



## WORKING WITH CHILDREN CHECK

### Frequently Asked Questions Sporting or Recreation Clubs and Associations

These Frequently Asked Questions (FAQs) provide general answers about the Working with Children (WWC) Check for people who work or volunteer in sporting or recreation clubs and associations.

You can find detailed information on each of these topics and more FAQs at [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren).

#### **1. I work/volunteer for a sporting/recreation club or association. Do I need a WWC Check?**

People engaged in 'child-related work' are required to apply for a WWC Check. Under the *Working with Children Act 2005* (the Act), you are considered to be engaged in 'child-related work' if you:

- work or volunteer in connection with one of the 20 child-related occupational fields (including sporting or recreational clubs and associations); **and**
- have regular direct contact with children under 18; **and**
- that contact is not directly supervised; **and**
- do not qualify for an exemption (e.g. parent volunteer, VIT registration, sworn police officer).

If **all** of the above statements apply to you, you are doing 'child-related work', and you need to submit a WWC Check application by the relevant due date (please consult the phasing-in plan for due dates).

#### **2. How can I find out when I need to apply?**

If you are engaged in 'child-related work' in connection with clubs, associations and movements relating to athletics (including Little Athletics), basketball, cricket, football (Australian Rules), football (soccer), gymnastics (including trampolining), martial arts, netball, swimming (including lifesaving) and tennis, you should have already applied for the check as the application deadline for these sports was 30 June 2009. Those planning to become engaged in 'child-related work' in connection with these 10 sports will need to apply for a WWC Check before commencing that work.

If you are engaged in 'child-related work' in connection with clubs, associations and movements relating to **all other recreational or sporting groups**, you need to apply by **30 June 2010**.

#### **3. I don't require a WWC Check, but the club/association at which I volunteer still wants me to apply for one. Can the club/association make me do this?**

FAQ 1 sets out who is required by law to have a WWC Check. The Act does not prevent other people being asked to apply by their employer or volunteer organisations. If you have concerns about the policy of a particular organisation in this regard, you should raise them directly with the organisation.

#### **4. Do parents who volunteer at a club/association need to have a WWC Check – e.g. when they help out at training or on match days, or attend overnight camps with their child?**

Under the Act, a parent who volunteers in relation to an activity in which their child ordinarily participates is exempt from a WWC Check in respect of that work.

For example, a parent who coaches their child's football team is exempt from a WWC Check, even if their child is not present on a particular day due to illness. However, a parent who coaches a team and whose child plays in a different team at the club is not exempt. This parent would need to refer to FAQ 1 to determine if a WWC Check is required.

A full list of exemptions is available on the Working with Children Check website.

#### **5. Each week I drop off and/or pick up my child from training, and watch them play matches. I have regular, direct and not directly supervised contact with children. Do I need a WWC Check?**

Parents who pick up or drop off their own children at training, or watch them compete, or who have arranged for a relative or a friend to do this for them, are not working as defined by the Act and so do not require a WWC Check. The WWC Check is for when parents entrust the care of their children to others, outside of normal domestic arrangements.

**6. I play/participate in a team/activity with people who are under the age of 18 years. Do I need a WWC Check?**

If you are only participating in an activity with a child on the same basis as the child, you are not undertaking 'child-related work' and therefore do not require a WWC Check. For example, an adult playing in a cricket team alongside a child is not engaging in 'child-related work'.

**7. I'm an umpire/referee. Do I require a WWC Check?**

If all 4 statements in FAQ 1 apply to you, your work is considered 'child-related work' and you need to apply for and pass a WWC Check.

**8. I volunteer in the club canteen. Do I require a WWC Check?**

If all 4 statements in FAQ 1 apply to you, your work is considered 'child-related work' and you need to apply for and pass a WWC Check.

**9. There are always parents watching the games and training sessions. Does that mean the coach won't need a WWC Check?**

If a person's contact with children is directly supervised they are not engaged in 'child-related work'. Direct supervision requires *immediate and personal* supervision, by someone who has the role of supervising the worker/volunteer's contact with children. Therefore, for a parent to provide direct supervision of the coach, all parties would need to understand that this was the parent/s' role.

**10. When does a supervisor need a WWC Check?**

If the supervisor is engaged in 'child-related work', they will require a WWC Check unless an exemption applies (see FAQ 1).

**11. I've already had a police check. Why do I need a WWC Check?**

The WWC Check is different from a police check. Not all offences are of concern to the WWC Check. Broadly, the WWC Check considers serious sexual, violent and drug offences. WWC Check card-holders are also subject to ongoing monitoring for the five years in which the WWC Check card is valid (unless revoked). A police check gives a one-off "snapshot" of a person's criminal record up to the date of the check. Your club/association might also require you to provide a police check based on other legislation or club/association policy.

**12. How much does the WWC Check cost?**

The WWC Check is free for volunteers, and an application fee applies for paid employees and self-employed (the fee is currently \$76.10, but will increase every year on the 1<sup>st</sup> of July). A person is considered to be a volunteer if they only receive reimbursement for out-of-pocket expenses. It is an offence to use a volunteer WWC Check for 'child-related work' for profit or gain.

**13. What if I don't apply by the relevant deadline?**

If you are required to apply for a WWC Check and you have not done so by the relevant deadline, it will be an offence for you to commence or continue to perform 'child-related work'. It will also be an offence for the club or association to engage you in 'child-related work'. Offences include a substantial fine and/or up to 2 years imprisonment.

**14. What if my usual work for the club/association is also in connection with another occupational field that has already been phased in, for example an overnight camp?**

If you are undertaking 'child-related work' that is in connection with more than one occupational field, you must apply for a WWC Check by the due date for the field that is phased in first. For example, the due date for overnight camps was 30 June 2007. If you are involved in 'child-related work' for a club/association in connection with an overnight camp you must apply for a WWC Check before beginning that work, or you and the club/association may be subject to criminal penalties.

***This FAQ sheet is a guide only and is not a substitute for legal advice or the relevant legislation.***

**Further Information**

**Website:**

**[www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren)**

**Information Line:**

**1300 652 879**