



CLAREMONT COLLEGE

An Anglican Co-Educational Primary School

Volunteer Undertaking

The School, being an organisation that works with children and young people, is committed to ensuring and enhancing the safety and wellbeing of children.

As part of this commitment, the School requires that all volunteers provide the undertaking set out below.

NAME OF INDIVIDUAL: _____ DATE OF BIRTH _____

1. Working With Children Check (cross out the options which are not applicable to you)

I hold a Working with Children Check Clearance. The Working with Children Check Clearance number is _____.

OR

I am not currently required to have a Working with Children Check Clearance under the WWC Act. I will obtain a Working with Children Check Clearance in accordance with the WWC Act when I am required to do so under the WWC Act and provide the School with the applicable Working with Children Check Clearance number.

2. Undertaking

2.1 I undertake to the School that:

- (a) I am not a Disqualified Person;
- (b) none of the Assessment Requirement Triggers apply to me;
- (c) I am not subject to an interim bar on engaging in child related work under section 17 of the WWC Act and I have not had an application for a Working With Children Check Clearance refused;
- (d) I have not had any previous employment or engagement terminated on the grounds that I engaged in any Reportable Conduct and/or sex offence or any misconduct that may involve Reportable Conduct and/or a sex offence;
- (e) I have not retired or resigned from any previous employment or engagement following allegations that I engaged in any Reportable Conduct and/or sex offence or any misconduct that may involve Reportable Conduct and/or a sex offence;
- (f) I have never been charged with engaging in any Reportable Conduct and/or sex offence;
- (g) I am not currently the subject of allegations that I engaged in Reportable Conduct and/or sex offence or any misconduct that may involve Reportable Conduct and/or a sex offence;
- (h) I have never been the subject of allegations of any Reportable Conduct and/or sex offence or any misconduct that may involve Reportable Conduct and/or a sex offence;
- (i) I will not engage in any Reportable Conduct and/or sex offence; and
- (j) I have not been the subject of proceedings commenced for any of the offences specified in Item 1(3) of Schedule 1 of the WWC Act (whatever the outcome of those proceedings).¹

2.2 If you cannot give the undertaking set out above, you should not sign this Undertaking. You may, however, wish to speak with your employer or the Principal about the relevant occurrence.

¹ This may be found at: http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/sch1.html

3. Definitions

In this Undertaking:

- (a) **"Assessment Requirement Trigger"** means an offence or finding of misconduct involving children, as defined in Schedule 1 of the WWC Act.²
- (b) **"Child related work"** means work as defined in section 6 of the WWC Act³ and further defined in Part 2 of the *Child Protection (Working with Children) Regulation 2013*.⁴
- (c) **"Children's Guardian"** means the Children's Guardian appointed under section 178 of the *Children and Young Persons (Care and Protection) Act 1998*.
- (d) **"Disqualified Person"** means a person who has been convicted of, or against whom proceedings have been commenced for, a disqualifying offence. A list of disqualifying offences is at Item 1 of Schedule 2 of the WWC Act.⁵
- (e) **"Reportable Conduct"** means:
 - (i) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including grooming of a child, child pornography offences or an offence involving child abuse material);
 - (ii) any assault, ill treatment or neglect of a child; or
 - (iii) any behaviour that causes psychological harm to a child,whether or not, in any case, with the consent of the child.

Reportable Conduct does not extend to:

- (iv) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
- (v) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures, or
- (vi) conduct of a class or kind exempted from being reportable conduct by the Ombudsman, except where there is an alleged pattern or repeated instances of such conduct.

Note: Examples of conduct that would not constitute "reportable conduct" include (without limitation), touching a child in order to attract a child's attention, to guide a child or to comfort a distressed child; a school teacher raising his or her voice in order to attract attention or to restore order in the classroom; and conduct that is established to be accidental.

- (f) **"WWC Act"** means the *Child Protection (Working with Children) Act 2012* (NSW).
- (g) **"Working with Children Check Clearance"** means an authorisation from the Children's Guardian to engage in child related work in accordance with the WWC Act.

Signed _____ Date

Print Name

² This may be found at: http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/sch1.html

³ This may be found at: http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/s6.html#child-related_work

⁴ This may be found at: http://www.austlii.edu.au/au/legis/nsw/consol_reg/cpwcr2013479/

⁵ This may be found at: http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/sch2.html