

CHILD SAFE CHECK UP

EVERY DAY CHILDREN AND YOUNG PEOPLE AROUND NSW SPEND TIME WITH ADULTS IN WORKPLACES SUCH AS SCHOOLS AND EDUCATIONAL FACILITIES, CHILDCARE CENTRES, YOUTH REFUGES, SPORTING CLUBS, CHURCH GROUPS AND HOSPITALS.

In NSW, if you employ people to work with children – regardless of whether the work is paid or unpaid, casual or permanent – you have a legal obligation to help keep those children safe from physical, sexual or emotional abuse.

One of the ways you must help protect kids is through the Working With Children Check process, which makes organisations safer for kids by helping employers choose the right people for child-related work.

WHAT IS THE WORKING WITH CHILDREN CHECK?

The Working with Children Check has two parts, the prohibiting serious offenders and pre-employment background checks.

The law in NSW bans ‘prohibited persons’ from working or volunteering in child-related employment. A prohibited person is someone who has been convicted of a serious sex offence, murder or kidnapping of a child, serious violence against a child or child pornography.

All applicants seeking child-related work need to declare whether they are prohibited from child related employment.

As well as seeking the declarations that they are not a prohibited person, employers must also obtain a Working With Children

Check for preferred applicants for paid child-related positions, foster carers, members of religious organisations seeking child-related employment and students on placement from the Department of Human Services.

Some volunteers will also need a Working With Children Check, but only if they are engaged in high risk activities such as providing personal care for children with disabilities.

These background checks are conducted by the Approved Screening Agencies (ASAs) which are the Department of Education and Training, NSW Department of Health and the Catholic Commission for Employment Relations and Communities NSW.

The background screening process checks for relevant criminal records, relevant Apprehended Violence Orders and relevant employment proceedings.



WHAT DOES MY ORGANISATION HAVE TO DO TO COMPLY WITH THE WORKING WITH CHILDREN CHECK?

- Assess which staff positions (paid and unpaid) are child-related employment
- Register your business or organisation with your sector's relevant Approved Screening Agency (ASA)
- Obtain and keep all declarations from all staff in child-related positions
- Request background checks for preferred applicants for child-related positions

WHAT ELSE CAN I DO TO MAKE MY ORGANISATION SAFER FOR CHILDREN?

While the declaration and background check are important tools for creating a child-safe environment, they cannot identify offenders who have never been charged or convicted.

This is why organisations should implement additional approaches to help minimise risks to kids. There are some simple strategies to minimise risk to the children in your care and to help provide a more child-safe service.

A simple checklist for managing risks to children in your organisation includes:

- Using the Working With Children Check where it is required
- Policies and codes of conduct to show staff what conduct is required
- Providing a safe physical environment
- Promoting discussion and feedback including from children and young people
- Identifying strengths and gaps in safety for children

Employers and employees should be satisfied that there are practices in their workplaces to help protect kids and to provide for their wellbeing.

The NSW Commission for Children and Young People has free resources available on its website, including policies, codes of conduct, templates and checklists to help organisations and workplaces become more child-safe and child-friendly.

For more information about your obligations as an employer or employee and to download the relevant forms for the Working with Children Check go to:

<https://check.kids.nsw.gov.au>

To access the online Child-safe Child-friendly resources go to:

www.kids.nsw.gov.au/kids/working/safefriendly.cfm

To contact the NSW Commission for Children and Young People's Child Safe Organisations unit, phone 02 9286 7276 or email: childsaf@kids.nsw.gov.au

