Working with Children Procedure

1 Purpose

To ensure all Employees are aware of the legislative requirements and Procedures in relation to working with Children.

2 Scope

This Procedure applies to all Employees engaged in child-related employment who are required to obtain a blue card to carry out these activities. Specifically, but not limited to, Employees engaged in counselling and support services, residential facilities, and education programs conducted for Children are required to obtain a blue card.

3 Procedure Overview

This Procedure details the legislated requirements for all Employees engaged in child-related employment.

4 Procedures

4.1 Application

The 'Working with Children' check is designed to determine whether or not a person is suitable to work with Children. An Employee who is required to undergo a check must complete an application for a blue card. Application for a blue card is made through the Public Safety Business Agency Blue Card Services website.

The blue card application enables the Public Safety Business Agency (the Agency) to investigate a person's criminal history, which may affect that person's suitability to work with Children. An investigation of a person's full criminal history includes charges and convictions for offences no matter when or where in Australia they occurred, or whether they have been recorded or not.

4.2 Employees

Positions across the University involved in child related employment have been identified. It is the responsibility of the Category 4 Delegate or above to advise the People Portfolio of additional positions within their faculty/section that may fall into one of the identified child related employment categories.

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Employees will be notified in their appointment letter of the requirement to hold a blue card and will also specify that commencing and continuing their employment is conditional on holding the blue card.

Employees who hold a current blue card when starting work with the University will be validated through the Agency, and the University will link the Employee's blue card to the University.

4.3 Payment of blue cards

All Employees identified as being engaged in child-related employment are responsible for the cost of obtaining their blue card.

4.4 Advice on suitability

Following lodgement of the application form to the Public Safety Business Agency, the process then involves the Agency determining suitability. The Agency will then make either a positive or negative Notice about the applicant's suitability.

Where a positive Notice is received a blue card will be issued to the Employee. The University will also be notified of the Employee suitability to work in child-related employment. This Notice will be retained on the relevant Employee file. The Employee or Student must advise the University and the Agency about any changes to their police information.

Applicants deemed by the Agency to be unsuitable are issued with a negative Notice which is valid indefinitely unless cancelled or reviewed by the Agency. There is an appeal mechanism for an Employee to lodge an appeal where they believe there to be a mistake. The University will be advised of the Agency's final Decision on unsuitability. The University will only be advised that the applicant is unsuitable and will not be advised of the reasons for unsuitability.

Should an Employee identified as requiring a blue card for their employment fail to obtain or continue to hold one, the University is obligated under the *Working with Children (Risk Management and Screening) Act 2000* to cease their employment immediately. In the first instance however, where possible, a transfer to a suitable position not requiring a blue card may be negotiated where such a position is available and mutually agreeable.

Blue cards are valid for three years and are transferable to other types of child-related employment. Employees are required to apply for renewal for a further period. An Employee involved in child-related employment must renew their blue card prior to expiry or be subject to the No Card, No Start law and cannot work. Re-application is required for Employees who lose their suitability cards. Any costs for renewals will be met by the individual.

4.5 Offences and penalties under the Act

It is an offence to employ or engage a person in child-related employment where:

- the employer has not applied for a criminal history check; or
- is aware that a negative Notice has been issued and is current; or
- is aware the person has been convicted of a serious offence and has not received a blue card; or
- has applied for blue card about the Employee and has been notified by the Commission that the Employee has withdrawn their consent to the criminal history check.

It is an offence for persons deemed unsuitable by the Agency to apply for, or start, or continue in child-related employment.

It is also an offence to provide false or misleading Information or documents for the purposes of the criminal history check.

Employees must continue to advise the University about any changes to their criminal history. To protect privacy, Employees are not required to disclose any Information about the change in their criminal history to the University, other than to tell the employer that a change has occurred.

On receipt of such Information, the employer must not continue to employ that person without applying to the Agency for a further blue card for that Employee. Failure to do so will be deemed an offence under the Act.

5 Delegated Responsibilities

Approver	Level of Delegation
Vice-Chancellor	Terminate appointment of Employees issued with a negative suitability Notice where alternative arrangements cannot be made.

6 References

Nil.

7 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

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8 Procedure Information

Accountable Officer	Chief People Officer
Responsible Officer	Chief People Officer
Policy Type	University Procedure
Policy Suite	Child Safe Policy
Subordinate Schedules	
Approved Date	10/12/2025
Effective Date	10/12/2025
Review Date	3/4/2024
Relevant Legislation	*Working with Children (Risk Management and Screening) Act 2000* *Working with Children (Risk Management and Screening) Regulation 2011*
Policy Exceptions	Policy Exceptions Register
Related Policies	
Related Procedures	
Related forms, publications and websites	Blue Card Services People Portfolio Website
Definitions	**Terms defined in the Definitions Dictionary**
	Child or Children Means anyone under the age of 18. Decision A determination made by an Employee, contractor or other authorised delegate in the course of their duties on behalf of the University. Delegate (noun) Delegate (noun) means the officer, Employee or committee of the University to whom, or to which, a delegation of authority has been made under this Policy. Employee

A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.

Information

Any collection of data that is processed, analysed, interpreted, organised, classified or communicated in order to serve a useful purpose, present facts or represent knowledge in any medium or form. This includes presentation in electronic (digital), print, audio, video, image, graphical, cartographic, physical sample, textual or numerical form.

Notice

A Notice from the University is a document, whether physical or electronic. A Notice may be: given by hand to the addressee or delivered to the address provided by the addressee to the University; or sent by registered or pre-paid mail to the address provided by the addressee to the University; or sent by electronic communication to the University-issued email account provided by the University to a Student during the period of Enrolment until the completion of their program; or sent by electronic communication to the email address provided to the University by an addressee not enrolled at the University. A Notice is taken to be received if: given by hand to the addressee or delivered to the address provided to the University by the addressee; or sent by registered or pre-paid mail - three University Business Days after the date of posting; or sent by electronic communication - at the time that would be the time of receipt under the Electronic Transactions Act 1999 or its succeeding legislation. A Notice that would be deemed to have been received out of business hours or on a non-University Business Day will instead be deemed received on the next University Business Day.

Procedure

An operational instruction that sets out the process to operationalise a Policy.

Student

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of

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	Absence or whose admission has not been cancelled. University The term 'University' or 'UniSQ' means the University of Southern Queensland.
	Definitions that relate to this procedure only
	Counselling and Support Services Includes a person other than a registered health practitioner, providing counselling or a similar support service to a child in a situation where the person is physically present with the child while no-one else is present; or the person is not physically present with the child. **Education Programs** Means providing services or conducting activities for an Education program under the *Education (General Provisions) Act 1989*. **Proof of Identity** Documents means the documentation required to be submitted with the Blue Card application form. Two original documents must be submitted to the University and may include a driver's licence, birth certificate, passport, credit card, bank statement, electoral card or any other documentation which is specified on the application form. The University will not retain the documents and is only required to certify that the original documents have been sighted. Further details are available from the Blue Card Services website. **Residential Facilities** Means a place where child accommodation services are provided.
Keywords	Children, working with children, blue card, suitability Notice
Record No	13/485PL

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