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employer

## Role of an employer

Any organisation that has people who work or volunteer to provide services to children or young people is considered an 'employer'.

What employers need to do

Employers have legal obligations around working with children. It is against the law to engage anyone in child related work without a Working With Children Check. If a worker or volunteer requires a Check, there are actions the employer must take.

Employers must:

- **Register** the organisation by filing in an online form which creates

an online profile with the Office of the Children's Guardian. Employers nominate a username and password so they can log into the system and verify workers

- **Identify roles** within their organisation undertake child-related work and need a Working With Children Check and which roles are not child-related or fall under an exemption
- **Verify** workers' Working With Children Check numbers online including:
  - new workers or volunteers firstly using their Application (App) number and then their WWCC clearance number (except those working in the Education sector where a Clearance number is required)
  - a renewed Check, updated after five years.
- Ensure their own WWC number (if required) is verified online by an appropriate person in the organisation (employers cannot self-verify)
- **Keep records** of employees who require a Check and when they were verified
- As part of registering, nominate two people from the organisation who are authorised to receive confidential information in case we need to contact you about a change in someone's Check status. Please keep these contact details up to date.
- Remind employees to renew which they can do up to three months before their Check expires
- Remove anyone who's Check status is barred, interim barred, whose Check cannot be found or has expired from child-related work. You can only employ people who have an Application number or Check clearance in child-related work.

If you receive a letter or email advising you that a current employee or

volunteer has become barred (or has an interim bar) you must immediately remove them from child-related work. It doesn't matter whether they are paid or unpaid; supervised or unsupervised.

Seek your own legal advice and check your work's policies but your options may include:

- transfer the worker to a non-child-related role within the business
- suspend them from child-related work pending the outcome of an appeal
- dismiss the worker.

## Record keeping

Employers need to keep records for each worker, including:

1. Full name
2. Date of birth
3. WWC number
4. Verification date
5. Verification outcome
6. Expiry date
7. Whether the worker is in paid or volunteer work.

You can use or adapt our Record keeping template for your organisation.

[Record keeping template \( 105.8KB\)](#)

## Sole trader

A sole trader who employs people is considered an employer and must register their business as an employer, verify their employees and keep a record.

If you are a sole trader who works alone, you should provide your Working With Children Check number to your clients. Also provide them with your surname and date of birth as they need to verify your Working With Children Check number. There is more information on how to do this under the Parent section of the website and to verify someone, they need to fill in the online form.