

NEW CHILD PROTECTION REQUIREMENTS

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From Risk Manager & State MPIO

Pages 5

Subject New Child Protection Requirements



Football NSW advises that two new Child Protection Requirements commenced on 15 June 2013 which now apply to FNSW and all Clubs, Associations, Branches, Futsal Clubs and Referee Branches.

Requirement 1: FNSW MEMBER PROTECTION DECLARATION

FNSW has introduced a new Member Protection Declaration due to changes with the Working with Children Check and in accordance with the National Member Protection Policy in the provision of a child safe environment for children. The Declaration has been designed in line with new Working with Children Check and to further support the policies and child-safe strategies of all Clubs, Associations, Branches, Football NSW and FFA.

[Click here to view the new FNSW Member Protection Declaration](#)

Member Protection Declaration Guidelines

1. The FNSW Member Protection Declaration applies from 15 June 2013 onwards.
2. A FNSW Member Protection Declaration must be completed by all persons within Football NSW aged 16 years and over, who work or volunteer with children Under 18 years of age.
3. The Declaration applies to all paid and volunteer:
 - Coaches
 - Managers
 - Trainers
 - First aiders
 - Referees
 - Canteen Managers
 - Tour managers and Tour Chaperones
 - and any other person aged 16 years and over working face to face with a child under 18 years
4. There are NO EXEMPTIONS from completing the new FNSW Member Protection Declaration.



5. The Declaration must be completed in full by all existing and new workers and volunteers who work with children under 18 years of age.
6. The Declaration is to be distributed by all clubs, associations, branches, futsal clubs and referee branches to all persons within their organisation who work with children (as above) for completion.
7. If a person signing the Declaration is under 18 years of age the Parent/Guardian Consent at the bottom of the Declaration must also be completed by the Parent or Guardian of the person completing the form.
8. The organisation is responsible for collecting the Declaration and sighting the person's proof of ID.
9. All persons completing the Declaration must produce ID to a club or organisation official to confirm their identification.
10. The "ID Sighted" box on the Declaration must be ticked by the organisation representative when the ID is sighted.
11. The Declaration must be signed in pen by the person completing the Declaration.

(NOTE: An electronic signature is not permitted on a Declaration. Upon seeking further advice this will not be permitted. What is permitted is that organisations are permitted to scan and retain the completed Declarations electronically on file if they choose to do so.)

12. Football NSW recommends that clubs, associations, branches and futsal clubs require all persons working with children to sign a new Member Protection Declaration at the start of every season and then retain the completed Declarations on file for 3 years from date of signing. This process is recommended as preferable due to the regular changeover of committee members and regular turnover of volunteers and for ease of document management.
13. For Referee Branches, the branch may elect to have a declaration signed at the commencement of the referee's registration and then the branch retains the document on file for the term of their registration with the referee branch. (The form must however be kept on file for no less than a period of 3 years from date of signing).
14. A club, association, branch, futsal club and referee branch must be able to produce, if requested by FNSW, a fully completed Member Protection Declaration for any worker or volunteer aged over 16 years within their organisation who works with children.
15. If a person refuses to sign a Member Protection Declaration then that person cannot work or volunteer with children in a face-to-face role. Where a person states that for legal or other reasons they cannot sign the FNSW Member Declaration then that person should be referred to their Association, Branch or Football NSW.
16. Football NSW, associations and clubs retain the right under the screening requirements and process of the National Member Protection Policy to request references and/or request a national police check or 'Part Exclusion' police check on any person in considering their suitability for a role where that person is applying to work or volunteer with children.
17. Football NSW, associations and clubs retain the right under the screening requirements and process of the National Member Protection Policy to make an assessment as to whether a person may be unsuitable to work or volunteer with people under the age of 18 years.
18. In accordance with the National Member Protection Policy FNSW, association and clubs shall protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the screening or checking processes.

For further details regarding Screening of applicants please refer to the National Member Protection Policy.

Requirement 2: New WORKING WITH CHILDREN CHECK

On 15 June 2013 the NSW State Government introduced a new Working with Children Check. This Check process and new legislation replaces the previous Check legislation and processes.

Clubs and organisations with **paid staff** must immediately comply with the new Check requirements.

Clubs and organisations with **volunteers only** will comply with the new Check in 2015.

Volunteer only organisations should also read these guidelines to understand the new Check processes and answer any questions you may receive from your members.

Guidelines

This is to be used as a general Guide only. For detailed information please visit www.newcheck.kids.nsw.gov.au

1. Ensure that a responsible person (MPIO or Secretary/Registrar/Committee Member) understands the new requirements by attending a [free WWC Information Session or on-line webinar](#).
2. If your organisation has paid workers who work with children (U18), your organisation must first register for the new Working with Children Check. Previous employer registration numbers no longer apply.
3. **To register your organisation** go to www.newcheck.kids.nsw.gov.au and choose the START HERE tab. Follow the Employer Registration process and complete the on-line Employer Registration. In the Child Related Sector section ensure that you select "Clubs or other bodies providing services to Children".

Once registered your organisation will be able to access the on-line Checking system.

4. Your organisation then must ensure that all new paid employees aged 18 years and over, working in a face to face role with children (U18) obtain a Working with Children number.
5. To ensure this is understood by job applicants, you should stipulate that the role it is a Child Related Position and a Working with Children Check Clearance and WWC Number will be required.
6. Provide Job Applicants with a copy of the [How to Apply for a Working with Children Check Factsheet](#) or advise they should visit the Working with Children Check website www.newcheck.kids.nsw.gov.au
7. Your organisation will then ask all new employees to provide you with their WWC number or ask them to apply for a Working with Children Number should they be offered the position.
8. Once your organisation receives the person's WWC number, your organisation will then check the new employees WWC number on-line at www.newcheck.kids.nsw.gov.au
9. When you check their details in the on-line Checking system you must ensure that the person is Cleared to work with children.
10. Your organisation will also need to maintain a record of the details of all persons within the organisation who have been Check and Cleared and when their WWC number is due to expire. This record should be in compliance with the [Employer Guidelines](#) which are also available on the new Check website.

RELEVANT INFORMATION

New Paid Employees

The new Check requirements apply to new paid workers in a child related role as from 15 June 2013.

Volunteers & Existing Employees

The new Check will apply to volunteers & Existing employees in a child related role from 2015.

Child related roles in Football under the New Working with Children Check

Coaches, Managers, Assistant Coaches, Assistant Managers, Trainers, Referee coaches and Referee mentors and any other person working in a face-to-face role with children under 18 years of age. (unless exempt as per below)

Exemptions

The following are exempt from the new Working with Children Check:

- Children under 18 years of age
- Referees (who only referee football games)
- Referee Assessors
- Canteen Managers and Canteen and BBQ workers
- Volunteer parents coaching/managing their own child/relative's team are exempt
- Other exemptions as detailed in the Employer Guidelines

Volunteer Only Organisations

If your organisation only has volunteers who work with children, then:

- only the new FNSW Member Protection Declaration will apply, and
- the new Working with Children Check will apply to your organisation and volunteers in 2015.

Referee Branches

We provide the following advice for all Referee Branches:

- Referees whose only role is to referee football fixtures:
 - must fill out a FNSW Member Protection Declaration
 - Are exempt from the Working with Children Check requirements
- New paid persons at a Referee Branch working face-to-face with children (U18)
E.g. A person paid to coach junior referees or paid to mentor junior referees or similar role
 - must fill out a FNSW Member Protection Declaration
 - must comply with the Working with Children Check
- Persons volunteering or existing paid persons at a Referee Branch working face-to-face with children (U18)
E.g. A person who volunteers or is an existing paid person who coaches or mentors junior referees or similar.
 - must fill out a FNSW Member Protection Declaration
 - does not comply with the Working with Children Check until 2015.

Frequently Asked Questions - for Referee Branches

Q: Do all referees have to fill out a FNSW Member Protection Declaration?

A: Yes

Q: Do referees who only referee football fixtures have to have a Working with Children Number?

A: No. Persons who only referee football fixtures are exempt from the Working with Children Check.

Q: Do people who volunteer to coach junior referees need a WWC Number?

A: No, not until 2015. The Working with Children Check will apply to these roles in 2015.

FREQUENTLY ASKED QUESTIONS

Q: Why has FNSW introduced the new Member Protection Declaration?

A: The new Member Protection Declaration:

- relates to offences that are not covered under the working with children check.
- applies to referees
- applies to all volunteers working with children, including parents who coach their own child's team
- enquires into the background of people who undertake work or volunteering with children
- supports existing policies and strategies that work to provide a safe sport environment

The Declaration requires a worker or volunteer to declare that they do not have a criminal charges or criminal convictions relating to children or acts of violence or any disciplinary proceedings by an employer, sport organisations or another organisation. Applicants also declare that they are not serving a sanction for violation under the anti-doping rules and that there is no other matter that may constitute a risk to any members, volunteers or athletes.

Q: Should our club ask people working with children to sign the new Member Protection Declaration now?

A: The Declaration applies to all people working and volunteering within Football NSW from 17 June 2013.

Q: What do clubs and organisation do with the blank child protection forms that people usually sign?

A: Blank child protection forms that were used previously must be thrown away and not used again.

This includes forms titled:

- "Prohibited Employment Declaration"
- "Volunteer Declaration"
- "Declaration & Consent form"
- "Working with Children Check Consent form"

These forms are also referred to as Working with Children Check forms.

Links on websites to these forms must also be removed.

Q: What do clubs do with the old Child Protection (wwcc) forms that have been signed prior to 15 June 2013?

A: The old forms that have been signed and/or checked must be stored securely for 3 years from date of signing. Do not discard any previously signed child protection forms unless they are more than 3 years old.

Q: How do I know if I need a Working with Children Check Number?

A: They can ask their club or take the [Working with Children Check Quiz](#)

Q: Where do I apply for a Working with Children Number?

A: [Click here to apply for a WWC Number](#) or visit www.newcheck.kids.nsw.gov.au

Q: Where can people who work and volunteer with children find more information?

A: Information is available at www.newcheck.kids.nsw.gov.au

Q: Where do clubs and organisations find more information about the new Working with Children Check?

A: More information is available at:

- The new Working with Children Check website www.newcheck.kids.nsw.gov.au
- A free Information Session [Click here](#)
- A free on-line Information webinar [Click here](#)

For further information

Visit the Football NSW [Member Protection webpage](#) or www.newcheck.kids.nsw.gov.au or

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