Policy title: WORKING WITH CHILDREN AND YOUNG PEOPLE – VOLUNTEERS AND VISITORS (INTERIM)
Published: 2013
Identifier: WWCUPVV201310

NOTE: The previous policies on volunteers and visitors have been combined and updated to reflect changes required by the Working With Vulnerable People (Background Checking) Act 2011. A further general review will take place in early 2014 with a planned release date of June 2014.

Legislation:

- Health Records (Privacy and Access) Act 1997 (ACT)
- Privacy Act 1988 (Cwth)
- Working With Vulnerable People (Background Checking) Act 2011

Procedures:

- Working with Vulnerable People Information for Principals
- Working with Vulnerable People Information for Volunteers and Visitors
- Code of Conduct for Volunteers and Visitors
- Insurance Arrangements for Volunteers Information Sheet
- Summary of Insurance Arrangements for Visitors.

1. POLICY STATEMENT

1.1 There is a traditional and positive relationship between volunteers and schools which is reflected across the preschool to secondary college sectors in a range of classroom, enrichment and support activities. Some volunteers may work through the auspices of a community organisation.

1.2 Recognised benefits of volunteering include:

- Expanding social, cultural and educational outcomes for students
- Facilitating input of indigenous communities in ACT public education
- Enabling greater exposure to the socio-cultural and linguistic diversity that community resources bring to schools
- Increasing communication between ACT public schools and the community
- Providing schools with a broader resource base from which to draw in providing opportunities for excellence and innovation, and
- Enhancing community spirit and cohesion.
1.3 To support the diversity of activities supporting students, the Directorate recognises that some services may be provided by visitors who, as distinct from volunteers, receive some financial gain for their work. They may be either self-employed or work as an employee.

1.4 The Directorate and schools are committed to providing a framework for students to learn in a safe and positive educational environment. This is supported by a number of Directorate and school policies and by the need for compliance with legislation including the Working With Vulnerable People (Background Checking) Act 2011 which captures people, including volunteers, working in regulated services and activities, unless exempt.

1.5 The Directorate recognises that volunteers can support schools in a number of ways without the need to be registered under the Act.

2. RATIONALE

2.1 This policy affirms volunteering as a highly desirable part of the ACT public school system which is encouraged in a diversity of roles and acknowledges the role played by visitors in different contexts.

2.2 Together with associated procedures and guidelines for staff, this policy provides a framework to protect the rights of students to work and learn in a safe, well organised environment, and reflects compliance with the Working With Vulnerable People [Background Checking] Act 2011, and

2.3 It provides a framework that supports volunteers and visitors in ACT public schools in their different roles.

3. DEFINITIONS

Duty of care: the responsibility to exercise reasonable care to protect the safety of any students against injury that should reasonably have been foreseen. This duty exists whenever a student/teacher relationship exists, while students are on school premises during hours when the school is open and while on school based activities taking place elsewhere.

Educational program: tasks/activities related to the school curriculum

Parent/Carer: people with parental responsibility and guardians of students.

ORS: The Office of Regulatory Services which processes applications for Working With Vulnerable People registration and issues registration cards to approved applicants.

Schools: all ACT public preschools, primary schools, special schools, alternate educational settings, high schools and secondary colleges.

Student: a child or young person enrolled in an ACT public school or preschool.

Supervisor: Teacher or Directorate officer delegated by the principal to be responsible for educational programs or related activities.

Visitor: People from the wider community who provide services directly to
students or in support of students for financial gain through a sponsoring or employing organisation, or are self-employed.

**Volunteer**: a person who supports educational programs of schools either through direct contact with students or through school activities without financial gain or reward. They may volunteer either directly to a school as individuals or through the auspices of a community or other organisation.

4. **LEGISLATION**

4.1 **Privacy legislation**

4.1.1 Directorate staff have certain obligations and responsibilities under the *Privacy Act 1988 (Cwlth)* and the *Health Records (Privacy and Access) Act 1997* (ACT). These Acts protect individuals’ rights, including students, staff, volunteers and other visitors to schools, in relation to the collection, use, storage and disclosure of personal information and personal health information held by government agencies.

4.2 **Working with Vulnerable People legislation**

4.2.1 From 7 November 2013, the *Working With Vulnerable People (Background Checking) Act 2011* requires a person over the age of 16 years, both paid and unpaid, who has contact with children whilst engaging in a regulated activity to be registered with ORS, unless exempt under the provisions of the Act, and to carry a valid registration card. Regulated activities include child education services, childcare services, child accommodation, counselling and support services for children and commercial services for children,

5. **PROCEDURES**

5.1 **Application of policy**

5.1.1 The principal/supervisor will provide staff and volunteers including visitors (where appropriate) with clear advice on their roles and responsibilities in relation to the policy and procedures.

5.1.2 The principal/supervisor should address any breach of this policy in accordance with the principles of natural justice. The principal may decline the services of the volunteer or visitor.

5.1.3 Where a contractual or other form of agreement is in place, the terms of the agreement will also be relevant.

5.2 **Support for Volunteers**

- Schools are encouraged to develop a volunteer action plan to better assist the recruitment and use of volunteers to support school programs and students learning.
- Schools are encouraged to provide access to a range of induction, training and support opportunities for volunteers in schools.
- The Directorate in conjunction with schools will provide volunteers with information regarding their rights and responsibilities.
- The Directorate in conjunction with schools will provide training and support
opportunities for staff with key supervisory roles for volunteers.
- Volunteers in schools will be covered by ACT Government insurance arrangements in place at the time. There is protection for volunteers who may accidentally incur legal liability for third party injury and/or damage to third party property.
- Further information about insurance arrangements for volunteers is at paragraph 5.7.

5.3 Code of Conduct for Volunteers and Visitors

- To assist schools in providing a safe environment and a positive educational climate, volunteers and visitors will be asked to comply with the Code of Conduct for Volunteers and Visitors.
- The Code of Conduct for Volunteers and Visitors has been formulated to clarify the type of conduct that is expected when supporting educational programs in ACT public schools.

5.4 Volunteer and Visitor Nomination Forms

- All volunteers and visitors must provide a completed Nomination Form to each school before commencement of activities. Schools should provide assistance to complete this form where it is necessary. Assistance is also provided in the Volunteer and Visitor Nomination Form information sheets.
- A volunteer or visitor should complete the form annually and will need to provide an updated form when personal details change.
- Schools will arrange the secure storage of all Volunteer and Visitor Nomination Forms in accordance with the Directorate's record keeping policy and provisions of the Privacy Act 1988.

5.5 Working With Vulnerable People – ORS Registration Card

5.5.1 From 7 November 2013 volunteers and visitors who work or have contact with children while taking part in certain regulated activities or services, unless exempt under the Working With Vulnerable People (Background Checking) Act 2011, must be registered with the Office of Regulatory Services. There is no exemption for overnight camps for children.

5.5.2 A Directorate guide is at Working With Vulnerable People – Information for Volunteers and Visitors in Schools. This is to assist volunteers and visitors understand whether their activities require registration with Office of Regulatory Services.

5.5.3 Transition arrangements apply to people who have made an application for registration with ORS but a decision has not yet been made. Once issued, the card should be carried by the person whilst engaged in a regulated service or activity.

5.5.4 Where a volunteer or visitor is not required to be registered to work with children by reason of an exemption under the Act, he or she must consider whether there are any serious convictions, circumstances or reasons that might preclude them from working with or near children and young people. They must discuss these with the principal before signing the Visitor Nomination Form.

5.5.5 More information about working with vulnerable people is available from the Office of Regulatory Services.
5.6 **Daily Sign in Forms**

5.6.1 The Daily Sign in Forms will record the date, start and finish times and the tasks undertaken by a volunteer or visitor and should be completed for each visit.

5.6.2 Supervising teachers will have copies of the forms available for volunteers and visitors assisting with excursion, sport carnivals, camps and other activities which occur away from the school campus.

5.6.3 Schools will arrange the secure storage of all Daily Sign in Forms in accordance with the school’s record keeping policy.

5.7 **Insurance arrangements for Volunteers**

5.7.1 Volunteers who support educational programs will be covered by defined personal accident insurance as detailed in the **Insurance Arrangements for Volunteers Information Sheet**. Volunteers may wish to consider whether they need to take out any additional form of insurance.

5.7.2 Arrangements have been put in place to protect volunteers where a volunteer may accidentally incur legal liability for third party injury and/or damage to third party property. Professional coaches should be referred to **Insurance Arrangements for Volunteers information sheet**.

5.7.3 Insurance coverage for volunteers is generated when the completed Volunteer Nomination Form is received by the school.

5.7.4 The principal/supervisor must be informed of all injuries or incidents which occur while volunteering. An official record of injuries/incidents may require the completion of appropriate forms and witness statements.

5.7.5 The Daily Sign in Form will provide proof of involvement as a volunteer for ACT Insurance Authority purposes.

5.7.6 Claims against insurance by volunteers may be made by contacting the Directorate’s Risk Management and Audit Section (Phone: 6207 1974).

5.7.7 People volunteering under the auspices of a school’s Parents & Citizens’ Association or Preschool Parent Association for fundraising or associated activities are not covered by these insurance arrangements.

5.8 **Insurance arrangements for Visitors**

5.8.1 Different insurance arrangements apply to visitors who are not covered by the Directorate’s volunteer insurance arrangements.

5.8.2 The need for insurance and what form of insurance is described in the **Summary of Insurance Arrangements for Visitors**.
5.8.3 Further information is available by contacting the Directorate’s Risk Management and Audit Section (Phone: 6207 1974).

5.9 Confidentiality Undertaking

5.9.1 In circumstances where a volunteer or visitor may have access to personal or confidential information, they may be asked to sign a Confidentiality Undertaking.

5.10 Complaints

5.10.1 Where volunteers have a query or a matter of concern they need to:

- first raise the matter with the relevant staff member and then, if unresolved,
- raise the matter with the principal.

5.10.2 Where there are concerns regarding the application of this procedure or the procedure itself, people should:

- contact the school principal or relevant Directorate Branch in the first instance
- contact the Directorate’s Liaison Unit on 6205 5429 or DET.CommunityLiaison@act.gov.au, or
- access the Directorate’s Complaints Resolution policy, which is available on the Directorate’s website.

6 POLICY OWNER

6.1 Director, Information, Communications and Governance.

6.2 For support in relation to this policy please contact Information, Communications and Governance on (02) 6205 9151 and 6205 4379.

7 RELATED POLICIES

- Working With Vulnerable People – Information for Volunteers and Visitors
- Child Protection Policy
- Excursion and Overseas Excursions Policies
- Outdoor Adventure Activities
- Providing Safe Schools P-12