

Working with Children's Check (WWCC) Policy

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Policy Name	WWCC	Approved	Wed. 230518
Responsibility	Prinicipal and Office staff	Date last updated	Wed. 230518

Rationale

The Working with Children Check assists in protecting children from sexual or physical harm by ensuring that people who work with, or care for, them are subject to a screening process.

Passing a Check is a legal requirement for everyone in Victoria doing paid or voluntary **child-related work** who doesn't qualify for an exemption.

The Check is just a starting point. The Check does not assess a person's suitability to work with or care for children in a particular role. It is the responsibility of organisations to assess paid and voluntary workers' suitability to work with children and to establish sound, ongoing supervision practices so that children are safe from harm.

Organisations must comply with the Child Safe Standards that have been introduced as part of the Victorian Government's response to the Betrayal of Trust Inquiry. These are compulsory minimum standards under the *Child Wellbeing and Safety Act 2005* that apply to organisations that provide services for children. The standards help ensure the safety of children.

Organisations must also comply with the Reportable conduct scheme requirements that came into effect on 1 July 2017. For more information go to Commission for Children and Young People.

Aims

- To adhere to the WWCC website; relating to relative legislation.
- To localise CSPA arrangements where all visitors are required to have a WWCC.
- To further improve Emergency Management procedures relative to WWCC.
- To ensure processes are followed and maintenance of a school based WWCC register.

Implementation

Who needs a Check?

Not everyone who has contact with children needs a Working with Children Check.

Under the *Working with Children Act 2005* (the Act), only people who are doing **child-related work** and who are not exempt need a Check. This applies to both paid and volunteer workers.

Some organisations have their own policies regarding who needs a Check. Confirm this with your organisation.

Occupational fields (Refer to Appendix A)

One of the conditions for an activity to be recognised as **child-related work** under the *Working with Children Act 2005* (the Act), is that it must fall within one of the occupational fields below.

If your work is not represented by one of these sectors, services or places of employment, you are not doing child-related work and you do not need a Check.

Exemptions

There are several situations listed in the *Working with Children Act 2005* (the Act) where people doing **child-related work** are exempt and do not need a Working with Children Check (Check).

The exemptions in the Act are described below.

Applicants may find that they are exempt for the purposes of one type of work but not another, so they may still need a Check.

The following exemptions do not apply to people who have failed the Check and been served a Negative Notice.

Children

If you are under 18 years of age, you are exempt from the Check.

Example: David is 17 years old and a member of his local scout group. David leads a younger group of scouts but because he is under 18 years of age, he does not need a Check.

Under the Child Employment Act 2003 this exemption does not apply to under 18-year-olds supervising children under the age of 15 in employment.

Some student volunteers

If you are a student who is 18 or 19 years of age, you are exempt from the Check for volunteer work organised by or held at your educational institution.

Example: Khalil is an 18-year-old student at Smithtown Secondary College. He leads a peer support group of Year 7 students. As Khalil is doing his volunteer work at his school, he does not need a Check.

Parents volunteering in an activity with their child

If you are a parent volunteering in an activity in which your child participates, or normally participates, you are exempt and do not need a Check.

Example: Emily has volunteered to make and fit costumes for other children in her daughter's school play. As Emily's daughter usually participates in the school play, Emily does not need a Check, even if her daughter does not attend all of the play rehearsals or performances.



Family members and people who are closely related to the child (with the exception of kinship carers)

If you are closely related to each child in your child-related work you are exempt from the Check. 'Closely related' to a child means :

- spouse or domestic partner
- parent, step-parent, mother-in-law or father-in-law
- grandparent
- uncle or aunt
- brother or sister, including half sibling, step sibling, brother-in-law or sister-in-law.
- in the case of domestic partners, a person who would be closely related to the child if the domestic partners were married to each other.

Example: Thuy is paid to teach her niece piano. As Thuy is closely related to the child, she does not need a Check.

This exemption does not apply if you are a kinship carer. A person who engages in kinship care work must hold a Check. A person is engaged in kinship care if:

- the person is a family member or other person of significance to a child; and
- the child is or has been placed in the out of home care of that person under the *Children, Youth and Families Act 2005*.

Example: Child Protection has placed nine year old Lucy in the care of her uncle, John. This arrangement is called kinship care. Even though John is closely related to his niece, he is still required to obtain a Check because he is a kinship carer in accordance with the above definition.

Teachers

If you are a teacher who is currently registered with the Victorian Institute of Teaching (VIT), you are exempt from the Check. However, if your VIT registration is suspended or cancelled, you are no longer exempt and must apply for a Check. You must, in writing, notify every organisation that engages you in child-related work within seven days of the suspension or cancellation of your registration.

Example: Claire is a secondary school teacher currently registered with VIT. She volunteers to coach children at a local chess club and does not need a Check to do this work.

Police officers

If you are a Victoria Police officer or an Australian Federal Police (AFP) officer, you are exempt from the Check.

However, if you are suspended or dismissed from Victoria Police or the AFP, you are no longer exempt and must apply for a Check. You must, in writing, notify every organisation that engages you in child-related work within seven days of being suspended or dismissed.

Example: Roger is an AFP officer who volunteers at an under-15s hockey club. He does not need a Check.

Interstate visitors

Interstate visitors can do child-related work in Victoria without a Victorian Check for a period of up to 30 days in the same calendar year for:

- several events or occasions with a Check from their state or territory, or
- only one event or occasion without a Check from their state or territory.

Example: Anne lives in New South Wales (NSW) and wants to bring a group of teenagers to Victoria to see an exhibition at the State Library. As Anne does not usually live in Victoria and will only be in Victoria for one event, she does not need to get a Victorian Check or have one from NSW.

What the Check means for you

The Working with Children Check is a legal requirement for people doing **child-related work**, unless they qualify for an exemption under the *Working with Children Act 2005* (the Act).

The Check screens a person's criminal record, and in some cases their professional conduct determinations and findings.

Are you doing child-related work?

In order to do child-related work, you must obtain a Check.

A Check enables you to do child-related work for five years. During this time, your criminal record and your professional conduct continue to be monitored.

Your Check may be suspended or revoked if:

- you are charged with, convicted, or found guilty of any relevant offence, or
- a professional conduct determination or finding is made against you, or referred to the Department of Justice and Regulation.

Complying with the law

Under the Act, a Check is a requirement for people doing child-related work, and organisations must ensure that people doing child-related work have a valid Check. Penalties apply if you or your organisation fail to comply with the Act. These penalties are substantial, and include fines, imprisonment, and in some cases, both.

The current fine for organisations who fail to comply with the Act is substantial.



How can you help keep children safe?

The Check aims to prevent people who pose a risk to children from working or volunteering with them. The scheme also requires parents and the wider community to help protect children and ensure that:

- organisations that work with or care for children create and maintain child safe environments
- people doing child-related work have a valid Check.

Organisations' obligations

The Working with Children Check is just one part of creating and maintaining a child-safe environment.

Organisations need to ensure that people in roles that have direct contact with children hold a Check.

In addition to your obligations under the *Working with Children Act 2005* (the Act), it is your duty to assess the suitability of the people you engage to make sure children are safe with them. To do this, you need to at least have sound practices in place to check their references and monitor their behaviour around the children in your care.

You must comply with the Child Safe Standards that have been introduced as part of the Victorian Government's response to the Betrayal of Trust Inquiry. These are compulsory minimum standards under the *Child Wellbeing and Safety Act 2005* that apply to organisations that provide services for children. The standards help ensure the safety of children. Organisations must also comply with the Reportable conduct scheme requirements that came into effect on 1 July 2017. For more information go to Commission for Children and Young People.

To keep the children in your care safe from harm, you must know:

- that everyone with direct contact with children has a Check
- if applicants are legally permitted to work while their application is processed. People with serious sexual, violent or drug offences, or who are subject to orders listed under Schedule 3 of the Act **cannot** work with children while their applications are assessed.

Parents

The Check assists in protecting your child from sexual or physical harm by ensuring that people who do **child-related work** are subject to a screening process.

When a person passes the Check, it means that the Department of Justice and Regulation has determined (based on the information available to it) that they do not pose an unjustifiable risk to children. The organisation engaging the person must then assess whether they are suitable to work with children, and continue to monitor their behaviour.

Protecting your child

By law, organisations such as childcare services and sporting clubs must make sure that workers doing child-related work have a Check. They must comply with the Child Safe Standards that have been introduced as part of the Victorian Government's response to the Betrayal of Trust Inquiry. These are compulsory minimum standards under the *Child Wellbeing and Safety Act 2005* that apply to organisations that provide services for children. The standards help ensure the safety of children.

Organisations must also comply with the Reportable conduct scheme requirements that came into effect on 1 July 2017. For more information go to Commission for Children and Young People.

Before your child participates in activities at an organisation, you may wish to learn more about how the organisation recruits and supervises workers who will be caring for your child. The Commission for Children and Young People has useful information on how to recognise a child-safe organisation.

If your child is tutored by a self-employed person, it is up to you to make sure the tutor has a current Check. Ask the tutor to show you their card or application receipt. Take a note of the tutor's last name and card or receipt number then find out if they have a valid Check using the Check status service.

How is a Police Check different?

The Working with Children Check (Check) and a Police Check are different checks.

Under the *Working with Children Act 2005* (the Act) if you are doing **child-related work** and are not exempt, you must have a Check even if you already have a Police Check.

The Check by the Department of Justice and Regulation determines if a person poses an unjustifiable risk to the safety of children. The Check screens a person's criminal records and, in some cases, their professional conduct determinations and findings from prescribed bodies listed in the Act. The Check focuses on serious sexual, violent and drug offences. The department continues to monitor these records for the life of each card.

The Police Check is not an assessment by a government agency. It is only a list of some offences, at a given point in time.

Organisations request this list to help them assess a person's suitability for other kinds of work. For example, an organisation might want to know about fraud offences if they were recruiting for a role with access to cash.

VIT registration and the Check (Refer to Appendix B)

If you are currently registered with the Victorian Institute of Teaching (VIT), you are exempt from the Working with Children (WWC) Check. This is because registered teachers are subject to extensive criminal history screening and weekly monitoring similar to the WWC Check. In addition to this, registration is only granted by the VIT to teachers who are appropriately qualified and assessed by the VIT as 'suitable to teach'.

However, if your VIT registration is suspended or cancelled, the exemption no longer applies and you must apply for a Check. You must, in writing, notify every organisation that engages you in child-related work within seven days of the suspension or cancellation of your VIT registration. The VIT will notify the WWC Check Unit of the cancellation of your registration.



Offences & penalties (Refer to Appendix C)

Here you will find details about:

- the offences and other matters referred to in the *Working with Children Act 2005* (the Act) that the Department of Justice and Regulation examines when assessing applications for a Working with Children Check and reassessing a person's eligibility to continue to hold a Check.
- the offences against the Act that are relevant to organisations and individuals involved in **child-related work**.

Offences and other matters examined by the Check

To determine if you pass the Check the department considers:

- all criminal offences including sexual, violent and drug offences, and any other offence that the department considers may pose an unjustifiable risk to the safety of children, regardless of the outcome of the offence
- obligations and orders under the Victorian sex offender legislation
- certain types of professional conduct determinations
- findings of reportable conduct from the Commission for Children and Young People.

Individuals' offences (Refer to Appendix D)

The *Working with Children Act 2005* (the Act) and the Working with Children Regulations 2016 (the Regulations) aim to assist in protecting children from physical and sexual harm.

If you do paid or voluntary **child-related work**, you must have a Check.

There are substantial penalties if you breach your obligations under the Act or Regulations.

Changes to legislation

Amendments to the *Working with Children Act 2005* (the Act) came into effect on 1 August 2017

The Royal Commission into Institutional Responses to Child Sexual Abuse made several recommendations aimed at strengthening the protection children receive through Working with Children Checks. The following amendments to the Act implement these recommendations:

1. Expand the definition of '**direct contact**' in the Act. The definition of direct contact now includes oral, written or electronic communication as well as face-to-face and physical contact.
2. Remove references to '**supervision**' from the Act. This means that even if a person's contact with children as part of their child-related work is supervised by another person, they will still need to apply for a Working with Children Check (Check).
3. Create a new occupational category of 'child-related work', known as 'kinship care'. Family members or other persons of significance caring for a child placed by Child Protection under the *Children, Youth and Families Act 2005* are required to obtain a Check.
4. Ensure that non-conviction charges (charges that have been finally dealt with other than by a conviction or finding of guilt) for serious sexual, violent or drug offences are considered as part of Check assessments and re-assessments.
5. Enable the Secretary to the Department of Justice and Regulation to compel the production of certain information for the purposes of compliance monitoring.

In addition, various other miscellaneous and technical amendments have been made to improve the Act's operation and administration.

Resources

- <http://www.workingwithchildren.vic.gov.au/home/resources/>
- <http://assets.justice.vic.gov.au/wwcc/resources/67ca6b1f-0433-4180-a084-7e9ab1377ffa/legislative+amendments+15aug17.pdf>
- [Child Safe Standards](#)
- [Betrayal of Trust Inquiry](#)
- [Reportable conduct scheme](#)
- [Commission for Children and Young People](#)
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Evaluation

This policy will be reviewed as part of the school's three year review cycle and/or per local school agreement.

CERTIFICATION

This policy was ratified at the School Council Meeting held at Cranbourne South Primary School, on Wednesday 23rd May 2018

Signed.....

School Council President

Signed.....

Principal

Appendix A

Services or place of work	Details	Code
Camps	All overnight camps for children	10
Child care services	Child care services including: <ul style="list-style-type: none"> - centre-based long day care - occasional care - family day care - in-home care - outside school hours care 	14 16 18 20 22
Child employment - supervisors	Supervision of a child (under 15 years of age) in employment under the <i>Child Employment Act 2003</i>	76
Child minding	Babysitting or child minding services arranged by a commercial agency	12
Child protection services	Child protection services	24
Children's services	Children's services including kindergartens or preschools under the <i>Children's Services Act 1996</i> and <i>Education and Care Services National Law (Victoria) Act 2010</i>	26
Clubs & associations	Clubs, associations or movements of a cultural, recreational or sporting nature	42
Coaching & tuition	Coaching or private tuition services of any kind specifically for children	28
Counselling services	Counselling or other support services for children	40
Educational institutions	Educational institutions for children, specifically: <ul style="list-style-type: none"> - state schools (all primary, secondary, technical and special state schools) - non-government schools (all primary, secondary and special non-government schools) - TAFE colleges and TAFE divisions of universities providing VCE and/or Victorian Certificate of Applied Learning (VCAL) subjects - some adult education providers offering VCE and/or VCAL subjects - other institutions providing children's study or training programs 	44 46 48 50 52
Entertainment & party services	Commercial entertainment or party services for children unless they are merely incidental to or in support of other business activities	30
Foster care	Fostering children	54
Gym or play facilities	Commercial gym or play facilities for children unless they are merely incidental to or in support of other business activities	32
Kinship care	Caring for a child placed by Child Protection under the <i>Children, Youth and Families Act 2005</i>	80
Out-of-home care services	Out-of-home care services (under the <i>Children, Youth and Families Act 2005</i>)	38
Paediatric wards	Paediatric wards of public, private or denominational hospitals as defined in the <i>Health Services Act 1988</i>	58
Photography services	Commercial photography services for children unless they are merely incidental to or in support of other business activities	34
Refuges	Refuges or other residential facilities used by children	62
Religion	Religious organisations	64
School crossings	School crossing services	66
Student exchange programs / homestay arrangements	Student exchange or homestay arrangement under Part 4.5A of the <i>Education and Training Reform Act 2006</i> , including accommodation in a person's home	78
Talent & beauty competitions	Commercial talent or beauty competitions for children unless they are merely incidental to or in support of other business activities	36
Transport	Publicly funded or commercial transport services specifically for children	60
Youth justice	Youth remand, residential, or justice centres, supervision units and probation services within the meaning of the <i>Children Youth and Families Act 2005</i>	56

Appendix B

Victorian Institute of Teaching registration	Working with Children Check	
Purpose	VIT registration is a legal requirement for all teachers who undertake the duties of a teacher in a school or early childhood setting.	The WWC Check is a legal requirement for all individuals engaging in paid or voluntary child-related work in a relevant occupational category, as defined by the <i>Working with Children Act 2005</i> .
Renewal	Renewal of registration is a requirement for registered teachers and registered early childhood teachers. It is not a requirement for provisionally registered teachers, provisionally registered early childhood teachers or teachers holding permission to teach.	A Check is valid for five years after which cardholders must renew their Check if they wish to continue doing child-related work.
Offences and matters considered	The VIT is required to investigate a person's suitability to teach, which includes an investigation of all indictable offences, as required by the <i>Education and Training Reform Act 2006</i> , as well as issues associated with conduct and competence.	<p>The Check considers :</p> <ul style="list-style-type: none"> charges, convictions or findings of guilt for sexual, violent or drug offences charges, convictions or findings of guilt for any offence that represents an unjustifiable risk to the safety of children certain disciplinary findings (i.e. suspension or cancellation of VIT registration and disqualification of registration by the out-of-home-care Suitability Panel) offences against the <i>Working with Children Act 2005</i>.
Suspension or cancellation	The VIT investigates an individual teacher's suitability to teach and may consider matters that do not relate to a risk to the safety of children. If the teacher is found guilty of a sexual offence, his or her registration is immediately cancelled and that person is disqualified from teaching in a Victorian school or early childhood setting.	<p>A person will be refused a Check if they are assessed as posing an unjustifiable risk to the safety of children.</p> <p>The seriousness of the offence will determine the type of assessment, for example, the most serious offences for the purposes of the Check are assessed as Category A, and will result in the automatic refusal of a Check.</p> <p>A person's Check will also be suspended if they are charged with, convicted or found guilty of any of the serious offences or matters listed in Schedule 3 to the <i>Working with Children Act 2005</i></p>
Notification of cancellation	When a VIT registration is cancelled, the WWC Check Unit, the teacher's employer, interstate teacher registration authorities and the Taxi Services Commission are notified. A register of teachers is maintained by the VIT and can be viewed online on the VIT website.	When a Check is suspended or cancelled all organisations the applicant has listed on their application form or through the change of details form on the WWC Check website will be notified by the Department of Justice and Regulation. The current status of a person's Check can be viewed online on the WWC Check website.

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Appendix C

Offences	Exceptions/defences	Max penalty for individuals*	Max penalty for organisations & self-employed*	Section reference in the Act
Engaging or continuing to engage a person in child-related work who does not hold a valid Working with Children Check.	<p>If the worker does not need a Check because they are exempt under the Act.</p> <p>If the worker has applied for a Check and their application is being processed and they are not prohibited from working whilst being assessed due to their serious criminal record.</p> <p>Tip: check the status of their application, and their work rights, on the website at Check status.</p> <p>If you were in the process of transferring the worker, to work that is not child-related work, or you were in the process of lawfully terminating them.</p> <p>If you directly engaged the worker to undertake child-related work with your child, whether or not it involved direct contact with other children.</p> <p>If VCAT had stayed a Negative Notice issued to the worker, pending their appeal.</p> <p>If you did not know, but took all reasonable steps to know, that the worker did not have a Check.</p>	Two years imprisonment, or a fine of 240 penalty units* or both.	A fine of 1200 penalty units*.	35
Offering the services of any person who does not hold a Check, to another person or organisation, for the purpose of doing child-related work.	<p>If the worker does not need a Check because they are exempt under the Act.</p> <p>If the worker has applied for a Check and their application is being processed and they are not prohibited from working whilst being assessed due to their serious criminal record.</p> <p>Tip: check the status of their application, and their work rights, on the website at Check status.</p> <p>If VCAT had stayed the effect of a Negative Notice issued to the worker.</p> <p>If you did not know the work was child-related work, and you did not know the worker did not have a Check, and the other person or organisation did not know the worker did not have a Check.</p>	Two years imprisonment, or a fine of 240 penalty units* or both.	A fine of 1200 penalty units*.	36
Giving any person, directly or indirectly, any information acquired from a Check, including information obtained from the worker or from the Department of Justice and Regulation.	<p>The information was given in good faith for the purpose of the Act, or for a reference check, or for making employment related decisions.</p> <p>The worker gave written authority to release information.</p> <p>It was given in the course of legal proceedings, or pursuant to a court or tribunal order.</p> <p>It was given to enable the investigation or the enforcement of laws in Australia.</p> <p>It was given to any person or body that has the same powers or functions as the Chief Commission of Police under the Act.</p> <p>It was given to a lawyer for the purpose of obtaining legal advice or representation.</p> <p>It was given on the authority of another Act.</p>	A fine of 60 penalty units*.		40
Engaging or continuing to engage a person in child-related work for profit or gain if that person has a Volunteer Check.	<p>You did not know the worker's Check was only a Volunteer Check, or</p> <p>You did not know that the work the worker was engaging in was for profit or gain.</p>	A fine of five penalty units*.		37 (2)
Failing to provide information to the Department of Justice and Regulation pursuant to s41A of the Act within the specified time	<p>You have a reasonable excuse why you did not provide the information.</p> <p>If you are a natural person (not a company) a reasonable excuse is if the release of the information would tend to incriminate you.</p>	A fine of 60 penalty units*.	A fine of 60 penalty units*.	S41A (2)

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Appendix D

Offences	Defence/exception	Max penalty*	Section reference in the Act or Regulations
Engaging in child-related work if you do not have a Check. Knowing that the work is child-related work, and that you do not have a Check.	You may work while your application is being assessed, only if: you have not been given a Negative Notice, and you are not subject to reporting obligations or orders under the <i>Sex Offenders Registration Act 2004</i> , the <i>Serious Sex Offenders Monitoring Act 2005</i> , or the <i>Serious Sex Offenders (Detention and Supervision) Act 2009</i> , and you have not been charged with, convicted or found guilty of a serious sexual, violent or drug offence specified in clause 2 of Schedule 3 of the Act If an exemption applies to you, you may work in your chosen occupational field only if: you have not been given a negative notice; and you are not subject to reporting obligations or orders under the <i>Sex Offenders Registration Act 2004</i> , the <i>Serious Sex Offenders Monitoring Act 2005</i> , or the <i>Serious Sex Offenders (Detention and Supervision) Act 2009</i> . If you are engaging in work as a volunteer, or undertaking practical training, it is a defence to the charge if your employer has been notified of your negative notice and is in the process of transferring you to non-child-related work, or in the process of lawfully terminating your employment. If you have applied to VCAT for a Check, and been granted a stay whilst your appeal is pending. If you are engaging in child-related work that is kinship care, and you have applied for a Check within 21 days of becoming a kinship carer.	Two years imprisonment, or a fine of 240 penalty units* or both.	33 (1)
Using a false card or another person's card when you are applying for or doing child-related work.		Two years imprisonment, or a fine of 240 penalty units* or both.	38
Using a Volunteer Check to do paid work.	You did not know that your Check was only a Volunteer Check, or You did not know that the work you were engaging in was for profit or gain.	A fine of five penalty units*.	37 (1)
Providing false or misleading information to the Department of Justice and Regulation in your application for a Check or when the department is reassessing your eligibility to hold a Check	You believed on reasonable grounds that: The information provided was true; or The information provided was not misleading	Two years imprisonment, or a fine of 240 penalty units* or both.	39 (1)
Applying for a Check when you are subject to reporting obligations or orders under the: <i>Sex Offenders Registration Act 2004</i> <i>Serious Sex Offenders Monitoring Act 2005</i> <i>Serious Sex Offenders (Supervision and Detention) Act 2009</i> .		Two years imprisonment or a fine of 240 penalty units*.	39A
Failing to notify your organisation/s and the department, in writing within seven days of a relevant change in circumstances. A relevant change in circumstances is if: you are charged with an offence listed in Schedule 1 or 2 of the Act you are convicted or found guilty of an offence listed in Schedule 1 or 2 of the Act, or the charge has been finally dealt with you are subject to reporting obligations or orders under the: <i>Sex Offenders Registrations Act 2004</i> <i>Serious Sex Offenders Monitoring Act 2005</i> <i>Serious Sex Offenders (Detention and Supervision) Act 2009</i> a relevant professional conduct determination or finding is	It is a defence to a charge of failing to notify the department of how your charge has been finally dealt with if you can prove that: you notified the department of the filing of the charge sheet; and the department re-assessed your eligibility to have a Check, and your Check was revoked following the re-assessment, and the charge was finally dealt with other than by a finding of guilty.	A fine of 60 penalty units*.	20

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made against you by one of the bodies listed under regulation 8.			
Failing to notify the department of a change in your organisation/employer's details within 21 days of becoming aware of the change. This includes changes in the following details: name of organisation/employer address, and telephone number		A fine of one penalty unit*.	20A
Failing to notify the department within 21 days of any changes to your: full name, and any other names you are currently or have been known by date of birth residential address phone numbers details of the organisations where you are doing child-related work.		A fine of one penalty unit*.	Regulation 11
If you have been given a Negative Notice it is an offence to apply for or engage in child-related work	You did not know the work you were applying for was child-related work, OR You have applied to VCAT for an assessment notice and been granted a stay.	Two years imprisonment, a fine of 240 penalty units* or both.	34 (1)
Failing to notify your organisation/employer in writing, of an Interim Negative Notice, or Negative Notice issued to you by the department, within 7 days of being given the notice.		A fine of 60 penalty units*.	22
Failing to surrender your card or other Check documents, if requested to do so by the department upon the revocation of your card	You have a reasonable excuse why you did not surrender the requested documents.	A fine of 60 penalty units*.	21C (5)
Failing to surrender your first card within 7 days, in circumstances where you have applied for and been given another card, and you have been directed to surrender your first card	You have a reasonable excuse why you did not surrender the first card.	A fine of one penalty unit*.	24 (3)
If the Teacher exemption applies to you Failing to notify in writing any organisation that engages you in child-related work, of any suspension or cancellation of your registration within seven days of receiving notice of the suspension or cancellation		A fine of 60 penalty units*.	30 (2)
If the Police officer exemption applies to you Failing to notify in writing any organisation that engages you in child-related work, of any suspension, dismissal or termination of your job as a police officer under the <i>Victoria Police Act 2013</i> , or <i>Australian Federal Police Act 1979</i> , within 7 days of receiving notice of the suspension, dismissal, or termination.		A fine of 60 penalty units*.	31 (2) and 31A (2)
Failing to provide information requested by the department pursuant to s 41A of the Act within the period specified	You have a reasonable excuse why you did not comply with the request, including if the information would incriminate you	A fine of 60 penalty units*.	41A (2)