



BCA POLICY 10 - WORKING WITH CHILDREN

Updated - July 2015

The Working With Children Check (“WWCC”) is a mandatory minimum background check of people who work or volunteer in child-related work. It applies to people who have regular direct contact with children where that contact is not directly supervised. The WWCC ‘helps to protect children aged under 18 years from physical and sexual harm by preventing those who pose a risk to their safety from working with them’.

The policy outlines roles where people are required to apply.

The following information relates to the WWCC that was phased in for all cricket clubs and associations from 1 July 2008. Penalties and restrictions apply as from 1 July 2009 if these procedures have not been followed.

The BCA Board as a minimum standard for Clubs and Associations hereby adopt WWCC checks as to ensure the sport is doing everything possible to prevent child related offences. Under the Act, a person involved in cricket is considered to be engaging in child related work and must apply for the WWCC if they:

1. Work or volunteer in a role that brings them into contact with children under 18; and
2. Volunteer or do this work on a regular basis; and
3. Have direct contact with children under 18 which is not directly supervised; and
4. Do not qualify for one of the exemptions in the legislation (subject to Cricket Victoria’s policies).

EXEMPTIONS

The following exemptions from the legislation and it will recognise that Clubs and Associations shall not require the following individuals to apply for the WWCC (subject to appropriate proof being sighted):

- persons aged under 18;
- sworn Members of Victoria Police;
- teachers registered with the Victorian Institute of Teaching; (still required to sight the VIT registration and confirm online at www.vit.vic.edu.au)

It is recommended that where exemptions apply, the Nominated Person records this to ensure up-to-date records are maintained.

Under the legislation, parents do not have to apply for a WWCC if their child is involved in the relevant activity. However, BCA Board does not endorse this exemption and it expressly requires that all parents that meet the criteria set out above apply for, and obtain, a WWCC.

CLUBS

BCA Clubs/BCUA as a minimum requirement, have the following people obtained a WWCC:

- Junior Coordinator;
- MILO in2CRICKET Coordinator;
- Team Coach and/or Manager of a team;
- Other members of the junior club who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. coaching and/or electronic contact).
- BCUA/persons who Umpire in BCA & CHR3 senior and junior competitions.



In the case where junior players are playing in a senior team, the minimum requirements for Clubs in this instance is as follows:

- Senior Coach;
- Secretary;
- Captains of teams;
- Other members of the senior club who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. Coaching and/or electronic contact)

In all instances above, it is recommended that there is a central point of reference at the Club (“Nominated Person”) for recording and sightings of the WWCC. In the majority of instances this will be the Club Secretary. An example record keeping form is available from <http://www.sport.vic.gov.au>

ASSOCIATIONS

Cricket Victoria expects that Associations will, as a minimum requirement, have the following people obtained a WWCC:

- Association representative team Coaches and/or Managers that have players U18 participating;
- Other members of the Association who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. Coaching and/or electronic contact);

Associations should also maintain a register, provided by each Club, of the people within the Association who have been approved under the legislation. It would not be necessary for the Association to sight actual check documents.

Process to follow if Coach receives an interim negative notice:

According to the legislation, a person who receives an interim negative notice or is waiting for their application to be processed can still perform child related work until such time as a decision on their application is made. However, a Club or Association should have an internal process to follow if this situation arises. The following should apply if indeed this occurs:

Until such time as a decision is made, the Club/Association should ensure that the coach who has received an interim negative notice (or is waiting for their application to clear) is directly supervised by someone who holds a WWCC. This should continue until a decision on the Coach is made via the Department of Justice (e.g. they receive a WWCC).

It is extremely important to maintain confidentiality and discretion when approaching this situation. Meeting with the Coach to explain that they will be supervised during this interim period is recommended as the Coach can challenge the interim negative notice received from the Department of Justice.

If the person in question and Club agree, the person can be moved outside of their role with children (eg. to a senior coaching role where no children are involved). However this must be agreed to as the legislation stipulates that an organisation cannot refuse to allow a person to continue in their role if no final decision has been made by the Department of Justice.



If a final decision is made and the person does not pass the WWCC, then the person in question “...cannot apply for, or engage in child related work, regardless of whether that work is directly supervised by another person.” This person is unable to apply for a WWCC for five years after the date of final decision.

Summary:

The WWCC is one strategy a Club, Association or organisation will employ to best minimise the chance of child related offences occurring. The WWCC is designed to help keep children safe and it co-exist with other measures such as a Coach “Code of Conduct” and a clear policy on “drop off and collection by parents” at matches or training.

For information regarding the process of obtaining a WWCC, please visit the Department of Justice website at <http://www.justice.vic.gov.au/workingwithchildren> or your nearest Australia Post outlets – bulk lodgements are available for your Club from Australia Post.

Please also note that a change of details form is available from the above website – this is particularly relevant if a new coach with an existing WWCC comes on board at the Club and has not included the Club’s details in their original application.

The above requirements, to comply with the WWC legislation, are in addition to all existing [Cricket Victoria and affiliated member policies](#) such as Code of Behaviour and Member Protection Policies.