

## Working with Children Check bulletin

# Sporting organisations and Working with Children obligations

The Working with Children (WWC) Screening Unit is aware of some confusion across the sport and recreation sector about the impacts of recent changes to the [Working with Children \(Screening\) Act 2004](#) (the Act).

The following information is provided to help organisations understand and meet their obligations under the Act.

- All organisations, staff and **volunteers** have a legal obligation to comply with the Act.
- Complying with the Act does not mean that all staff and/or volunteers at the organisation must apply for a WWC Check.
- Only people who are in **child-related work** and who are not covered by an **exemption** are eligible to apply for a WWC Check.
- Under Category 12 **parents** volunteering for the same organisation that their child is involved with are covered by the parent volunteer exemption and are ineligible to apply for a WWC Check. This has not changed. See [Factsheet CRW03: Exemptions, The parent volunteer exemption](#) for more information.
- Volunteers under the age of 18 are covered by the child volunteer exemption and are also ineligible to apply for a WWC Check. This has not changed. See [Factsheet ORG03: Working with Children Check, Sport and recreation sector](#) for more information on determining who is a volunteer.
- The WWC Screening Unit is not obliged to process applications received from people who are not in child-related work or who are ineligible to apply. These applications may be withdrawn, and no refund issued to the applicant.
- People with a current **Interim Negative Notice** or **Negative Notice** cannot engage in child-related work and are not able to access the child volunteer or parent volunteer exemptions. See [Factsheet CRW04: Exemptions, Narrowing of access](#) for more information.
- There is no legal obligation for organisations to check if volunteers accessing an exemption have an Interim Negative Notice or Negative Notice.
- However, if an organisation becomes aware that a child volunteer or parent volunteer has a current **Interim Negative Notice** or **Negative Notice**, steps must be taken immediately

to remove the person from child-related work. Failure to act on this knowledge is an offence, and both the organisation and volunteer can be prosecuted.

- To help manage this risk, we recommend organisations include a process for volunteers to acknowledge they understand their obligations and confirm their eligibility to access the child volunteer or parent volunteer exemption. See [Template ORG04: WWC Check, Volunteer declaration](#) for an example.

Please contact [WWCCcommunityengagement@communities.wa.gov.au](mailto:WWCCcommunityengagement@communities.wa.gov.au) if you have further queries.

Definitions of **bold** terms can be found in the Working with Children Check glossary at [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)