



SECTION 5.3.5: WORKING WITH CHILDREN CLEARANCE POLICY

The Australian Ballet School

RESPONSIBLE: Executive Director

ORIGINAL BOARD APPROVAL: November 2021

THIS VERSION APPROVED BY THE BOARD: February 2024

REVIEW DATE: February 2026 (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 Clearance (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 Policy (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, External Non-Director Board Committee members, Staff Members, Contractors, Consultants, Volunteers at the School and MRH who are 18 years and over, unless exempt as set out in Section 6.5 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. It is a policy of the School that the boarding facility, MRH, does not engage Volunteers.

Working with Children Clearance (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 WWCC's.

6. PROCEDURES

6.1 Compliance:

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

The Compliance Officer 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. The register must include the Eligible Persons name, WWCC card number and expiry date, and the role or position title for that person, plus any relevant information required to perform an accurate check. When the new Eligible Persons profile is set up in the Student

Information System, a scanned copy of their WWCC card must be saved in their profile. At the same time, details on the card must be entered.

If the Eligible person is exempt from the WWCC Card system, for example a Victorian Institute of Teaching (VIT) Registered teacher, the same procedure applies; details are added to the WWCC Card register and a scanned copy of their VIT registration card or other relevant document must be saved in their profile (DocMan tab). Details on the card must be entered in Synergetic (Checks tab) at this time. See: Sub-section 6.5: Exemptions.

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 or Compliance Officer. 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.

As part of the recruitment process for staff and Volunteers and the on-boarding process for Board members, prior to a new Eligible Person commencing with the School, they must provide a copy of their WWCC Card and registration number or proof they have applied for one. The Compliance Officer or their delegate must verify the WWCC is valid using the Services Victoria Working with Children Check status checker and provide the results to the Executive Director and/or the Staff Member overseeing the particular recruitment. These details will be recorded in the WWCC register.

All Employment Contracts for Staff Members', Letter of Acknowledgement for Board and Board Committee members and written agreement for Volunteers must include the following clause, *'I have notified the Working with Children Check Unit Victoria of my employment/engagement with The Australian Ballet School. I understand that maintaining my WWCC registration is a condition of my employment/engagement/Board/Board Committee tenure.'*

6.2 Underage Staff Members turning 18 years:

For Eligible Persons who commence working or Volunteering with the School prior to their 18th birthday, they must apply for their first WWCC Card at least one month prior to their 18th birthday and supply a copy of their card once it is issued to the Student Support Coordinator. They must then follow the same process as for new Eligible Persons above.

6.3 Contractors, temporary and maintenance staff:

A Visitors Register will reside and be maintained at reception at both the School campus in Kavanagh Street and at the boarding facility, MRH in Parkville. Contractors, Temporary & maintenance staff not employed directly by the School and other visitors, including donors to the School, must sign in and out of the Visitors register on every visit. The register will record the person's Name, Purpose of Visit, supervising Staff member's name, time in, time out, and for Contractors, temporary and maintenance

staff, the name of their employer. Once signed into the register, all visitors to the School and MRH are to be issued with a Visitors Tag.

The Head of Operations will be responsible for the Visitors Register at the Kavanagh Street campus and the Head of Boarding, will be responsible for the Visitors register at MRH.

6.4 Reviewing the Working with Children Clearance Register:

Due to the sessional and casual employment nature of a number of roles within the School, it is necessary to regularly review the WWCC register. At a minimum, a review at the commencement of each month is required. Ideally this is to take place on the first Monday of the month:

1. The Compliance Officer to use the WWCC validation available from Services Victoria at: <https://service.vic.gov.au/services/working-with-children-check-status-checker/transaction#check> to check the status of all Eligible Persons listed in the register and amend the register to reflect the results obtained.
2. The Compliance Officer to update any changed but still valid WWCCC records in Synergetic. (Synergetic records will retain historical information about Eligible Persons after their departure from the School).
3. The Compliance Officer to forward any out-of-date records to relevant Department Heads, Head of Boarding, Project Manager - for Production casuals and the Company Secretary for Board members and Board Committee members. Actions to remedy anomalies should be taken accordingly and promptly. Department Heads/Production Manager/Company Secretary/Executive Director must inform the Compliance Officer of any staff, Board, or Volunteer departures so those persons can be removed from the register.
4. The Compliance Officer to send updated WWCC register to the Executive Director on the second Monday of the month. The Executive Director must store the updated register securely in the nominated folder within the Senior Management drive.
5. This process is to be repeated once each month, or more often as required.

6.5 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:

6.5.1 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.

6.5.2 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.

6.5.3 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.

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

6.5.5 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.

6.5.6 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.