

CHAPTER 2

SUITABILITY SCREENING AND WORKING WITH CHILDREN CHECKS

INTRODUCTION

3.2.1 Defence is committed to providing a youth safe environment. Suitability assessment and Working with Children Checks (WWCC) for personnel required to work specifically with youth on behalf of Defence are primary risk controls to prevent harm to youth.

POLICY INTENT

3.2.2 The intent of this policy is to ensure that personnel who Defence require to engage with youth are appropriately assessed by Defence and when required, obtain and maintain jurisdictional WWCC Clearance(s) in accordance with relevant [state or territory legislative requirements](#).

3.2.3 Defence working with children checks policy is consistent with :

- a. Principle 5 of the [National Principles for Child Safe Organisations](#): *People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice*
 - (1) Key Action Area 5.1: *Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing*
 - (2) Key Action Area 5.2: *Relevant staff and volunteers have current working with children checks or equivalent background checks*
- b. the [National Standards for Working with Children Checks](#)

3.2.4 A guide to this policy is included at Annex A.

DEFINITIONS

3.2.5 **Youth-related Work Position.** A youth-related work position is any ADF, APS, contractor or volunteer position where the incumbent is required to, on behalf of Defence:

- a. undertake youth-related work as the primary duty/responsibility of the position¹
OR
- b. provide overnight care and supervision of youth participating in a Defence Youth Program or Defence Force Recruiting activity

¹ A position is not a youth-related work position if any likely interaction/work with youth is incidental (secondary) to the primary duty/responsibility of the position and can generally be observed or monitored by others.

3.2.6 **Youth-related Work.** Youth-related work is supervised or unsupervised work, whether paid or unpaid, that:

- a. involves face-to-face or physical interaction, or oral or written communication via any medium, with one or more youth on behalf of Defence **AND**
- b. relates to religious activities and services, or activities and services that are provided specifically (only or mainly) for youth².

POLICY

IDENTIFICATION AND ANNOTATION OF YOUTH-RELATED WORK POSITIONS

3.2.7 **ADF and APS Youth-related Work Positions.** Group Heads and Service Chiefs must ensure all ADF and APS youth-related work positions within and/or related to their Group or Service are identified and annotated in PMKeyS.

3.2.8 To avoid doubt and assist in identification of youth-related work positions, ADF and APS personnel **are not** in a youth-related work position if they are:

- a. commanders, managers, supervisors, instructors or the colleagues of, or service providers³ to, Defence personnel who are youth in a Defence workplace where youth-related work is not the primary duty, function or service provided by the unit/organisation/position
- b. required to support a Defence Youth Program activity, unless they are required to provide care and supervision of youth participating in an overnight activity⁴
- c. peers of Defence personnel who are youth undertaking education and training.

3.2.9 **Contractor and Volunteer Youth-related Work Positions.** Group Heads and Service Chiefs must ensure that all contractor and volunteer youth-related work positions within and/or related to their Group or Service are identified and annotated in CadetNet⁵ or contract documentation as applicable.

3.2.10 To avoid doubt and assist in identification of youth-related work positions, contractors and volunteers:

- a. **are** in a youth-related work position if they are a Cadet Adult Volunteer, including Officers of Cadets and Instructors of Cadets, and Defence Approved Helpers

² The majority of youth-related work is undertaken in Defence Youth Program and Defence Force Recruiting contexts.

³ Including health, psychology, administration, logistics, accommodation and transportation services that are not specifically (only or mainly) provided for youth, but excludes chaplaincy services.

⁴ Commanders, managers and supervisors who support a discrete Defence Youth Program activity will be briefed well in advance in relation to youth protection requirements, including the need for WWCC if applicable, by the program/activity sponsor.

⁵ Annotation can be via assignment of a Cadet Organisation role within CadetNet.

- b. **are not** in a youth-related work position if they are instructors of, or service providers⁶ to, Defence personnel who are youth in a Defence workplace where youth-related work is not the primary duty, function or service provided by the unit/organisation/position
- c. **are not** in a youth-related work position if they are peers of youth participating in Defence Youth Programs.

SELECTION OF PERSONNEL FOR YOUTH-RELATED WORK POSITIONS

3.2.11 Adults working with youth are acting in a position of trust and are likely to be viewed as role models. Role modelling is critical to creating a safe environment and providing a positive experience for youth, as well as protecting Defence's reputation. Careful consideration to the selection of personnel required to work or engage with youth is required.

3.2.12 Career management agencies, human resource managers, contract managers, and youth program commanders, managers, and supervisors must ensure that only personnel who are [assessed as suitable](#) to undertake youth-related work are selected and posted, appointed or contracted to youth-related work positions.

3.2.13 Commanders, managers and supervisors must ensure that personnel who are not in a youth-related work position but are required to manage, supervise, instruct, or provide services to youth, are [assessed as suitable](#).

3.2.14 **Contractors.** Where it is intended to contract youth-related work, contract managers must ensure that:

- a. appropriate [Commonwealth Child Safety Clauses](#) are included in the tender documentation and contract
- b. the selected contractor complies with the child safety clauses.

3.2.15 **Non-Australian Based Contractors and Locally Employed Civilians.** Commanders, managers and supervisors who intend to use non-Australian-based contractors or locally employed civilians overseas or in external Commonwealth territories in youth-related work positions should engage with the appropriate authority to determine their suitability to undertake youth-related work before they are contracted/engaged by Defence (refer Section 3 Chapter 1). Authorities may include but not be limited to the Department of Foreign Affairs and Trade, local government, police, child protection and/or other local authorities.

WORKING WITH CHILDREN CHECKS

3.2.16 **Non Youth-related Work Positions.** Personnel who are not in a youth-related work position are not required to obtain a WWCC Clearance(s).

⁶ Including health, psychology, administration, logistics, accommodation and transportation services that are not specifically (only or mainly) provided for youth, but excludes chaplaincy services.

3.2.17 ADF and APS Youth-related Work Positions. Commanders, managers and supervisors must ensure that ADF and APS personnel in youth-related work positions:

- a. obtain and maintain WWCC Clearance(s) for the states and/or territories relevant to their youth-related work in accordance with each relevant jurisdiction's requirements while they remain in a youth-related work position
- b. are aware of their obligation to advise their commanders, managers and supervisors of any event or issue that impacts or could impact their WWCC Clearance(s)
- c. sign a code of conduct (refer Section 2 Chapter 2) and complete relevant youth safe training (refer Section 5 Chapter 1)

3.2.18 Commanders, managers and supervisors may allow ADF and APS personnel in youth-related work positions to undertake youth-related work pending the issue of a WWCC Clearance providing:

- a. it is verified a WWCC application has been submitted to the relevant State and/or Territory agency
- b. the WWCC application is not withdrawn
- c. the work does not involve providing overnight care and supervision of youth participating in a Defence Youth Program or Defence Force Recruiting activity.

3.2.19 Contractor and Volunteer Youth-related Work Positions. Commanders, managers and supervisors must ensure that contractor or volunteer incumbents or potential incumbents of youth-related work positions:

- a. obtain WWCC Clearance(s) for the states and/or territories relevant to their youth-related work in accordance with each relevant jurisdiction's requirements **before they undertake ANY youth-related work** in that state or territory
- b. maintain WWCC Clearance(s) for the states and/or territories relevant to their youth-related work in accordance with each relevant jurisdiction's requirements while they remain in a youth-related work position
- c. are aware of their obligation to advise Defence of any event or issue that impacts or could impact their WWCC Clearance(s)
- d. sign a code of conduct (refer Section 2 Chapter 2) and complete relevant youth safe training (refer Section 5 Chapter 1).

3.2.20 WWCC Non-clearance. Commanders, managers and supervisors must ensure that personnel who apply for, but are subsequently not issued/re-issued a WWCC Clearance, are:

- a. immediately removed from or not placed in a youth-related work position and **do not undertake ANY youth-related work** on behalf of Defence

- b. administered in accordance with relevant personnel or member management policy.

3.2.21 WWCC Annotation and Record. Commanders, managers and supervisors must ensure:

- a. each WWCC Clearance, Non-clearance or Exemption⁷ is annotated against the individual in PMKeyS, CadetNet or other relevant personnel/contractor management system
- b. an electronic copy of each WWCC Clearance, Non-clearance or Exemption is stored in the individual's personnel file on Objective or member record in CadetNet as applicable.

3.2.22 Cost of WWCC Clearances. Commanders, managers and supervisors must cover the cost of obtaining and maintaining WWCC Clearances from their allocated budgets.

PRIVACY

3.2.23 All information collected in relation to WWCC policy must be managed in accordance with the privacy requirements defined in Section 1 Chapter 2.

Annex

- A. Guide to Youth Protection Suitability Screening and Working with Children Checks

Accountable Officer: Chief of Joint Capabilities (CJC)

Policy Owner: Head Joint Support Services Division (HJSSD)

⁷ A WWCC Exemption relates to the situation where a jurisdiction advises that a WWCC is not required.