

Circular to Safe Ministry Representatives

Progress with the new Working With Children Check

Purpose

The purpose of this circular is to -

1. Check your progress in having volunteers at your parish complete the WWCC.
2. Check that you are completing key elements of the verification and record keeping requirements.
3. Update you on what the Office of the Children's Guardian will be doing to audit parishes.
4. Advise on the screening process you should undertake for volunteers under 18 years of age.
5. Seek feedback on the WWCC process for volunteers so we can offer you support and assistance where necessary.

Staged introduction of the Working With Children Check

The new Working With Children Check commenced on 15 June 2013 but was subject to a staged introduction for existing employees and volunteers.

So far as churches are concerned, the stages are as follows –

STAGE 1: 15 June 2013 to 31 March 2014

All parish clergy and lay ministers.

STAGE 2: 1 April 2014 to 31 March 2015

All other employees and volunteers in your parish who work with children.*

*Some exemptions apply. See Attachment 1 for details.

The staged introduction does not apply to any new employees engaged after 15 June 2013. The new WWCC requirements apply to new employees immediately, meaning they must obtain a WWCC clearance, which the employer then verifies, **before** working with children in the parish. You can engage a person while they have a pending application for a clearance, provided the Office of the Children's Guardian has not issued an interim bar on the person.

Parishes (usually the Safe Ministry Representative) should verify the clearances of their clergy through their employer accounts with the Office of the Children's Guardian, along with the clearances of their lay ministry staff and volunteers.

The Diocesan Registry has also verified the clearances of all clergy licensed to parishes since the Archbishop makes appointments.

What this means is that **by now** you are required to have verified clearances for –

1. all of your parish clergy and lay ministry staff, and
2. any new employees you have engaged to work with children since 15 June 2013.

STAGE 2 has commenced

We are now approximately two months into STAGE 2.

While 31 March 2015 may seem some time away, we **strongly suggest** you not delay in verifying clearances for volunteers who work with children in your parish.

The WWCC process is not complex but it will include the volunteer attending a registry of Roads and Maritime Services for identification purposes. Due to the inconvenience this will present for some volunteers, you may experience delay in obtaining clearance numbers. You may want to consider setting yourself a deadline of having all volunteer clearances verified by the end of the year in order to provide yourself with a buffer.

If by 31 March 2015 you have not verified a volunteer's clearance (and they do not have a pending application), the rector of your parish will need to suspend that person from undertaking any work with children until this is rectified. Clearly you want to avoid having to take such action.

Auditing by the Office of the Children's Guardian

The Office of the Children's Guardian (OSG) has been very active in ensuring that religious organisations are complying with their WWCC obligations, even commencing an audit of compliance with STAGE 1 before the end of the transition period.

It is quite likely that the OSG will also commence an audit towards the end of the STAGE 2 transition period. There are hefty financial penalties for non-compliance for both the parish and the volunteer.

The Royal Commission into Institutional Responses to Child Sexual Abuse is also likely to be very interested in data on the incidence of compliance with WWCC requirements in the religious sector. It is important that we can demonstrate diligence in meeting our WWCC obligations.

Clearly the WWCC is also an important part of ensuring the safety of children in your ministries. The earlier you verify clearances, the earlier you have an assurance that none of your volunteers are prohibited from working with children.

Record Keeping

Recording keeping is also an important part of your compliance with the WWCC.

Make sure you are keeping (as electronic or hardcopy) records of the following for every person involved in child-related work:

- Full name
- WWCC number

- Date and outcome of the WWCC verification
- WWCC clearance expiry date
- Date of birth

We circulated some resources last year to help you with your record-keeping. You can also access this document at:

http://www.psu.anglican.asn.au/images/uploads/Record_Keeping_Spreadsheet.doc

Screening <18 year old volunteers

You may be aware, from having undertaken Safe Ministry Training, that young males (both above and under 18 years) tend to be disproportionately represented among those who commit child sexual abuse. Despite this, all persons under 18 years of age are exempt from the WWCC, and in fact the system will not allow a person under 18 years to apply for a clearance.

We consider that there is a need for a screening process for volunteers who are under 18 and engage in child-related work.

We suggest that you require volunteers who are under 18 and work with children to provide the following declaration, which is to be co-signed by a parent or guardian:

“I have never been convicted of, charged with or accused of sexual abuse of a child or young person.”

The declaration should be retained in a secure location.

A copy of the new <18 year old declaration form is attached. It will also be available online at:

http://www.psu.anglican.asn.au/images/uploads/20140401-FOR-Under18_Volunteer_Declaration.pdf

You may recall that we previously circulated a form of Volunteer Declaration that was based on the former Prohibited Employment Declaration. You should no longer use this declaration now that the WWCC has commenced for all workers in parishes, and in view of the new declaration we are issuing for volunteers who are under 18 years of age.

Also, remember that screening is only one part of good safe ministry practice. It is important to remain vigilant in the way you conduct your ministry activities. This includes ensuring that all your leaders undergo safe ministry training, that you have safe ministry policies and procedures in place, that you undertake appropriate supervision and hold leaders accountable.

We have commenced a major review of diocesan safe ministry policy to ensure it is as effective as it can possibly be to minimise the risk of harm to children. This is likely to include better-targeting some of the requirements to ensure they address the most significant risks. You will hear more about this in the months ahead.

Checklist

We have attached a document which summarises, in checklist form, the action required to comply with WWCC requirements.

Feedback

We would value feedback from you on how you are going with the WWCC process. Understanding how you are managing the process will help us work out what support you need, both now and in the future. If you are prepared to spare just a minute or two of your time, you could provide feedback by completing our online survey here: <http://anglicanchurch.net.au/safeminsurvey>

Questions or need help

If you have any questions, are not certain as to best practice in any part of your role as Safe Ministry Representative, or are you having difficulty in achieving any of the above items, contact the Safe Ministry Liaison Officer: Rev Neil Atwood (nta@sydney.anglican.asn.au or 0414 777 841) for assistance.

Attachment 1

Working With Children Check Exemptions

The WWCC legislation exempts some workers from needing a clearance. These are outlined below.

(i) Administrative, clerical, maintenance or ancillary work not ordinarily involving contact with children for extended periods.

This exemption would generally cover a parish secretary, receptionist, administrator, bookkeeper, a grounds-keeper or other such maintenance person and someone involved in food preparation and/or service.

(ii) Workers under the age of 18 years.

So far as parishes are concerned, there is a blanket exemption from the WWCC for persons under the age of 18 years.

(iii) Workers working for not more than a total of 5 working days in a calendar year if the work involves minimal direct contact with children or is supervised when children are present.

We recommend that for the purposes of implementing the new WWCC in your parish, you not place any reliance on this exemption given the difficulty of keeping accurate records and in demonstrating that the requirements of the exemption have been met.

(iv) A visiting speaker, performer or the like for a one off occasion who will be in the presence of one or more other adults.

This exemption is self-explanatory.

(v) Short term emergencies: the engagement of the worker is necessary in the circumstances to prevent an increased risk to the safety of children and the engagement is for not more than 5 consecutive working days.

This exemption could be relied upon if you are in a situation where you receive late notice that one of your regular volunteers is unwell or otherwise unavailable, and it would jeopardise the safety of the children concerned to run the activity without having another leader or leaders present. You cannot rely on the same person on more than 5 occasions. However in general we would encourage you to ensure that you have sufficient people who have a WWCC clearance to call upon in such instances.

(vi) A parent or close relative of a child, when volunteering in connection with any team, program or other activity of which the child is a member or in which the child usually participates.

Close relative means a sibling, grandparent, aunt or uncle, niece or nephew (or an equivalent step-relative).

The words “usually participates” would allow a worker to continue to engage in the team, program or activity if their child was absent due to sickness or some other reason on an exceptional basis.

A general word of caution about the exemptions

We are concerned about parishes placing too much reliance on the exemptions. We recommend in particular that you not rely on the short term work (iii) and close relative (vi) exemptions as a matter of course.

We encourage you to start from the position that any person who will be in child-related work in your parish must receive a WWCC clearance, and only to consider on a case-by-case basis whether there is a good reason justifying placing reliance on an exemption.

There is an inherent risk that the grounds on which a person has qualified for exemption from the WWCC may change over time. Unless you have stringent administrative processes in place you could easily inadvertently be in a position where a parishioner who is no longer entitled to exemption is undertaking child-related work without the WWCC having been conducted.

You may find that the administration involved in keeping track of a parishioner’s entitlement to exemption in relation to the various parish activities they are involved in is more burdensome than adopting a simple policy of requiring each and every parishioner involved in child-related work to obtain a clearance once every 5 years.

Attachment 2



Declaration for volunteer under 18 years of age

Full Name	Address
Phone	Email
Mob: Home:	
Date of Birth:	

Declaration:

I have never been convicted of, charged with or accused of sexual abuse of a child or young person.

Signature:

Date: / /

Parent/Guardian to complete:

Name:

Signature:

Date: / /

Attachment 3

Checklist: WWCC Progress

To ensure that your parish is complying with the requirements of the WWCC and safe ministry policies, here is a quick checklist of items that should have been done by now:

- Registered as an employer.* Has your parish been registered with the NSW Office of the Children's Guardian as a child related employer? If not, this should be done ASAP at www.kids.nsw.gov.au
- Verifying clergy and lay ministry staff.* Have your clergy and lay ministry staff had their WWCC clearance verified through the parish's employer account with the Office of the Children's Guardian? Note that this was due by 31 March 2014. If you are not sure how to do this, there is a tutorial here: <http://goo.gl/eyQviz>
- Instructions to existing volunteers.* Have you planned how you will approach the task of obtaining WWCC clearances from all of your volunteers who work with children and verifying these clearances through the parish's employer account with the Office of the Children's Guardian? Have you set deadlines to ensure compliance by the due date? If you have not yet commenced requiring your volunteers to obtain clearances we suggest you do so very soon.
- Procedure for new volunteers.* You have until 31 March 2015 to get existing and new volunteers cleared and verified. However after 31 March 2015 any new volunteers will need to be cleared and verified before they can be appointed. You will need to develop an internal procedure to ensure no volunteers are appointed without having undertaken the WWCC process. You may even want to start that procedure now for new volunteers rather than wait until 31 March 2015.
- Exemptions.* Have you developed a parish policy for handling exemptions to the volunteer WWCC? See attachment 1. A list of the exemptions can also be found here: <http://goo.gl/LtP1BT>
- Record keeping.* Have you developed and implemented appropriate local parish record keeping systems? These will preferably be electronic, with a hard copy backup, and with automated reminders built in. See comments further on.
- Recruitment processes.* Have you updated any application/screening forms in your parish, so that they reference the new WWCC process?
- Volunteers from Interstate/Overseas.* Have you had someone volunteer for child-related work in your parish who has recently moved from interstate or overseas? If so, have they submitted to a criminal record check from that state or country? If you need assistance with this, contact: Neil Atwood at nta@sydney.anglican.asn.au