



TASMANIAN  
**CATHOLIC**  
education commission

# **POLICY**

# **WORKING WITH VULNERABLE PEOPLE**

RELATED POLICIES / PROTOCOLS / STATEMENTS

TCEC Privacy Policy  
TCEC Recruitment, Selection and Appointment of Staff Policy  
Archdiocese of Hobart Children and Young Persons Protection Policy

**Policy No: 04:2015**



## Working With Vulnerable People Policy

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### **RATIONALE**

The purpose of the *Working With Vulnerable People (WWVP) Policy* is to enable the Tasmanian Catholic Education Commission (TCEC) to meet the Tasmanian state government legislative requirement of the *Registration to Work with Vulnerable People Act 2013* (the Act) . This policy applies to all Catholic Education in Tasmania (CET) current, new and prospective Employees, Contractors and Volunteers participating in a Regulated Activity such as Child Education Services (Non-Government Schools) as defined in the Act.

### **POLICY**

WWVP Registration is an integral part of CET's recruitment, selection and appointment process to manage the prevention of engaging people who pose a risk to the safety, welfare and well-being of children.

This policy must be applied in conjunction with the Tasmanian Catholic Education Office (TCEO) Working with Vulnerable People Registration Procedures.

Employment or engagement in CET may also be subject to other screening requirements as prescribed in other relevant legislation, industrial agreement or policy; this includes (but is not limited to) a National Police Criminal History Check (NPCHC).

The Director of Catholic Education in Tasmania, TCEO Human Services personnel, Managers and Principals are responsible for ensuring that recruitment, selection and appointment processes within their area of responsibility are consistent with the TCEC *WWVP Policy* and associated Procedures.

This includes ensuring that all Employees, Contractors and Volunteers provide a valid WWVP Registration prior to commencing employment or engagement. A person who holds a 'Volunteer' Assessment Notice must not commence paid employment until such time that they are the holder of a standard Assessment Notice for Employees or Contractors.

The TCEO Manager Human Services is responsible for records management relevant to WWVP Registration for seven (7) years after the employment or engagement has ceased, or longer if required.

## **DEFINITIONS**

**Assessment Notice** means a Notice issued by the Department of Justice, which states that the person to whom the Notice has been issued has passed a WWVP Registration and has been issued a WWVP Registration Card;

**Categories of Persons that require a WWVP Registration** means Employees, Contractors and Volunteers;

**Catholic Education in Tasmania** means all Tasmanian Catholic Schools and Colleges, their associated Boards and/or Governing Councils, the Tasmanian Catholic Education Office and the Tasmanian Catholic Education Commission and Committees.

**Child** means a person who has not attained the age of 18 years;

**Contractor** is deemed to include self-employed persons who work under a contract for service and are engaged by CET to do work, provide a service or labour for remuneration. This includes, but is not limited to:

- Maintenance/Building/Grounds related contractors;
- Cleaning contractors;
- Canteen personnel;
- Music Tutors;
- Sports Contractors and their coaches; and
- Practicum Students.

**Direct Contact** means any contact between a person and a child that involves physical contact, or face-to-face communication, or physically being within eyeshot;

**Employee** means an individual who works for wages under an employer-employee relationship;

**Employer** in relation to a regulated activity, means an entity for whom a person engages in the regulated activity;

**Fee** means the cost of the WWVP Registration application;

**Negative Notice** means a notice provided under [section 32\(3\)\(a\)](#) of the *Registration to Work with Vulnerable People Act 2013* that notifies a person that the Registrar refuses to register the person and the reasons for the refusal;

**Proposed Negative Notice** means a notice provided under [section 30\(1\)](#) of the *Registration to Work with Vulnerable People Act 2013* that notifies a person that the Registrar intends to refuse to register the person;

**Prospective** means any person that is likely to be offered paid employment or engagement;

**Registration Card** means a WWVP Registration card provided to a person under [section 42\(1\)](#) of the *Registration to Work with Vulnerable People Act 2013*;

**Regulated Activity Child Education Services (Non-Government Schools)**

Child Education Service (Non-Government Schools) requires registration for school-based employees, volunteers, adult age students and others, such as contractors and external providers who work or operate in non-government schools and/or provide a service to students.

Child Education Services (Non-Government schools) does not include Registered Teachers or any person issued with a Limited Authority to Teach under the Teachers Registration Act performing a teaching role at a school as these professionals are registered under a separate regulated activity that does not require registration until 1 January 2017.

**Volunteer** means an individual who is not an Employee who undertakes defined activities of their own free will, without payment (other than out of pocket expenses), which will be of benefit to the CET community or organisation;

**Working With Vulnerable People Registration** means a legislative requirement and process of assessment as prescribed in the *Registration to Work with Vulnerable People Act 2013* and subsequent *Registration to Work with Vulnerable People Regulations 2014*.

## REQUIREMENTS

### Consequences of Non-Compliance or Issue of a Proposed Negative or Negative Notice

Nothing in the *Registration to Work with Vulnerable People Act 2013* prevents an employer from requiring a category of persons to be registered to engage in a regulated activity even though the person is not required by the Act to be so registered.

Where an Employee, Contractor or Volunteer fails to comply with obtaining a WWVP Registration or receives a Proposed Negative or Negative Notice after a WWVP assessment has been conducted, CET may take (but is not restricted to) any of the following steps against a current or prospective Employee, Contractor or Volunteer:

- Immediate cessation of their work in a child related work area or activity; or
- Modify the work processes or duties associated with the child-related work conducted; or
- Re-deployment; or
- Not make an offer of employment or engagement; or
- Terminate the employment or engagement as per due process.

An Employee, Contractor or Volunteer who receives a Proposed Negative or Negative Notice will have the right to appeal as legislated in the *Registration to Work with Vulnerable People Act 2013*. It will be the responsibility of the person to pursue such an

appeal as outlined in the *Registration to Work with Vulnerable People Act 2013*, if they wish to do so.

An Employee, Contractor or Volunteer who has their registration suspended or cancelled must notify the Director of Catholic Education in Tasmania, in writing, within seven (7) days.

### **Fees**

Employees, Volunteers and Contractors will be responsible to pay the prescribed fees specified in [Schedule 1](#) of the *Registration to Work with Vulnerable People Regulations 2014*, for a three-year registration.

### **Confidentiality and Privacy**

CET is required by law to keep Employees, Contractors and Volunteers personal details private. Any information collected by CET will only be used to assess a person's suitability for employment or engagement in Catholic Education in Tasmania.

However, there are certain situations in which some people may be told information about a persons personal details, including:

- A disclosure or use of the information to a court or tribunal as required by law; and
- A disclosure of the information for any other reason that may be required by law.

Employees are entitled to see the information held about them by CET and may request this information at any time in writing. For more information on privacy please refer to the TCEC *Privacy Policy*.

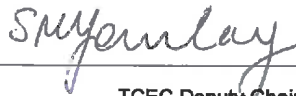
### **REFERENCES**

*Registration to Work with Vulnerable People Act 2013*;  
*Registration to Work with Vulnerable People Regulations 2014*;  
[section 32\(3\)\(a\)](#), [section 30\(1\)](#) and [section 42\(1\)](#) of the *Registration to Work with Vulnerable People Act 2013*;  
[Schedule 1](#) of the *Registration to Work with Vulnerable People Regulations 2014*

### **APPENDICES**

TCEO Working With Vulnerable People Procedures.

SIGNED:



TCEC Deputy Chairperson

DATE:



<b>Approved by:</b>	Tasmanian Catholic Education Commission
<b>Issuing Group:</b>	TCEO: Human Services
<b>Implementation Date:</b>	1 October 2015
<b>Supersedes Policy Dated:</b>	New Policy
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<b>TCEO Contact Officer:</b>	Manager Human Services