




BLUE CARD POLICY

(WORKING WITH CHILDREN CHECK)

Purpose:	The purpose of this Policy is to set out the way in which Ormiston College will comply with its responsibilities under the <i>Working with Children (Risk Management & Screening) Act 2000 (Qld)</i> .		
Scope:	This Policy is to be adhered to by all stakeholders which include all staff, directors, managers, workers, parents, students, volunteers, contractors, suppliers and visitors to the College.		
References and Legislation:	<ul style="list-style-type: none">• <i>Working with Children (Risk Management & Screening) Act 2000 (Qld)</i>• <i>Working with Children (Risk Management & Screening) Regulation 2020 (Qld)</i>• <i>Working with Children (Risk Management & Screening) and Other Legislation Amendment Act 2019</i>• <i>Education (General Provisions) Act 2006 (Qld)</i>• <i>Education (General Provisions) Regulation 2017 (Qld)</i>• <i>Information Privacy Act 2009 (Qld)</i>		
Ormiston College Related Documents:	<ul style="list-style-type: none">• Child Protection Policy• Blue Card Information for Staff – No Card No Start• Restricted Person Declaration Form		
Policy Owner:	College Governing Body	Version:	V201124
Status:	Approved	Supersedes:	V040822
Authorised by:	MICHAEL HORNBY	To be reviewed:	Every 3 years
Date of Authorisation:	31/01/2025	Next Review Date:	November 2027
Signature:			

RATIONALE

Ormiston College applies the Blue Card Employment Screening process to ensure that it complies with its responsibilities under the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

Unless otherwise exempt under a statute or order (for example Registered Teachers), all paid employees, who present for work to undertake child-related employment or activities at Ormiston College require a Positive Notice Blue Card (P) if their duties include, or are likely to include, providing services directed mainly towards a child or children, or conducting activities that involve contact with children.

Volunteers require a Positive Notice Blue Card (V) prior to commencing child-related work or activities irrespective of the frequency of the work, unless they are parents or legal guardians of a child at Ormiston College.

The *Working with Children (Risk Management & Screening) Act 2000 (Qld)* provides an exemption from the Blue Card requirements for any person who is a Registered Teacher or Police Officer or Health Practitioner (who is a Registered Health Practitioner in accordance with the Health Practitioner Regulation National Law Act 2009) and who works with children as part of their professional duties.

The No Card, No Start laws restrict certain people from relying on an exemption to work with children, in some circumstances.

The College has the responsibility to ensure all people working or volunteering with children, including those in restricted employment, are not a restricted person. They must also ensure anyone beginning to work or volunteer in restricted employment is not a restricted person before they start working or volunteering with children.

See Definitions for explanation of Restricted Person and Restricted Employment.

Additional information can also be found on the Blue Card Services website at:

<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/required/working-or-volunteering>

DEFINITIONS

Blue Card

A Blue Card is issued to a person who is the holder of a current Positive Notice from Blue Card Services and is valid for three (3) years from the date of issue. A Blue Card displays the following information about the Blue Card holder:

- the name of the person;
- a photo of the person (taken from Driver's Licence);
- the Blue Card number;
- the expiry date of the person's Positive Notice; and
- the signature of the person.

Child/Children

A person under the age of 18 years.

Child-Related Work/Employment or Activities

Employment or activities conducted at Ormiston College are regarded as child-related if the usual functions of the employment or activities include or are likely to include:

- (a) providing services that are directed mainly towards children; or
- (b) conducting activities that mainly involve children.

Staff

A person employed by Ormiston College Ltd.

Exemption Card

An Exemption Card is issued to a Registered Teacher, Police Officer or Registered Health Practitioner, allowing them to undertake child-related services that are not part of their normal employment, such as private tutoring of a child, work in a childcare centre, volunteering at a children's sporting club, participating in a homestay or reading program or supervising after school hours care.

Exemption Cards are not subject to the No Card, No Start legislation. Registered Teachers who require an Exemption Card may engage in regulated employment once the Exemption Card Application has been received by Blue Card Services.

Exemption Cards are valid for 3 years and then cancelled if not renewed.

Frequency Test

The Frequency Test will check whether a person needs a Blue Card, based on how much regulated work (Paid or Volunteer) the person will do in a year. If it is more than seven (7) days in a calendar year, a Blue Card is needed.

For this Test a calendar year starts from 1 January and ends on 31 December. A 'day' is for any period of time on one (1) day, irrespective of whether it is a full day or part day (eg. 2 hours of work on 1 days is considered to be a day).

You cannot rely on the Frequency Test if you are a **Restricted Person** (see page 3) or running a business.

Positive Notice

A Notice issued by Blue Card Services which permits a person to perform child-related employment or activities.

Negative Notice

A Notice issued by Blue Card Services which prevents a person from performing child-related employment or activities.

Police Information

Any information issued by the Police Commissioner which may include an individual's criminal history and investigative information.

Parent

A Parent is a child's mother, father or someone else, other than the Chief Executive (Child Safety), who has or exercises parental responsibility for the child. A person standing in the place of a Parent on a temporary basis is not a Parent for the child.

A Parent for an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a Parent of the child.

A Parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a Parent of the child.

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Registered Health Practitioner

Includes Medical Practitioners, Nurses, Midwives, Podiatrists, Psychologists, Optometrists, Osteopaths, Physiotherapists and Occupational Therapists.

Note: Speech and Language Therapists are not Registered Health Practitioners and **DO** require a Blue Card.

Restricted Person

A restricted person is a person who:

- has been issued a negative notice
- has a suspended blue card
- is a disqualified person
- has been charged with a disqualifying offence which has not been finalised
- is the subject of an adverse interstate Working with Children Check decision that is in effect

Restricted Employment

Restricted employment refers to particular exemptions which allow a person to work with children without a Blue Card, such as:

- a volunteer parent;
- a volunteer who is under 18;
- working with children for less than 7 days in a calendar year;
- a person with a disability who is employed at a place where the person also receives disability services or NDIS support or services; and
- a secondary school student on work experience who carries out disability related work under the direct supervision of a person who holds a Blue or Exemption Card.

Volunteer

An unpaid worker performing child-related work or activities at Ormiston College.

The following Volunteers are exempt from holding a Working with Children Authority (Blue Card):

- parents of a child attending Ormiston College; or
- a legal guardian of a child attending Ormiston College; or
- volunteers who are under 18; or
- a volunteer/guest of the College who is observing or supplying information or entertainment in their regulated, child-related work and the activity is for not more than 7 days in a calendar year; and the volunteer is unlikely to be alone with a child without another adult present.

RESPONSIBILITIES

Board Members

Ormiston College Governing Body members must not breach the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

Governing Body members must have a Positive Notice Blue Card (V) PRIOR to commencing as a Board member for the College and ensure that their Blue Card is valid at all times and does not expire, including during periods of absence from Board member duties.

If a Blue Card is suspended or cancelled or, if the Governing Body member is issued with a Negative Notice, the Governing Body member is unable to either, commence or to continue as a member of the Governing Body or any of the related Committees at Ormiston College.

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Paid Employees who are not QLD Registered Teachers

All employees must not breach the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

The No Card, No Start laws states that all non-teaching employees must hold a Positive Notice Blue Card (P) **PRIOR** to commencing work at Ormiston College. Paid employees not holding a Positive Notice Blue Card (P) must lodge a Blue Card application as soon as they are offered employment at Ormiston College.

Paid employees who commence child related work at Ormiston College and who already have a Positive Notice Blue Card (P) must provide their Blue Card details so their Blue Card can be linked to Ormiston College.

Employees must ensure their Blue Card does not expire at any time, including during periods of absence from duty.

If a Blue Card held by an employee expires, then they **CAN NOT** continue to work at Ormiston College until they have been issued with a new Positive Notice Blue Card (P) by Blue Card Services.

Employees must immediately notify Blue Card Services and the Ormiston College Executive as soon as they become aware that their Police Information has changed, for example if they have been charged or convicted of a criminal offence.

If a Blue Card is suspended, cancelled or the employee is issued with a Negative Notice, the employee is unable to commence or continue working in child related employment or activities at Ormiston College.

Employees must, within 14 days, notify Blue Card Services and the Ormiston College Executive:

- when their Blue Card and/or Positive Notice has been lost or stolen; or
- when they change their name or contact details.

More information about an employee's responsibilities under the *Working with Children (Risk Management & Screening) Act 2000 (Qld)* can be found on the Blue Card Services website.

Volunteers (including grandparents, canteen, classroom and sport volunteers)

Volunteers must not breach the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

Volunteers must hold a Positive Notice Blue Card (V) **PRIOR** to commencing child related work or activities unless an exemption exists under the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

Volunteers must ensure that their Positive Notice Blue Card (V) does not expire at any time, including during periods of absence from duty.

If a Blue Card held by a volunteer expires, the volunteer **CAN NOT** continue to work in child-related work until the volunteer has been issued with a new Positive Notice Blue Card (V) by Blue Card Services.

Volunteers with a Positive Notice Blue Card (V) must complete an online *Volunteer to Paid Employment Transfer Form* **PRIOR** to commencing paid work.

Trainee Students (Work Experience Placement)

Trainee students must not breach the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

All Trainee students must hold a Positive Notice Blue Card (V) **PRIOR** to commencing child-related work or activities at Ormiston College irrespective of their age and the Blue Card must remain valid for the entirety of their work placement at the College.

Contractors

Contractors must not breach the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*.

Employees of Contractors who work within Ormiston College that do not provide services directed mainly towards children or conduct activities mainly involving children are not required to hold a Blue Card, with the exception of cleaners and grounds people. Examples of Contractors that do not require Blue Cards include electricians, builders and other tradespeople where the individual is providing services to the College and not to children.

All cleaners and grounds people must hold a Positive Notice Blue Card (P) **PRIOR** to commencing any work at Ormiston College irrespective of the frequency of the work.

Cleaners and grounds people must ensure that their Blue Card does not expire at any time, including during periods of absence from duty.

If a Blue Card held by a cleaner or grounds person expires, then they **CAN NOT** continue to work at Ormiston College until they have been issued with a new Positive Notice Blue Card (P) by Blue Card Services.

If a cleaner or grounds person's Blue Card is suspended or cancelled or, if they are issued with a Negative Notice, the individual is unable to either commence, or to continue any work at Ormiston College.

All other Contractors require a Blue Card if they are deemed to be conducting a service directed mainly towards children and are working within the College grounds for more than seven (7) days in a calendar year (see Frequency Test, page 2).

IMPLEMENTATION

Ormiston College is committed to acting in accordance with Chapter 8 of the *Working with Children (Risk Management & Screening) Act 2000 (Qld)*, "*the Act*", relating to the screening of employees in such a way that limits risks to children. In particular, Ormiston College will:

- Require relevant prospective or current staff, volunteers, trainee students and governing body members to have a Working with Children Authority (Blue Card) and check the validity and appropriateness of any currently held notices as appropriate, in accordance with Ormiston College position descriptions and *the Act* prior to the commencement of their engagement.
- Not allow a person to continue to work with children if their Working with Children Authority (Blue Card) is cancelled or suspended or a Negative Notice is received after a change of Police Information.
- Have all relevant prospective staff and volunteers engaging in Restricted Employment acknowledge and sign a Restricted Person Declaration Form declaring they are not a Restricted Person prior to commencing their engagement.
- Not allow a person relying on an exemption to continue to work with children if they become a Restricted Person.

- Link and unlink individuals as they commence and conclude their engagement with the College.
- Appoint a College contact person who will be responsible for managing the screening process and all related documentation and records.
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry of Blue Cards and Exemption Cards.
- Ensure that all information in relation to Working with Children Authority (Blue Cards) is kept confidential.
- Act to remind staff to keep their Working with Children Authority (Blue Card) up to date and apply for a renewal prior to expiry.
- Take appropriate action if a staff member, volunteer, trainee student or member of the Governing Body fails to submit a renewal application prior to their Working with Children Authority (Blue Card) expiring.

This commitment is evidence of Ormiston College's fulfilment of the requirements of *Working with Children (Risk Management & Screening) Act 2000 (Qld)* Chapter 1 s.6(b).

COMPLIANCE and MONITORING

Ormiston College will ensure that this Policy is made available to staff via Staff Kiosk/Links and is reviewed every three (3) years or as required by legislation.

LINKS

Working with Children (Risk Management & Screening) Act 2000 (Qld)

<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2000-060>

Working with Children (Risk Management & Screening) Regulation 2020 (Qld)

<https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2020-0131>

Working with Children (Risk Management & Screening) and Other Legislation Amendment Act 2019

<https://www.legislation.qld.gov.au/view/pdf/asmade/act-2019-018>

Information Privacy Act 2009 (Qld)

<https://www.legislation.qld.gov.au/view/whole/pdf/inforce/current/act-2009-014>

Blue Card Services

<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services>

Blue Card System explained – <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/system-explained>

Blue Card Services Contact – <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/contacting>

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