

# Fact sheet 4

## Exemptions

July 2014



### Part 4, Clause 20 of the *Child Protection (Working With Children) Regulation 2013*

If you are in child-related work but you qualify for one of the following exemptions, you do not need to apply for a Working With Children Check.

- Administrative, clerical or maintenance work, or other ancillary work, that does not ordinarily involve contact with children for extended periods (other than a school cleaner).
- A worker who works for a period of no more than five days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present.
- Informal domestic arrangements not carried out on a professional or commercial basis.
- Work with close relatives of the worker (not including work as an authorised carer foster carer or other authorised carer of children in statutory and supported out-of-home care).
- Volunteering by a parent or close relative:
  - of a child in activities for the child's school, early education service or other educational institution; except where the work is part of a formal mentoring program or involves intimate personal care of children with a disability
  - with a team, program or other activity in which the child usually participates or is a team member; except where the work is part of a formal mentoring program or involves personal care of children with a disability.
- A visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out if the work of the person at that place is for a one off occasion and is carried out in the presence of one or more other adults.
- A health practitioner in private practice, if the practice does not ordinarily involve treatment of children without one or more other adults present.
- A health practitioner who is working in and visiting NSW from outside the State, if the period of work does not exceed a total of five days in any period of three months.
- A co-worker or work supervisor where a child works.



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- Work by an interstate visitor:
  - in a one-off event such as a jamboree, sporting or religious event or tour, if the event is the only child-related work carried out by the worker in NSW in that calendar year and the period of work does not exceed 30 days
  - who holds an interstate working with children check, or is exempt from the requirement to have such a check in his or her home jurisdiction, whose child related work in NSW is for no more than 30 days in any calendar year.
- NSW Police or Australian Federal Police officers in their capacity as police officers.
- Home carers accredited with a current police certificate for aged care, for home care work where the clients are not primarily children.
- People under the age of 18.

## **Part 2 of the *Child Protection (Working With Children) Regulation 2013***

**Some work is not considered to be child-related, which means it will not require a Working With Children Check. This work is set out in:**

**Clause 6 (4)** Work as a student on professional placement in the course of a student clinical placement in a hospital or other health service is not child-related work.

**Clause 7 (3)** Work as a referee, umpire, linesperson or otherwise as a sporting official or a groundsperson is not child-related work, if the work does not ordinarily involve contact with children for extended periods without other adults being present.

**Clause 8 (2)** Work in providing respite care or other support services primarily for children with a disability is child-related work; but it is not child-related work if the work does not ordinarily involve contact with children for extended periods without other adults being present.

**Clause 11 (3)** Providing food or equipment at or for a sporting, cultural or other entertainment venue or providing a venue is not child-related work.

For more information, please refer to the fact sheets and resources page of the website [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check).

If you have a question, please email us at [check@kidsguardian.nsw.gov.au](mailto:check@kidsguardian.nsw.gov.au).

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