



SECTION 5.3.5: WORKING WITH CHILDREN CHECK POLICY

The Australian Ballet School

RESPONSIBLE: Executive Director

THIS VERSION APPROVED BY THE BOARD: November 2021

REVIEW DATE: November 2023 (or earlier if legislative changes require)

DATA ACCESS LOCATION: data-for-all and The Australian Ballet School website

1. OVERVIEW

The Australian Ballet School (School) has a responsibility to ensure the safety and wellbeing of all children and staff by maintaining high standards of professional conduct from all members of the School Community.

Under the *Worker Screening Act 2020 (Vic)* (the Act), people who work with children under the age of 18 years of age (see definition of **Eligible Persons** below) must undergo the **Working with Children Check (WWCC)**.

2. PURPOSE

The purpose of this policy is to provide the guidelines to ensure the School is compliant with the Act in regard to the WWCC requirements.

Related Policies: This policy should be read in conjunction with Code of Conduct (1.2) and Child Safe Standards (6.4).

3. DEFINITIONS

Child-related Work: work in any of the services, bodies, places or activities named in the Act. In relation to the School, this means an educational institution or provision of coaching or private tuition services of any kind for children, which usually involves direct contact with a child. Work is not Child-related Work if the contact with a child or children is infrequent and is incidental and therefore secondary and not regular to the occupational field an individual undertakes.

<https://www.workingwithchildren.vic.gov.au/about-the-check/when-you-need-a-check>

Eligible Persons: all Board members, Board Committee members, Staff Members, Contractors, Consultants, Volunteers parents/guardians/carers at the School who are 18 years and over, unless exempt as set out in Section 6.2 below. In relation to the School, Eligible Persons include all members of the artistic staff of The Australian Ballet (TAB) who are supervising or working with students under

18 years. It also includes anyone under 18 years of age in paid employment supervising other children under 15 years of age.

Parent Volunteer: a parent volunteering in an activity in which their child is participating or normally participates.

Volunteer: refers to a person engaged by the School, under a written volunteer agreement to provide a service to the School for no financial compensation, irrespective of the nature or the period of the engagement. This includes a work experience/internship or vocational placement student, but excludes the Board.

Working with Children Check (WWCC): a screening process conducted by the Victorian State Government for assessing or re-assessing people who engage in Child-related Work in Victoria. The WWCC is transferable between jobs or volunteer organisations.

<https://www.workingwithchildren.vic.gov.au>

Working with Children Exclusion (WWC Exclusion): a notice given by the Victorian State Government when a person fails the WWCC, meaning that they are not permitted to undertake do Child-related Work, effective from the date listed on the WWC Exclusion notice.

<https://www.workingwithchildren.vic.gov.au/individuals/applicants/what-happens-next>

4. WHO DOES THIS POLICY APPLY TO

The policy applies to all Eligible Persons.

5. POLICY

Under the Act, the School is required to ensure that all Eligible Persons have a valid WWCC before commencement with the School in any capacity, and that they continue to have a current valid WWCC as long as they are involved with the School.

Where students will be supervised by or working with TAB artistic staff on School Premises or on tour, the School must ensure in advance that the relevant TAB artistic staff have valid WWCCs.

6. PROCEDURES

6.1 Compliance:

The Executive Director must ensure compliance of all Eligible Persons with the WWCC requirements.

The Executive Director must maintain a register of WWCC details for all Eligible Persons and ensure that all Eligible Persons are aware of their responsibility to have a valid WWCC card at all times while engaged in Child-related Work, and to ensure that the Executive Director has their current personal details, as specified on the WWCC website.

Eligible Persons are required to carry their WWCC card at all times when they are on the School Premises or otherwise engaged in Child-related Work.

A WWCC is valid for up to five years after which it must be renewed if the Eligible Person continues to engage in Child-related Work.

It is the responsibility of Eligible Persons to ensure that their WWCC is valid and keep their required personal and contact details up to date on the WWCC website – any changes must be updated within 21 days. They must also notify the School of any change of personal and contact details.

Eligible Persons must immediately inform the Executive Director if any circumstances or change which may result in them no longer qualifying for the WWCC. Any failure to disclose relevant information will be treated as a serious disciplinary matter by the School and is an offence under the Act.

6.2 Exemptions:

The Act identifies categories of individuals who are exempt from requiring a WWCC. These exemptions do not apply if a person has received a WWC Exclusion. The exempt categories are:

6.2.1 Teacher: teachers currently registered with the Victorian Institute of Teaching (VIT) under Part 2.6 of the *Education and Training Reform Act 2006* (Vic) do not need a WWCC if they provide written proof that they have notified Working With Children Check Victoria (WWCCV) of their commencement with the School within 21 days.

All teachers and early childhood teachers registered with VIT must notify WWCCV of any Child-related Work they do outside their teaching in a school or early childhood service, regardless of whether it is paid or voluntary work.

The exemption ceases to apply if the teacher's VIT registration is suspended or cancelled.

6.2.2 Child: a child under the age of 18 years is exempt from the WWCC unless they are in paid employment supervising other children under 15 years of age.

6.2.3 Student Volunteer: a student who attends the School and is 18 or 19 years of age is exempt from the WWCC for volunteer work organised by or held at the School.

6.2.4 Parent Volunteer: a parent volunteering in an activity in which their child is participating, or normally participates, does not need a WWCC.

6.2.5 Police Officer: a Victorian Police officer or an Australian Federal Police (AFP) officer is exempt unless suspended or dismissed from Victoria Police or the AFP respectively.

6.2.6 A Visiting Worker: a person who normally lives outside Victoria and who holds an equivalent check to the WWCC from their home State/Territory may undertake Child-related Work in Victoria without a WWCC check for a maximum of 30 days in a calendar year, which can comprise one or several events or occasions.

Irrespective of the Act, the School reserves the right to require any person to have a WWCC if, in the discretion of the Executive Director, a WWCC is considered appropriate in the circumstances.