japanese International School (SJIS) is registered with the OCG as an employer for the Working with Children Check.

AT SJIS, we are required to and will:

- **Only employ or engage persons including volunteers who have a valid Clearance.**
- **Verify online and record the status of each worker's Clearance or application for a Check.**
- **Maintain an up-to-date register of Working with Children clearances for all persons engaged in child-related work**
- **Remove from the child-related work any staff member or volunteer who, after commencement, received a bar or interim bar.**
- **Report findings of misconduct involving children made against child-related workers, including volunteers.**

The Administration Officer (WWCC Officer) is responsible for the verification of each individual's application or Clearance.

The Administration Officer (WWCC Officer) must not verify their own application or Clearance.

All documentation is to be maintained by the Administration Officer (WWCC Officer) and copies of all documents are to be securely stored within the Ground Floor Administration Office.

All SJIS employees, after-school club coordinators, charter bus drivers, contract cleaners, university student teachers and volunteers engaged in classroom activities on a regular basis are child-related workers and are required to:

- Hold and maintain a valid Check (the School acknowledges some exemptions do apply to volunteers).
- Be aware of and follow the expectations of conduct expressed in the SJIS Staff Code of Conduct.
- Not engage in child-related work at any time that they are subject to an interim bar or a bar (whether at SJIS or elsewhere).
- Report to the Principal (Kocho Sensei) or his delegate (Head of International Division) if they are no longer eligible for a Check, the status of their Check changes or are notified by the OCG that they are subject to a risk assessment.
- It is the responsibility of the Administration Officer to assist new staff members from Japan with understanding and following the WWC policy and procedures.

All volunteers engaged in classroom activities on a regular basis are required to:

- Read the School's Student Welfare / Child Protection Policy and Codes of Conduct.
- Be aware of and comply with the Code of Conduct.
- Be aware of and conduct themselves in a manner consistent with the Code of Conduct.

DEFINITIONS

Final Bar means an ongoing bar to working with children. This bar is applied based on a decision made by the OCG, following a risk assessment. A person subject to a final to a final bar will not be issued a Clearance and is barred from working with children.

Interim Bar is a temporary bar to working with children issued to high-risk individuals to prevent them from continuing to work with children while a risk assessment is conducted. An interim bar may be applied for up to 12 months. If an interim bar remains in place for six months or longer, it may be appealed against through the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those considered to represent a serious and immediate risk to children.

Interim bars are usually issued only for risks considered likely to result in a final bar.

Child Related Work includes, but is not limited to work in the following sectors;

- Early education and child care including education and care service, child care centres and other child care;
- Education - schools and other educational institutions and private coaching or tuition of children;
- Religious services;
- Residential services including boarding schools, homestays more than three weeks, residential services and overnight camps; or
- Transport services for children including school bus services, taxi services for children with disability and supervision of school road crossings.

Child-related Worker means a person engaged in child-related work.

A child-related worker may commence work once they have completed the Check application process.

An application is completed when the online application form is complete and the worker's identity has been proven at Service NSW and the fee has been paid (if in paid work).

If you are unclear if your role is child-related, you should speak with the Principal (Kocho Sensei) and Head of International Division.

Disqualified Person is a person who has been convicted of, or against whom proceedings have been commenced for, a disqualifying offence outlined in Schedule 2 of the WWC Act.

A disqualified person is barred from working with children in child-related work.

It is an offence for an employer to knowingly engage a child-related worker when they do not hold a Clearance or are subject to an interim bar.

It is an offence for a person to engage in child-related work when they do not hold a Clearance or are subject to an interim bar.

Findings of Misconduct Involving Children

Reporting Body

Independent Schools, including SJIS, are defined as a reporting body by the WWC Act.

Section 35 of the WWC Act requires SJIS to notify the OCG of findings of misconduct involving children made against a child-related worker. SJIS may also be obliged to report, amend or provide additional information to the OCG as outlined in the WWC Act.

An Entity (final) Report to the OCG under s 36 of the Children's Guardian Act of the findings at the conclusion of the investigation into a reportable allegation or determination regarding a reportable conviction, will satisfy this requirement.

Under s 56 of the Children's Guardian Act, if a finding of reportable conduct or a determination that a conviction is a reportable conviction, has been made, the OCG must provide, to the Working with Children Check Unit within the OCG, a report made under the Children's Guardian Act, if the finding relates to the following types of conduct-

- Sexual misconduct committed against, with or in the presence of a child, including grooming of a child
- A sexual offence committed against, with or in the presence of a child,
- A serious physical assault of a child.

If the OCG is of the opinion that there is a real and appreciable risk to the safety of children during the course of the investigation, the OCG must refer information about the employee the subject of the investigation to the Working with Children Check Unit, for the purpose of considering an interim bar under section 17 of the WWC Act.

The School will inform the person that the OCG has been notified of a finding of misconduct involving children. The WWC Act enables a person who has a finding referred to the OCG under the Act to request access to the records held by the OCG in relation to the finding of misconduct involving children.

With respect to 'serious physical assault' the OCG considers that:

A physical assault is not serious where:

- It only involves minor force; and
- It did not, and was not ever likely to, result in serious injury.

A physical assault is serious where:

- It results in the child being injured, beyond a type of injury like a minor scratch, bruise or graze; or
- The injury suffered may be minor, but the assault is associated with aggravating circumstances might include associated inhumane or demeaning behaviour by the employee, for example kicking a child, pulling a child by grabbing the child around the neck).

Offences and Penalties

SJIS DROPBOX ACCESS - SJIS STAFF > Policy > Policy Documents 2022 > 3. Student Welfare > WWCC Compliance and Enforcement Policy

Risk Assessment

Risk assessment is an evaluation of an individual's suitability for child-related work.

The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received that triggers a risk assessment. This may include an offence under Schedule 1, a pattern of behaviour or offences involving violence or sexual misconduct representing a risk to children, findings of misconduct involving children or a notification made to the OCG by the Ombudsman.

Working with Children Check Clearance

A Working with Children Check Clearance (WWCC Clearance) means authorisation under the WWC Act to engage in child-related work. An employee will be issued with a number that is to be provided to SJIS before commencement along with the employee's date of birth to verify the status of an employee's Clearance.

It is mandatory for all staff to have a WWCC Clearance. To qualify for a WWC screening, you must be over 18 years old. Consequently, as a matter of policy, SJIS will not employ anyone under 18 years of age. However, students under 18 may work as volunteers or take part in High School work experience.

REFERENCES

NSW Community and Justice Services: www.dcj.nsw.edu.au

The Office of Children's Guardian: <https://www.ocg.nsw.gov.au>

Department of Premier and Cabinet - Keep Them Safe: www.keepthemsafe.nsw.gov.au

Working with Children Check Procedures

Employers have legal obligations around working with children. It is against the law to engage anyone in child-related work without a Working with Children Check. If a worker or volunteer requires a Check, there are actions the employer must take.

Employers must:

Register - Sydney Japanese International School.

Identify roles

Administration Officer (WWCC Officer) will verify Working with Children Check numbers online including

- A renewed Check, updated after five years.

People in charge of verifying WWCC numbers must make sure their own Check (if required) is verified online by an appropriate person in the organisation. Employers cannot self-verify.

Keep records

Administration Officer (WWCC Officer) will keep records for each worker, including:

1. Full name
2. Date of birth
3. WWC number
4. Employment Date
5. Verification date
6. Verification outcome
7. Expiry date
8. Whether the worker is in paid or volunteer work.

SJIS will use the required template provided by the OCG. All records will be kept within the downstairs Administration Office and stored securely online within "OFFICE" DROPBOX FOLDER.

Monitor and act

Administration Officer (WWCC Officer) must:

- keep details up to date.
These details must be accurate so OCG can contact SJIS about any changes in someone's Check status.
- remind employees to renew which they can do up to three months before their Check expires.
- remove anyone whose Check status is barred, interim barred, whose Check cannot be found or has expired from child-related work. SJIS will only employ people who have an Application number or Check clearance in child-related work.
- Once verification has been completed, the Administration Officer will inform:
 - The Principal (Kocho Sensei)
 - Head of International Division
 - General Manager