

PERFORMING ARTS SCHOOLS, DANCE GROUPS AND TEACHERS

THE WORKING WITH CHILDREN CHECK



Every year, thousands of children across NSW participate in performing arts with the support of many dedicated paid staff and volunteers.

Since June 2013 people seeking to work or volunteer with children under 18 years in NSW have been required to have a Working With Children Check (WWCC).

Employers, including performing arts companies, dance schools, musical groups and associations are also required to verify all WWCCs through the new online system.

However there are a number of **important exemptions** from the WWCC requirement, including for volunteer parents or other close relatives of the child.

This guide will help you and your organisation to:

- » understand who needs to obtain a Working With Children Check
- » prepare your processes for the performing arts sector phase-in period from the **1 April 2015**; and
- » manage your resources by requesting and verifying WWC or APP numbers **only** from those people required to have a WWCC.





Photo courtesy of the Australian Theatre for Young People

What is a Working With Children Check?

The Working With Children Check provides a unique number (the WWCC number) to a person who has been cleared to work with children.

The WWCC application process involves a national police check and a review of findings of workplace misconduct.

The result is either a **clearance** to work with children for five years, or a **bar** against working with children.

Barred applicants cannot work or volunteer with children.

If a person receives an **interim bar**, they must be immediately removed from their child-related position in the organisation.

The WWCC number lasts for five years and is continuously monitored for any new relevant offences.

Who needs a Working With Children Check?

All **new** applicants for paid child-related work (direct face-to-face contact with children), must provide a WWC or APP number to their employer.

This number must be verified online by their employer or organisation before they can start work.

Existing paid employees and volunteers (who are not exempt) are being phased-in to the new system.

Clubs or other bodies providing services to children (including sporting bodies and dance schools) will need to comply with the WWCC by **31 March 2016**.

Children's Employment

The Office of the Children's Guardian regulates the employment of children in entertainment and modelling.

If children or organisations such as dance schools, receive a payment or a material benefit for the children's participation in entertainment, such as performing or modelling, whoever provided the payment must obtain an Authority to employ children in NSW.

Authorised employers must comply with the Code of Practice, which sets out the rules and requirements for protecting children while they are employed.

If the employer does not hold an Authority to employ the children, the employer and the person who supplied the child including a parent, guardian, talent agent, or performance school employee could be liable for prosecution.

For more information or to find our register of Authorised Employers go to:

www.kidsguardian.nsw.gov.au/childrens-employment or contact the Children's Employment Team.

Telephone: (02) 8219 3600

Email: kids@kidsguardian.nsw.gov.au



Photo Courtesy of the National BOYS' Ballet Summer School

Who does NOT need to get a Working With Children Check?

The legislation in NSW allows parents and other close relatives (such as a sibling, grandparent, step-parent, uncle), to volunteer in activities that involve their own children without needing a WWC number.

This includes volunteering with a class, program or other activity in which their child usually participates.

Therefore, a parent volunteer or close relative who teaches or instructs a class that includes their child does **not** need a WWC number.

Individuals that do not have direct face-to-face contact with children do **not** require a WWC number.

Parents who volunteer at performances or rehearsals that include their own children, (for example help with setting up, make up or costumes, participate in organising committees), or are spectators at performances and events, do **not** need a WWC number.

Here are some examples to help you decide which parent volunteers will need a WWCC

Example 1: Janet is a volunteer assisting her daughter's under 10 dance class. **Janet does not need a WWCC number because she is volunteering in an activity in which her child participates.**

Example 2: Denita is a volunteer teacher of her daughter's under 18 choir. She also instructs the under 15 choir which has no child that Denita is closely related to. **Denita needs a WWCC number because she instructs a group that does not include a close relative.**

Example 3: Marty teaches the Over 20s choir. **Marty does not need the Check as over 20's are not children.**

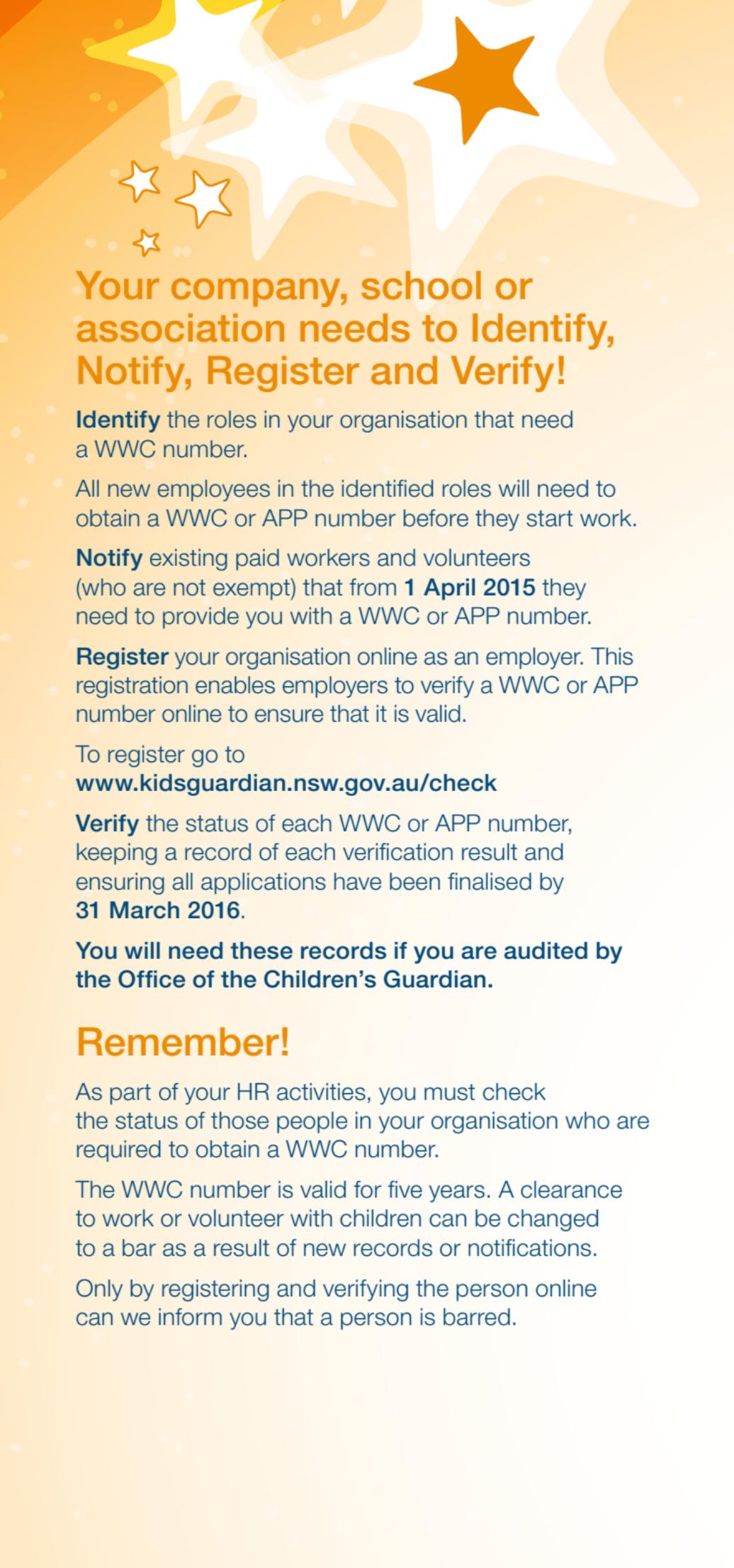
Performing arts workers and volunteers who need a WWCC

Volunteers make a great contribution to the community and the work they do is often a natural extension of their family roles.

This includes providing support to their children in dance, musical theatre and performing arts groups.

You should only require a WWCC number from a parent volunteer if they volunteer in an activity with direct face-to-face contact with children that **does not** include their own child.





Your company, school or association needs to Identify, Notify, Register and Verify!

Identify the roles in your organisation that need a WWC number.

All new employees in the identified roles will need to obtain a WWC or APP number before they start work.

Notify existing paid workers and volunteers (who are not exempt) that from **1 April 2015** they need to provide you with a WWC or APP number.

Register your organisation online as an employer. This registration enables employers to verify a WWC or APP number online to ensure that it is valid.

To register go to

www.kidsguardian.nsw.gov.au/check

Verify the status of each WWC or APP number, keeping a record of each verification result and ensuring all applications have been finalised by **31 March 2016**.

You will need these records if you are audited by the Office of the Children's Guardian.

Remember!

As part of your HR activities, you must check the status of those people in your organisation who are required to obtain a WWC number.

The WWC number is valid for five years. A clearance to work or volunteer with children can be changed to a bar as a result of new records or notifications.

Only by registering and verifying the person online can we inform you that a person is barred.



Being child safe – we all have a role to play

The Working With Children Check is only one of the tools that your organisation can use to keep children safe.

This is because people who engage in inappropriate behaviour may not have a criminal record and you can't predict a person's future criminal offending.

But you can help prevent it!

Supervision, education and training about appropriate and acceptable behaviours are other important tools for managing risk to children.

Having effective child safe policies and practices strengthens environments, reduces risk and helps protect adults and the children they work with.

Supporting parent volunteers and setting up clear guidance on the standards and practices expected from them is the best way to keep children safe.

<http://www.kidsguardian.nsw.gov.au/childsafes>

More information

Frequently asked questions, fact sheets and resources, and online tutorials about the WWCC, Child Safe Organisations and Children's Employment are available at the Office of the Children's Guardian at www.kidsguardian.nsw.gov.au

Telephone: (02) 9286 7219

For the WWCC and Child Safe Organisations

Email: check@kidsguardian.nsw.gov.au

For Children's Employment

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