

Policy Statement:

Mueller College Outside School Hours Care adheres to the State Government Legislation “Children and Young People Act (2000)” which stipulates that all members of an organisation who are in contact with children, should have a Suitability Notice. The “Blue Card”, which is issued by the Queensland Government, is evidence that a “Working with Children” Suitability check has been undertaken by the commission for Children and Young People and Child Guardian.

National Quality Standard (NQS):

Quality Area 2: Children’s Health & Safety
7: Governance & Leadership

2.2	Safety	Each child is protected.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.3	Development of professionals	Educators, co-ordinators and staff members’ performance is regularly evaluated and individual plans are in place to support learning and development.

Education and Care Services National Regulations

84	<p>Awareness of child protection law</p> <p>The approved provider of an education and care service must ensure that nominated supervisors and staff members at the service who work with children are advised of—</p> <p>(a) the existence and application of the current child protection law; and</p> <p>(b) any obligations that they may have under that law.</p> <p>Penalty: \$1000.</p> <p>Note—</p> <p>A compliance direction may be issued for failure to comply with this regulation.</p>
147	<p>Staff members</p> <p>The staff record must include the following information in relation to staff members—</p> <p>(a) the full name, address and date of birth of the staff member;</p> <p>(b) evidence—</p> <p>(i) of any relevant qualifications held by the staff member; or</p> <p>(ii) if applicable, that the staff member is actively working towards that qualification as provided under regulation 10;</p> <p>(c) evidence of any approved training (including first aid training) completed by the staff member;</p> <p>(d) if the education and care service is located in a jurisdiction with a working with children law or a working with vulnerable people law, a record of the identifying number of the current check conducted under that law and the expiry date of that check, if applicable, unless paragraph (e) applies;</p> <p>(e) except in the case of New South Wales, Queensland and Tasmania, if the staff member has provided proof of the staff member’s current teacher registration under an education law of a participating jurisdiction, a record of the identifying number of the teacher registration and the expiry date of that registration;</p> <p>(f) in relation to Tasmania, a record of the identifying number of the staff member’s current working with vulnerable people registration and the expiry date of that registration.</p>

Education and Care Services National Law

14	<p>Working with children law</p> <p>For the purposes of the definition of <i>working with children law</i> in section 5 of the Education and Care Services National Law (Victoria), the Working with Children Act 2005 and the regulations made under that Act are declared to be a working with children law for this jurisdiction for the purposes of the Education and Care Services National Law (Victoria).</p>
170	<p>Offence relating to unauthorised persons on education and care service premises</p> <p>(1) This section applies to an education and care service operating in a participating jurisdiction that has a working with children law.</p>
173	<p>Offence to fail to notify certain circumstances to Regulatory Authority</p> <p>(1) An approved provider must notify the Regulatory Authority of the following in relation to the approved provider or each approved education and care service operated by the approved provider—</p> <p>(a) a change in the name of the approved provider;</p> <p>(b) any appointment or removal of a person with management or control of an education and care service operated by the approved provider;</p>

	<p>(c) a failure to commence operating an education and care service within 6 months (or within the time agreed with the Regulatory Authority) after being granted a service approval for the service.</p> <p>Penalty: \$4000, in the case of an individual. \$20 000, in any other case.</p> <p>(2) An approved provider must notify the Regulatory Authority of the following in relation to an approved education and care service operated by the approved provider—</p> <p>Sch. s. 173(2)(a) amended by No. 9/2017 s. 42(1)(a).</p> <p>(a) if the approved provider is notified of the suspension or cancellation of a working with children card or teacher registration of, or disciplinary proceedings under an education law of a participating jurisdiction in respect of, a nominated supervisor engaged by the service;</p>
271	<p>Disclosure of information to other authorities</p> <p>(5) The Regulatory Authority must disclose to the Regulatory Authorities of other participating jurisdictions the suspension or cancellation of a working with children check, working with children card or teacher registration of a nominated supervisor of which it is notified under this Law.</p>

Objective:

To ensure all adults entering the Service for the purpose of work, visiting or volunteering have ALREADY obtained a relevant Suitability Notice before entering the premises.

Procedure:

- All persons seeking to be employed by Mueller College Outside School Hours Care Service are required to hold a “Blue Card”.
- If the Service is assisting a person in an application for a Blue Card the following steps will be taken:
 - Lodge the appropriate application form with the Commission, ensuring it is completed correctly and in full
 - Provide a verbal warning that it is an offence for a disqualified person to sign a blue card application
 - Ensure you sight and verify the applicant’s identification documents and that the details match those on the application, including name, date of birth and signature
- **A new employee not yet holding a “Blue Card” can NOT commence working for the Service until they have lodged a completed application with the “Commission for Children and Young People and Child Guardian” AND received their positive blue card notice.**
- Volunteers and practicum students who require a blue card must hold a valid blue card **before** they can commence volunteer work or a practical placement as part of their studies.
- Exemption card holders (registered teachers) can commence with the Service, once they have received their exemption card.
- All Blue Cards and Exemption cards (from September 2020) are valid for three years, unless cancelled or suspended, the Blue card renewal process involves a new national police information check, a check of disciplinary information where applicable and a complete reassessment of an applicant’s eligibility.
- The Nominated supervisor will keep a record of expiry dates and renewal dates of all employee blue cards, and will ensure all cards remain current and that the rules below are followed regarding renewals.
 - **Paid employees must receive their new card before the expiry date to continue working.**

- Volunteers, practicum students and business operators must receive their new card before the expiry date to continue at the Service.
- Exemption cards will now have an expiry date of 3 years or if they have no date it will expire on 31/08/2023. All teachers working in OSHC are required to hold an exemption card before commencing.
- As a guide, at least 28 business days is needed for applications to be processed.
- The Outside School Hours Care Service funds the renewal of Blue Cards for permanent educators only.
- The Commission will send a renewal application and reminder to the blue card holder 16 weeks before their blue card expires. It is the employee's responsibility to notify the Nominated supervisor to begin the process of Renewal Application.
- If a paid employee, volunteer, or practicum student already holds a valid blue card or exemption card, the commission will be notified that they are commencing work at the Service.
- If a person holds a volunteer or student blue card (for which they have not paid the prescribed application fee) and they are proposing to transfer in paid employment at the Service, they are required to transfer their card by lodging the relevant application form and paying the prescribed application fee. They will need to have notification of approval BEFORE commencing work at the Service.
- All visitors and contractors that attend the Service during operational hours must present their blue card upon arrival. For pre-arranged visits, such as incursions or visits as part of the educational program, it is preferred that a copy of their blue card be send to the Service in advance.

REFERENCES:

- www.bluecard.qld.gov.au
- Education and Care Services National Law Act 2011, Current as at March 2023
- Education and Care Services National Regulations, Current as at October 2023
- Guide to the National Quality Framework, Revised July 2023
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022

See also:

- Mueller OSHC Child Protection Policy & Procedure