

WORKING WITH CHILDREN CHECK AND NATIONAL POLICE RECORD CHECK POLICY



Professional Standards
Catholic Diocese of Ballarat

Introduction

This Policy outlines the requirements in the Diocese, parishes, and diocesan agencies in relation to Working with Children Checks and National Police Record Checks.

This Policy applies throughout the Catholic Diocese of Ballarat to all persons who have contact or who might have direct contact with children in the course of any parish or diocesan activities. This includes volunteers, employees, clergy, religious brothers and sisters and seminarians. It also applies to contractors engaged by the diocese or by a parish if they work with children. Diocesan agencies such as Centacare and the Catholic Education Office, while subject to this Policy, are in addition subject to their own policies in relation to Police Checks and Working with Children Checks.

This Policy should be read in conjunction with the Code of Conduct for Caring for Children and the principles set out in the Diocesan Safeguarding Children and Vulnerable Adults Policy which is;

“The Catholic Diocese of Ballarat is committed to providing a safe and supportive environment for people of all ages, with special concern for children, young people and vulnerable adults. This commitment is made in the spirit of Christ’s teachings on behalf of the bishop, clergy, staff and volunteers who serve in parishes, schools, CentaCare and other Catholic organisations in the diocese. The diocese will respond to complaints of unprofessional conduct in ways that reflect nationally established standards and protocols and ensure adherence to applicable legislation. We are committed to providing ongoing pastoral support to any person affected by physical, emotional or sexual abuse by church personnel”

The Working with Children Check (WWC Check) is a check pursuant to the Working with Children Act 2005(Vic) (the WWC Act) which is designed to create minimum standards in Victoria for those who work with children. Evidence of this is a Working with Children Check Card.

Unless suspended pursuant to the WWC Act a Working with Children Check Assessment Notice is valid for 5 years

It is an offence under the WWC Act to engage in child related work without having applied for a WWC Check.

Child related work is defined in section 9 of the WWC Act as work where contact with children is direct and part of a person’s duties. Direct contact includes contact with children which is oral, written or electronic communication as well as face to face and physical contact.

A child is defined in the WWC Act as a person under the age of 18 years.

This Policy, in so far as it applies to Working with Children Checks, has broader application than the obligations imposed on a person under the WWC Act. For example, many of the exemptions under the WWC Act do not apply under this policy and employees who are not engaged in child related work as defined in the WWC Act are required to obtain a WWC Check.

On the other hand some persons who are not employees and who are not engaged in child related work are excluded where it has been considered necessary to balance making this policy workable in practice without detracting from the principal purpose of providing a safe environment for children.

It is intended that this Policy be consistent with the equivalent policies of Diocesan Agencies. However, in the event that there is any inconsistency between the policies, this Policy shall apply to the Agency.

A National Police Record Check (Police Check) is a prudent pre-employment or pre-engagement check. Evidence of this is a National Police Certificate.

An offence history may not necessarily preclude employment or engagement as a volunteer but is a consideration to be applied when determining the suitability of a person for a particular position or role.

If a person is required by this policy to obtain a Police Check and the process has been commenced but not completed his/her offer of employment is conditional upon the employee providing a declaration that he/she has not been charged with or found guilty of any offence that would be incompatible with his/her position of trust and responsibility. This requirement should be included in any offer of employment or engagement as a volunteer.

1. Diocesan Councils, Commissions and Committees

1.1 Members should be fit and proper persons to manage the affairs of the particular body of which they are a member.

1.2 Attached to this policy is a schedule which lists all diocesan councils, commissions and committees and a statement as to the need for the members of each to hold a current WWC Check card and/or the need to obtain a Police Check as a condition of their initial appointment to that body (Pre-Appointment Police Check).

1.3 The Chair of the council, commission or committee is responsible for compliance by serving members of the relevant body.

1.4 Each body shall include in its charter details of the requirement of its members to hold a current WWC Check and/or a Police Check.

1.5 Working with Children Check Cards shall be kept current.

1.6 The costs associated with applications for Police Checks and Working with Children Check Cards shall be borne by the Diocese or diocesan agency and in the case of diocesan agencies the costs will be covered in accordance with the policy of the agency.

2. Diocesan and Agency Employees.

2.1 The initial employment of any person by the Diocese, or any of its agencies (which includes Centacare and the Catholic Education Office) shall be subject to the provision of a Police Check which shall be applied for by the Diocese. Note: This clause does not apply to school teachers whose Police Record Check is covered by their Victorian institute of Teaching registration.

2.2 Police Checks shall be renewed at the discretion of the senior manager of each employee who, in the exercise of his/her discretion, will take into account the position description of each employee.

2.3 In circumstances where an existing employee is appointed to a different position with the Diocese, the need for a new Police Check will be a matter for the discretion of his/her senior manager who, in the exercise of his/her discretion, will take into account the position description of the employee's new role.

2.4 Any person employed by the Diocese or any of its agencies, with the exception of schoolteachers registered with the Victorian Institute of Teaching, shall have a current Working with Children Check Card.

2.5 Any person commencing employment with the Diocese or any of its agencies, with the exception of schoolteachers registered with the Victorian Institute of Teaching, who does not already hold a Working with Children Check Card will need to apply for one before commencing work. An application receipt shall be sufficient evidence that a person has made application for a Working with Children Check Card.

2.6 Working with Children Check Cards shall be kept current.

2.7 The costs associated with applications for Police Checks and Working with Children Check Cards for existing diocesan employees will be borne by the Diocese and in the case of diocesan agencies the costs will be covered in accordance with the policy of the agency.

3. Parish Employees.

3.1 The provisions which apply to persons employed by the Diocese of Ballarat shall also apply to all persons employed by parishes of the Diocese.

3.2 The costs associated with applications for Police Checks and Working with Children Checks for existing employees will be borne by the Parish.

4. Clergy, Seminarians and Religious.

4.1 The initial appointment of clergy, seminarians and religious to any role in the Diocese will be subject to the provision by that person of a Police Check that is current, that is, not more than 12 months old.

4.2 For subsequent appointments the need for a new Police Check will be a matter for the discretion of the Bishop who, in the exercise of his discretion, will take into account the nature of the new appointment.

4.3 All clergy, seminarians and religious shall hold a current Working with Children Check Card.

4.4 All clergy, seminarians and religious commencing an appointment in the diocese who do not hold a current Working with Children Check Card will need to apply for one before commencing their appointment.

4.5 Working with Children Check Cards shall be kept current.

4.6 The costs associated with applications for Police Checks and Working with Children Check Cards shall be borne by the Diocese.

5. Diocesan, Parish and Agency (excluding Schools) Volunteers.

5.1 These clauses do not apply to volunteers who are members of a **diocesan** council, commission or committee as these are covered by clause 1.

5.2 Volunteers fulfil many roles in the Diocese, diocesan agencies and Parishes. Examples include members of parish leadership teams and finance committees, collectors, counters, cleaners, sacristans, ministers of the Eucharist, those assisting with children's liturgy, liturgy preparation and music. This list is not exhaustive.

5.3 In a parish setting the initial appointment of any person to the Parish leadership team, Parish Council or Parish Finance Council or equivalent will be subject to the provision by that person of a Police Check which shall be applied for by the Parish.

5.4 Police Checks shall be renewed at the discretion of the parish priest who, in the exercise of his discretion, will take into account the nature of each volunteer's role.

5.5 In circumstances where an existing volunteer commences a different role the need for a new Police Check will be at the discretion of the parish priest who, in the exercise of his discretion, will take into account the nature of the volunteer's new role.

5.6 Any volunteer working in the Diocese, a diocesan agency or in a Parish setting who works with children or who as part of their work as a volunteer are likely to have direct contact with children shall provide a Working with Children Check Card, a copy of which shall be kept at the parish office, diocesan office or diocesan agency as applicable.

5.7 Working with Children Check Cards shall be kept current.

5.8 The costs associated with applications for Police Checks and Working with Children Cards in relation to volunteers shall be borne by the relevant council, commission, committee, parish or diocesan agency.

6. School Volunteers.

6.1 A current Police Check (on initial engagement), that is, not more than 12 months old and a Working with Children Check are required for volunteer staff and adults whose work involves direct contact with students in situations not under the direct supervision of a teacher or other responsible officer of the school.

6.2 A Working with Children Check is required for any other volunteer staff member or adult whose work may involve direct contact with students, even if that person is under the direct supervision of a teacher or other responsible officer of the school and even if that person is a parent of a student enrolled at the school.

7. Contractors.

7.1 Any contractor working in the Diocese, a Parish or a diocesan agency who, as part of their work, has direct contact with children shall provide a current Working with Children Card, a copy of which shall be kept at the diocesan office, parish office or diocesan agency as applicable.

7.2 It is the responsibility of the Diocese, Parish or diocesan agency as applicable to ensure that contactors require contracted staff to comply with the requirements of this policy in relation to WWC Checks.

7.3 This clause does not apply to building sites where the builder has taken possession of the site for the duration of the building works.

8. Other Categories.

8.1 This clause applies to the following;

- Organisations which conduct children's activities which are not auspiced by the diocese, a parish or school but use diocesan, parish or school facilities, for example, a parish hall. Agreement to and compliance with this policy is a condition of their use of the facility.
- Organisations which conduct children's activities which are not auspiced by the diocese, a parish or school but use its name or where the parish priest or school principal is part of the managing body, for example, a football club. Agreement to and compliance with this policy is a condition of their use of the name.
- Other organisations or circumstances which the parish priest or school principal determines may be seen as a parish or school activity involving children.

8.2 All members of the organisations referred to in paragraph 8.1 and their employees, contractors and volunteers who are involved in children's activities shall hold a current WWC Check.

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Schedule of Councils, Commissions and Committees.

COUNCILS	WWC Check	Police Check
Bishops Advisory Council	Yes	Yes
College of Consultors	Yes	Yes
Council of Priests	Yes	No
Council of Religious	Yes	No
Diocesan Pastoral Council	Yes	No
Ballarat Diocesan School Advisory Council	Yes	Yes
Centacare Board	Yes	Yes
Ballarat Diocesan Women's Council	Yes	No
Professional Standards Consultative Panel	Yes	Yes
Diocesan Finance Council	No	Yes
COMMISSIONS		
Diocesan Building Commission	No	Yes
Diocesan Youth and Young Adult Network	Yes	Yes
Ecumenical Commission	Yes	No
Historical Commission	No	Yes
Liturgical Commission	Yes	No
Social Justice Commission	No	Yes
COMMITTEES		
Diocesan Risk Management Committee	Yes	Yes
Catholic Development Fund	No	Yes
Catholic Diocese of Ballarat Foundation	No	Yes
CEO Audit and Risk Committee	No	Yes
Centacare Housing	Yes	Yes
OTHER		
Roman Catholic Trust Corporation	No	Yes
Ballarat Clergy Support Fund	No	No
Ballarat Clergy Assistance Fund	No	Yes
Ecos - Ecological Group	Yes	No