



Public Sector Labour Relations

Shaping a contemporary public sector workforce

POLICY

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’s WWCC is in question.

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.

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

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

Alex Lyon | **Executive Director
Public Sector Labour Relations**

Date of Issue: 24 January 2020
Date of Review: 24 January 2022
