

THE PRESBYTERIAN AND METHODIST SCHOOLS ASSOCIATION

1. FAIRNESS AND EQUITY

05 POLICY TITLE: PRESCRIBED NOTICES FOR COUNCILLORS, EMPLOYEES AND VOLUNTEERS

Preface

The *Commission for Children and Young People and Child Guardian Act 2000* has the effect of requiring schools to screen anybody who will provide services directed mainly towards children (under 18) or who will conduct activities that mainly involve children.

The screening process required by the Act requires an application for a prescribed notice. The application is processed by the Commission for Children and Young People and Child Guardian and, if the individual has not previously been charged with or convicted of certain criminal offences, the Commissioner will issue a positive notice. These positive notices have become known as "Blue Cards".

Council will ensure that all Council members, any new non-teaching employees, and all volunteers who assist on a regular basis, except those who fall into the exempted categories, have valid prescribed notices.

The only exemptions from this requirement relate to those persons and situations as may by law or regulation be permitted.

It is PMSA policy that a higher standard of practice than the minimum required by legislation is the ultimate aim and objective of the Association.

Policy Statement

It is PMSA policy that all persons who are engaged in or provide services to student children in PMSA schools, except those volunteers who fall into the exempted categories, must be holders of positive prescribed notices issued by the Commission for Children and Young People and Child Guardian before commencing provision of services.

It is PMSA policy that if a Negative Notice is issued by the Commission for Children and Young People and Child Guardian to:

1. A current member, that member is automatically disqualified from participation in PMSA activities or roles.
2. A former member, that member is automatically ineligible to reapply for any position, role, or activity within PMSA.

Policy Outline Principles

1. The care and protection of children in our schools is of paramount importance.
2. We will strive to make our schools places of safety for children. Children should be and feel safe from any threat or perceived threat both while on school property and also while in the care of school personnel outside the school environment.
3. We acknowledge and accept that a high level of trust is placed on us by our students, their families and the wider community. Accordingly, we will not tolerate any threat toward children and will actively seek to prevent the occurrence of any threat.

4. We consider that a Negative Notice is a breach of this trust and constitutes a potential threat towards children.
5. We will treat allegations under the *Commission for Children and Young People and Child Guardian Act 2000* seriously, sensitively and confidentially subject only to such disclosure as is necessary to deal with the matter under this policy and as required by law.
6. We will not compromise any Police investigation and will co-operate fully with investigating Police, government or judicial authorities.
7. We commit ourselves to ensuring that all our actions are morally upright and that those who work in our schools agree with and adhere to our policies.

Process Statement

- (a) The only screening required by legislation for each person engaged in or providing services for child-related employment is the Blue Card which serves to:
 - protect the students;
 - prevent the committing a breach of statutory duty;
 - prevent the possibilities of invalidating public liability insurance;
 - maintain school accreditation.
- (b) Each person who is a Councillor, employee or volunteer of PMSA, its committees or schools, except those volunteers who fall into the exempted categories, must hold and keep current a Blue Card.
- (c) Any person who is an employee of PMSA, its committees or schools, who does not hold a current Blue Card is not to engage in services to which a Blue Card applies, without having made application to the Commission for Children and Young People and Child Guardian.
- (d) Any person who is a Councillor or Volunteer of the PMSA, its committees or schools, except those volunteers who fall into the exempted categories, who does not hold a current Blue Card is not to engage in services to which a Blue Card applies.
- (e) The PMSA will meet the fee for each Blue Card application for PMSA Councillors and appointees, employees and volunteers approved by the Principals.

The only exemptions from the requirement to hold a current Blue Card, which will be permitted by PMSA, are those exemptions currently permitted by law, and relate to the following four categories of volunteers:-

1. Parents of children at the school. This exemption is contained in *The Commission for Children & Young People and Child Guardian Act 2000*, itself.
2. Persons who provide occasional billet hospitality, that is to say, not more often than twice in the same year, and for periods that are each of ten days or less.
3. Persons who perform a function –
 - not more often than twice in the same year
 - and for periods that are each ten days or less
 - and in a situation where the person is unlikely to be physically present with a child without another person who is an adult also being present.
 - and at an event -
 - which is organised at a state or national level in relation to a sporting, cultural or skill based activity
 - and attended by more than 100 people,
 - eg Australian sporting championships organised by a national sporting organisation or a national gathering of members of State based organisations for cultural or sporting development.

4. Persons who are guests for the purpose of observing or supplying information or entertainment to 10 or more people, not more often than twice in the same year, for periods that are each of ten days or less, and in a situation where the person is unlikely to be physically present with a child without another person who is an adult being present, eg teacher from another country observing students as a guest of a school, or a worker telling students about the worker's occupation.

Exemptions (2), (3) and (4) are contained in the Commission for Children and Young People Amendment Regulation (No 1) 2005.

Incidents

There are three levels of incidents to which this policy applies:

- (a) when a member is the subject of a Police investigation into a serious criminal offence.
- (b) when a member is charged with a serious criminal offence.
- (c) when a member is convicted of a serious criminal offence.

As soon as the occurrence of any of the three above incidents comes to the attention of PMSA or its Committees, the incident shall forthwith be reported to the Chairman of PMSA who shall:

- (a) together with the Chairman, Abuse Reference Committee, invoke the appropriate procedures of the Abuse Policy.
- (b) together with the Deputy Chairman and Chairman of the Abuse Reference Committee determine whether –
 - (i) to reduce or suspend the relevant member from further duty pending the issue of a Negative Notice or otherwise; or
 - (ii) the circumstances of the incident require the member's immediate termination from duty.
- (c) inform the Chairman of the relevant School Council.

The receipt of a Negative Notice resulting from any of the incidents above automatically invokes this policy.

Responsibilities

It is the responsibility of all Chairmen and Principals to ensure that all Councillors, Officers and volunteers are aware of and understand this policy, and that the appropriate procedures are followed.

It is the responsibility of the Business Managers to receive and lodge applications with the Commission for Children and Young People and Child Guardian in respect of non-teaching employees and volunteers, except those volunteers who fall into the exempted categories, and to keep an up-to-date inventory list of prescribed notices which will be included in reporting processes.

It is each person's individual responsibility, except those volunteers who fall into the exempted categories, to make application for a prescribed notice, to make all disclosures to PMSA as required by the *Commission for Children and Young People and Child Guardian Act 2000*, and to keep it current by timely renewal.

Prevention

In order to provide reasonable assurance that all legislative and regulatory requirements in relation to child protection are being met, the Chairman of the Abuse Reference Committee (or such other person as may from time to time be substituted by the Committee) will conduct an audit, at least annually, of the inventory lists of prescribed notices and exemptions (Blue Card Registers) in respect of all those who work in PMSA schools, including, but not necessarily limited to, all teaching and non-teaching employees, Councillors, volunteers and external contractors who work regularly in PMSA schools.

Application

This policy applies to all Council members, their appointees, all non-teaching employees, and volunteers who assist on a regular basis except those volunteers who fall into the exempted categories.

Amended by PMSA Council 19.5.2006
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