

2020 SLSNSW Working with Children Check Requirements

Introduction

Surf Life Saving is committed to providing a safe environment for children and young people. The organisation's [Safeguarding Children and Young People Program](#) provides a framework of policies, procedures, resources and education to support clubs in meeting this commitment. A key action area of this program is to **screen and recruit the right people**, ensuring that where applicable, members have a valid Working With Children Check (WWCC).

This document outlines the legal requirements and responsibilities for members and clubs in relation to WWCCs in NSW.

The NSW Working With Children Check

Under the [Child Protection \(Working with Children\) Act 2012](#) and the [Child Protection \(Working with Children\) Regulation 2013](#), a WWCC is a prerequisite for anyone in a child-related role, either paid or voluntary.

The WWCC is managed by the [Office of the Children's Guardian](#) (OCG) and involves a national criminal history check and review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to the clearance being revoked.

The WWCC cannot identify people who have not previously been caught or are yet to offend.

The WWCC is free for volunteers, and costs \$80 for paid employees. A WWCC gained for a paid position can be used for both paid and volunteer positions, whereas a volunteer WWCC can only be used for volunteer positions.

Who needs a WWCC?

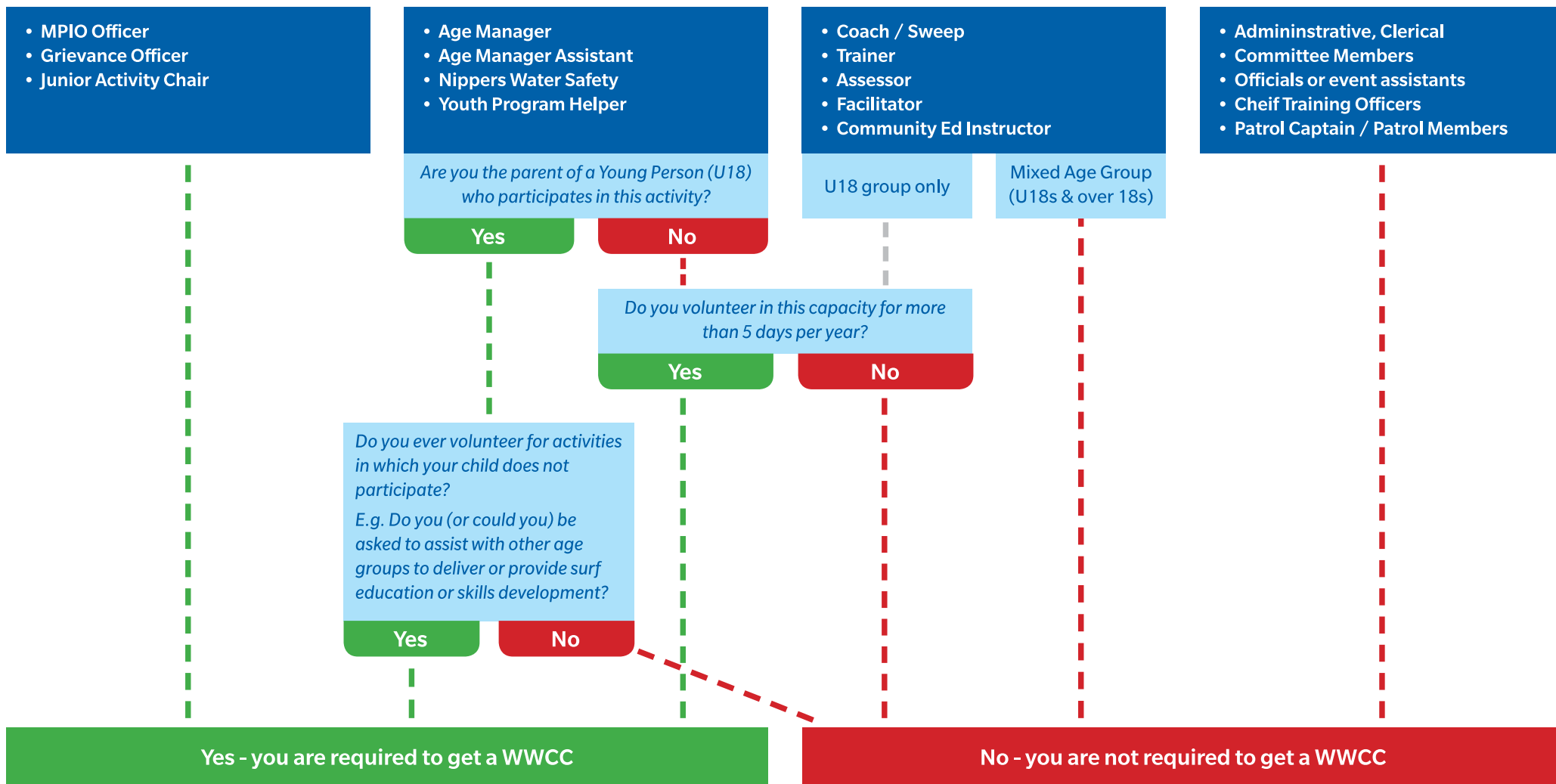
SLSNSW members who work directly with children under the age of 18 must complete a WWCC, unless their role falls within one of the scheme's defined exemptions. The exemptions which are most relevant to SLS include:

- Children (under the age of 18)
- Administrative, clerical or maintenance work
- Very short-term work (less than 5 working days in a calendar year) such as a visiting speaker, assessor or performer.
- Volunteering by a parent or close relative where the child participates*.
- Co-workers and supervisors where a child works (e.g. Patrol Captains or patrolling members)
- Interstate visitors volunteering at a one-off event (e.g. State Championships) for up to 30 days a year if they hold the WWCC in their home jurisdiction.

** This is not a blanket exemption for all parents. Parents will require a WWCC if they:*

- *are volunteering on overnight camps;*
- *are volunteering for an activity where their child is not participating (e.g. for a different age group in Nippers or for a different training squad)*
- *are volunteering as part of a formal mentoring program; or*
- *are volunteering in a role which involves intimate, personal care of children with a disability.*

Do you require a WWCC?



Note – if you perform multiple roles in Surf Life Saving, please ensure you check the flowchart and obtain a WWCC where needed.

All Member WWCC Requests

Asking someone who is covered by an exemption under the Child Protection (Working with Children) Act 2012 to complete a WWCC means that you are not compliant with the legislation. If you are not compliant with the legislation, you may be contacted by the Office of the Children’s Guardian and given a timeline within which to become compliant. If you do not comply according to the timelines, the matter can escalate, and penalties may apply.

Member and club responsibilities

Members who require a WWCC have a responsibility to apply for this check, and to provide the club with their WWCC number.

Clubs have a responsibility to ensure that all volunteers and employees who require a WWCC are identified, advised and hold a valid WWCC which is verified with the OCG and recorded on SurfGuard. It is also a club’s responsibility to suspend or reject membership and participation of volunteers or employees if required as an outcome of the WWCC verification.

Applying for a WWCC – information for applicants

Those who already have a WWCC can simply provide their WWCC Number, full name and date of birth to their club for online verification.

Those who do not already have a WWCC will need to follow the below steps:

1. Complete the [online application form](#) (once the form has been submitted an Application Number will be received).
2. Take the Application Number and proof of identity to a NSW Motor Registry, Government Access Centre, or Service NSW office.
3. Once received, provide their WWCC Number to the club for verification.

Child-related work cannot be undertaken until such time that the Club has completed the online verification process and the result comes back as ‘Cleared’. Once you have provided proof of identity, most people will receive their WWCC number within a few days. However please allow up to four weeks as in some cases waiting times may be longer.

Verifying WWCCs and acting on verification outcomes – information for clubs

The process for Clubs who undertake child-related activities involves:

1. Register as an ‘employer’ with the OCG

If not already completed register via the [registration portal](#). An online tutorial can be found [here](#).

2. Complete the online verification with the OCG

Login to the [OCG employer portal](#) and use the WWCC Number, family name and date of birth to verify. An online tutorial can be found [here](#).

This is a vital step in the verification process. Without it, you have not confirmed that the WWCC is valid. This step also enables Surf Life Saving to be notified by the OCG if the individual becomes barred from working with children in the future.

3. Identify who will need a WWCC and advise the individuals.

It is recommended that once individuals have been advised they need a WWCC this is recorded to ensure this person gets their WWCC before starting in a child-related role.

The 'Member Protection Note' field under the 'Member Protection' section on a member's SurfGuard profile could be utilised for this purpose of tracking who has been contacted.

4. Enter the WWCC details into SurfGuard

The following details must be recorded on SurfGuard. The OCG does not store this information on their system for later recall.

| SurfGuard Field | Information to be Entered by SLSC |
|--|--|
| Working with Children Registration/Verification Date | The date the online verification was completed |
| Working with Children Registration Expiry Date | The WWCC expiry date |
| Working with Children Registration No | The WWCC Number |
| Member Protection Note | The result of the online verification, i.e. Result = In Progress / Cleared / Barred / Interim Barred / Not Found |

If the club receives a 'Barred' or 'Interim Barred' result during the initial verification process or at any other point during the person's engagement with the club, then the person must cease any child-related work. See Step 6 (*Remove anyone in a child-related role*) below for further information.

5. Appoint or remove a worker depending on the outcome of the WWCC verification

| Status | Meaning |
|-------------------------|---|
| Application in progress | The applicant has completed the application process and may begin working with children. If he or she becomes barred, the employer will receive notification. |
| Cleared | This applicant is cleared to work with children until their Working With Children Check expires (date shown in result). |
| Barred | The applicant has been barred and cannot work with children, paid or unpaid. It is an offence to engage a barred individual in child-related work. |
| Interim barred | The applicant been barred and cannot work with children, paid or unpaid, pending the outcome of a risk assessment. It is an offence to engage a barred individual for child-related work. |
| Not found | The database cannot find a matching result because the: <ul style="list-style-type: none"> • data entered for online verification (name, date of birth and/or WWCC number or application number) has errors; • application has been withdrawn or terminated without an outcome; • application process has not been completed (i.e. completed the online form; presented proof of identity; paid any applicable fee). |

It is an offence to engage this individual in child-related work.

6. Remove anyone in a child-related role

The WWCC is valid for five years and during this time, cleared applicants will be subject to ongoing monitoring. Surf Life Saving Clubs will be notified by the OCG (using the contact information supplied during the online verification process) if the individual becomes barred from working with children in the future.

Receiving notifications from the OCG

If the OCG sends a letter advising the Club that a volunteer has become barred (or has an interim bar) you must immediately remove them from child-related work. It does not matter whether they are paid or unpaid; supervised or unsupervised.

Note that the OCG will not advise SLSNSW of the change in status, so it is the responsibility of clubs to advise the SLSNSW [Chief Executive Officer](#) and update the member's SurfGuard record.

The club has the option to:

- Dismiss the member;
- Suspend the member from child-related work pending the outcome of an appeal; or
- Transfer the member to a non-child-related role within the club (although the club is under no legal obligation to find an alternative position for a barred individual).

7. Provide the SurfGuard data to the OCG if required as part of the Compliance Program

The OCG updated their audit procedures in 2018, and are now implementing a [Compliance Plan](#) which aims to ensure that employers and employees understand and comply with their legal responsibilities. The compliance program is primarily focused on achieving compliance and not engaging employers in enforcement action.

If required, there is a pre-created report in SurfGuard which can be utilised as part of the compliance plan: **Reports > General Reports > Member Reports > Report Type – Membership Protection Details.**

8. Monitor WWCC records to ensure that those in child-related roles renew their WWCC before their current WWCC expires.

Further Information

For additional information/clarification on these requirements, please visit the WWCC Frequently Asked Questions document.