

Child Safe Standards and Regulation

Working with Vulnerable People Scheme



Who is this factsheet for?

This factsheet includes information about the Child Safe Standards (the Standards) and the Working with Vulnerable People (WWVP) Scheme. It is designed to help organisations and leaders understand their requirements in relation to child safety, including how the Standards and WWVP Scheme work together to help keep children and young people safe in the ACT.

The below information is not intended to be comprehensive, and organisations should seek legal advice to understand requirements specific to their organisation.

About the Child Safe Standards

The Standards are a set of ten interrelated principles that focus on changing institutional culture to support children and young people to *feel* safe and *be* safe.

The Standards are designed to assist organisations to improve practices to better protect and promote the rights, safety, and wellbeing of children and young people. The preamble requires organisations to apply the Standards in a manner that is culturally safe and inclusive for all children and young people.

Implementation of the Standards is mandatory for all organisations that provide services for children and young people, including organisations that have requirements under other ACT child safety legislation, such as the WWVP scheme. To learn more about the Standards visit ACTChildSafe.act.gov.au

About the Working with Vulnerable People Scheme

The Working with Vulnerable People (WWVP) registration scheme aims to reduce the risk of harm or neglect to vulnerable people (which includes children and young people) by conducting background checking, registration, and monitoring of people who work or volunteer in a regulated activity.

Regulated activity is defined in the *Working with Vulnerable People (Background Checking) Act 2011*. It should be noted that some organisations may be regulated by sector regulators, for example, schools and early education. In this factsheet, regulated activity refers to that as defined in the WWVP Act.



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Regulated activities listed in the WWVP legislation:

- Child protection and youth justice
- Child accommodation
- Coaching and tuition provided by a commercial entity
- Religious organisations conducting activities or providing services for children
- Commercial services for children (entertainment or party services, play facilities, photography services, and talent or beauty competitions)
- Clubs, associations, and movements (sport, arts, or recreation) with significant membership or involvement by children
- Education and care services
- Vocational and educational training
- Public transport

In the ACT, any person who works or volunteers in a regulated activity must have a WWVP registration. Where a person is working or volunteering in an activity that is not a regulated activity, or if they meet an exemption criterion, they are not required to obtain a WWVP registration, even if they have contact with vulnerable people, including children.



A WWVP registration is not required where a person:

- only has incidental contact with vulnerable people; or
- is under 16 years old; or
- is only working or volunteering for 3 days (or less) in any 4-week period, or 7 days in any 12-month period; or
- is only working or volunteering in a job that requires them to be registered with the Australian Health Practitioner Regulation Agency (AHPRA); or
- has a valid Working with Children Check from another state or territory and is not working or volunteering in the ACT for more than 28 days in any 12-month period;
- meets other exemption criteria prescribed in section 12 of the WWVP Act

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WWVP and the Child Safe Standards

The Standards and WWVP Scheme are designed to complement each other to promote child safety and reduce the risk of harm to vulnerable people, including children and young people. All organisations engaging in regulated activities that provide services to children and young people are required to implement the Standards. The Standards apply to organisations, and staff and volunteers will need to understand and support implementation of the Standards, even if they do not require a WWVP registration.

Standard 5 requires that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice. Ensuring that individuals working or volunteering in a regulated activity hold and maintain a WWVP registration is one way that organisations can show they are meeting Standard 5.

Under Standard 7, organisations should also ensure that staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe, including through providing training and information about promoting and protecting child rights, safety, and wellbeing.



Actions to support Standard 5 and Standard 7:

- Include references to the organisation's commitment and obligations in respect of child safety on the organisation website and public communications.
- Include child safety screening across the recruitment cycle, including application, interview, and background checking.
- Conduct thorough reference checks, including asking questions about a candidate's suitability to work with children and young people.
- Consider pre-employment screening, such as identify verification, National Police Check, or psychometric and aptitude testing.
- Ensure that individuals working or volunteering in a regulated activity hold and maintain a valid WWVP registration.
- Provide child safety information during induction.
- Provide formal and ongoing child safety training to all staff and volunteers.
- Provide ongoing supervision to staff working with children and young people.

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Compliance and Reporting

Employers must comply with WWVP requirements by ensuring they have identified all roles that may require a WWVP registration and checking that their employees and volunteers have the right registration type to do their specific roles. Individuals must tell their employer about any restrictions or changes related to their WWVP registration. Individuals should also notify Access Canberra of any changes to their personal details, or if they are charged with or convicted of relevant offences.

Organisations must maintain appropriate records of WWVP registrations. Employers can proactively contact Access Canberra to validate WWVP registrations or notify them of current staff lists. Organisations should request their employees and volunteers nominate their employer upon commencement, to ensure that the organisation can receive any notifications related to changes to their employees' WWVP registration status.

Access Canberra regularly checks that organisations and individuals working with vulnerable people are complying with the WWVP Scheme, and conducts continuous monitoring of the suitability of individuals who hold a WWVP registration. Employers or individuals can report noncompliance, including concerns about a person's suitability or breaches of WWVP registration requirements.

The ACT Children and Young People Commissioner is leading implementation of the Standards and works with existing regulators, including Access Canberra, to monitor implementation progress. The Human Rights Commission Act 2005 establishes the HRC as an independent service that can deal with complaints about discrimination, human rights, services for children and young people, health services and disability services. Organisations that provide services for children and young people may be subject to a complaint if a service is not being provided appropriately or provided inconsistently with relevant standards, including the Child Safe Standards.

Find out more

To learn more about the Standards, visit [ACTChildSafe.act.gov.au](https://actchildsafe.act.gov.au) and read a copy of the [Child Safe Recruitment Factsheet](#).

For more information about the Working with Vulnerable People Scheme, visit the scheme regulator [Access Canberra](#).

- To report non-compliance contact **13 22 81** or WWVPCompliance@act.gov.au.
- To validate WWVP registrations, contact WWVP@act.gov.au.

