

YMCA Geelong Policy –Working with Children Checks



OFFICE USE ONLY

Policy Number	Date Approved	Date Last Amended	Status
YG 138-O	02/08/2023	02/08/2023	

1. WORKING WITH CHILDREN CHECK POLICY

2. INTRODUCTION

YMCA Geelong is committed YG104-G Safeguarding Children and Young People Policy, is dedicated to complying with relevant Working with Children Check (WWCC), obligations.

Working with Children Checks, helps protect children and young people by checking a person's criminal history for serious sexual, violence or drug offences and findings from professional disciplinary bodies, and are required by all employees and volunteers working with or intending to work with children and young people.

3. POLICY

3.1. Applicable Legislation

YMCA Geelong will comply with all State legislation applicable to YMCA Geelong services and programs in that respective jurisdiction, specifically including those that govern the mandatory minimum background checking standards (i.e. Working with Children Checks or Equivalent).

We proactively implement a practice that all employees/volunteers at commencement of their engagement if over 18 years of age must have a current WWCC and exemptions for VIT/Police/Visiting workers **will not apply under our policy.**

Employees/Volunteers approaching their 18th birthday will be asked to apply for a Working with Children Check three months prior to the time they turn 18.

3.2. YMCA Geelong Personnel required to obtain a Working with Children Check

Refer to YG 138A-O Working with Children Check Procedures V8 02/03/2023

3.2.1. All YMCA personnel must at all times hold a valid WWCC or equivalent to undertake a position that has been deemed to require a WWCC in line with YMCA Geelong Working With Children Check Card Policy and Procedures and the applicable State Legislation. YMCA Geelong has the ability to impose higher levels of checking than the law requires and can choose to not accept the state legislated exemption to obtain a WWCC for the purpose of employment /volunteering at YMCA Geelong. Refer to YG 138A-O Working with Children Check Procedures Clause 7.1 V7 28/01/2022 for list of the current WWCC Requirements and exemption

YG 138-O Working with Children Check Policy V8 (APPROVED) 02/08/2023

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3.2.2. If you're a child

You are exempt from obtaining a Working with Children Check.

Note: Working with Children Check Victoria at the Department of Government Services stated in an email response to Sam Quinn at Gymnastics Victoria on 2nd August 2023

'Under the legislation (Worker Screening Act 2020) people under 18yo are exempt from the Working with Children (WWC) Check as per the advice on our website <https://www.vic.gov.au/exemptions-under-act>'

Please see email saved on extranet under Documents/HR/HR Compliance/WWCC Easy Search

3.2.3. All YMCA Managers/Co-ordinators must utilise available resources as per the procedure. YMCA staff/ volunteers engaged in direct and regular contact with children require a WWCC before commencing /continuing.

An incumbent/applicant can provide a WWCC receipt as proof that they have applied for a WWCC and may be able to commence in circumstances as outlined in the procedure.

YMCA Geelong employees, volunteers, board members, consultants and contractors may commence or continue work if they present an WWCC application and Australia Post Payment receipt as evidence that they have applied for a WWCC Check or renewal of a WWCC Check, provided that such action does not breach relevant legislation, as per the procedure.

Note: Presentation of payment receipt will not be accepted in licenced or approved Children's Services setting and employees must have a valid WWCC card to work directly with children.

3.2.4. Working with Children Check Compliance

Exiting WWCC Card Holders

Individuals with a current WWCC

Commencement of work

During the course of engagement

On going Monitoring

Refer to YG 138A-O Working with Children Check Procedures

3.2.5. All YMCA Managers must ensure that all relevant staff and volunteers maintain valid WWCC at all times. This includes ensuring those in paid positions hold an 'Employee' WWCC and not a 'Volunteer' card.

3.2.6. Where a position has been determined to require a valid WWCC, the relevant Offer of Employment and Appointment, Offer of Appointment to a New Position or Offer of Variations to

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Terms and Conditions of Employment must stipulate that their ongoing employment or engagement as a volunteer is subject to holding a valid WWCC.

3.2.7. All YMCA Managers must provide employees and volunteers WWCC compliance records to the relevant People and Culture Director for recording and compliance monitoring purposes.

3.2.8. Where it has been determined that as position is exempt from requiring a WWCC, a YMCA Manager must inform People and Culture Director for recording and compliance monitoring purposes, and must conduct a review of any changes that may affect the exemption as required. All exemptions must be ie: Work Experience students, Field Students, Parents using the services attending sites as observers.

3.3. Interim and Negative Working with Children Check Reports

Refer to YG138A-O Refer to YG 138-O Working with Children Check Procedures V8 02/03/2023

3.4. Change to Card Holder Status

Refer to YG138A-O Refer to YG 138-O Working with Children Check Procedures V8 02/03/2023

3.5. Renewal

Refer to YG138A-O Refer to YG 138-O Working with Children Check Procedures V8 02/03/2023

3.6. Consequences of Failing to Provide an updated WWCC to employer (YMCA Geelong)

Refer to YG138A-O Refer to YG 138-O Working with Children Check Procedures V8 02/03/2023

4. DEFINITIONS

Cardholder	A person who currently holds a valid WWCC.
Child / Young Person	Any person under 18 years of age.
Child Related Work	Work that usually involves, or is likely to involve, regular direct contact with a child or young person that is not directly supervised
Consultants and Contractors	Any external agent engaged by the YMCA Geelong to provide goods or services to the YMCA who are involved in regular direct contact with a child or young person that is not directly supervised. ie: Group Fitness Instructor, Birthday host, Skate event co-ordinator, agency relief staff.
Directly Supervised	Immediate and personal supervision.

Regular and Direct Contact with Children and Young People	Contact that is not incidental, but normally part of providing a service or activity for children and/or young people, that can involve physical contact, face to face communication or contact within eyeshot when providing services or activities for children.
Working with Children Check (WWCC)	The WWCC is a mandatory minimum checking standard across Victoria for individuals engaged in child related work. The WWCC helps to keep children safe by preventing those who pose a risk to the safety of children from working with them, in either paid or volunteer work. This Check is governed by the Department of Justice.
YMCA Geelong Personnel	Refers to all YMCA Geelong Employees, Volunteers, Board Members,

5. POLICY SCOPE

The Working with Children Check Policy applies to YMCA Geelong Inc. and applies to all existing, new and prospective, YMCA Geelong employees, volunteers, board members, contractors and consultants.

6. ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
Employees, Volunteers, Board Members, Consultants and Contractors	<ul style="list-style-type: none"> • Compliance with this Policy, and the procedure • Where engaged in positions that require a Working with Children Check, they are responsible for applying for and renewing a WWC Check, including payment of associated fees. • Be aware of their obligations as a WWCC Cardholder in accordance with State or Territory legislation. • Maintaining and up to date WWCC, and notifying a YMCA Manager when a WWCC has expired or become invalid.
Managers and Supervisors	<ul style="list-style-type: none"> • Ensure the Working with Children check Procedures are complied with, that relate to the implementation of this Policy and ensuring that employees and volunteers engaged in positions that require a WWCC have a valid WWCC. • Monitoring the status of applications and Cards due for renewal in the prescribed record management / payroll system. • Ensuring that employees or volunteers issued with an Interim

	Negative Notice, a Negative Notice or have their WWC Check card suspended or revoked do not undertake child related work.
People and Culture Director	<ul style="list-style-type: none"> ● Oversee implementation and compliance with the WWC Check Policy and Procedure. ● Responsible for reviewing and updating the Policy, procedure and supporting resources. ● Responsible for providing advice in the application of this Policy in accordance with agreed Human Resource service levels. ● Responsible for recording valid WWC Check Card and Application Receipt details in the Payroll System, and ensuring records are maintained in Volunteer Database. ● Monitoring the status of applications and providing reports to YMCA Managers. Monitoring WWC Check Cards due for renewal and providing reports to Managers.

7. MONITORING, EVALUATION AND REVIEW

Compliance with this Policy will be monitored by payroll department on a quarterly basis through the Payroll System by monitoring the status of applications, recording valid WWC Check Card details, monitoring cards due for renewal, and conducting compliance reporting provided to Executive Officers. YMCA Geelong Managers are responsible for local compliance, including ensuring that all YMCA Personnel hold a valid WWCC if required, and WWCC details (WWCC number and expiry dates) are recorded and monitored in local records.

SLT will conduct an annual compliance audit of available payroll data and provide reports.

The People and Culture Director is responsible for formally evaluating and reviewing this policy every 3 years in conjunction with representatives from key stakeholder groups. However, small changes and additions may be made outside of the annual review to ensure the policy remains relevant and current in line with relevant legislation. This will occur through the consultation process as outlined in the Policy Framework.

8. SUPPORTING DOCUMENTS (LINKS TO PROCEDURES, LEGISLATION, FORMS, WORK PRACTICES)

YMCA Guide to Child facing roles

YG 107-G Recruitment, Screening and Selection Policy

YG 138-O Working with Children Check Procedures V9 02/08/2023

Victoria

[Working with Children Act 2005](#)

[Working with Children Regulations](#)

[2006](#)

YMCA Geelong Policies

[YG 104-G Safeguarding Children and Young People Policy](#)

[Criminal History Record Check Policy](#)

[Recruitment ,Selection and Screening Policy](#)

Approved by: CEO

Meeting number and date: SMT 20/06/2016, 04/04/2019,

Resolution number:

Effective date: 20/06/2016, 04/04/2019, 02/08/2023

Review date: 02/08/2025

Policy Owner: CEO

Contact Details policy owner: Ph: 5221 8344 E: geelong@ymca.org.au

Amendment history:

Version	Date	Author	Change Description
V1	11/02/2014	Shona Eland	Uploaded to YMCA Geelong Policy Template included scope, monitoring and evaluation clauses.
V2	08/06/2016	Shona Eland	Inclusion of Clause 3.5 Consequences of Failing to Provide an updated WWCC to employer (YMCA Geelong)
V3	01/12/2018	Adele Andrew	Updated clause 3.1, 3.3.1 and 3.4.1 Removed wording "equivalent"
V4	07/03/2019	Brenda Bowell	Next review date (01/12/2022) added to footer as there was no date Where it has been determined that as position is exempt from requiring a WWCC, a YMCA Manager must inform People and Culture Director for recording and compliance monitoring purposes, and must conduct a review of any changes that may affect the exemption as required. ie: Work Experience students, Field Students, Parents using the services attending sites as observers.
V5	28/03/2019	Adele Andrew/Shona Eland	Inserted to Clause 3.2.1 All YMCA personnel must at all times hold a valid WWCC or equivalent to undertake a position that has been deemed to require a WWCC in line with YMCA Geelong Working With Children Check Card Policy and

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			Procedures and the applicable State Legislation. YMCA Geelong has the ability to impose high levels of checking than the law requires and can chose to not accept the state legislated exemption to obtain a WWCC for the purpose of employment /volunteering at YMCA Geelong. Refer to YG 138-O Working with Children Check Procedures Clause 7.1 V6 04.04.2019 for list of the current WWCC Requirements and exemptions.
V6	28/01/2022	Adele Andrew	Policy Clause add to include under 18 years Updated clauses 3.2-3.6 to include reference to YG138A-O Refer to YG 138-O Working with Children Check Procedures V7 28/01/2022
V7	02/03/2023	Adele Andrew	Added additional clause at 3.2.2 which pushed further clauses down by .1 If you're a child If you're under the age of 18, you're considered a child. You don't require a Check. However, please be aware this doesn't apply if you're supervising other children in paid employment who are under 15 years of age. Changed all SLT to where SMT was stated Changed Clauses 3.2, 3.3,3.4,3.5 and 3.6 to Refer to YG 138A-O Working with Children Check Procedures V8 02/03/2023
V8	02/03/2023	Adele Andrew	Changed Clause 3.2.2 to You are exempt from obtaining a Working with Children Check. Note: Working with Children Check Victoria at the Department of Government

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			<p>Services stated in an email response to Sam Quinn at Gymnastics Victoria on 2nd August 2023</p> <p><i>'Under the legislation (Worker Screening Act 2020) people under 18yo are exempt from the Working with Children (WWC) Check as per the advice on our website</i></p> <p>https://www.vic.gov.au/exemptions-under-act</p> <p>Please see email saved on extranet under Documents/HR/HR Compliance/WWCC Easy Search</p>
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As adopted by the YMCA Geelong Inc on 02/08/2023



Chief Executive
Officer YMCA
Geelong Inc