



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

# Working With Children Policy and Procedures

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## 1. Purpose

This policy aims to ensure that all staff members and volunteers engaged in child-related work comply with relevant legislation and place the safety and welfare of children as the highest priority.

This policy applies to all staff of Sydney Japanese International School (including permanent, casual, or temporary employees), volunteers, contractors, interns, and members of the Board.

## 2. Overview

- **The Child Protection (Working with Children) Act - the CP Act** was enacted to protect children from abuse and inappropriate conduct.
- All individuals engaged in child-related work (such as education, childcare, transportation, or residential services) are required to hold a Working With Children Check Clearance (hereinafter “Clearance”).
- **A Clearance is valid for five (5) years** and must be renewed before expiry.
- Failure to comply results in legal liability for both the individual and the employer.
- **The Office of the Children’s Guardian (OCG)** is the independent body responsible for administering the WWCC, with the following functions:
  - Screening applicants against national criminal and misconduct records to determine whether to issue a Clearance or a Bar.
  - Continuously monitoring those who hold a Clearance and reassessing or cancelling it if new records arise.
  - Reviewing investigative outcomes of misconduct reported by “reporting bodies” such as schools, and issuing Interim Bars or Final Bars where necessary.
  - Providing guidance, monitoring, and information to ensure compliance with relevant laws by organisations and child-related workers.

## 3. Definitions

- **Child-related Worker:** An individual engaged in child-related work. Employment can only commence after completion of the WWCC application process.
- **Disqualified Person:** A person convicted of, or subject to proceedings for, offences listed in Schedule 2 of the WWC Act. Disqualified persons are prohibited from child-related work.

- **Final Bar:** A permanent prohibition on engaging in child-related work, determined by the OCG based on a risk assessment. A Clearance will not be issued.
- **Interim Bar:** A temporary prohibition (up to 12 months) imposed during a risk assessment. If imposed for more than six months, the individual may appeal to the NSW Civil and Administrative Tribunal.

### 3.1 Child-Related Work

The Working with Children Check Clearance (WWCC) is the authorisation, under the CP Act, required for engaging in child-related work. Staff members are issued a WWCC number, which must be provided to the school along with their date of birth before commencing work, in order for the school to verify their clearance status.

All staff members are required to obtain a valid Clearance. Applicants must be 18 years of age or older to undergo WWC screening. Therefore, the school does not employ persons under 18 years of age. However, students under 18 may volunteer or participate in workplace experience programs.

- Early childhood education and care services, including childcare services, childcare centres, and other forms of childcare.
- Schools and other educational institutions, private tutoring, home tutors, and student teachers on placement from universities or other forms of tertiary education.
- Religious organisations.
- Residential services, including boarding schools, homestay arrangements of more than three weeks, and overnight camps.
- Transport services for children, including school transport services.
- School buses, taxi services for children with disabilities, and supervision of school crossings.
- Counselling, mentoring, or distance education delivered online or by other means without direct face-to-face contact.
- Extracurricular club coordinators, specialist coaches, and volunteers who are regularly involved in classroom activities or contractors (such as contracted cleaners or maintenance staff)

## 4. Roles and Responsibilities

- **Responsibilities of the School**
  - Register Sydney Japanese International School as an employer under the WWCC scheme.
  - Employ or engage only individuals with a valid WWC Clearance.
  - Verify and record the WWCC status of all staff and volunteers online, and keep records up to date.
  - Remove from duties and report to the OCG any staff or volunteer who is found to have engaged in misconduct or become ineligible.

- **Responsibilities of the WWCC Officer (Administration Officer •**

administrator@sjis.nsw.edu.au)

- Manage applications, verification, and record keeping.
- Remind all staff of their obligation to renew prior to expiry.
- Ensure that dispatched teachers from Japan have applied before commencing duties.
- Have their own Clearance verified by another authorised person (not self-verified).
- Report verification outcomes to the Principal, Head of Division, and General Manager.
- Ensure that the OCG system is set so that SJIS receives notifications directly from the OCG in the event of any changes to a staff member's WWCC status.

- **Responsibilities of Staff and Volunteers**

- Maintain a valid Clearance at all times.
- Abstain from child-related work while subject to a Bar or suspension.
- Promptly report to the Principal, Head or General Manager about any change in their WWCC status or notifications received from the OCG.
- Read, understand, and comply with the Code of Conduct and the Child Welfare and Protection Policy.
  - 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.

### **Legal Obligations**

- It is a criminal offence for an employer to knowingly engage a person who does not hold a valid Clearance or who is subject to an Interim Bar.
- It is a criminal offence for a person without a valid Clearance, or subject to a Bar, to engage in child-related work.

## **5. Verification**

- Before commencing employment, staff members must provide their WWCC number to the school for verification through the OCG.
- The Clearance is valid for five (5) years. The school records expiry dates and reminds staff of renewal requirements.
- Records must include: full name, date of birth, WWCC number, employment start date, date of verification, result, expiry date, and employment type (paid or volunteer).
- Records are securely stored in the school office and electronically and are updated by the WWCC Officer.

## **6. Procedures**

### **1. Application and Renewal**

- Staff members apply for or renew their WWCC online through Service NSW or authorised agencies.
- Clearances are valid for five (5) years and can be renewed up to three months prior to expiry.

### **2. Monitoring Compliance**

- Conduct verification procedures based on information provided by staff.
- After online verification, the WWCC Officer reports to the Principal, Head, and General Manager.
- The school must keep information up to date and notify staff of renewal deadlines.
- Any person who is “barred,” “interim barred,” or whose clearance has expired must be removed from duties on temporary leave of absence without pay.
- If a staff member does not become compliant with the WWCC requirements within 4 weeks, employment may become terminated.

### **3. Record Keeping**

- SJIS will use the required template provided by the OCG.
- The WWCC Officer maintains records including:
  1. Full name
  2. Date of birth
  3. WWCC number
  4. Employment commencement date
  5. Verification date
  6. Verification result
  7. Expiry date
  8. Employment type (paid or volunteer)
- The school receives the clearance outcome and updates its records.
- All records including copies of relevant documents are securely stored in the administration office on the ground floor.
- The WWCC officer manages all related documents, records, and updates and stored securely online within “OFFICE” DROPBOX FOLDER.

### **4. Reporting Obligations**

- The school must report to the OCG any findings of child-related misconduct concerning staff.
- Sexual misconduct and serious physical violence must always be reported.

## 7. Breaches and Penalties

- **Employer Breaches**  
Employers who engage a person without a valid Clearance or who is subject to an Interim Bar are liable to legal penalties.
- **Worker Breaches**  
It is a criminal offence for an individual to undertake child-related work without a valid Clearance or while subject to a Bar.
- **Misconduct Consequences**  
If sexual misconduct, serious physical violence, or other misconduct is identified, the OCG will conduct a risk assessment and may impose an Interim or Final Bar.
- **Risk Assessment**  
A risk assessment is the process of determining a person's suitability to work with children.  
The OCG considers:
  - Criminal offences under Schedule 1 of the WWC Act
  - Patterns of violent or sexually inappropriate behaviour posing a risk to children
  - Findings of child-related misconduct investigations
  - Notifications from the Ombudsman to the OCG

## 8. Reporting Obligations of the School

### 8.1 Designation as a Reporting Body

- Non-government schools are designated as *Reporting Bodies* under the CP Act.
- Section 35 of the CP Act requires schools to report to the Office of the Children's Guardian (OCG) the findings of investigations into child-related misconduct.
- A final report of findings into a reportable allegation under section 36 of the *Children's Guardian Act*, or into a reportable conviction, satisfies this requirement.
- Furthermore, under section 56 of the *Children's Guardian Act*, where conduct is found to constitute a reportable allegation, or a conviction is determined to be a reportable conviction, the OCG must submit a report under the Act to its *Working with Children Check* division in relation to such conduct.

### 8.2 Matters to be Reported

- The school must notify the OCG WWCC Unit of investigation findings concerning:
  - 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
  - Serious physical violence against a child
- Interim Bars may be imposed pending the outcome of a risk assessment.

### **8.3 Obligation to Provide Information**

- In accordance with the CP Act and the Children’s Guardian Act, the school must provide additional information, corrections, or reports when required.

### **8.4 Notification of Findings to Staff**

- The school must report findings of misconduct to the OCG and notify the staff member concerned that a report has been made.
- Reportable misconduct includes:
  - Sexual misconduct involving a child or in the presence of a child
  - Serious physical violence against a child

### **8.5 Access to Information**

- The school may be required to provide information to the OCG if it is relevant to child safety or to the OCG’s oversight functions.

### **References**

- NSW Department of Communities and Justice: [www.dcj.nsw.gov.au](http://www.dcj.nsw.gov.au)
- Office of the Children’s Guardian: <https://www.ocg.nsw.gov.au>
- Department of Premier and Cabinet – Keep Them Safe: [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)