

Attachment 1

STATE AND TERRITORY LEGAL REQUIREMENTS AND licensing

Jurisdiction	Act	Type of program
ACT	Working with Vulnerable People (Background Checking) Act 2011 (ACT)	The ACT Working with Vulnerable People Background Check requires that individuals engaging in regulated activities or services, including where these are provided to children, must be registered. A statutory Screening Unit within the Office of Regulatory Services, Justice, and Community Safety Directorate is responsible for applications for registration. The registration is valid for 3 years and is subject to ongoing monitoring. There are three types of registration administered to individuals under the Working with Vulnerable People Background Check: general registration, which is transferable across all roles and organisations; role-based registration; and conditional registration.
NSW	Child Protection (Working with Children) Act 2012 (NSW)	The NSW Working With Children Check that came into effect 15 June 2013 has resulted in a move from an employer-driven point-in-time system to a system whereby individuals, including volunteers, are responsible for their own application for certification. Employers operating within a child-related industry are required to register online with the NSW Office of the Children's Guardian and subsequently to conduct online verification of new paid employees' clearance. Existing paid workers and all volunteers (new and current) also need to have clearance validated online as they are phased in to the new check system. The check is valid for 5 years and subject to ongoing monitoring.
NT	Care and Protection of Children Act 2007 (NT)	Individuals are required to apply for a Working With Children Check, known as an Ochre Card in the NT. The Ochre Card, which is also known as a Clearance Notice, is valid for 2 years and applies to employers and volunteers in child-related employment settings. For more information & registration, visit Northern Territory Government Working with Children website.
QLD	Working with Children (Risk Management and Screening) Act 2000 (Qld)	Individuals are required to apply for a Working With Children Check, known as a Blue Card in Queensland. Valid for 3 years, Blue Cards entitle individuals to engage in child-related occupations/volunteering. Organisations providing child-related services must also have policies and procedures in place to identify and minimise risk of harm to children, which are monitored by the Public Safety Business Agency. For more information & registration, visit Blue Card Services.

Jurisdiction	Act	Type of program
SA	Children's Protection Act 1993 (SA)	The South Australian system is an employer-driven point-in-time system requiring employers and responsible authorities to obtain national police checks and conduct wider screening assessment for those engaging in child-related occupations/ volunteering. For more information & registration, visit Government of South Australia Department for Communities & Social Inclusion.
TAS	Registration to Work with Vulnerable People Act 2013 (Tas.)	The Registration to Work with Vulnerable People Act 2013 came into effect on 1 July 2014. The Act is being phased in over 3 years beginning July 2014, replacing the Good Character Check screening program. Child services will be the first sector required to make the transition to the new regulations. Individuals who work or volunteer in the childcare or other child-related sectors are required to apply for a Working with Children Check. Registrations are valid for 3 years or as determined by the Registrar. For more information, visit Tasmanian Government Department of Justice.
VIC	Working With Children Act 2005 (Vic.)	Individuals are required to apply for a Working With Children Check. Valid for 5 years, the check entitles individuals to engage in child-related occupations/ volunteering and practical training. For more information & registration, visit Victorian Government Department of Justice & Regulations.
WA	Working with Children (Criminal Record Checking) Act 2004 (WA)	Individuals are required to apply for a Working With Children Check. Valid for 3 years, the check entitles individuals to engage in child-related occupations/ volunteering. For more information & registration, visit Government of Western Australia Department for Child Protection and Family Support.

Source: <http://fitness.org.au/articles/policies-guidelines/working-with-children-check/4/74/20>