



ISSUES PAPER 1

WORKING WITH CHILDREN CHECK

ISSUE

All states and territories have a system whereby, in general terms, adults working with children, on a paid or unpaid basis, are subject to some level of pre-employment screening to determine their suitability to work with children.

In the majority of states, individuals need to apply for a Working With Children Check (WWCC) before they may work in child-related employment. The sources used for screening checks vary across states and territories, but may include a police check, criminal history check, relevant employment proceedings and / or findings from professional disciplinary bodies.

A number of individuals and organisations have raised with the Royal Commission that the WWCC should be nationally and consistently applied.

SUBMISSIONS

Submissions are sought from interested individuals and government and non-government organisations on this issue. Of particular interest to the Royal Commission is:

1. Should there be a national WWCC?
2. What features should be included in any national scheme?
3. If there is no national scheme, should there be minimum requirements for each state and territory scheme?
4. How long should any clearance be granted for?
5. Should a person be able to commence work before the check is completed?
6. How should child-related work be defined?
7. How should child-related sectors and roles be defined?
8. Are current exemptions for a WWCC adequate or appropriate – in particular, should a WWCC apply to those:
 - a. living in the homes of children in out-of-home care?
 - b. parent volunteers?
9. What records should be included in the check? For example, should the check include juvenile records?
10. How should an appeal process operate?
11. What issues arise from the current regime of records that result in automatic barring of a person from working with children?

12. The adequacy of the risk assessment process.
13. To what degree should the WWCC minimise the need for institutions to establish clear processes for responding to inappropriate behaviour of staff in child-related positions?
14. How should the effectiveness of any existing or proposed WWCC be evaluated and / or monitored?

Submissions are welcomed on any aspect of the WWCC. Submissions will be made public unless the person making the submission requests that it not be made public or the Royal Commission considers it should not be made public. That will usually only occur for reasons associated with fairness.

Submissions should be made by **Monday 12 August 2013**, preferably electronically, to solicitor@childabuseroyalcommission.gov.au, otherwise in writing to GPO Box 5283, Sydney NSW 2001