

Working with Children Checks

Report 15: June 2014

Background and Objective

People whose day-to-day work involves contact with children are required to have a working with children check. The check aims to prevent people who have a criminal history that indicates they may pose a risk of harm to children from working with them. It also facilitates the regular checking of criminal records for people in child-related work. We assessed how well the Department for Child Protection and Family Support (the Department) administered the working with children check to help increase the safety of children.

Conclusion

There is a clear screening and criminal record assessment framework in place for working with children check cards. Most applicants (85 per cent) have no criminal record. Applicants with a criminal record were generally well assessed while existing card holders are monitored regularly by the Department for any offences that would warrant withdrawal of a card.

However, the Department can take a long time to reach a decision in more complex cases when criminal record information indicates that a person could be a risk to children. This delay increases the risk to children because a person can continue to work with children until their application is rejected or, if they are an existing card holder, the card is removed. For over half the applicants and a quarter of the card holders we reviewed, it took four months or more to make a decision on whether to stop them working with children.

The Department is doing very little to check that employers and volunteer organisations are making sure that all of their people in child-related work have a working with children check card or an application in process. Only 11 audits of small employers have been carried out since 2010, most of which were in 2013. As a result, the Department is unable to give assurance that the scheme is working as intended.

The Department is not meeting its own obligations as an employer. At April 2014, 115 of the



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Department's 2 577 foster carers did not have either a valid card or an application in process. The working with children check is only one part of the Department's monitoring of foster carers. However, all foster carers are required to have a current card. Allowing them not to weakens the protection provided to children in care, given that the Department will remove a child if a foster carer is issued with a negative notice. This non-compliance should be addressed as a matter of priority.

Recommendations

We recommend the Department should:

- ensure the new application management system provides accurate information to support the allocating and prioritising of applications. This information should include how many and how long applications are waiting to be screened and assessed
- prioritise applications for assessment based on risk and how long they have been waiting to be screened and assessed
- review staffing levels and capacity to more efficiently manage application processing and compliance monitoring
- finalise assessment and decision-making guidelines, including setting timeframes for screening and assessing applications and issuing interim negative notices
- take a risk-based approach to review criminal record notifications received about working with children check card holders from July 2011 to mid-November 2013 to ensure they were appropriately actioned
- work with WA Police to improve the matching of applicants between the two information systems
- prioritise and target audits of employers based on risk
- ensure all foster carers have a valid working with children check card or application in process.



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