

# Working With Children Instruction

## Section 1 - Context

(1) A Working With Children Check (WWCC) is a Victorian Government screening service, which includes a check of a person's:

- a. national criminal history, particularly relating to drug, violence or sexual offences, and
- b. professional conduct and whether findings or records have been made regarding professional accreditation or professional misconduct (e.g. a breach of a professional regulatory standard determined by the Australian Health Practitioner Regulation Agency, AHPRA).

(2) Requiring certain persons to hold a current WWCC is one way RMIT implements its [Child Safe Policy](#) and provides a child-safe environment. The purpose of this instruction is to:

- a. outline who requires a WWCC and who is exempt
- b. how to apply for a WWCC
- c. how to record a WWCC in RMIT systems.

## Section 2 - Authority

(3) Authority for this document is established by the [Child Safe Policy](#).

## Section 3 - Instruction

### General requirement - staff and relevant students

(4) Unless exempted below, RMIT's requirement is that all staff and relevant students (see section 25 below) hold a current WWCC (General Check Requirement). The General Check Requirement applies regardless of whether:

- a. a staff member's position description or specified responsibilities or activities involve any contact with persons who are under 18, and
- b. any such contact is direct, indirect or incidental, and
- c. the staff member carries out their activities on RMIT premises or not.

(5) In addition to staff, the General Check Requirement applies to:

- a. the leadership or executive members of clubs, societies or associations affiliated with RUSU, and
- b. third-party contractor personnel who carry out work for or on behalf of the RMIT Group, academic affiliates or honorary academic appointments, and external researchers if those persons either:
  - i. physically attend RMIT premises or campus, or
  - ii. if the nature of their work or activities means they are likely to be in contact with RMIT students, whether this is online or face-to-face.

## Exemptions to the General Check Requirement

(6) There are limited circumstances in which a person could be exempted by RMIT from holding a current WWCC (refer to Appendix 1), which includes if the person is:

- a. in a category that the Victorian Government specifies is exempt from holding one, or
- b. a staff member who works at RMIT Vietnam or RMIT Europe, or who otherwise resides overseas and is therefore not eligible to get a WWCC from the Victorian Government, or
- c. determined to be exempt by a Director (Portfolio), Dean or College General Manager (or above) after an appropriate risk assessment has been conducted and risk mitigation measures established and confirmed in writing (e.g. email).

(7) A risk assessment must take into account the following factors and include appropriate substantiating materials:

- a. the duration of time that the person will have access to RMIT premises and the frequency of their attendance
- b. the extent to which the person will be supervised by an RMIT staff member (who does have a current WWCC)
- c. the nature of the person's activities with or work for RMIT
- d. the buildings or campus premises the person will have access to (e.g. a building substantially for professional and non-teaching staff, versus a building housing childcare facilities or counselling or where support services)
- e. whether the person will be provided with access to student information, such as email addresses, names, courses and enrolment information, or
- f. whether the person is ineligible to obtain a WWCC for a reason that does not increase the risk of harm or opportunity for potential harm to children.

(8) Steps to manage or mitigate risks might include, for example:

- a. supervision by an RMIT staff member (who does hold a current WWCC) for the entire duration of a person's RMIT attendance
- b. if online, students not having computer cameras on, and the third party not having the ability to message or directly communicate with students privately
- c. the person completing a [Child Safe Confirmation](#) and this being maintained as part of the records of their engagement.

(9) If a person's role or activity changes after the initial risk assessment was approved, the risk assessment must be updated to reflect the changes.

(10) Questions about exemptions or risk assessment not covered by this Instruction or the FAQs on the [WWCC intranet page](#) should be referred to the Senior Advisor, Child Safe. Staff are encouraged to also work with other members of the Health, Safety and Wellbeing team in undertaking and recording the risk assessment and measures to mitigate risk.

(11) Exemption details, including risk assessment and risk mitigation measures must be recorded in [Workday](#) in relation to the person's engagement and activities with RMIT.

## Application and Records Process

### Application to the Victorian Government

(12) A person can obtain a WWCC by completing the relevant application form on the [Victorian Government WWCC website](#) or by using the Services Victoria App.

(13) A confirmation will be emailed to the applicant verifying if they have passed their WWCC. The screening process can take between 1-12 weeks.

### **Persons with [Workday](#) access**

(14) If a staff member has applied for a renewal of their WWCC, they should upload their receipt into [Workday](#) as a provisional measure along with the application number. In some circumstances, it may be possible for a person to continue working while an application is being processed. Individual advice must be sought from the People team. Persons with access to [Workday](#) who have received a WWCC, must upload a copy of the WWCC email to their profile in [Workday](#), and notify their manager that they have completed this step.

(15) A renewal notification will be sent to staff via [Workday](#) prior to the expiration date of their WWCC.

(16) Renewing a WWCC is the responsibility of the staff member and should be obtained prior to the expiry of their current WWCC.

(17) If a staff member fails to renew their WWCC and provide updated confirmation, the person's manager and HR Business Partner will address the matter with the staff member.

(18) If, after being notified by their manager that they have failed to comply with the renewal requirements, a staff member still fails to comply, it may result in disciplinary action.

### **Persons without [Workday](#) access**

(19) Where a person does not have access to [Workday](#), but they are required under this procedure to have a current WWCC, the status of their WWCC must be confirmed by their supervising or hosting RMIT staff member or manager in writing, such as through the [Child Safe Confirmation](#) form.

### **Negative Notices or Exclusions**

(20) If any person under the General Check Requirement must have a WWCC and they:

- a. receive an Interim Negative Notice, Negative Notice or Exclusion, or
- b. suspect that their application or renewal will result in any Negative Notice or Exclusion

they must immediately stop their activities and access to RMIT systems and premises, and notify their Manager, People Connect, or their supervising RMIT representative or host and comply with the instructions provided in response.

(21) If any Negative Notice or Exclusion is likely to be temporary, RMIT will assess each instance, and the Policy and Workplace Relations team will provide instructions following advice from the Health, Safety and Wellbeing team.

### **Responsibilities**

(22) It is every hiring manager or supervisor's responsibility to monitor their team's WWCC status and details, including ensuring their staff members:

- a. have a current WWCC and renew it before it expires
- b. upload their WWCC details on [Workday](#), or otherwise maintain appropriate written records where a team member does not have access to [Workday](#).

(23) It is every staff member's individual responsibility to ensure that they:

- a. have a current WWCC and renew it before it expires

- b. notify their hiring manager of the WWCC outcome
- c. notify the Department of Justice and Community Safety of a change in personal details (e.g. address, or legal name)
- d. notify RMIT and the Department of Justice and Community Safety within 7 days if any circumstances arise which may result in their WWCC being withdrawn, cancelled or its status or result altered, such as a Negative Notice, including where:
  - i. there is a professional conduct report made against them, which may affect a WWCC
  - ii. they are charged with, convicted, or found guilty of any offences related to sexual abuse, violence or drugs.

## Students

(24) The following RMIT students are required to hold a current WWCC:

- a. students going on Work Integrated Learning or another placement where it is a requirement of the host organisation (e.g. a childcare organisation)
- b. Students who engage in volunteer work with or on behalf of RMIT, unless they are:
  - i. in a category exempted by the Victorian Government or otherwise ineligible to obtain a WWCC (e.g. the student is under 18 years of age; or if the student is 18 or 19 years old and is engaged in volunteer work organised by RMIT, or
  - ii. a student volunteering at one of RMIT's Open Days, and who are supervised by an RMIT staff member with a valid WWCC. This exemption is strictly only for RMIT Open Days.

Please refer to the [WWCC Chart](#) for additional information. Staff should contact the Senior Advisor, Child Safe if they have any questions about this Instruction or its application.

## Section 4 - Resources

(25) [Child Safety Confirmation](#).

### Appendix 1 - WWCC Chart

	<b>Mandatory to hold a current WWCC</b>	<b>Assess if WWCC is required using additional information below</b>	<b>Not required by RMIT to hold a current WWCC</b>
<b>Position</b>	<ol style="list-style-type: none"> <li>1. RMIT Staff on Payroll who are: <ul style="list-style-type: none"> <li>• Full-time staff - fixed-term</li> <li>• full-time staff - ongoing</li> <li>• casual staff - fixed-term</li> <li>• casual employees - ongoing</li> </ul> </li> <li>2. Suppliers, vendors, and third-party contractors where engagement involves: <ul style="list-style-type: none"> <li>• Physical attendance on Campus or RMIT property</li> <li>• Online/remote access where the nature of their work will involve contacts with RMIT students</li> </ul> </li> <li>3. Students who: <ul style="list-style-type: none"> <li>• Engage in volunteer work with or on behalf of RMIT</li> <li>• Undertake placement or WIL where this is a requirement of the host organisation</li> </ul> </li> <li>4. Associates: <ul style="list-style-type: none"> <li>• Volunteers</li> <li>• Honorary appointees</li> <li>• Affiliates</li> </ul> </li> <li>5. External researchers</li> <li>6. Clubs and associations</li> </ol>	<ol style="list-style-type: none"> <li>1. Suppliers, vendors, third-party contractors and honorary appointments / academic affiliates where engagement does not involve: <ul style="list-style-type: none"> <li>• Physical attendance on campus or RMIT property</li> <li>• Online/remote attendance where the nature of their work will not involve contact with students or under 18s</li> </ul> </li> <li>2. Guests who undertake speaking engagements for students (e.g. Industry experts) on a one-off basis.</li> <li>3. Guest speakers or consultants providing ad hoc training to staff.</li> <li>4. Suppliers or vendors coming to campus to install equipment where supervised by an RMIT staff member.</li> </ol>	<p>Persons in the exempt categories established by the Victorian Government:</p> <ol style="list-style-type: none"> <li>1. Under 18s</li> <li>2. Student volunteers aged 18 or 19 engaging in volunteer work organised by or held at RMIT University.</li> <li>4. Persons registered with the Victorian Institute of Teaching</li> <li>5. Victorian or Federal Police Officers</li> </ol> <p>Other persons who are excepted by RMIT:</p> <ol style="list-style-type: none"> <li>1. RMIT students who volunteer at RMIT Open days who are supervised by a staff member with a WWCC.</li> <li>2. International Education Agents residing and working abroad.</li> <li>3. RMIT Vietnam and RMIT Europe Staff.</li> <li>4. Interstate visitors engaging in child related work for less than 30 days per calendar year.</li> <li>5. Visitors/members of the public</li> <li>6. Suppliers or vendors from interstate or overseas attending campus for less than 30 days per calendar year where supervised by an RMIT staff member.</li> </ol>

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<b>Additional information</b>	<p>1. Exemptions are not typically granted for <b>suppliers</b> but may be granted in exceptional circumstances by providing substantiating evidence during the supplier registration process.</p> <p>2. A WWCC must be provided before engagement commences. Proof of application is not sufficient as this does not provide an outcome of the Check.</p> <p>3. If a staff member's WWCC has expired, it may be possible to continue working whilst their renewal application is being processed, this should be checked with the People team. If the outcome of their renewal results in a negative notice, their engagement may result in termination.</p> <p>4. It is every hiring manager/supervisor's responsibility to monitor their teams WWCC details.</p>	<p>1. Guest Lecturers who are initially onboarded on a minimum contract period with RMIT for a single engagement within a calendar year are not required to hold a WWCC. This is on the condition that the guest lecturer is supervised by an RMIT staff member who holds a WWCC at all times. However, if their contract is renewed within the same year after the minimum period has expired, they must provide a valid WWCC.</p> <p>2. It is the responsibility of the relevant Dean, General Manager, or equivalent to approve any exception for a person to hold a current WWCC</p> <p>3. This assessment should be conducted using the guidance provided in the Working With Children's Guideline and this WWCC chart.</p> <p>4. If the relevant Dean, General Manager or equivalent believes that the individual qualifies for a WWCC waiver, they must document and record substantiating details for this waiver which can be produced to Health, Safety and Wellbeing on request.</p> <p>5. For any questions or guidance consult with safer community if the person/s:</p> <p>6. is to attend campus or an RMIT property</p> <p>7. has access to RMIT's IT systems</p> <p>8. All Guest speakers or consultants who are providing ad hoc / once off training to staff must be accompanied by an RMIT Staff member at all times.</p>	<p>1. Persons who are registered with the Victorian Institute of Teaching must:</p> <ul style="list-style-type: none"> <li>• provide their VIT registration details on Workday</li> <li>• notify Working With Children Victoria of their position within 21 days of starting at RMIT by completing a Teacher Notification Form</li> <li>• Nominate RMIT University and their organisation of employment or engagement on the Teacher Notification Form.</li> </ul> <p>2. Exception for positions in this category does not apply if a person has failed a WWCC previously or has a WWCC exclusion.</p>

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	30th January 2024
<b>Review Date</b>	30th January 2029
<b>Approval Authority</b>	Chief Operating Officer
<b>Approval Date</b>	16th January 2024
<b>Expiry Date</b>	Not Applicable
<b>Policy Owner</b>	Fiona Notley Chief Operating Officer
<b>Policy Author</b>	Gaynor Witts Chief People Officer
<b>Enquiries Contact</b>	Health, Safety and Wellbeing

## Glossary Terms and Definitions

**"RMIT Group"** - RMIT University and its controlled entities (RMIT Europe, RMIT Online, RMIT Vietnam, RMIT University Pathways)