



## Working With Children Clearance Policy

**REFERENCE NUMBER:** P35

**ORGANISATION UNIT:** Finance and Corporate Services

**RESPONSIBLE POSITION:** Director Finance and Corporate Services

**RELEVANT DELEGATIONS:** NIL

**DATE ADOPTED:** April 2013 (544/2013)

**REVIEW DATE:** Every three years

### Objectives:

As an employer, the Central Desert Shire Council has a responsibility to take reasonable steps to ensure employees/contractors and recommended applicants are suitable for child-related employment.

### Legislation and Reference:

- NT Care and Protection of Children Act
- Care and Protection of Children Regulations
- CDSC's Code of Conduct
- CDSC Work Health & Safety Policy and Procedures

### Definition:

The working with children check is a screening mechanism to reduce the likelihood that unsuitable people will be employed or engaged in child-related employment.

### Scope:

This policy applies to people working or seeking to work in child-related employment with Council. This includes all paid employees, contractors, sub-contractors, consultants and volunteers whose employment or engagement primarily involves likelihood of direct and indirect contact with children.

### Policy:

- It is mandatory for any person working in, or seeking to work in child-related employment, to declare that they are not a prohibited person (i.e. that they are not a person who has been convicted of a sex offence or child-related personal violence offence or a registrable person under relevant legislations).
- A range of positions in the Council have been identified as being child-related employment for the purposes of the NT Care and Protection of Children Act. These positions are:
  - Community Sports and Recreation Positions;
  - Child Care Worker Positions;
  - Night Patrol;

- Administrative Office positions, where the office is co-located with a Child Care Centre or school and any relevant position that meets the scope of the legislation and directives of management;
- Other Community Services positions that may require the employee to work in close proximity to children and
- Contractors who may be required to work in close proximity to children.
- The screening for Working With Children Clearance will involve a national check for relevant criminal records such as sexual offences involving children, violent offences involving children and drug related offences involving children.

Where there have been no issues of concern revealed that could prejudice the person's employment or engagement, a clearance in relation to that person will be made by the Chief Executive Officer.

Where there are issues of concern revealed e.g. a criminal history that could prejudice the person's employment or engagement, Chief Executive Officer will rely on a risk estimate that will be made by the Screening Authority before anything is done.

### **Responsibilities:**

Directors, Managers and relevant Coordinators have a responsibility to ensure that policy and procedural requirements are satisfied within their area of responsibility.

Exemptions will be at the discretion of the Chief Executive Officer.

### **Conditions of Employment – Identified Child Related Positions:**

The following conditions of employment will apply to all current and prospective employees, contractors and consultants where those positions are identified as Child Related positions:

- Employees, consultants and contractors must consent to and undergo at their own expense working with children and background checks as and when required by legislation in the Northern Territory;
- Employees, consultants and contractors must provide Central Desert Shire Council as and when requested with evidence of their suitability or continued suitability to work with children in the form prescribed by relevant Northern Territory legislation;
- Employees, consultants and contractors must notify Central desert Shire Council immediately of any circumstance that might cause any change in their suitability or continued suitability to work with children under Northern Territory legislation.

Failure to provide the Shire with the relevant information may result in immediate suspension of employment and possible disciplinary action.

**History:**

First Adopted: 6 April 2011

Revised: April 2013 adopted by Council resolution 544/2013