

KEY ACTION AREA 5.2:

Relevant staff and volunteers have current Working with Children Checks or equivalent background checks.

OVERVIEW

It is essential that your SSA complies with *the Western Australian Working with Children (Screening) Act 2004* (the Act). A Working with Children (WWC) Check is required if a person is engaging or starting in a paid, unpaid or volunteer role undertaking '[child-related work](#)', as described in the Act.

There were changes to the Act on 1 July 2023 which include the following:

- The name of the law has changed. The law was named *Working with Children (Criminal Record Checking) Act 2004* and it is now named *Working with Children (Screening) Act 2004*.
- WWC Card holders need to notify the WWC Screening Unit of a change in their:
 - > Personal details (for example, name)
 - > Contact details (for example, address, email address and phone number)
 - > If people start new work or cease work
- People with an [Interim Negative Notice](#) or [Negative Notice](#) will be prohibited from accessing the child volunteer exemption and the parent volunteer exemption
- Automatic Negative Notices will be issued for pending charges for [Class 1 offences](#)

For more information about these changes to the Act click [here](#).

The WWC Check is a very important part of keeping children within your SSA safe, as it prevents a person with a relevant criminal history or reportable conduct finding from undertaking child-related work.

While the WWC Check is an integral part of prioritising the safety of children, it should not be solely relied on as a screening process in assessing whether people are suitable to work or volunteer with children. As the WWC Check relies on charges and convictions for certain offences or reportable conduct findings, there are a number of people who may hold a WWC Card and present a risk to the safety and wellbeing of children.

This is why all of the steps in your screening/recruitment procedure ([see Fact Sheet 5.1](#)) are essential. Your screening/recruitment procedure and appropriate use of the WWC Check, coupled with training, education, induction and ongoing supervision ([see Fact Sheet 5.4](#)), and support of your staff and volunteers gives your SSA the best chance to appoint and retain the most suitable people.



If you do unfortunately and unintentionally appoint a person who is not suitable to work with children, all of these aspects – along with a clear, transparent and child-friendly complaints procedure ([refer to National Principle 6](#)) – can help your SSA identify risks to child safety promptly. As per [Fact Sheet 1.4](#), establishing a clear understanding of appropriate and inappropriate behaviour can help increase the safety of children in your SSA. It is important for your SSA staff and volunteers to understand various screening tools – the WWC Checks (compulsory legislation your SSA needs to comply with); as well as two optional checks that your SSA may choose to include in its screening/recruitment procedure – National Police Certificates and international Police Certificates.

Your SSA may decide to introduce a policy whereby people in certain roles who are exempt from applying for a WWC Card (in other words they are **ineligible and cannot apply for a WWC Card**) need to apply for a National Police Certificate to enable criminal history screening for roles that have been identified as higher risk with increased responsibility. Although there are clear differences between what a WWC Check assesses compared to a National Police Certificate ([see Template 5.2](#) for more details), this will enable your SSA to perform some level of criminal screening of people in key roles.

There may also be situations where your SSA asks people applying for particular roles to obtain both a WWC Check and a National Police Certificate. For example, if a person intends to coach a junior team (and doesn't have access to a WWC exemption) and is also a Board member for your SSA, sitting on the audit and risk committee with a focus on finance. The WWC Check assessment only focuses on whether a person's criminal history indicates they pose a risk of harm. A person convicted solely of fraud, for example, would still be issued with a WWC Card but their criminal history would be relevant to their Board position and financial responsibilities. The National Police Certificate process would reveal this history.

WWC Checks and [National Police Certificates](#) only look at a person's criminal history in Australia. Therefore, it is important for your SSA to consider requesting people applying for certain roles that are higher risk or have higher levels of responsibility, and who have lived in a different country for twelve months or more, also apply for an international police check from that country.

WWC Check information has been sourced from the WWC Screening Unit and adapted for SportWest stakeholders. Further WWC Check information can be found at www.workingwithchildren.wa.gov.au.

It is vital that your SSA validates any qualifications potential volunteers or staff may claim they have, to determine the suitability of each person's skills and their ability to perform the required role.

It is important to remember that when SSA staff or volunteers travel interstate with children, they will need to understand the laws in the states or territories they are travelling to. Each state and territory has its own version of WWC legislation with differing requirements.

Also, if you have interstate coaches and team staff and volunteers accompanying teams travelling to Western Australia, these people will need to comply with the Western Australian WWC law.

[↓ View template 5.2a](#)

[↓ View template 5.2b](#)

[↓ View template 5.2c](#)

[↓ View template 5.2d](#)



EXAMPLE SSA ACTIONS TO WORK TOWARDS IMPLEMENTING KEY ACTION AREA 5.2	<p>The SSA complies with the <i>Western Australian Working with Children (Screening) Act 2004</i>.</p>
	<p>The SSA complies with the various Working with Children Check legislations across Australia when visiting other states and territories.</p>
	<p>The SSA includes international police certificates and National Police Certificates as part of its screening/recruitment procedure for identified people.</p>
	<p>The SSA verifies qualifications when recruiting and appointing staff and volunteers.</p>

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If you need support:

- > [Mental health community links](#)
- > [Reporting flowchart](#)

