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. Equivalent state-based legislation applies for employees based in jurisdictions outside of the Northern Territory.
b. This procedure should be read in conjunction with the Child Safety Policy.

Section 3 - Scope

(3) This procedure applies to all University employees under the Charles Darwin University and Union Enterprise Agreement 2025, senior contract holders, adjunct and honorary employees, regardless of whether or not they are involved in child related activities.

(4) This procedure applies to all volunteers, contractors, University governance committee members and authorised visitors who have, or are likely to have contact with children during University business.

(5) Students engaged in activities in connection with the University that involve, or could involve, contact with children, are required to obtain a working with children clearance in compliance with applicable state legislation. This includes students participating in placements which involve direct contact with children. Working with children clearance requirements for applicable students is outlined in the Child Safety Policy.

Section 4 - Procedure

(6) All individuals who are 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.

(7) The University will require all incumbent employees to either:

a. hold a valid Working with Children Clearance; or
b. provide evidence that they have applied for a Working with Children Clearance prior to commencement in the position or role.

(8) Organisational units may apply for an exemption to this requirement where the role or position is deemed not to involve contact with children, and where the exemption is approved by the Director People and Culture.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or parts thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of staff printing this document to always refer to the Governance Document Library for the latest version.

(9) Volunteers, contractors, University governance committee members and authorised visitors are only required to obtain a valid Working With Children Clearance if they are identified as undertaking University activities which involve or are or likely to involve contact with children. Such individuals are required to obtain a valid Working With Children Clearance in accordance with applicable state legislation prior to commencement of their duties. These individuals are subject to all other provisions outlined in this document and are overseen by the relevant organisational unit.

(10) Employees who commenced with the University prior to 1 January 2026 in positions which do not involve contact with children are not required to obtain a Working with Children Clearance. Employees in this category will be reviewed on an annual basis and assessed against the relevant Territory or State legislation requirements.

(11) Existing employees whose positions are later identified in an annual review or reclassification of position profile, or by moving into a role involving contact with children, and identified as requiring a Working with Children Clearance, will be required to obtain a clearance.

(12) To ensure compliance with relevant legislative requirements:

a. Managers will ensure the requirement for a Working with Children Clearance is included in all position profiles unless an exemption is in place in accordance with this procedure;
b. an offer of employment 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, prior to their commencement in the position. Continued employment will be conditional on obtaining the Working With Children Clearance within 12 weeks of accepting the offer of appointment; and
c. existing employees in positions that have been newly identified as engaging in child-related work, who refuse to apply for a Working with Children Clearance, may be subject to disciplinary action, which may include termination.

(13) Costs of applying for a Working with Children Clearance on commencement will not be paid by the University, except in cases where a position filled prior to 1 January 2026 is later identified as requiring a Working with Children Clearance.

Renewal

(14) Individuals are responsible for renewing their Working with Children Clearance prior to its expiry. They should take note of the expiry date on their clearance and ensure that it is renewed prior to expiry.

(15) Renewal costs for employees will be reimbursed by the University.

(16) 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 for employees

(17) 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.

(18) Requests for a temporary exemption will only be made if People and Culture have 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 for employees

(19) Employees, 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 the details in OneEducation.

(20) Employees, 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.

(21) Employee information relating to 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

(22) Individuals 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 or other equivalent state based legislation;
b. revocation of their Working with Children Clearance; or
c. having conditions imposed on their Working with Children Clearance.

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

a. provide the individual with an opportunity to discuss the change of circumstances; or
b. make a recommendation to terminate the employee's employment in accordance with the Charles Darwin University Enterprise Agreement 2025; or
c. advise the relevant Senior Executive Team member on continued engagement with affected volunteers, authorised visitors and others.

Section 5 - Non-Compliance

(24) 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 2025 and the Code of Conduct – Students.

(25) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(26) 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	1st June 2026
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Approval Authority	Vice-Chancellor
Approval Date	29th May 2026
Expiry Date	Not Applicable
Responsible Executive	Fiona Coulson Vice-Chancellor
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture People and Culture