

Working with Children Clearance Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') is committed to ensuring the safety and wellbeing of children (understood as individuals under 18 years of age) who are involved in, or affected by, University activities.

Section 2 - Purpose

(2) This procedure outlines the University's approach to the use of the Working with Children Clearance.

- a. References to the Working with Children Clearance under NT legislation are taken to encompass the equivalent in any other Australian jurisdiction in which staff are employed.
- b. This procedure should be read in conjunction with the [Child Safety Policy](#).

Section 3 - Scope

(3) This procedure applies to all University staff, contractors, volunteers and authorised visitors.

Section 4 - Procedure

(4) All staff, contractors, volunteers and authorised visitors engaged, or likely to be engaged, in child-related work, either in a paid or voluntary capacity, are required by law to hold a Working with Children Clearance.

(5) To ensure compliance with relevant legislative requirements:

- a. People and Culture will ensure that any requirement for a Working with Children Clearance is included in the position profile for relevant positions;
- b. an offer of appointment to a relevant position will be conditional upon an applicant demonstrating, to the satisfaction of the University, that they have applied for a Working with Children Clearance if they do not already have one. Continued employment will be conditional on obtaining the Working for Children Clearance within 12 weeks of accepting the offer of appointment; and
- c. staff in positions that have been newly identified as requiring to engage in child-related work, who refuse to apply for a Working with Children Clearance, may be subject to disciplinary action, which may include termination.
 - i. In the instance the application for a Working with Children Clearance is denied, the staff member may be redeployed elsewhere within the University, if there is an opportunity and it is appropriate, or their employment may be terminated.

(6) Costs of applying for, or renewing, a Working with Children Clearance will not be paid by the University, except in the case of renewals for current staff.

Renewal

(7) Staff are responsible for renewing their Working with Children Clearance prior to its expiry.

(8) If a Working with Children Clearance application (including renewals) is denied, the applicant must advise the Director People and Culture in writing immediately.

Temporary exemption

(9) Where the outcome of a Working with Children Clearance application (including for renewal) is pending, People and Culture must request, before the applicant engages in any child related work, the required temporary exemption to ensure the University is not in breach of legislation.

(10) Requests for a temporary exemption will only be made if People and Culture has been provided with satisfactory evidence that an application has been lodged prior to the commencement of employment or, in the case of applications for renewal, the expiry of the Working with Children Clearance.

Verification and information management

(11) Staff, including appointees yet to commence, who hold a valid Working with Children Clearance, must provide the relevant documentation to People and Culture for appropriate verification. People and Culture will record details in an approved system.

(12) Staff, including appointees yet to commence, who have successfully renewed their Working with Children Clearance, must provide the relevant documentation to People and Culture for appropriate verification. People and Culture will record details in an approved system.

(13) Staff information relating to the the Working With Children Clearance will be managed in accordance with the University's [Records and Information Management Policy and Procedure](#) and [Privacy and Confidentiality Policy](#).

Change in circumstances

(14) Staff must advise the Director People and Culture in writing immediately of any relevant change in circumstances that could impact their Working with Children Clearance status, including:

- a. being charged, or convicted, of an offence relating to children of a type specified in the [Care and Protection of Children Act 2007](#);
- b. revocation of their Working with Children Clearance; or
- c. having conditions imposed on their Working with Children Clearance.

(15) In such cases, the Director People and Culture will:

- a. provide the staff member with an opportunity to discuss the change of circumstance;
- b. redeploy the staff member elsewhere within the University, if there is an opportunity and it is appropriate; or
- c. terminate the staff member's employment.

Section 5 - Non-Compliance

(16) Non-compliance with Governance Documents is considered a breach of the [Code of Conduct – Staff](#) or the [Code of Conduct – Students](#), as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the [Charles Darwin University and Union Enterprise Agreement 2022](#) and the [Code of Conduct – Students](#).

(17) Complaints may be raised in accordance with the [Code of Conduct – Staff](#) and [Code of Conduct - Students](#).

(18) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the [Fraud and Corruption Control Policy](#) and [Whistleblower Reporting \(Improper Conduct\) Procedure](#).

Status and Details

Status	Current
Effective Date	29th June 2022
Review Date	30th June 2025
Approval Authority	Vice-Chancellor
Approval Date	30th June 2022
Expiry Date	Not Applicable
Responsible Executive	Scott Bowman Vice-Chancellor
Implementation Officer	Peta Preo Director People and Culture
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