



# CHILD SAFEGUARDING AND THE LAW

## REPORTING TO THE OFFICE OF THE CHILDREN'S GUARDIAN

**Fact Sheet  
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# INTRODUCTION

This fact sheet contains information about reporting to the Office of the Children's Guardian ('OCG').

**This document covers the following areas:**

1. WWCC Verification Process
2. Reportable Conduct



Office of the  
Children's Guardian

## Disclaimer:

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# 1. WWCC VERIFICATION PROCESS

The Working with Children Check (WWCC) is a legal requirement for anyone who works or volunteers in Child-Related work in NSW. The check provides employees with either a clearance to work with children for five (5) years, or a bar against working with children.



**Relevant Legislation:** *Child Protection (Working with Children) Act 2012 (NSW) Pt 3.*

Any organisation that has people who work or volunteer to provide services to children or young people must register with the OCG to verify the WWCC details of people they engage in child-related work.

## What is Verification?

Verification is the process of confirming your employees' status to work with children. Verifying your employees' status allows the OCG to know that they hold a valid WWCC. In other words, it makes the link between the employee and organisation in the OCG's continuous monitoring system.



## What is the Verification Process?

Verification must be done through the OCG online system. Organisations must not commence employing, or continue to employ, a worker in child-related work unless the organisation has verified the worker's relevant details and made a record of those relevant details (*Child Protection (Working with Children) Act 2012 (NSW) s 9A*).

If your employee becomes barred in the future, the OCG will advise you to immediately remove that person from child-related work. Organisations must also verify again when workers renew their WWCCs after 5 years.

## 2. REPORTABLE CONDUCT

### What is Reportable Conduct?

Reportable Conduct refers to the following conduct pursuant to the *Children's Guardian Act 2019* (NSW) s 20:

- a. A sexual offence,
- b. Sexual misconduct,
- c. Ill-treatment of a child,
- d. Neglect of a child,
- e. An assault against a child,
- f. An offence under section 43B (failure to protect) or 316A (failure to report) of the *Crimes Act 1900*,
- g. Behaviour that causes significant emotional or psychological harm to a child.

Any allegation that an employee (including a volunteer or contractor) has engaged in conduct that may be considered reportable conduct must be reported to the OCG.

## 3. CRITICAL STEPS WHEN YOU BECOME AWARE OF AN ALLEGATION

1

Immediately report any allegations of a criminal offence to police and consult about risk management

2

Promptly report any Risk of Significant Harm to a child/ren to the Child Protection Helpline 132 111

3

Notify any reportable allegations to the OCG within 7 business days

4

For advice or guidance - contact the OCG's Reportable Conduct Enquiries Line 8219 3800

# 4. RESOURCES



## Child Safe Handbooks and Skill Builder Workshops

<p>A guide to the <b>Child Safe Standards</b></p> <p>Office of the Children's Guardian</p>	<p><b>Empowerment and participation</b> A guide for organisations working with children and young people</p> <p>Office of the Children's Guardian</p>	<p><b>Codes of Conduct:</b> a guide to developing child safe Codes of Conduct</p> <p>Office of the Children's Guardian</p>	<p><b>Understanding and Developing a Child Safe Policy</b> A handbook for child-related organisations</p> <p>Office of the Children's Guardian</p>
<p><b>Child Safe Recruitment and the Working with Children Check</b> A handbook for child-related organisations</p> <p>Office of the Children's Guardian</p>	<p><b>Reporting Obligations and Processes</b> A handbook for child-related organisations</p> <p>Office of the Children's Guardian</p>	<p><b>Risk Management and the Child Safe Standards</b> Part 1: Responding to risk A resource for child-related organisations</p> <p>Office of the Children's Guardian</p>	<p><b>Risk Management and the Child Safe Standards</b> Part 2: Identifying risk A resource for child-related organisations</p> <p>Office of the Children's Guardian</p>
<p><b>Handbooks:</b></p> <p>Office of the Children's Guardian</p>		<p><b>Workshops:</b></p> <p>Office of the Children's Guardian</p>	

## OCG - Reportable Conduct

- [ocg.nsw.gov.au/our-resources/reportable-conduct](http://ocg.nsw.gov.au/our-resources/reportable-conduct)

Videos, eLearning, fact sheets and other guidance



Reportable Conduct Enquiries :

8219 3800

[reportableconduct@ocg.nsw.gov.au](mailto:reportableconduct@ocg.nsw.gov.au)

## OCG - WWCC Verification Process

- [ocg.nsw.gov.au/our-resources/working-with-children-check](http://ocg.nsw.gov.au/our-resources/working-with-children-check)