

# Life Saving Victoria

## Working with Children Check policy

*Version 4.0*

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|                         |           |                 |     |                        |            |
|-------------------------|-----------|-----------------|-----|------------------------|------------|
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# Working with Children Check policy

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## 1 Purpose

The purpose of this document is to provide an outline of requirements and guidelines for the immediate and ongoing implementation of Working with Children (**WWC**) Check, and Life Saving Victoria (**LSV**) and Club obligations under the and *The Worker Screening Act 2020 (Vic)* (the Act).

The Act prescribes the use of the WWC Check for adults who work with children in a paid or volunteer capacity. The WWC Check assists in protecting children and young people from sexual and physical harm by ensuring that people who work with them are subject to a screening process.

The WWC Check is administered by the Victorian Department of Justice and Community Safety (**DOJCS**) and checks a person's criminal history for serious sexual, violence or drug offences and findings from professional disciplinary bodies.

## 2 Scope

This policy applies to this policy applies to all LSV employees, contractors, licensees, officers, volunteer members, service members and associates of LSV.

## 3 Definitions

| Term / Abbreviation       | Definition                                                                                                                                                                               |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Club                      | A club who has been approved for annual affiliation with LSV.                                                                                                                            |
| Club Officer              | This is a volunteer club financial member, or staff member who is delegated by the Club Committee or Board into a Position of Authority for that club.                                   |
| Children and Young People | A person who is under 18 years of age.                                                                                                                                                   |
| Child-related work        | Work those entails contact with a child (or children) that is "direct" <b>and</b> part of the person's duties.                                                                           |
| Direct                    | Direct contact is face-to-face, physical, written, oral or electronic contact.                                                                                                           |
| Member                    | A member is any person who is a current member of an affiliated Life Saving Club and has a current individual membership record on a Life Saving Club's membership database (SurfGuard). |
| Employee                  | A person that is hired to provide a service to LSV either on a full-time, part-time or casual basis in exchange for payment. Other known terms: staff and worker.                        |
| Manager                   | A manager is a person who is responsible for a part of the business or organisation, this may include supervising and managing an individual or group of people.                         |
| Volunteer                 | A person who provides their time and services to LSV without financial gain or payment.                                                                                                  |

## 4 Roles and responsibilities

| Role                                                                      | Responsibility                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Board                                                                     | The Board is responsible for ensuring the Policy is in place, reviewed and approved.                                                                                                                                                                                                                                                                                                                                             |
| CEO                                                                       | The CEO (in conjunction with the Executive Management Team) is responsible for ensuring LSV develops procedures and controls to implement the Policy and that employees and others impacted by the Policy are aware of and comply with the Policy and any relevant procedures.                                                                                                                                                   |
| Club committees, General managers, business unit managers and supervisors | <p>Club committee members, general managers, business unit managers and supervisors of people are responsible for the following:</p> <ul style="list-style-type: none"> <li>• understanding the requirements of the Policy.</li> <li>• promoting awareness of the Policy to their teams and staff.</li> <li>• identifying and reporting any non-compliance under the Policy to the Policy Owner as soon as practical.</li> </ul> |
| Management / Policy owner                                                 | <p>The Management Owner is responsible for the following:</p> <ul style="list-style-type: none"> <li>• the creation, review and implementation of the Policy; and</li> <li>• the monitoring and reporting on compliance with the Policy.</li> </ul> <p>The GM Strategic Advisory is the management / policy owner.</p>                                                                                                           |
| LSV Integrity unit or People and Culture team.                            | Recommends outcomes and actions for employees, contractors, officers, volunteer members, affiliates, service members, who receive exclusion notices required for child related work.                                                                                                                                                                                                                                             |
| Policy coordinator                                                        | The coordinator is responsible to ensure the Policy is in place and reviewed.                                                                                                                                                                                                                                                                                                                                                    |
| Employees                                                                 | All employees are responsible to ensure they comply with the Policy.                                                                                                                                                                                                                                                                                                                                                             |
| Contractors                                                               | All contractors are responsible for ensuring they comply with the Policy.                                                                                                                                                                                                                                                                                                                                                        |
| Volunteers                                                                | All volunteers are responsible to ensure they comply with the Policy.                                                                                                                                                                                                                                                                                                                                                            |

## 5 Policy statement

LSV is committed to the Safeguarding of Children and Young People (SCYP) and acknowledges a child safe organisation doesn't just happen; it requires conscious action to protect children and young people from harm.

It is imperative that we provide a safe and supportive environment for children and young people, that focus' on fun, education and building the confidence of our people through positive learning and development.

LSV is a unique organisation that has multiple purposes including community service, sporting, education and leadership opportunities and programs. Each of these individual aspects inter-relate with each other and involve the participation of children and young people across a broad spectrum of activities. It is due to the multifaceted nature of LSV, that all employees and members 18 years of age and over, that this policy must be broadly applied.

LSV and Clubs as employers and/or volunteer organisation have a responsibility to:

- prevent risks associated with the employment and engagement of inappropriate persons, LSV applies heightened standards in its compliance with the Worker Screening Act 2020 (Vic).
- not employ anyone unless they apply for and obtain a valid, positive WWC Check prior to commencing at LSV and Clubs, or meet a valid exemption under this Policy.
- not engage a person as a volunteer or contractor to conduct child-related work unless they can provide evidence of a valid, positive WWC Check.
- will ensure no employee or volunteer with a Negative Notice (i.e. have been found unsuitable to work with children and young people from the WWC Check) and/or Interim Negative Notices (as defined under the Act), undertakes child related work.

### 5.1 WWC Check requirements

Any person 18 years and over, in a voluntary position or an employee of any age, who works with persons under 18 years of age in any capacity is required to have a valid WWC Check registered to LSV and their Life Saving Club.

The **DOJCS** [WWC Check website](#) defines child-related work as contact with a child that is "direct". Direct contact is face-to-face, physical, written, oral or electronic contact.

| Who                             | Requirement                                                                                                                                                                                                                               |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Active members aged 18 and over | Required: all members including patrolling, board/committee and Associates.                                                                                                                                                               |
| Employees                       | Required: all employees regardless of aged must hold a WWC Check.                                                                                                                                                                         |
| Social members/Life Members     | Requirements dependent: Required if member accesses club facilities and member has access to change rooms, toilets or other areas that children and young people can frequent or member has direct contact with children or young people. |

| Who                                                       | Requirement                                                                                                                    |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Teachers, holding a Victorian Institute of Teaching (VIT) | Exception: if teachers have a VIT card, they must link to WWCC and supply evidence of link and copy of VIT card for recording. |
| Police officers                                           | Required: LSV requires police officers to obtain where relevant in the categories above.                                       |

## 5.2 WWC Check application process

LSV appreciates each club is unique and the implementation of this policy will reflect the individual requirements of each club.

A person is required to have a valid WWC Check:

1. All relevant members within the definition of this policy must hold a current WWC Check
2. LSV and the Club (if relevant) must be listed as organisations,
3. Prior to commencement of child related activities with the club, the club must have received a valid assessment notice from DOJCS.

### 5.2.1 Responsibilities

| Term                     | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Life Saving Clubs</b> | <p>The Working with Children Check Verification Date, Working with Children Check Expiry Date, Working with Children Check Registration No. must be entered into the SurfGuard membership database once the club has the required documentation.</p> <p>The details must also be recorded against the members membership record (SurfGuard).</p> <p>Assessments once viewed can be securely destroyed or if clubs retain a copy of the assessment notice, they must file it securely.</p> |
| <b>LSV Staff</b>         | <p>LSV must sight a copy of each employee's valid assessment notice and/or card, the details must also be recorded against the employee's record (Employee Database).</p> <p>LSV must sight and retain a copy on record of all contractors and licensees delivering services whereby they engage in "Child-related work" on behalf of, or in conjunction with LSV.</p>                                                                                                                    |
| <b>LSV Members</b>       | Must retain a copy of their valid assessment notice and file it appropriately.                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>LSV</b>               | LSV will undertake periodic audits of WWC Check records to ensure compliance of this policy and regulatory obligations.                                                                                                                                                                                                                                                                                                                                                                   |

### **5.2.2 New Members to Clubs**

In order to facilitate Nipper registration during peak periods, Clubs may choose to provide provisional membership once they receive a copy of the WWC Check receipt and application summary. It should be noted that a 'provisional' member is not an Active member, and this person must not hold a formal position, assist with, or have direct contact with children's or young people programs/services/events until the WWC Check Assessment notice is received. The provisional member may only use club facilities under supervision by an officer of the club.

### **5.2.3 Interim Negative Notice and Negative Notice obligations**

In the event a staff or volunteer member is issued with an Interim Negative Notice or Negative Notice, the DOJCS will issue a copy of the Notice to the relevant organisation/s.

LSV, and Clubs, where applicable, have a dual responsibility to advise each other upon receipt of an Interim Negative Notice and/or Negative Notice.

Upon issuance of an Interim Negative Notice, LSV and/or the Club must ensure that the person is immediately suspended, and membership record immediately updated to reflect this status, pending the DOJCS review process. It must also be immediately referred to the Member Protection Coordinator and/or Human Resource Manager.

In accordance with this policy, where a Negative Notice is issued and subsequent suspension of WWC Check Card occurs, the person's membership and/or employment must be immediately suspended by LSV and referred to the Member Protection Coordinator and/or LSV People and Culture team for action, which may result in termination.

The Member Protection Coordinator will apply a red flag the member record in SurfGuard to ensure the recipient of a negative notice cannot transfer their membership to other clubs or renew at any club in Australia.

### 5.2.4 Guidelines for lodging a WWC Check application

Employees and members can apply for a WWC Check on the Services Victoria website here: [Working with Children Check \(service.vic.gov.au\)](https://www.service.vic.gov.au). Employees and members are required to complete the WWC Check application form as follows:

| Term                                | Definition                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Q. List the activity area(s)</b> | <p><b>Use the following code/s and mark volunteer or employee:</b></p> <p>42 (Clubs &amp; Associations) – all applications</p> <p>28 (Coaching and Tuition) - if applicable</p> <p>10 (Overnight Camps) – if applicable</p> <p>52 (Educational Institutions other institutions providing children's study or training programs) - if applicable</p>                                                     |
| <b>Q. Which organisation(s)</b>     | <p><b>Name of primary organisation:</b><br/> <b>Insert details for Life Saving Victoria:</b><br/>           LIFE SAVING VICTORIA<br/>           200 THE BOULEVARD<br/>           PORT MELBOURNE VIC 3207<br/>           03 9676 6900</p> <p><b>Name of other organisation: Insert details for your club:</b><br/>           Please contact your club to obtain the appropriate contact information.</p> |

Please contact your club to obtain the appropriate contact information (where applicable).

## 5.3 Types of WWC Checks

### 5.3.1 Volunteer Members

Volunteer members are required to obtain a Volunteer WWC Check registered to LSV and their Life Saving Club/s.

### 5.3.2 Employees

Are required to obtain an Employee WWC Check registered to LSV and their local Life Saving Club(s) if relevant. Where the staff member is a Contractor and/or Licensee they should register LSV (and Club if relevant) as the registered organisation and will be required to provide evidence of the current WWC Check and registered organisations.

Employees who currently hold a Volunteer WWC Check, are required to obtain an employee WWC Check registered to LSV and their local Life Saving Club(s) if relevant.

### 5.3.3 Teachers with a VIT card

Teachers registered with the VIT are required to:

- inform Working with Children Check Victoria (WWCCV) of any other child-related work they do.
- notify WWCCV within 21 days of starting any new child-related work.
- information supplied will be provided to WWCCV; and
- the contact at the added organisation will be informed.

Note if the teacher registration is suspended or cancelled, WWCCV will inform LSV and the Club, (if nominated as organisations) that the teacher is longer exempt from a WWC Check.

## 6 Relevant legislation and associated documents

| Title                                                           | Reference                                                                                                                               |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Relevant Legislation or Industry Standards                      |                                                                                                                                         |
| The Worker Screening Act 2020                                   | <a href="#">Worker Screening Act 2020   legislation.vic.gov.au</a>                                                                      |
| Child Wellbeing and Safety Act 2005                             | <a href="#">Child Wellbeing and Safety Act 2005   legislation.vic.gov.au</a>                                                            |
| Commission for Children and Young People - Child Safe Standards | <a href="#">CCYP   The 11 Child Safe Standards</a><br><a href="#">Child Safe Standards Information Sheet 30.01.23 (ccyp.vic.gov.au)</a> |
| Relevant Policies                                               |                                                                                                                                         |
| SLSA Child Safe Policy                                          | Staff: <a href="#">LSV Policy Compass Page</a><br>Volunteer Members: <a href="#">Club Gateway</a>                                       |
| SLSA Member Protection Policy                                   |                                                                                                                                         |
| SLSA Complaints Resolution Policy                               |                                                                                                                                         |
| Related Procedures                                              |                                                                                                                                         |
| SLSA Child Safe Guideline                                       | Staff: <a href="#">LSV Policy Compass Page</a><br>Volunteer Members: <a href="#">Club Gateway</a>                                       |
| WWC check guide                                                 |                                                                                                                                         |
| WWC check FAQ                                                   |                                                                                                                                         |
| Related forms, publications and websites                        |                                                                                                                                         |
| Working with Children Check Victoria                            | <a href="#">Working with Children Check   vic.gov.au (www.vic.gov.au)</a>                                                               |
| Commission of Children and Young People                         | <a href="#">CCYP   Recognising, respecting and defending the rights of children and young people</a>                                    |
| Victorian Institute of teaching (VIT)                           | <a href="#">Working with Children information   Victorian Institute of Teaching (vit.vic.edu.au)</a>                                    |

## 7 Review

The review period of this Policy is every two years, or more frequently if there are changes to the business operations or the regulatory environment that necessitate an earlier review.

## 8 Policy owner and content enquiries

Queries regarding this policy should be directed to:

LSV Integrity area: [integrity@lsv.com.au](mailto:integrity@lsv.com.au)

## 9 Document governance

| Revision History |                                                         |                    |               |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------|---------------------------------------------------------|--------------------|---------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Version          | Reviewed By                                             | Approved By        | Approval Date | Effective Date | Summary of Modifications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 3.0              | GM - LDC / CEO                                          | CEO                | 25/7/2017     | 26/7/2017      | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4.0              | GM – Member engagement /<br>CEO / GM Strategic Advisory | Board of Directors | 8/10/2024     | 9/10/2024      | <p>The policy document has been reviewed and updated for the following:</p> <ul style="list-style-type: none"> <li>• Alignment to the revised policy format and template.</li> <li>• Changed language from recommendation to requirement, this provides clarity for clubs and members to ensure compliance with requirements.</li> <li>• Revised the definition - 'direct' contact with children definition in accordance with Services Victoria.</li> <li>• Update of requirement for teachers holding a current VIT card, to align with requirements as defined by Services Victoria.</li> <li>• Changed the requirements of employees to a best practice approach, to include 'all employees must obtain a WWC Check regardless of age.</li> <li>• Changed the member category requirements to simplify and clarify requirements to include all active members 18 years of age + must obtain a WWC Check, with clarity of social member and Life Members category requirements dependant on direct contact and accessibility.</li> <li>• Update of activity codes, as per changes from Services Victoria.</li> <li>• Update of actions required if a negative notice, revoked or suspended WWC Checks to align with best practice approach.</li> </ul> |