



# Important legal changes to the Working With Children Check

15 June 2018

There have been some changes to the laws around the Working With Children Check that are important for anyone who works or volunteers with kids and their employers.

## **Personal details must be updated**

Everyone who holds a Check is now legally required to update their contact details, including any name or address changes, within three months – just like your driver licence. And like your licence, penalties will apply for people who don't update. Updating your details is simple – go to [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check) and follow the directions. You can even find your Check number here if you don't have it to hand.

## **Employers must verify**

Employers can now be penalised if they don't verify that their workers or volunteers who work with kids, have had a Check or applied for one. One of the strengths of the NSW system is that it is underpinned by an ongoing, continuous checking system. By registering and verifying online, employers can be contacted by the Office of the Children's Guardian should anyone become barred through the continuous monitoring process. Fines for not verifying can be issued to every organisation where people work or volunteer with children. Remember to keep records too.

## **NGOs must provide information for risk assessments**

An important change that impacts non-government organisations (NGOs) is that they are now compelled under the new legislation to supply information requested by the Children's Guardian to progress Working With Children Check risk assessments and penalties will apply for non-compliance. The Office of the Children's Guardian uses this information in assessing the risks of allowing some people to work with children. Previously NGOs were authorised but not required to supply information.

## **Child related work is a usual part of work not incidental**

Workers and volunteers need to have a Check if they are in child related work. The changes clarify that child related work is where contact with children is a usual part of the work, and not just incidental. There are some exceptions, so check out the Office of the Children's Guardian's website if you're unsure whether you or your employees need a Check.

## **Parents on overnight camps must have a Check**

All parents volunteering on overnight camps will now need a Check. The camp organiser needs to verify the Check and keep records. Previously parents volunteering on overnight camps with their child were exempt from requiring a Working With Children Check.

## **Develop a child safe culture**

The Working With Children Check legally prevents people who pose a risk from working with children but it's not enough on its own. Our aim is to create safe places for children and the Working With Children Check is one of a range of strategies for achieving this.

Organisations, through their people, also need to build a child safe culture with policies and procedures in place to make their organisation child safe.

Go to a list of all of the legislative changes with explanations of what each change means and resources for developing child-safe places.