



Public Sector Labour Relations

Shaping a contemporary public sector workforce

Working with Children Checks

Scope

This policy applies to all departments and organisations as defined under the *Public Sector Management Act 1994* and their employees. It updates and replaces *Circular to Departments and Authorities 6 of 2008 – Working With Children Check*.

Background

The *Working with Children (Criminal Record Checking) Act 2004* (the Act) provides procedures for checking the criminal record of people who carry out, or propose to carry out, child-related work.

Child-related work is work where “the usual duties of the work involve, or are likely to involve, contact with a child” and connected to a type of service, institution, organisation, work or other arrangement listed in s.6 of the Act. It is an offence for:

- an employer to employ someone in child-related work, and
- a person to undertake such work,

unless the person has a current Working with Children Check (WWCC) or pending application for one. It is also an offence for an employer to continue employing someone in child-related work if the employer has been notified the employee has been issued with an Interim Negative Notice or a Negative Notice.

WWCCs must be renewed every three years.

Further information is available at <https://workingwithchildren.wa.gov.au>.

Payment or Reimbursement for WWCCs

The following rules apply to payment or reimbursement of WWCCs.

- New employees obliged to obtain a WWCC as part of their commencing employment must pay for their initial WWCC.
- Employers have discretion to reimburse new employees who have paid for their initial WWCC.
- Employers must pay for WWCCs for employees obliged to obtain them after their employment has commenced.
- Employers must pay for employee WWCC renewals.

Employers must also comply with any award and industrial agreement WWCC provision.

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