

RTO Working with Children Check Policy

Version: 1

Issued: 17/6/2018

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Authorised by: RTO CEO



1. Purpose

To enable the Four Wheel Drive Victoria (herein referred to as FWDV) to meet the Victorian state government legislative requirements of the *Working with Children Act 2005* and contribute to child safe practices relating to employees and contractors of the Registered Training Organisation (herein referred to as RTO), and volunteers who are engaged in child-related work in the occupational fields or other areas that deliver education and services within the RTO

2. Scope

This policy applies to all RTO existing, new and prospective employees, contractors and volunteers who are to be engaged in child-related work in the occupational fields or other areas that deliver education and services within the RTO that usually involves direct contact with a child or children. Employees who are registered under the Victorian Institute of Teaching Act 2001 (eg. secondary school teachers) do not require a WWC Check or Card

All nationally recognised training on Scope of Registration
All non-accredited training.

3. Policy Statement

FWDV is committed to providing a child safe environment and ensuring that children are able to experience the fundamental right to be safe from all forms of child abuse

This policy will ensure compliance with the requirements of the *Working with Children Act 2005* and its regulations. The policy will apply to the occupational fields or other areas that deliver education and services to children that are part of and operate across sectors of the RTO.

FWDV requires all current, prospective employees, contractors and volunteers who are to be engaged in child-related work in the occupational fields or other areas that deliver education and services within the RTO to:

- have a current WWC Check and subsequent WWC Card, or
- undergo a WWC Check as prescribed by the *Working with Children Act 2005*.

All current, prospective employees, contractors or volunteers must hold a current Assessment Notice and a WWC Card prior to engaging in any child-related work in the occupational fields or other areas that deliver education and services within the RTO.

As per the *Working with Children Act 2005*, it is the responsibility of employees to obtain an Assessment Notice and WWC Card prior to engaging in any child-related work within the RTO. . New and prospective employees will be required to present and have sighted their WWC Card prior to commencement of employment. WWC Cards issued for volunteers cannot be used for paid employment or engagement.



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Where it is deemed that a new or prospective employee, contractor or volunteer will be required to have a WWC Check to work in child-related work, commencement of employment or engagement must not take place until such time that they have been issued an Assessment Notice and WWC Card.

It will be the responsibility of each employee, contractor or volunteer to renew and fund their WWC Card when it expires. It is an offence under the legislation to continue child related work until a valid Assessment Notice and WWC Card is re-issued.

The WWC Check is valid for 5 years or as otherwise amended by legislation. The Training Manager will monitor and record renewal dates for contractors and volunteers.

The collection, recording and storage of WWC information will be the responsibility of the Training Manager and will be conducted in accordance with the RTO's Privacy Policy and other relevant legislative requirements.

Where there is a relevant change of circumstance relating to the holder of a WWC Card, the holder must notify the Training Manager in writing of the change within 7 days. A relevant change includes the holder being charged or convicted of an offence relating to children of a type specified in the *Working with Children Act 2005*.

In the case of an employee, contractor or volunteer receiving a Negative Notice after a WWC Check has been conducted, the RTO may take (and not be restricted to) any of the following steps against a current or prospective employee, contractor or volunteer:

- cease the work; or
- modify the work processes or duties associated with the child-related work; or
- re-design the position or work required; or
- re-deployment; or
- not make an offer of employment or engagement; or
- terminate the employment or engagement as per due process.

An employee, contractor or volunteer who receives an Interim Negative Notice will have the right of appeal as legislated in the *Working With Children Act 2005*. In this case, the RTO will take the necessary course of action that will ensure compliance to the legislation.

4. Responsibility

The Training Manager is responsible for ensuring the effective implementation of this policy and associated procedures.

5. Legislative Context

- [Working with Children Act 2005.](#)
- [Working with Children Regulations 2006.](#)
- [Education and Training Reform Act 2006.](#)
- [Department of Justice - Working With Children Check.](#)

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Implementation

6. Communication

The Working with Children Check Policy will be communicated and implemented across the RTO community by the following actions:

1. an Announcement Notice in the instructors newsletter
2. emails to instructors