

WORKING WITH CHILDREN BLUE CARD POLICY

## PURPOSE

To provide a written process by which Balance Foundation Ltd. can comply with its responsibilities under the Working with *Children (Risk Management and Screening) Act 2000 (Qld)* in relation to employment and volunteer arrangements.

## SCOPE

Employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers (parent/legal guardian exempted) and people undertaking work experience or vocational placements.

## RESPONSIBILITY

Instructors reporting to the Board of Directors

## LEGISLATION AND REFERENCES

[*Commission for Children and Young People and Child Guardian Act (2000*](http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf)*)*

[*Working with Children (Risk Management and Screening) and Other Legislation Amendment Act*](https://www.legislation.qld.gov.au/view/pdf/asmade/act-2019-018)[*2019 (Qld)*](https://www.legislation.qld.gov.au/view/pdf/asmade/act-2019-018)

[Working with Children (Risk Management and Screening) Act 2000 (QLD)](https://www.legislation.qld.gov.au/view/html/inforce/2018-01-01/act-2000-060)

## POLICY STATEMENT

Balance Foundation Ltd. and its subsidiaries complies with the Working with Children Check system, managed by Queensland Government Blue Card Services, to minimise the risks of harm to children and young people.

Any individual who works, volunteers or undertakes a practical placement in a regulated child- related environment must meet their specific blue card requirements. The No Card, No Start law requires people to hold a valid Working with Children Check **before** undertaking their role. (The law allows people to apply for a blue card prior to employment in order to be job ready.)

* **Balance Foundation Board Members** – must hold a blue card before they commence as a Board member and begin attending meetings.
* **Paid workers** – any staff member, who is not a registered teacher or a registered health practitioner working in their professional capacity, must hold a blue card prior to commencing work. This includes administration staff, teacher aides, outside school hours’ care, people delivering extra-curricular activities, maintenance staff and cleaners.
* **Volunteers** – must hold a blue card if they are providing services directed mainly towards children. **Exemptions are a volunteer parent/legal guardian of a child attending the school** or a child under 18 years of age (unless a ‘restricted person’)**.**
* **Trainee students** – must hold a blue card if they are enrolled in a tertiary course (including certificate, TAFE and university courses) and need to do a practical placement.

# BLUE CARD EXEMPTIONS

### A volunteer who is the parent/legal guardian of an enrolled student. Registered Health Practitioners who are working in their professional capacity. Exemption card holders (e.g. police officers).

**Persons conducting infrequent child-related work:**

A blue card **is not required** if the regulated child-related work is **not more than 7 days in a calendar year.** This test applies to volunteers, paid employees and students doing practical placements for their course. If the work is conducted more than 7 days**,** a blue card is needed.

### Teachers with current QCT Registration:

Teachers registered with the Queensland College of Teachers are exempt from requiring a blue card when they work with children as part of their professional duties. (This exemption only applies when registered teachers are providing services at their normal place of employment. They must apply to Blue Card Services for an exemption card if they provide child-related services in a volunteer or other capacity. Exemption card applicants will be able

to start in regulated child-related work as soon as they submit the exemption card application form to Blue Card Services.)

# RENEWING EXPIRING CARDS

Provided the renewal application is submitted **before the current card expires**, paid employees, volunteers, or trainee students may continue working—even if the new blue card has not been issued by the time the previous one expires.

**If the application is not submitted before the expiry date, they will not be able to continue working and the No Card, No Start law applies.**

## RESPONSIBILITIES

### The organisation has a responsibility to:

* Discuss the eligibility criteria with all applicants and require all relevant people to submit the appropriate blue card application. (It is an offence for the organisation to employ or continue to employ a ‘restricted person’1 in ‘restricted employment’2 if it knows, or should reasonably know, that they are a restricted person.)
* Ensure all workers hold a blue card **before** they provide services to or conduct activities with children (excluding those who are parents/guardians of enrolled students or those who are exempt).
* Ensure existing blue card holders have **both a valid and the correct type** of card for the work they are undertaking. If not, the card holder must submit the transfer form and obtain the appropriate blue card (e.g. transfer volunteer to paid card).
* Link the applicant/card holder on the Organisational Portal and sight their identification documents **prior** to the commencement of their work.
* Delink the card holder when they cease work with Balance Foundation Ltd.

1 A *restricted person* is a person who either:

* + has been issued a negative notice
	+ has a suspended blue card
	+ is a disqualified person
	+ has been charged with a disqualifying offence that has not been finalised.

2 Restricted employment refers to the situations or exemptions that allow a person to work with children without a blue card, such as if they are:

* + a volunteer parent
	+ a volunteer who is under 18
	+ paid or unpaid staff who work in regulated child-related employment for not more than 7 days in a calendar year
	+ a consumer at a child-related service outlet where they also carry out work at the outlet.
* Ensure a person who has their blue card cancelled, suspended or who receives a negative notice after a change in police information does not continue to undertake child-related work at the College.

### Blue Card holders have a responsibility to:

* Complete the Blue Card application prior to their start date. (It is an offence for a person who has been convicted of a disqualifying offence to apply for a blue card, unless an eligibility declaration has been granted.)

o Non-teaching employees must self-fund their blue card application.

* Ensure that their blue card does not expire at any time, including during periods of absence from duty (i.e. leave). If expired, the employee/volunteer is subject to the No Card/No Start law and cannot work until the new card is provided.
* Immediately cease working/volunteering and notify Blue Card Services if they become a *restricted person (*been issued a negative notice, or blue card is suspended, or is a disqualified person, or has been charged with a disqualifying offence which has not been finalised).
* Notify Blue Card Services and the Chair of the Board of Directors within 14 days of any of the following:
* when their card and/or positive notice has been lost or stolen, using the ‘Card/Notice Letter Lost or Stolen’ form
* when they change their name or contact details, using the ‘Update Contact Details’ form
* when their employment/volunteering ends, using the ‘No Longer with Organisation (for applicants/cardholders)’ form

 **Procedure**

Applicant applies online for Blue Card (or exemption card). Applicant uses the Customer Reference Number from their driver's licence/photo ID as proof of identity on the application.

Applicant receives a Registration Code upon submission. Email this Code to the Chair, Board of Directors.

The applicant is to pay the prescribed Blue Card fee via Blue Card website.

###  Appointment of a new employee (non-teaching):

Director checks the validity of the card [online](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations/valid)

Director verifies the full name and signature on blue card match identification documents.

Link the card holder to the organisation prior to the commencement date using the Portal.

If the applicant already holds a volunteer blue card and is moving into a paid employment arrangement, they must complete a [‘Volunteer to paid employment transfer form’](https://www.publications.qld.gov.au/dataset/no-card-no-start-forms/resource/973300fb-2e36-4fc0-81fb-3415f2788949) and pay the prescribed fee. They will be issued with a brand new card with an additional three years validity.

They can commence in paid work once their volunteer to paid application has been submitted.

Does the potential employee have an existing blue card?

No

Yes

Blue Card Services will update the Portal and send email notification to College. College is to:

1. **Sight cardholder’s ID and link them to the College via the Portal prior to the commencement date.**
2. Record details on the College Blue Card Register.
3. Save copy of the email notification to the Blue Card Notification Folder.

Directors shall review expiry dates and send employees an email reminder.



Advise Blue Card Services if the person ceases working with the College by delinking card holder on the Portal.

 **Appointment of a new volunteer** *(e.g., classroom helper, host family)***:**

Does the new volunteer have an existing blue card?

No

Once linked to the College, the Applicant finalises blue card application online.

College to sight cardholder’s identification and link volunteer via Organisation Portal

Applicant receives an Online Registration Code upon submission and gives Code to College.

Director is to sight volunteer’s ID and Blue Card. Verify the full name and signature match identification documents.

Check the validity of the card [online](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations/valid)

Link the Blue Card on the Organisational Portal

Applicant applies online for Blue Card (or exemption card if they are a police officer or teacher).

Applicant uses the Customer Reference Number from their driver's licence as proof of identity.

Yes

Blue Card Services send email notification to College. College is to:

1. Record details on the College Blue Card Register.
2. Save copy of the notification to Blue Card Folder by year of expiry & alphabetically.
3. Ensure Volunteer has completed College Volunteer Induction (annually).



Review expiry dates and follow up as required on a monthly basis.

Advise Blue Card Services if the person ceases working with the organisation by delinking card holder on the Portal.

The employee is to pay the prescribed fee online or by completing the payment details on the form.

The renewal application is to be completed online.

 **Renewal of Blue Cards**

The Secretary of the Board of Directors maintains a register of all blue cards recording expiry date details.

Renewal dates are monitored by the Secretary of the Board of Directors.

The employee/volunteer is notified by the Queensland Government Blue Card Services to renew their current Blue Card.



*As a designated contact person, any of the Board of Directors can contact the Commission to determine status and progress of application/renewal.*

**As long as the renewal application is submitted before the current card expires, you can continue to work in paid employment/volunteer/undertake student placement—even if your new blue card is not issued by the time your previous card expires.**

**If you don’t apply to renew your card before it expires, you will not be able to continue working or volunteering until a new blue card has been issued.**

Upon receipt of confirmation letter from Blue Card Services:

1. Update details on the organisation Blue Card Register.
2. Save copy of email notification to Blue Card Notification Folder.
3. File notification into Employee’s / Volunteer file.

**APPENDIX**

**RESTRICTED PERSON DECLARATION FORM**

Balance Foundation Ltd. has a responsibility to ensure that all commencing and continuing individuals, working or volunteering with children, at the College are not a ***restricted person***.

A ***restricted person*** is a person who:

* + has been issued a negative notice, or
	+ has a suspended blue card, or
	+ is a [disqualified person,](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/eligible) or
	+ has been charged with a [disqualifying offence](https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/eligible) which has not been finalised.

***Restricted employment*** refers to the situations or exemptions that allow a person to work with children without a blue card. These include:

* + a volunteer parent;
	+ a volunteer who is under 18;
	+ paid or unpaid staff who work in child regulated employment for not more than 7 days in a calendar year.

If you are a ***restricted person*** it is an offence for you to commence or continue working or volunteering at in ***restricted employment***. The maximum penalty is $66,725 (500 penalty units) or 5 years in prison. It is also an offence for the Foundation to engage or continue to engage a ***restricted person***. The maximum penalty is

$26,690 (200 penalty units) or 2 years in prison.

If you become a ***restricted person*** whilst working or volunteering at Balance Foundation Ltd. you must cease all child related work **immediately** and notify the Board you are no longer able to work or volunteer for the College.

**Declaration**

Which one of the restricted employment exemptions are you relying on to work or volunteer for Balance Foundation Ltd.?

 a volunteer parent

 a volunteer who is under 18

 child-related engagement for not more than 7 days in a calendar year

I, , declare:

* + - 1. I am not a restricted person.
			2. I understand it is an offence to start or continue working or volunteering in restricted employment if I am currently, or become, a restricted person.
			3. I will cease all child related work **immediately** and notify Balance Foundation Ltd. if my circumstances change.

Signature: Date: