



Uniting Church in Australia
SYNOD OF VICTORIA AND TASMANIA

Synod of Victoria and Tasmania: Working With Children Check/Working with Vulnerable People Policy

A. STATEMENT OF COMMITMENT TO CHILD SAFETY:

The Uniting Church in Australia believes that all people, including children, are made in the image of God. As a Christian community, we believe that God reaches out to us in love and acceptance, and that our relationships with each other should express love, care and respect.¹

The Uniting Church - Synod of Victoria and Tasmania (**UCA**) is a community of faith committed to providing safe environments for all people including children. This Policy is to be understood in context of the overarching efforts to make our Church safe for all people.

The UCA Child Safe Policy – Synod of Victoria and Tasmania makes clear our commitment to ensuring our people are suitable for work with children, that we are committed to values of child safety and wellbeing and that our recruitment and screening of all people who work with children is a vital part of keeping children safe. Working with Children Checks/Vulnerable People Registrations (**WWCC/VP**) are one part of any screening process. The Synod therefore requires that all people in leadership as well as all who work with children (paid or unpaid), obtain a Working with Children Check (Victoria and NSW) or a Registration to Work with Vulnerable People (Tasmania).²

This is a way of reducing the risk of harm to children and vulnerable adults. It also ensures that we meet the following standards:

- The Australian National Child Safe Principles
- The Victorian Government's Child Safe Standards
- The Tasmanian Government's Child Safe Standards
- Legal requirements about child safety and child protection for Victoria, Tasmania and New South Wales
- The Uniting Church in Australia's Child Safe Policy Framework

¹ Safe Place Position Statement developed by the UCA Commission on Women and Men in 1997.

² The relevant legislation for each State is as follows:

- For Victoria the relevant legislation that informs this policy is the *Worker Screening Act 2020* which came into force on 1 February 2021. For Tasmania the relevant legislation that informs this policy is *The Registration to Work with Vulnerable People Act 2013*
- For New South Wales the relevant legislation that informs this policy is *The Child Protection (Working with Children) Amendment (Statutory Review) Act 2018*

B. RATIONALE FOR THE WORKING WITH CHILDREN CHECK/WORKING WITH VULNERABLE PEOPLE (WWCC/VP) POLICY:

This Policy is intended to ensure the safety of children, young people and vulnerable people participating in UCA activities, programs and events. It assists the Church and its entities to meet our legal obligations. This Policy also supports congregation members and volunteers to meet a community standard. The WWCC/VP screens people's criminal history and is one way to prevent those who pose an unjustifiable risk to children from working with or caring for them.

Further we are committed to being a safe Church for all. All adults will experience times of vulnerability during their lives. This type of screening is one way, of many, we can ensure people are safe not only to be engaged with children but for any adults in our congregations who may be experiencing vulnerability.

Some congregation members and volunteers may perceive the requirement to obtain a WWCC/VP as a lack of trust in them. Being required to obtain a WWCC/VP is not a reflection on the person. The position of trust they hold (or are being considered for) is a clear indication that they are seen to be trustworthy. However, laws are in place and the Church must ensure it meets these requirements.

Before any person can work with children or young people or take on a leadership role an appropriate screening process must be undertaken.

C. PROCEDURES OF WWCC/VP OF THE SYNOD OF VICTORIA/TASMANIA:

WHO NEEDS A SCREENING CHECK?

An individual must undertake a WWCC/VP if they are retained to engage in child-related work with children aged under 18 years of age.

Legislated check requirements apply in Victoria, Tasmania and NSW. While each state's legislation is different, the intention of this Policy is to simplify the requirements so they are both consistent across our Synod and ensure all legislative requirements are met. In some states this may mean that this Policy goes beyond the basic minimum requirements as defined in that State's legislation.

At UCA a WWCC/VP is required from all:

- Ministers
- Candidates for ministry
- Pastors
- Lay preachers
- Chaplains
- Appointed leaders (see below)
- Employees, volunteers and all other people who do paid or unpaid work with children and young people in programs, events and activities run on behalf of congregations, presbyteries or the Synod

This applies to individuals who are **18 years and over** (Victoria and NSW) and **16 years and over** (Tasmania). A WWCC is valid for 5 years in Victoria and NSW and 3 years in Tasmania.

A positive outcome confirmed by the issuing authority is required prior to an individual being appointed to any of the above roles.

APPOINTED LEADERS:

The Victorian legislation includes the category of ‘appointed leaders of a local religious congregation’ in the same category as Ministers of Religion; the NSW legislation includes all religious leaders and those in roles like religious leaders; and the Tasmanian legislation includes ministers of religion for a religious organisation.

Both these terms are broad and non-specific. Therefore the Synod is required by the legislation to define who in our organisation is an ‘appointed leader’. Appointed or religious leaders are people who are in a position of trust, influence or authority because of their leadership role within a congregation. A child or vulnerable adult who encounters a church leader, whether in the church or in the wider community, should be able to trust that person.

Therefore, in this Policy, in addition to all (active and retired) ministry agents, an ‘appointed leader’ includes, but is not limited, to the following:

- Church councillors
- Elders
- Worship leaders
- Pastoral carers
- Anyone commissioned by the Church Council to perform a leadership role
- Music leaders and organists
- Bible study leaders
- Anyone who works/volunteers with children, young or vulnerable people.

CAN I WORK DURING THE SCREENING PROCESS?

Most individuals can work once their application has been lodged and while they are awaiting a determination. The individuals who are not permitted to work with children whilst their application is being processed are:

- individuals who have been charged with, convicted or found guilty of a sexual, violent or drug offence; or
- have been excluded from child-related work in accordance with a working with children law; or
- will be working in an education and care service; or
- have been given a Negative Notice in the past. If a person fails a WWC, they are issued with a WWC Exclusion. A WWC Exclusion used to be called a Negative Notice.

D. EXEMPTIONS FROM OBTAINING WWCC:

Whilst there are reasons for exemptions in both the Worker Screening Act 2020 and the Registration to Work with Vulnerable People Act 2013 from obtaining a WWCC/VP, it is also noted that an employer or volunteer organisation can still require you to get a check if it is part of their policies to keep children safe.

In light of the Synod's safe church policies, reflecting the the Church's learnings and societal expectations to prioritise the safety of children, the following are the only exemptions relevant to the Uniting Church in Australia, Synod of Victoria and Tasmania:

1. Retired Ministers:

Retired Ministers must have a WWCC/VP unless they *never* lead worship, *never* make a pastoral visit, and *never* conduct funerals or weddings. A retired minister who exercises any form of active ministry (including marriages, funerals, supply ministry, supervision, pastoral care/visiting or leading worship) must have a current WWCC/VP.

2. VIT Check and Active Police Officers

The following exemptions apply in Victoria:

Victorian Institute of Teaching (VIT) registered teachers are exempt from having a current WWCC. Other professional exemptions are not allowed. All appointed leaders, regardless of any professional exemptions, are required to obtain a WWCC/VP to take up a leadership role. This includes early childhood workers, police, nurses, etc. VIT Registered people are required by the Victorian Teachers Registration Authority (VTRA) to inform the VTRA of any of child-related work they do outside of their teaching in a school or early childhood service, regardless of whether it is paid or voluntary work. This includes any Appointed Leader role in the Church.

<https://www.workingwithchildren.vic.gov.au/organisations/victorian-teacher-information>

Active State and Federal Police Officers are exempt from obtaining a WWCC/VP. However if the officer is suspended or dismissed from Police or the AFP, they are no longer exempt and must apply for a Check. They must notify in writing every organisation that engages them in child-related work within seven days of the suspension or dismissal.

3. Children:

- Young People under the age of 16 in Tasmania and 18 in Victoria and NSW are exempt from gaining a WWCC/VP.

4. Interstate visitors with a relevant check from their home state:

- Should someone be visiting from another state and wish to volunteer with one of our congregations, we will accept a valid check from another state should they be volunteering as a once off for less than 7 days.
This does not include overnight camps or activities. All individuals volunteering or working at overnight activities require a relevant WWCC/VP for the state of the activity.

E. PARTICULAR RESPONSIBILITIES IN REGARDS TO THE WWCC/WWVP POLICY

| Responsible body/person | Area of responsibility/ Specific Guidance |
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| Church Council | <p>In a congregation, the Church Council is responsible for:</p> <ul style="list-style-type: none"> • determining those individuals who require a WWCC/VP Check. • documenting in its minutes that those persons have been advised of the requirement along with the process for monitoring implementation. • Maintaining the congregation’s register of WWCC/VP on the Synod’s WWCC/VP database. <p>Organisers of programs, activities and events outside of a congregation should do the same in their context.</p> <p>Note : Small congregations where the presbytery has authorised that all who are members of the congregation shall comprise the Church Council (Reg. 3.9.3) should contact the Culture of Safety Unit for advice.</p> |
| Ministers and Pastors | <p>All are required to have a WWCC/VP. This is a legislated requirement in Victoria, NSW and Tasmania. See Pg 4 of this document for details in relation to retired ministers.</p> <p>http://www.workingwithchildren.vic.gov.au https://www.cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people</p> |
| Lay preachers and Appointed leaders | <p>While there is some variation in the requirements between States the Synod requires all who fill particular leadership roles including worship leadership to have a WWCC/VP, whether or not the congregation currently includes children (see the section on Appointed Leaders above). Congregations and programs are requested to add to this group any other persons involved in activities where it is reasonably expected the person might have contact with children as they fulfil their role.</p> |
| Employees and volunteers who do paid or unpaid work with children and young people | <p>Employees or volunteers of programs, events and activities run on behalf of congregations, presbyteries or the Synod must have a WWCC/VP. This includes those whose paid or unpaid work includes physical and face to face contact with children, as well as oral, written or electronic communication. The congregation, presbyteries or Synod engaging those employees or volunteers are responsible for compliance with this policy.</p> |

F. OBTAINING A WWCC/VP CHECK

TYPES OF WWCC/ VP

In all three states (Victoria, NSW and Tasmania) there are two types of WWCC/ VP:

- volunteer and non-volunteer (or employee). Volunteer WWCC/ VP only allow you to perform unpaid work. Non-volunteer (employee) WWCC/ VP allow a person to perform both paid and unpaid work.

FEES

Please refer to the following webpages for the current fees applicable on an application for a WWCC/ VP.

Victoria – <https://www.workingwithchildren.vic.gov.au/individuals/applicants/how-to-apply>

NSW - <https://www.ocg.nsw.gov.au/child-safe-organisations/working-with-children-check/applicant/help-to-apply-renew-and-update>

Tasmania - <https://cbos.tas.gov.au/topics/licensing-and-registration/fees>

NOTE re Volunteer or Employee check : Any person who receives any payment for their leadership role will need to register as an employee and pay for a WWCC/VP Check as required by their State authority. ‘Payment’ includes stipend, any payment for supply ministry or pastor roles, wedding fees, etc. Paid workers may not use a Volunteer WWCC/VP Check.

PROCESS

In addition to personal details and identification documents, the WWCC/VP check application form also requests the name(s) of organisations by whom the applicant is employed or for which they volunteer. In addition to congregations and/or other UCA organisations or programs, all Uniting Church applicants should include the Synod Office contact details when applying or renewing.

The following table provides details of UCA that need to be entered when making an application in each state.

| Jurisdiction | Instruction |
|--------------|--|
| VIC | Congregation name and this specific address (Level 2, 130 Lonsdale St, Melbourne, 3000, tel: (03) 9116 1400) Eg. Paradise Gardens Uniting Church, Level 2, 130 Lonsdale St, Melbourne, 3000 |
| TAS | The online application uses a dropdown menu – please select: UCA Synod of Victoria and Tasmania |

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| | <p>(Please ensure the address is: Level 2, 130 Lonsdale St, Melbourne, 3000, tel: (03) 9116 1400)</p> <p>Ensure any email address entered is wwccr@victas.uca.org.au</p> |
| NSW | <p>The WWCC needs to be verified by the employer. Thus, after completing the online application please email the card information to wwccr@victas.uca.org.au</p> <p>Subject line: WWCC NSW Personal Info</p> <p>Please provide the following information in the email:</p> <ul style="list-style-type: none"> • Full formal name • Date of birth • Card number • Card expiry date • Home congregation |

To apply for a WWCC/VP, use the most up-to-date information provided by the relevant state on the following websites:

| Jurisdiction | Website: |
|--------------|--|
| VIC | <p>https://wwcv.auspost.com.au/</p> <p>https://service.vic.gov.au/services/working-with-children</p> <p>https://www.workingwithchildren.vic.gov.au/individuals/applicants</p> |
| TAS | <p>https://www.cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people/applications/apply</p> |
| NSW | <p>https://www.ocg.nsw.gov.au/child-safe-organisations/working-with-children-check/applicant/help-to-apply-renew-and-update</p> |

If you do not have internet access, please call the following numbers for assistance:

In Victoria, your congregation's Safe Church Contact Person
 In Tasmania, the Presbytery office or telephone 1300 13 55 13
 In NSW, your Presbytery Minister or telephone 02 9286 7219.
 Or the Synod Office 03 9116 1400

Other specific information for Uniting Church congregations is on the Synod website:
<https://safechurch.ucavictas.org.au/recruitment-support/>

REQUIREMENT TO UPDATE WWCC/VP:

An individual who holds a current WWCC/VP must ensure that they update their personal details on the relevant state's Working with Children website.

An individual must update their personal details:

- In Victoria, within 7 days after becoming aware of the change.
- In NSW, an individual has 3 months
- In Tasmania, an individual has 10 days after the day on which the change occurs.

If individuals fail to comply with the above timeframes they can face significant penalties. Individuals must also immediately consult with UCA if they experience a change in the status of their Working with Children Check.

G. UCA RECORD KEEPING:

To promote child wellbeing and safety, UCA will maintain a WWCC register which will include personal information of individuals as well as Individuals WWCC, WWCC Declaration Form and WWCC Exemptions.

At its sole discretion, UCA may elect to undertake an audit of its own register, and seek that individuals provide further information or documentation.

UCA will manage individuals records in accordance with its Privacy Policy.

H. RENEW OR UPDATE WWCC

All WWCC/ VP have an expiration date and need to be renewed before their expiry.

WWCC in Victoria and NSW are valid for 5 years. In Tasmania, the date of expiry will be stated on the card provided.

In Victoria an individual can apply for renewal from six months before the expiry date until three months after the date of expiry. In NSW the individual will be sent a reminder three months before the check is due to expire and can make a renewal application immediately. In Tasmania, the individual can renew 30 days before the expiry date and until 30 days after the expiration date.

It is the responsibility of the individual to maintain a valid WWCC/ VP at all times. If an individual who is to be engaged in child related work does not have a valid current registration, they will not be able to remain employed or continue volunteering in their role.

Failure to obtain or a revocation or suspension of a WWCC/VP

Should an application result in a failure to obtain a WWCC/VP or should an individual's WWCC/VP be suspended or revoked, this person is not suitable to remain employed or to volunteer in the Church.

It is essential that the Church Council or program, activity or event organisers remove this person from leadership and from child related work immediately and until a final decision is received from the

appeal process if the individual elects to appeal the decision. If the final appeal decision of the appeal process does not lead to the individual having a current WWCC/VP then the person cannot be engaged or remain engaged in any child related work.

If notification of a failure to receive or suspension or revocation of a WWCC/VP is received you must immediately contact the Synod General Secretary (gensec@victas.uca.org.au or (03) 9116 1423). It is the responsibility of the organisation to ensure all individuals in child related work have a current WWCC/VP and penalties apply for failure to act immediately.

In some circumstances, being unable to get or hold a WWCC/VP will lead to the application of the UCA’s Person of Concern Policy. The Safe Church Coordinator will be in contact on behalf of the General Secretary to discuss if this is required.

I. REFUSAL TO APPLY FOR A WWCC/VP

All individuals who are to be engaged in child related work with children under the age of 18 years and are not exempt under the legislation of the respective state, cannot refuse to apply for a WWCC/VP. Please see sub-heading ‘Who Needs a Screening Check’ for details on who needs to apply for the WWCC/VP.

The Church Council will work with all individuals who are required to apply and refuse to do so until they make an application or withdraw from their role. Please refer to Refusal to obtain Working with Children Check/ Registration Flowchart for assistance on the process that needs to be followed when an individual refuses to apply.

What are the consequences of engaging someone for child-related work without a WWCC/VP?

There are laws in Victoria, NSW and Tasmania that impose significant penalties on both individuals and organisations if they fail to obtain a WWCC/VP or if immediate action is not taken if a WWCC/VP is suspended or withdrawn.

Accordingly, all individuals who are required to obtain a WWCC/VP and fail to apply for and obtain a valid WWCC/VP will not be engaged by UCA, or may be terminated from their engagement with UCA.

For assistance in registering a WWCC/VP with the Synod:

Please contact the Working with Children Check officer by email at WWCCR@victas.uca.org.au

For further information or assistance with this Policy:

Please contact the Culture of Safety Unit by email at cultureofsafetycontact@victas.uca.org.au

| Version Number | Date | Reason | Approved | Resolution Number |
|----------------|------------|---|--------------------------|-------------------|
| 1.0 | 27.09.2016 | Created to support Keeping Children Safe Policy, Overseeing CSS and Planning Safe Program process | Synod Standing Committee | SSC 16.4.14 |

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|---|--------------|--|-------------------|---|
| 2 | 09.8.2017 | Amended to reflect 1 August 2017 (Victoria) changes to the Act | General Secretary | SSC 16.4.14 authorised the General Secretary to approve changes and updates to the WWCC/R policy as required. |
| | August.2018 | Review due | | |
| 3 | July 2020 | Change of Synod address | | |
| 4 | October 2021 | Inline with National UCA Framework | | |
| 5 | January 2023 | Update of contact details and clarifying retired ministers. | General Secretary | |
| 6 | August 2024 | Update of exemptions | General Secretary | |