

NSW Sporting Clubs Working With Children Check

The Office of the Children's Guardian (OCG) is responsible for promoting and regulating quality child safe organisations and services.

In our society, we all value the safety, welfare and well-being of children. We want to actively ensure that children are protected from any abuse or harm.

If a sporting club or other body provides services directly to children, they fall into a "child-related" sector and have legal obligations under the *Child Protection (Working with Children) Act 2012 (the Act)* and *Child Protection (Working with Children) Regulation 2013 (the Regulation)*.

Child related work is defined by 'the Act' as involving 'direct face to face contact with children'.

'The Regulation' also exempts some workers from requiring a Working With Children Check. For instance an exemption applies to a parent or close relative of a child when volunteering in connection with a team, program or other activity of which the child is a member or in which the child usually participates.

The sporting sector is currently being phased-in to the Working With Children Check system from 1 April 2015. **The phase-in deadline for this sector is 31 March 2016**

The deadline that affects those in the following roles within your sport includes:

- 1- A coach of an U18s team (unless they have a child or close relative in the team).
- 2- A manager or assistant manager of an U18s team (unless they have a child or close relative in the team).
- 3- A youth/junior coordinator or member protection officer.
- 4- A helper who assists with any program or activity, where they are assisting in the delivery of programs and or activities for children (unless they have a child or close relative in the team or group).
- 5- A board or committee member whose role extends beyond strategic management, administrative or clerical duties e.g. a board or committee member who mentors U18s or assists with the delivery of programs and activities for children.

We are writing to you in your capacity as a peak body for sports clubs and organisations in this sector. We wish to engage with and educate relevant clubs about the changes to the law and what they can do to meet their legal obligations.

You will find attached an alert you may find useful to send out to relevant organisations. You will find a range of resources, videos and free training opportunities on our website www.kidsguardian.nsw.au or www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check .

The OCG also has audit and compliance functions under the legislation. After 31 March 2016 organisations/clubs in the Sports Sector may be contacted by our compliance team for an audit.

Please do not hesitate to contact us to discuss these legislative changes and how it affects this sector. If you have recommendations for further support we can provide, we would also appreciate that. You can call us on (02) 9286 7219 or email childsaf@kidsguardian.nsw.gov.au.

Child Safe Team
July 2015

The NSW Working With Children Check

The Working With Children Check (WWCC) is a legal requirement for workers (paid and volunteer) who are in child-related work. Child-related work is defined as physical or face-to-face contact with children within your sport.

All workers involved in sport who have direct contact with children as part of their roles will be required to have completed a WWCC by the **31 March 2016** at the latest. Some workers such as a parent volunteers involved in the same activity as their children are exempt from these requirements. You should identify and apply these exemptions where they are relevant.

Roles that require a Working With Children Check clearance:

- 1- A coach of an U18s team (unless they have a child or close relative in the team).
- 2- A manager or assistant manager of an U18s team (unless they have a child or close relative in the team).
- 3- A youth/junior coordinator or member protection officer.
- 4- A helper who assists with any program or activity, where they are assisting in the delivery of programs and or activities for children (unless they have a child or close relative in the team or group).
- 5- A board or committee member whose role extends beyond strategic management, administrative or clerical duties e.g. a board or committee member who mentors U18s or assists with the delivery of programs and activities for children.

Workers who apply for a WWCC will be assessed based on their national criminal history and any findings of workplace misconduct. The result of a WWCC is either a "Clearance" to work with children for five years, or a "Bar" against working with children. Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to the Clearance being revoked.

Organisations should ensure they do the following before 31 March 2016:

- 1- Identify** which roles in the organisation [need a WWCC](#) and which might be subject to an [exemption](#).
- 2- Notify** all child related workers (paid and volunteer) of the WWCC requirement and [when it is needed by](#).
- 3- Register** the service/organisation [online](#) as an employer. Registration enables employers to verify a WWC or APP number to ensure it is valid.
- 4- Verify** the [status](#) of each WWC or APP number online.
- 5- Keep a written record** of verification results. [These records](#) must be kept for auditing purposes.

The Office of the Children's Guardian provides a range of resources, free training and information sessions. For more information visit www.kidsguardian.nsw.gov.au or call 02 9286 7219.