



Working With Children Check Requirements for Community Bands in NSW

The information below is provided following confirmation and approval from the NSW Officer of the Childrens Guardian to assist Community Bands to correctly determine their legal obligations in regards to who in your community band is required to obtain a Working With Children Check.

What is a Working With Children Check?

A Working With Children Check is a requirement for people who work or volunteer in child-related work.

Workers and volunteers who apply for a WWCC will be assessed based on their national criminal history and any findings of workplace misconduct.

The result of a WWCC is either a “Clearance” to work with children (this is valid for a 5 year period), or a “Bar” against working with children. Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to the Clearance being revoked.

The Working With Children Check is fully portable so it can be used for any paid or unpaid child-related work in NSW for as long as the worker remains cleared.

The Working With Children Check (WWCC) is a legal requirement for workers and volunteers who are in child-related work. Child-related work is defined as physical or face-to-face contact with children within your organisation.

Requirements

All workers and volunteers involved in bands who have direct contact with children as part of their roles will be required to have completed a WWCC. If they have not or refuse to obtain a check then they will not be able to continue in their role within the community band.

Some workers may be exempt from these requirements in certain circumstances.

Roles that require a Working With Children Check clearance:

****but not limited to***

- Conductors of a Junior Band or Junior Band Program (A Junior Band or Junior Band Program is a band comprised wholly of members under the age of 19 years)
- Tutors working with Junior Bands or working one on one with under 18 years olds in an adult band
- A helper who assists a Junior Band or the delivery of a Junior Band program or activity
- A board or committee member whose role extends beyond strategic management, administrative

or clerical duties e.g. a board or committee member who mentors U18s or actively assists with the delivery of programs and activities specifically for children (for example: A Junior Band program, tutoring children under 18 years of age).

- A volunteer (apart from a regular playing member) in a role where contact with children is more than incidental to the role.
- All volunteers (including parents) who are attending or supervising at an overnight youth band camp or who are responsible for any children apart from their own close relatives.

Roles that DO NOT require a WWCC

****but not limited to***

- Individual members of an adult or mixed adult/youth community band are not required to have a WWCC unless they are acting as a one on one mentor or tutor of under 18 year old persons.
- Conductors, Tutors, Volunteers, Band Administrators, Secretaries, Committee Members, and other administrative roles within an adult senior or Mixed community band are generally NOT required to have a WWCC unless they are directly involved in the delivery of a Junior Band program, one on one mentoring/tutoring of under 18 year olds, or, the regular membership of the band has 50% or more of its membership being under the age of 18 years.

We advise that organisations should undertake a risk assessment as there may be instances in an adult or mixed community band where a Conductor, Tutor, Mentor or Band member takes on a one on one mentoring role of under 18's which may require a WWCC.

With the exception of those in conducting, mentoring and tutor roles which may have one on one contact or be involved in running a Junior Band Program, individual adult members of a community band are NOT required to have a WWCC just because under 18 year olds are present and playing in that band.

We do recommend that community bands make it clear and obvious that their bands are an adult or mixed organisation.

What your Band needs to do:

- 1- Conduct an assessment of whether the volunteer and administrative roles in your organization may require the worker to hold a valid WWCC . Information to assist can be found at <https://ocg.nsw.gov.au/working-children-check/who-needs-check>
- 2- Establish and maintain a WWCC policy for your band which details which roles may be required to have a WWCC.
- 3- Register your Band as a Volunteer Organisation at <https://wwccemployer.ocg.nsw.gov.au/Register>. Registration enables employers to verify a WWC number to ensure it is valid.
- 4- Maintain a register of WWCC holders, numbers and roles for your Band.
- 5- Verify the status of each WWC or APP number online through <https://wwccemployer.ocg.nsw.gov.au/Login>

Further Information can be obtained by visiting <https://ocg.nsw.gov.au/working-children-check> or calling 02-8219 3777.

If you have any concerns, or further questions, please contact the BANSW secretary at secretary@bandnsw.com