



# SERVICE STANDARD 1.1.9

## WORKING WITH CHILDREN CHECK

ITEM	DESCRIPTION
Version Number	5.0
SOPs	➤ SOP 1.1.9-1 Appointment to a child related role
Owner	Executive Director People & Strategy
Contact	Director People & Culture
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## 1 Purpose

- 1.1 The NSW Rural Fire Service (NSW RFS) has a legislative and moral obligation to protect children and young people engaged in NSW RFS activities.
- 1.2 The *Child Protection (Working with Children) Act 2012* (the Act), requires that any person engaged in child related work in NSW, either paid or unpaid, must undergo a Working with Children Check (WWCC). A person who has been barred or interim barred by the Office of the Children's Guardian (OCG) from working with children cannot be engaged in child related work.
- 1.3 To ensure compliance with legislation, this policy sets out the conditions and processes for Working with Children Checks in relation to child related roles in the NSW RFS.
- 1.4 The NSW RFS acknowledges that background checks alone do not create a child safe organisation, they are one component of a range of strategies required to create a child safe, child friendly environment where young people are valued, respected and welcomed.

## 2 Definitions

- 2.1 For the purpose of this Policy Document, the following definitions apply:
  - a. **Adult:** a person aged 18 years and over.
  - b. **Child:** a person under the age of 18 years.
  - c. **Junior Member:** a member of a brigade (including Cadet Brigades) aged between 12 years and 18 years who is not a probationary, ordinary or associate member.
  - d. **Junior Member Coordinator:** An adult member of a brigade who is directly responsible for the management and welfare of Junior Members.
  - e. **Member:** any paid or volunteer member of the NSW RFS.
  - f. **Office of the Children's Guardian:** a government agency that works to protect children by promoting and regulating quality, child safe organisations and administers the WWCC.

- g. **Secondary School Cadet Program:** a specific NSW RFS program delivered by members to school students over a number of sessions.
- h. **Working with Children Check (WWCC):** a screening process and a legal requirement for all paid and unpaid child related roles which are not subject to the exemptions specified in the *Child Protection (Working with Children) Regulation 2013*.
- i. **WWCC number:** a number supplied to applicants if they have received a clearance following a WWCC.
- j. **Verification:** a process undertaken by the NSW RFS to verify the status of a volunteer or paid worker's WWCC to ensure they have a clearance.

### 3 Policy

- 3.1 All NSW RFS members who undertake any of the following child related roles are required to supply a WWCC number to the NSW RFS, unless they fall under an exemption outlined in section 3.7. In general, these are roles that have direct responsibility for the training and supervision of Junior Members (including Cadet Brigades) or participants in the Secondary School Cadet Program.
  - a. Junior Member Coordinators.
  - b. Secondary School Cadet Program Coordinators (only if delivering face to face training – see exemptions).
  - c. Secondary School Cadet Program Trainers.
  - d. Supervisors, Team Managers, Coaches and supervising parents of groups attending overnight camps such as State Championships or exercises which require overnight stays, where one or more member of the group is under 18 years of age.
  - e. All adult members of Cadet Brigades.
  - f. Other roles may be deemed child related by the Executive Director, People and Strategy.
- 3.2 A member must not undertake a child related role until their WWCC number has been verified and recorded on their membership record.
- 3.3 A member who refuses or fails to supply a WWCC number when requested must not undertake any child related roles.
- 3.4 If the NSW RFS is notified by the Children's Guardian of a bar or interim bar against a member, that person will be immediately removed from any child related roles they hold, and the matter referred to the Professional Standards Unit.
- 3.5 The WWCC requirement for child related roles is in addition to, not a replacement for, the criminal history checks conducted by the NSW RFS for all new, transferring, and dual membership applications.
- 3.6 The NSW RFS cannot legally request any member to supply a WWCC number who is:
  - a. not engaged in a child related role as defined in this Service Standard, or
  - b. subject to the exemptions specified in the *Child Protection (Working with Children) Regulation 2013* and outlined in this policy.
  - c. Non required WWCC numbers submitted to the NSW RFS will not be validated.

#### WWCC Exemptions

- 3.7 There are some exemptions from the WWCC under Part 4, Clause 20 of the *Child Protection (Working with Children) Regulation 2013*. The NSW RFS does not require members to supply a WWCC if they:
  - a. are under the age of 18;
  - b. are a parent or close relative volunteering in an activity that involves their own child. Note that this exemption only applies whilst the member's own child is a regular participant in the program or activity and the exemption does not apply to parents attending overnight camps for children;
  - c. only deliver presentations, training, or community engagement in schools and other child related settings which are one-off visits and there is at least one other adult present at all times;
  - d. only coordinate or administer the Secondary School Cadet Program but do not provide face to face instruction; or

- e. only work with, supervise, or train Ordinary/Probationary/Associate members aged between 16 and 18 who are not classified as Junior Members – these members are considered co-workers for the purposes of the WWCC.
  - f. are a co-worker of a child or a work placement supervisor of a child.
- 3.8 Members who provide services to other child related organisations in the course of their NSW RFS work (for example, schools or sporting clubs) may be asked by those organisations to supply a WWCC number despite being exempt under this Service Standard. In those cases, the member can choose to comply with the policy of the requesting organisation or withdraw from the activity.

## Responsibilities

- 3.9 **NSW RFS Head Office** is responsible for:
- a. administering the registration of NSW RFS as an employer with the Office of the Children's Guardian;
  - b. verifying the status of WWCC numbers supplied by members, and
  - c. updating the member's record with the WWCC number and expiry date.
- 3.12 **District Managers** (or their authorised delegate) are responsible for:
- a. ensuring that members in their District have supplied their WWCC number to the NSW RFS Head Office to be recorded on their membership record prior to commencing in a child related role; and
  - b. overall monitoring of child related roles and WWCC compliance within their District.
- 3.13 **Professional Standards Unit** is responsible for coordinating reporting requirements to the NSW Ombudsman and the Office of the Children's Guardian in relation to any allegations regarding reportable conduct
- 3.14 **Brigade Captains** are responsible for ensuring that members appointed to a child related role within their brigade provide a WWCC number to RFS Head Office to be recorded on their membership record
- 3.15 **Members** appointed to child related roles are responsible for:
- a. applying for and renewing their own WWCC; and
  - b. notifying the Office of the Children's Guardian of any changes to their contact details, including name or address changes, within 3 months.

## 4 Related documents and links

- > [Brigade Management Handbook](#)
- > [Child Protection \(Working with Children\) Act 2012](#)
- > [Child Protection \(Working with Children\) Regulation 2013](#)
- > [NSW Office of the Children's Guardian](#)
- > [Ombudsman Act 1974](#)
- > [Principles for Child Safe Organisations](#)
- > [Secondary School Cadet Program Manual](#)
- > [Service Standard 1.1.33 Reporting and Investigating Allegations of a Child Protection Nature](#)
- > [Service Standard 1.1.7 - Code of Conduct and Ethics](#)
- > [Service Standard 2.1.2 Brigade Constitution](#)
- > [Service Standard 2.1.5 Child and Youth Participation in NSW RFS Activities](#)
- > [Service Standard 2.1.6 – Joining the RFS as a Volunteer Member](#)
- > [Service Standard 2.1.8 - Criminal History and Disciplinary Record Checks for NSW RFS Volunteer Members](#)
- > [Working with Children Check Application](#)
- > [Youth Participation Manual](#)

## 5 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
	1.0	<ul style="list-style-type: none"> <li>➤ Initial release – titled Unsupervised Child-related Activities.</li> </ul>
15 October 2001	1.1	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v1.0</li> <li>➤ Clauses 2.4.1, 2.7.2, 2.7.3, 2.7.8</li> </ul>
8 September 2003	1.2	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v1.1</li> <li>➤ Update role titles</li> <li>➤ Prohibited Person Declaration form</li> </ul>
23 September 2004	1.3	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v1.2</li> <li>➤ Updated Prohibited Person Declaration form</li> </ul>
29 March 2005	1.4	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v1.3</li> <li>➤ Updated Prohibited Person Declaration form</li> </ul>
14 September 2005	2.0	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v1.4</li> <li>➤ Change of title to “Child-related Activities”</li> <li>➤ Updated to new format and complete review</li> <li>➤ Updated Prohibited Person Declaration form</li> <li>➤ Consent to Obtain Personal Information form</li> <li>➤ Working with Children Check Employment Screening Consent form</li> </ul>
21 October 2005	2.1	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v2.0</li> <li>➤ Updated Prohibited Person Declaration form</li> </ul>
8 June 2007	3.0	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v2.1</li> <li>➤ Updated to new format, minor review.</li> </ul>
22 September 2010	4.0	<ul style="list-style-type: none"> <li>➤ Repealed and remade SS 1.1.9 v3.0</li> <li>➤ Reviewed to reflect current Commission for Children and Young People practices.</li> </ul>
2 August 2021	5.0	<ul style="list-style-type: none"> <li>➤ Repeals and remakes SS 1.1.9 v4.0</li> <li>➤ Change of title from “Child Related Activities” to “Working with Children Check”</li> <li>➤ Reviewed to reflect changes to the Child Protection (Working with Children) Act 2012 and NSW RFS Brigade Constitution.</li> </ul>

# SOP SS1.1.9-1

## APPOINTMENT TO A CHILD RELATED ROLE

### 1 Purpose

- 1.1 This Standard Operating Procedure sets out the conditions and process for appointment to child related roles.

### 2 Procedures

- 2.1 Children participate in NSW RFS activities in a variety of ways. Not all members who have contact with children are considered to be in a child related role for the purposes of the WWCC.
- 2.2 Only members who undertake the roles outlined in clause 3.1 of this Service Standard need a WWCC. The process for appointing members to those roles and obtaining WWCC numbers is described below.

#### Junior Member Coordinators in ordinary brigades

- 2.3 As a minimum, any brigade who has one or more current Junior Members must appoint a Junior Member Coordinator to be responsible for their management and welfare. If no Junior Member Coordinator is appointed, the responsibility will automatically default to the Brigade Captain until a Junior Member Coordinator can be appointed.
- 2.4 Brigades may appoint more than one Junior Member Coordinator to assist in conducting activities and supervision of Junior Members as required.
- 2.5 Junior Member Coordinator is an Administrative Officer role and must be elected by members as outlined in Section 7 of the Brigade Constitution.
- 2.6 Junior Member Coordinators in ordinary brigades must provide a WWCC number before commencing in the role.

#### Adult members of Cadet Brigades

- 2.7 Any adult who applies to be a member of a Cadet Brigade must provide a WWCC number before their membership application can be accepted.
- 2.8 Each Cadet Brigade must appoint one adult Cadet Coordinator and further members to ranks in accordance with their Constitution:

#### Secondary School Cadet Program (SSCP)

- 2.9 Members who deliver face to face lessons and assist with the training of school students in the Secondary School Cadet Program are selected by the District SSCP Coordinator and approved by the District Manager (or their authorised delegate).
- 2.10 All volunteer members delivering the Secondary School Cadet Program on more than five calendar days per year are required to obtain a **Volunteer** WWCC number.
- 2.11 All salaried members delivering the Secondary School Cadet Program on more than five calendar days per year as part of their paid role are required to obtain an **Employee** WWCC number.
- 2.12 WWCC numbers must be recorded on the SSCP Program Notification Form and verified prior to the commencement of the program.

#### Other child related roles

- 2.13 Supervisors, team managers, coaches or supervising parents responsible for members under 18 years of age who attend NSW RFS activities that involve overnight camps must be appointed by the District Manager (or their authorised delegate).
- 2.14 If the event or activity is outside the District, the appointment must also be approved by the event organiser.

2.15 A WWCC number must be provided prior to the member's attendance at the overnight camp.

**Recording Appointment to Child Related Roles**

2.16 Child related roles must be specifically assigned to members by the District Manager (or their authorised delegate) and these roles must be recorded in either:

- a. their membership record, or
- b. the relevant program documentation (e.g. Secondary School Cadet Program Notification Forms).