



Working with Children Check - Blue Cards

Version Number

2.0

Implementation Date

9/07/2012

Scope

All state schools

Purpose

Working With *Children – Blue Cards* provides specific advice about the requirements of the Working with Children Blue Card legislation as they relate to *employment* with the Department of Education, Training and Employment.

This procedural policy describes how Working with Children - Blue Card legislation applies to Department of Education, Training and Employment employees and schools. Well-being and safety of children in department care is assisted by complying with the Commission for Children and Young People and Child Guardian's employment screening process of ensuring individuals working in schools possess a Blue Card.

Overview

The well-being and safety of children in departmental care is supported through compliance with the Commission for [Children and Young People and Child Guardian's](#) *employment* screening process, ensuring individuals working in schools possess a *Blue Card*. Please also see Risk Management.

School-based staff who are not registered with the [Queensland College of Teachers](#) (QCT), or who are not *registered health practitioners*, are required to hold a current Blue Card. Instrumental Music Teachers are required to hold and self fund a Blue Card. In certain circumstances, registered teachers may need an *exemption card* when not providing services as part of their professional duties.

[Under most circumstances](#), all paid employees, contractors and *volunteers (other than parents)* who provide child-related services or conduct child-related activities regulated under a category of the [Commission for Children and Young People and Child Guardian Act 2000 \(Old\)](#) will be required to hold a Blue Card.

Paid employees can commence their regulated child-related *employment* while their Blue Card application is being processed.

Teachers with current QCT registration do not require Blue Cards, as teacher registration includes equivalent checks. Volunteers who are registered teachers may need to apply for an *exemption card*.

Where a TAFE teacher does not hold full registration, provisional registration or permission to teach under the [Education \(Queensland College of Teachers\) Act 2005 \(Qld\)](#) ('a registered teacher') and enters the school grounds to provide services directly to children, that teacher is required to obtain a Blue Card.

Where a TAFE teacher teaches students under 18 years of age in a TAFE setting, the TAFE teacher is not required to have a Blue Card under the provisions of the *Commission for Children and Young People and Child Guardian Act 2000* (Qld).

If agency staff already hold a current Blue Card with an organisation other than their employing agency, they must submit an [Authorisation to confirm a valid Blue Card application form](#).

A Blue Card issued to an employee in their capacity as a volunteer will satisfy their requirement to be issued a Blue Card as a paid employee and vice versa.

Volunteers are also required to hold a Blue Card prior to commencing activities in/arranged by a school (e.g. camps, sports or excursions) and will need to apply for their own Blue Card. The frequency of contact a volunteer has with children and young people is irrelevant.

Parents that [volunteer their services or conduct activities](#) at their child's school do not require a Blue Card. Parents who are also paid employees are required to hold a Blue Card, as being a parent of a child at the school does not exempt them from that requirement (the employee can commence employment while the Blue Card application is being processed).

Non-custodial grandparents will require a Blue Card prior to *volunteering* to participate in school activities.

Student teachers undertaking practical teaching sessions (as part of compulsory academic course requirements) need to hold a Blue Card prior to commencing their practicum at a school. The student teacher's university applies for their Blue Card.

Businesses engaging with schools need to hold a Blue Card prior to commencing work if undertaking the following functions:

- counselling and support services
- private teaching, coaching or tutoring, unless paid employees carry out this work in their capacity as an employee of a provider
- childcare
- education programs conducted outside of schools
- religious representatives
- child accommodation services, including homestays (Blue Cards are not required by individuals taking billets organised by state schools for less than 10 days on no more than two occasions per year)
- providers of recreational activities such as sporting camps and programs (excluding amusement parks)
- operators of hostels for children other than residential facilities.

Responsibilities

Employees:

- apply for and maintain a current [Blue Card](#)
- paid employees provide existing Blue Card details by completing a commencement advice form and are also to complete an [Authorisation to confirm a valid Blue Card/application form](#) to advise the Commission for Children and Young People and Child Guardians (the Commission) that the department is the new/additional employer
- paid employees not holding a Blue Card may commence work on lodgement of their Blue Card

- application, pending its outcome
- lodge their Blue Card application form prior to commencement or on first day of commencement of their employment
- present their Blue Card to the principal to receive confirmation of appointment to the position
- immediately notify the principal/manager and [Ethical Standards](#) of a change in *police information* e.g. if charged or convicted of a criminal offence, regardless of a conviction being recorded
- notify the Commission within 14 days:
 - of a positive notice or if their Blue Card is lost or stolen
 - of a change of name or contact details
 - if their *employment* as stated in their Blue Card application ends before their Blue Card is issued
- renew their Blue Card if moving from status of *volunteer* to paid employee
- ensure their Blue Card is kept current during any approved leave period/s.

Regional Offices:

- maintain and update Blue Card registration records on the Human Resource Information System
- provide principals/managers with a report at the start of each school term identifying employees that require Working with Children checks or renewal of existing Blue Cards, and ensure reports are returned to the Regional Office. This report is required to be issued within the first week of each term. This is the minimum requirement, regions can elect to send reports more frequently.
- update the Human Resource Information System immediately on receipt of reports from schools
- immediately notify Ethical Standards of any *negative notices* issued by the Commission
- ensure that the requirement for a Working with Children check is stated in applicable job advertisements by including the following statement - 'The *Commission for Children and Young People and Child Guardian Act 2000* (QLD) requires the preferred applicant to be subject to employment screening'
- ensure applicable job descriptions detail the condition of undergoing a Working with Children check and/or hold a valid Blue Card
- ensure departmental recruitment information, processes and forms are amended to reflect Working with Children check requirements and responsibilities
- follow up with Principals when reports are not returned
- ensure that letters of employment in positions that require a Working with Children check include the following statement - 'Appointment to this position is conditional on undergoing a Working with Children check and issuance of a Blue Card in accordance with the *Commission for Children and Young People and Child Guardian Act 2000* (QLD)'

Principal/Manager/Supervisor:

- notifies the region of all employees' Blue Card details at the start of each term by returning the Blue Card expiry date report issued by the region. This report is required to be returned to the region within one week of receipt. Where regions elect to send reports more frequently, reports must be completed and returned within one week.
- if an employee already holds a valid Blue Card with an organisation other than the department, an [Authorisation to confirm a valid Blue Card/application form](#) must be submitted to the Commission
- ensures applicable job descriptions detail the condition of undergoing a Working with Children check and/or holding a valid Blue Card
- coordinates payment of Blue Card application fees. Payment of application fees have been negotiated within employment groups' Enterprise Bargaining Agreements. A [summary of entitlements](#) is available.
- ensures application forms for Blue Card checks state the employer name as the Department

of Education, Training and Employment, and include a postal address of the relevant school or business unit

- ensures a verbal warning is given to applicants that it is an [offence for a disqualified person](#) to sign a Blue Card application form
- signs the declaration on the application form stating the applicant has been warned of offences, and verifies that the applicant has signed the declaration stating they are not a disqualified person, before lodging an application on their behalf
- ensures the applicant's identifying documents are sighted
- ensures Blue Card applications are managed in accordance with the [Information Privacy Act 2009 \(Qld\)](#) ensuring:
 - the application forms have a covering sheet while being processed in the school/business unit
 - if application is faxed to the Commission, the original is posted immediately
 - the school/business unit records the application has been made, however, copies of the application are not to be retained
- ensures all applicable employees undergo a Working with Children check and hold a valid Blue Card, and checks the validity of cards, at least, when the employee is:
 - appointed, promoted, redeployed or transferred to a school-based location at which they have not immediately been employed
 - seconded (inclusive of interchange arrangements), relieving at or above level in a school-based location in which they have not immediately been employed
 - engaged in training as an apprentice or trainee in a school-based location in which they have not immediately been employed
 - normally located in a non-school business area but frequently undertakes work (providing services directly to children or child-related activities) in a school-based location and does not have [OCT registration](#) or the monitoring systems report that the employee's Blue Card has expired
- verifies that *volunteers* and businesses engaging in a regulated business (providing services directly to children or child-related activities) within their schools hold a Blue Card prior to commencing work, at least when:
 - commencing work within a school-based location at which they have not immediately been employed
 - the school monitoring system reports the volunteer's Blue Card has expired
- coordinates [the application process](#) for Working with Children checks for the school/business unit
- lodges an [application](#) for a new Working with Children check with the Commission if an employee notifies the department of a change in their criminal history
- notifies [Ethical Standards](#) of changes to a paid employee's police information including *negative notices*.
- [manages negative notices on a case-by-case basis](#)
- provides appropriate records to Workforce Relations
- **tracks currency of Blue Cards for employees in the school/business unit.**
Note: While principals/managers are not responsible for organising a Blue Card for a trainee/student teacher engaged through a Group Training Provider (GTP) or education provider, it is still the responsibility of the principal/manager to ensure a valid Blue Card is held by the trainee/trainee student.
- ensures any reports are returned to the regional office in a timely manner
- ensures TAFE teachers who enter a school to provide a service delivery directly to children is a registered teacher or holds a valid Blue Card.

Workforce Relations:

- conduct checks on the school-based employees once per school term, to ensure Blue Card information is up-to-date
- follow up with relevant regions on non up-to-date Blue Card information.

Process

The step by step process for this procedure is listed by role under Responsibilities, and is also illustrated in the [Blue Card Flowchart](#).

Additional information on the [Payment of Blue Card Fees](#) and on [Risk Management](#) processes are also attached.

Additional content will be included in this section following the next scheduled review of this procedure.

Online Resources

Forms

- [Blue Card Application/ Renewal Forms](#)
- [Authorisation to confirm a valid blue card/application](#)

Guidelines

- [About the Blue Card, Commission for Children and Young People and Child Guardian](#)
- [Disqualified Persons](#)
- [Queensland College of Teachers](#)

Other relevant information/ documents

- [Commission for Children and Young People and Child Guardian](#) (home page)
- [Blue Card Flowchart](#)
- [Payment of Blue Card Fees](#)
- [Blue Card Risk Management](#)
- [Commission for Children and Young People and Child Guardian](#) (definitions)
- [Commission for Children and Young People and Child Guardian](#) (Volunteers and Trainee Students)

Review Date

13/12/2012



Definitions

Blue Card

A plasticised card, issued to a person who is the holder of a current positive notice by the Commission for Children and Young People and Child Guardian's (the Commission). A Blue Card is valid for two years from the date of issue unless it is suspended earlier by the Commission for Children and Young People and Child Guardian. The Blue Card includes the following information:

- the name of the person who is the holder of the positive notice
- a registration number for the person
- an expiry date for the positive notice
- the signature of the person to whom the positive notice is issued.

Child/Children

A person under the age of 18 years.

Employment

An agreement for a person to carry out work, regardless of the nature or regularity of the work,

or whether the work is carried out voluntarily or for financial reward.

Excluding offence

Section 99E of the [Commission for Children and Young People and Child Guardian Act 2000 \(Qld\)](#) defines 'excluding offence' to be a serious child-related sexual offence, or offences of child pornography listed in Schedule 2 in relation to the [Classification of Computer Games and Images Act 1995 \(Qld\)](#), [Classification of Films Act 1991 \(Qld\)](#) or [Classification of Publications Act 1991 \(Qld\)](#).

Exemption card

Required to be held by teachers when working outside their professional employment area,. See CCYPG website for further information.

Negative notice

A notice declaring the application for a Blue Card is refused.

Parent

Includes the child's mother, father or someone else who has parental responsibility for the child on a permanent basis - other than the Chief Executive (Child Safety Services, Department of Communities). For an Aboriginal or a Torres Strait Islander child, a parent includes a person who, under Aboriginal or Islander traditions or customs, is regarded as a parent.

Police information

Includes an individual's criminal history and investigative information.

Registered health practitioner

Includes medical practitioners, nurses and midwives, podiatrists, psychologists, optometrists, osteopaths and physiotherapists. See full definition on the CCYPG website.

Serious Offence

Section 99C of the *Commission for Children and Young People and Child Guardian Act 2000* (QLD) defines a serious offence as:

- an offence referred to in Schedule 2, which is a list of relevant current Queensland offences, including counselling, procuring, attempting or conspiring to commit those offences
- an offence referred to in Schedule 2A, which is a list of relevant Queensland offences that have expired or been repealed
- an equivalent offence in another jurisdiction (state, territory, Commonwealth or foreign jurisdiction) or
- a class 1 or 2 offence as defined in the *Child Protection (Offender Reporting) Act 2004* (Qld), that is not otherwise a serious offence under this subsection. This limb of the definition links the offences for which there is mandatory registration on the Australian National Child Offender Register (ANCOR) to the list of serious offences, to ensure consistency across these regimes.

Volunteer

A person employed by another person or organisation who is not paid, other than being reimbursed for out-of-pocket expenses. A parent of a child (under the age of 18) enrolled at the school is not considered to be a volunteer under the *Commission for Children and Young People and Child Guardian Act 2000* (QLD). Volunteers include religious representatives and student (practical learning) teachers.

Authority

- [Commission for Children and Young People and Child Guardian Act 2000 \(Qld\)](#)

Related Policy Instruments

- [Criminal Law \(Rehabilitation of Offenders\) Act 1986 \(Old\)](#)
Parts 1-14
- [Information Privacy Act 2009 \(Old\)](#)
- [Public Service Act 2008 \(Old\)](#)
Chapters 1-4
- [Student Protection](#)

Attachments



[Blue Card - Risk Management](#)



[Blue Card Flowchart](#)



[Blue Card Forms](#)



[Payment of Blue Card Fees](#)

Contact

For information on Working with children checks or the progress of a blue card application contact [CCYPCG](#) on 1800 113 611.

For information on the Department of Education, Training and Employment's blue card policy and procedures and how it applies to DETE employees, please contact:

Principal Policy Officer
Workforce Relations
Phone: (07) 3836 0999
Fax: (07) 3237 0011

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