

Issue Area 10: Screening Unit Details

Location

The location for the WWCVP Screening Unit is yet to be determined. The location of State/Territory units for screening people working with children has varied from jurisdiction to jurisdiction, with locations within Departments/Commissions of Justice, Families and Communities, Child Protection and Police.

There were 14 comments. Common themes across all responses were the need for the Unit to be independent of existing Government agencies and that safeguards protecting privacy must be of the highest order. Accessibility and responsiveness were also often noted as essential requirements.

Nine respondents supported the screening unit being based within Tasmania and made the following suggestions:

- an independently established and located office and administratively within a government agency;
- administratively in DHHS, with Service Tasmania as a shop front;
- not in the Commissioner for Children's Office
- within the Commissioner for Children's Office;
- matters relating to children to be managed through the Commissioner for Children's Office, and other vulnerable people either through a Commissioner for Older Tasmanians or the Social Inclusion Commissioners office;

Five respondents provided support for all or some of the screening Unit functions to be outsourced to another State. Comments supporting an outsourced model included, possible cost benefits, increased perception of independence, importance of privacy and confidentiality, and the difficulties in maintaining this in a small State.

One respondent suggested a model where the Police Information checking occurred interstate, and policy was administered locally.

Are there functions that it is important to ensure are delivered from within Tasmania. If so which ones?

Should some of the functions be outsourced to an interstate Screening Unit? If so which ones?

Supporting Safe Environments for children and vulnerable people.

In the discussion paper it was noted that WWCVP checks are only one component of reducing the abuse of vulnerable people in Tasmania. A large part of the onus of supporting the creation of safe working environments rests with organisations and individuals who work with vulnerable people.

It was proposed that the WWCVP Screening Unit will promote awareness of the *National Framework for Creating Safe Environments for Children* and will support employers and organisations by entering into a partnership with interested bodies to:

- establish a web link to the National Framework;
- produce and distribute fact sheets concerning the National Framework;
- develop materials to assist individuals and workplaces to adhere to the National Framework; and
- monitor voluntary compliance with the National Framework
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Many respondents commented on the importance of the WWCVP Screening System undertaking organisational capacity building that targets risk management skills and understandings in service organisations.

The importance of having strategies in place to enhance organisation capacity building that targets risk management is noted.

Is this function most appropriately located within the Screening Unit, or are there more appropriate alternatives?

For many community members and organisations seeking information and advice in relation to child abuse and prevention, the Working With Children Check web site is frequently a first point of reference. It is important that this site also provide associated information and links to assist people to locate the support or resource needed.

The SCP is designed specifically to provide organisations with a wide range of resources to implement safeguarding children and young people policies, practices and procedures against 7 nationally accredited standards.

The WA WWCC web site lists ACCYO/ACF Safeguarding Children Program as a suggested organisational resource.

Establish and maintain an employment and volunteer register.

In the discussion paper it is proposed that the Screening Unit will notify employers and organisations interim negative notices, and of any deregistration resulting from self disclosed information. For this to occur it may be necessary for the screening unit to have details of card holders employment and volunteer arrangements.

Is it appropriate that the WWCVP Unit maintain a register of cardholder's employment and volunteering commitments? If not, is there an alternative way that the WWCVP can ensure that employers and organisations are notified when required?

Yes the screening unit must have current employment/volunteering details to ensure that any changes/convictions are passed on to the employer.

This is also relevant to ongoing monitoring of new charges and convictions as it is the only way that monitoring can be effective (bearing in mind that the TAS model does not include ongoing monitoring at this stage). Most systems require the employee/volunteer to notify the unit of change of employment details, but QLD have just introduced a back-up measure which also requires employers to notify the unit when they employ a card-holder. In leaving this solely as the card-holder's responsibility there is the danger that a new offender could change jobs in order to avoid detection.

Accordingly, in order to monitor the status of employees/volunteers, the screening unit also requires a working protocol that sees the courts-police informing the screening unit data base, of all new charges-offenses.

Compliance

It was proposed that the WWCVP Screening Unit would undertake certain compliance activities, including:

- sending letters to select employers/organisations seeking confirmation that:
 - all people that are required to have checks have been checked and approved;
 - people with negative notices are not employed; and
 - prohibited people are not employed.
- physical spot checks of select employers/organisation;
- investigating public complaints or information that allege a breach of WWCVP legislation; and
- referring breaches of WWCVP legislation for prosecution.

There were 8 comments. Seven respondents were generally supportive of the proposal. One respondents was opposed to the provision for spot checks

Two respondents questioned how the provisions would be managed and resourced, whether it as intended that WWCVP staff would also be trained investigators, or whether alleged breaches would be referred to the police or Work Place Standards for investigation.

Are there additional compliance activities that should be included?

Is it appropriate that WWCVP undertake the compliance activities listed above?

Yes,

**or assigning compliance roles to functions of the Ombudsman's office.
(see roles within NSW Ombudsman's office, and Queensland
Commissioner for Children and Young People.)**

**If not are there functions that should be provided by other authorities such
as the police, authorised officers under the Child Care Act 2001 or
Workplace Standards?**