



Working With Children Checks

New South Wales

The new Working With Children Check (which commenced June 2013) covers more people, is more comprehensive and provides better protection for children. The new model is also consistent with other state and territory Checks.

A Working With Children Check involves a national police check and review of findings of misconduct involving children, and the result is either a clearance to work with children for five years, or a bar against working with children. A Check is a prerequisite for anyone in child-related work, but it is not the only resource available to organisations to keep children safe. Find out more about creating Child Safe Organisations at [Office of the Children's Guardian](#)

Who needs a Working With Children Check?

Only people in child-related work need to apply for a Working With Children Check. There are other checks available for non child-related workers (e.g. national police check). Child-related work means face-to-face contact with children in a child-related setting.

For more details, refer to the *Child Protection (Working With Children) Act 2012* and the *Child Protection (Working With Children) Regulation 2013*. The information is also available as a fact sheet, "what is child-related work?" at www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Resources.

Who does not need a Working With Children Check

There are important exemptions to the requirement to obtain a Working With Children Check, particularly for volunteers.

There are exemptions for volunteer parents and other close relatives whose children are participating in a sports activity.

Work as a referee, umpire, linesperson or otherwise as a sporting official or a groundsperson if the work does not ordinarily involve contact with children for extended periods without other adults being present. There are also exemptions those

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who help around the club but do not have direct face-to-face contact with children, such as canteen staff or maintenance workers.

When to apply

If you are starting a new job in child-related work, you must apply for a Check before you start. **If you are already in paid child-related work or you are a volunteer, you will be phased in over a five year period, according to your industry sector.** The phase in schedule for Clubs or other bodies providing services to children (including sporting bodies) is 1st April 2015 – 31st March 2016.

How to apply

- Fill out an online application form at www.kidsguardian.nsw.gov.au/check
- When you have completed the application form, you will receive an Application number (APP) by email.
- Take this Application number and proof of your identity to a NSW motor registry or NSW Government Access Centre. If you are in paid work, you will also need to pay a fee of \$80.
- Your Application number can be used by an employer to verify your Check status. If the outcome of the verification is 'application in progress' you are allowed to begin working with children.
- Once your application has been processed and you are cleared, you will receive your Working With Children Check number (WWC) by email (or post if you do not have an email address).

Results of a Check

There are only two outcomes of a Check – a clearance or a bar. If the outcome is a clearance, your Check will be valid for five years for any child-related work in NSW. If it is a volunteer-class Check, it may only be used for unpaid work.

All cleared applicants will be subject to ongoing monitoring and relevant new records may lead to a bar and the clearance being revoked.

If a bar is being considered, you will be contacted in writing and asked to submit information which must be considered in the final decision.

If a bar is applied, you will be notified in writing. While a bar is in place it is an offence to engage in any child-related work, paid or unpaid. In most cases, you can apply for a review of a bar to the NSW Civil and Administrative Tribunal (NCAT).

For more information on the review process, refer to the fact sheet on bars and appeals, available at www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Resources

Requirements for Sports Clubs and other bodies

To comply with the legislation, employers (including sporting clubs) need to go online to verify the status of a Working With Children Check number for any paid or volunteer staff in child-related work. Online verification is an important tool for employers to keep children safe in their organisation. All sporting clubs and bodies who provide services to children must:

- register with the Working With Children Check
- identify the roles and individuals to whom an exemption from the Working With Children Check applies
- verify every Working With Children Check status online (employers must NOT rely on a notification or email from an employee or volunteer containing an application or clearance number)
- remove barred workers from child-related work

For further information visit:

www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Child-related-employers.

Where can I get further information or resources?

The Office of the Children's Guardian at www.kidsguardian.nsw.gov.au