

**Emerge Early Years Services (EEYS) are committed to the safety and wellbeing of all children, and this will be the primary focus of our education, care and decision-making. Our commitment will be enacted through the implementation and monitoring of the Child Safe Standards.**

**EEYS have zero tolerance to child abuse.**

**EEYS are committed to providing a child safe environment where children feel safe, secure and empowered and their voices are heard about decisions that affect their lives. Particular attention will be paid to the Cultural safety of Aboriginal Children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.**



## PURPOSE

- Streamline procedures to ensure all non-teaching staff have current Working with Children Checks.
- Ensure all staff with direct contact with children have a current and valid Working with Children Checks and/or Victoria Institute of Teaching Card (VIT).
- Assist in protecting child sexual or physical harm by checking a person's criminal history for serious sexual, violence or drug offences and serious disciplinary findings from professional bodies.



## POLICY STATEMENT

### VALUES

EEYS is committed to:

- Protecting the health and safety of children and the right for all children to be safe and feel safe at all times.
- maintaining clear procedures for processing working with children checks/vit and handling informant relating to the checks.

### SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of EEYS, including during offsite excursions and activities.

### POLICY

1. All persons commencing employment, volunteering or student with EEYS are required to have a current WWCC.
2. All Early Childhood Teachers must have a valid VIT card registration to teach a funded kindergarten program.

3. An employee who has allowed their WWCC/VIT to lapse will be stood down without pay or removed from volunteering or student placement until a positive renewal notice is received from the Department of Justice.
4. In the event that a WWCC/VIT has been suspended, the staff member, volunteer or student will be suspended immediately without pay.
5. A volunteer WWCC is not acceptable for paid employees and will not be accepted.

## PROCEDURE

1. Applications are made via the designated application form available from authorised Australia Post outlets, or on the Working with Children website or via the Victorian Institute of Teaching website <https://www.vit.vic.edu.au/register/how-to/cards>
  2. Existing staff and prospective staff, are required to apply for their own police records check via the EEYS HR Platform.
  3. The original Working with Children Check card must be sighted, copied and certified by the Nominated Supervisor, People and Culture Manager or CEO Executive Officer and returned to the staff member.
  4. All staff, contractors, volunteers or students who are required to hold a Working with Children Check (WWCC) and/or Victorian Institute of Teaching registration must maintain a current and valid clearance. Evidence of such must be **produced and sighted upon request at any time while on the premises or performing duties.**
  5. In order to maintain a regular check EEYS will do the following:
    - In the last week of every term a report will be printed showing the expiry dates of all staff.
    - At the beginning of the following term any staff who's WWCC/VIT expires within that term will be requested to complete a renewal.
  6. Those staff are required to provide the WWCC/VIT card to EEYS for checking and a copy placed in personnel files.
  7. All staff are required to add EEYS as their employer on the WWCC website.
  8. If a negative notice is received on application by a prospective employee or volunteer they will not be employed at EEYS.
  9. If a negative notice is issued on an existing employee the matter must be immediately referred to the CEO or People and Culture Manager who will assess the situation accordingly.
  10. Failure of an employee or volunteer to promptly notify EEYS of a negative WWCC/VIT notice will be treated as serious misconduct under the EEYS Performance Management and Discipline policy.
  11. On termination or resignation of an employee or volunteer EEYS is to be removed from their personal details list on the Working with Children website.
  12. EEYS will add each staff member, volunteer and student to the National Workforce Register and remove once they no longer work at EEYS.
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## BACKGROUND AND LEGISLATION

### BACKGROUND

The Working with Children Act 2005 requires all those who work or volunteer with children in Victoria to undergo a WWC Check. The check provides ongoing monitoring of the applicant's criminal records, and is current for five years. Under this legislation it is an offence to knowingly engage in child-related work in Victoria without a valid WWC Check.

All employees and volunteers engaged by EEYS including volunteers and students on placement are required to have a WWCC. All employees and volunteers have contact with children and EEYS must be confident that all persons have been appropriately checked.

All Early Childhood Teachers must have a VIT card is registered with the Victorian Institute of Teaching in Victoria, Australia. A VIT registration contains essential information about a teacher's registration, including their registration number, category, status, expiry date, and any conditions on their registration.

Note: The VIT card also confirms that registered teachers are exempt from requiring a separate Working with Children Check.

### LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Child Safe Standards
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard, Quality Area 4: Staffing Arrangements
- Occupational Health and Safety Act 2004 (Vic)
- Worker Screening Act 2020 (Vic)
- Worker Screening Regulation 2021 (Vic)
- Working with Children's check
- Children, Youth and Families Act 2005 (as amended 2014)
- Failure to Disclose 2014
- The Charter of Human Rights and Responsibilities Act 2006
- Working with Children Amendment Act 2007
- Child Wellbeing and Safety Act 2005
- Family Law Act 1975
- Victorian Institute of Teaching

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### DEFINITIONS



The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue.

**Child-related work:** In relation to the WWC Check (*refer to Definitions*), child-related work includes work with children which may involve physical contact, face-to-face contact, oral, written or electronic communication.

**Inappropriate conduct:** Conduct that a reasonable person would consider inappropriate in an education and care service, taking into account any of the following circumstances:

- Whether the conduct aligns with generally accepted education and care practice
- The child's age and developmental stage
- Whether the conduct is likely to cause or result in harm (including emotional, psychological or physical harm) or injury to a child or children
- Whether the conduct is sexual, aggressive or violent.

In deciding if the conduct is inappropriate, it does not matter if:

- the child consented (agreed to the conduct, either by directly expressing their consent or implying consent through their actions)
- the person subjecting the child to the conduct believes the child has consented
- the person subjecting the child to the conduct is related to the child.

Subjecting a child to inappropriate conduct can occur in a number of ways including, but not limited to:

- in-person via words or behaviour, including both adult to child or between adults in the presence of a child/ren
- filming and capturing images or recordings
- as a single occasion or as part of a pattern over time
- either directly or indirectly (for example, exposure to inappropriate language or conversations, or leaving inappropriate material accessible to children)
- online
- as an omission (for example, deliberately excluding a child).

**Student:** A person undertaking a practicum placement as part of a recognised early childhood qualification. This student will be supported by an educational institution in the completion of their placement.

**Volunteer:** A person or parent (who's child attends the service) who willingly undertakes defined activities to support the education and care programs at a service in an unpaid or honorary capacity. These activities may include child-related work (*refer to Definitions*), administrative tasks, or preparing materials or food.

**Contractor:** is a person or business entity, **not a direct employee** of the service, who is engaged to perform specific work, provide services, or deliver labour, such as maintenance, cleaning, or specialized education programs

**Nationally Coordinated Criminal History Check (Police Check):** A list of criminal findings from all Australian states and territories as of the date of issue. It is commonly used for screening by employers to ensure childcare workers are suitable.

**Working with children Check (WWCC):** is a mandatory screening process in Australia, often called a "WWC" or "WWC Check," required for people doing child-related work (paid or volunteer). It assesses criminal history to protect children under 18, ensuring suitability to work with them. A formal, ongoing screening assessment that determines if a person poses a risk to children. It is mandatory for child-related work and lasts several years, with constant monitoring, whereas a police check only covers the date of issue.

**Victorian Institute of Teaching (VIT):** The Victorian Institute of Teaching (VIT) is an independent statutory authority in Victoria, Australia, that registers, regulates, and sets professional standards for teachers in all schools. It ensures teaching quality, accredits teacher education programs, and protects student safety by investigating misconduct



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## SOURCES AND RELATED POLICIES

### SOURCES

- Australian Children's Education and Care Quality Authority (ACECQA): [www.acecqa.gov.au](http://www.acecqa.gov.au)
- The Early Years Learning Framework for Australia: Belonging, Being, Becoming: [www.acecqa.gov.au](http://www.acecqa.gov.au)
- A Guide for Creating a Child Safe Organisation (The Commission for Children and Young People) [www.cryp.vic.gov.au](http://www.cryp.vic.gov.au)
- Working with Children Check; [www.service.vic.gov.au](http://www.service.vic.gov.au)

### RELATED POLICIES

- Child Safe Environment and Wellbeing
- Code of Conduct
- Compliments and Complaints
- Performance Management and discipline
- Determining Responsible Person
  
- Interactions with Children
- Occupational Health and Safety
- Privacy and Confidentiality
- Safe Use of Digital Technologies and Online Environments

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## EVALUATION



In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- check staff records on a regular basis to ensure details of students, volunteers and where appropriate parents/guardians are maintained in line with all legislative requirements as outlined in the policy
- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).



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## ATTACHMENTS

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## AUTHORISATION

This policy was adopted by the approved provider of EEYS on 28/4/26

**NEXT REVIEW DATE:** April 2027

VERSION	REVIEW DATE	DOCUMENT WRITER	REVISION DESCRIPTION	APPROVED BY
V1	December 2019	Policy Team	Endorsed	Pauline Butler
V2	April 2026	Policy Team	Layout Update Updated Information around procedures	EN

