PREFACE

In 2011, the ACT Government introduced the Working with Vulnerable People (Background Checking) Act. The purpose of this Act is to provide background checking and registration of people who work with vulnerable people. Any reference to the legislation, in this document, refers to the Working with Vulnerable People (Background Checking) Act (2011) R4. All states and territories in Australia have different background checking policies and are not transferable between jurisdictions.

As per the legislation, a vulnerable person means –

(a) A child; or
(b) An adult who is-
    i. disadvantaged (e.g. An adult with a physical or mental disability; an adult who suffers social or financial hardship; an adult who cannot communicate or has trouble communicating in English); and
    ii. accessing a regulated activity in relation to their disadvantage.

A Working with Vulnerable People registration card must be held by all people engaging with vulnerable people in a regulated activity, except where exempt. Registration became compulsory on 7 November 2015. Registration cards must, under the legislation, be produced upon request from an employer or authorised person. Registration is free for volunteers. People who are in paid employment and require a registration card for their employment are required to pay a fee to apply for application.

There are exemptions to compulsory registration and these are outlined below under point 10.

Changes to WWVP Act - 2021

Amendments to the Working with Vulnerable People (Background Checking) Act 2011 (the WWVP Act) commenced on 1 February 2021. The changes strengthen the protections available to vulnerable people in our community and align the ACT WWVP scheme with national schemes such as the NDIS Worker Screening scheme and the Working with Children Checks (WWCC). The ACT is now doing background screening activities related to the NDIS under the WWVP scheme. This means any person who is working or volunteering in an NDIS activity must be registered under the WWVP.

Other changes to the WWVP Act include:

- Introduction of Class A and Class B disqualifying offences (for those working/volunteering with children and in an NDIS activity).
- The conduct of all registration holders will be monitored to make sure that they remain suitable to keep a registration. Registration holders found to have engaged in certain behaviour that poses an unacceptable risk to vulnerable people may have their registration restricted or cancelled.
- All new WWVP registrations will be issued for up to 5 years.

(https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/related/1#!tabs-2)

POLICY

Bowls ACT Competitions

1) A junior competition includes any underage competition where participants are participating based on being under a certain age (i.e. because of their vulnerability).
   a) Bowls ACT requires a WWVP registration card to be obtained by any person:
      i) Engaging with a team registered in a junior competition including any training or competition. This includes team staff, coaches and junior committee members.
      ii) Who is the controlling body for a junior event.

2) A senior competition includes any competition where participants are not under a certain age:
   a) Bowls ACT does not require a WWVP registration card to be obtained by any person involved in a senior competition unless it is reasonably foreseeable that the person will be engaged with a vulnerable person and Bowls ACT requests the person to obtain a WWVP registration card.

Club Responsibilities

3) Club committees are responsible for the administration of a club. This includes sourcing persons to coach, manage, and umpire.
   a) Under the legislation, Clubs are classified as employers:
      i) Employer, in relation to a regulated activity, means an entity for whom a person engages in the activity.
      ii) Employees will include committee members, coaches, managers, umpires, and any other persons engaged in a regulated activity for the club.

4) Clubs must keep a record of their employees' WWVP registration details in BowlsLink. Typically, this should include:
   a) Full name
   b) Expiry date
   c) Type of card (general, role-based, or conditional registration)
   d) Registration number
   e) Card number
   f) Any conditions (as outlined on the reverse of the card).

5) Clubs must not permit any person to engage with vulnerable persons without first checking for a WWVP registration.
   a) A person may engage with vulnerable people while an application for registration is being processed, if supervised by a person who currently holds a WWVP registration.

Bowls ACT Representative Programs

6) Bowls ACT does not require all representative team staff to hold a valid WWVP registration unless it is reasonably foreseeable that the person will be engaged with a vulnerable person.
   a) This includes coaches, managers, medical staff, assistants, video analysts, sports scientists, and any other team staff as requested.
   b) A person may engage with vulnerable people while an application for registration is being processed, if supervised by a person who currently holds a WWVP registration.

Bowls ACT Participation Programs

7) Bowls ACT requires all participation program staff to hold a valid WWVP registration.
    a) Participation programs include any program facilitated by Bowls ACT that involves developing members.
        i) Participation programs include, but are not limited to, regional programs and school clinics.
        ii) A person may engage with vulnerable people while an application for registration is being processed, if supervised by a person who currently holds a WWVP registration.

Bowls ACT Administration

8) All Bowls ACT staff and committee members must hold a valid WWVP registration.

9) Bowls ACT must keep a record of their employees' WWVP registration details in BowlsLink. Typically, this should include:
    a) Full name
    b) Expiry date
    c) Type of card (general, role-based, or conditional registration)
    d) Registration number
    e) Card number
    f) Any conditions (as outlined on the reverse of the card).

Exceptions

10) Section 12 of the legislation outlines that a person is not required to be registered to engage in a regulated activity or service if the person is:
    a) Under 16 years old.
    b) Engaged in the activity for no more than 3 days in any 4-week period and 7 days in any 12-month period.
    c) Registered under another state's law, and the activity is of a similar nature, and the person is engaged in the activity for no more than 28 days in any 12-month period.
        i) For example, representative coaches do not need to be registered in other states for the purpose of a single national championship.
        ii) A person living in NSW but participating in the ACT for more than 28 days in a 12-month period will need to be registered in the ACT.
    d) A close relative of each vulnerable person taking part in the activity with whom the person has contact.
    e) Engaged in the activity in the same capacity as a vulnerable person.
        i) For example, players in a sporting team.
        ii) Engaged in the activity as a school student on a work experience placement or doing practical training.
        iii) Engaged in the activity, and the only contact the person has with a vulnerable person is providing information to or receiving information from the vulnerable person by telephone.
        iv) Engaged in the activity, and the only contact the person has with a vulnerable person is working with a record of the vulnerable person.

ADDENDUM: Parent Body (Bowls Australia) Requirements:

As outlined in Attachment A, **All STA Board & Staff** are required to complete the following:

National Integrity Framework

Safeguarding Children and Young People in Sport Induction

In addition, **High Performance Staff / Athlete Services / Event Staff** are also required to complete:

Anti-Doping Fundamentals

Competition Manipulation and Sport Gambling

Attachment A – Administrator and Volunteer Required & Recommended Education

		ADMINISTRATORS			VOLUNTEERS
		National Sporting Organisation	**State Sporting Organisations**	**Club Level**	**All Levels**
		NSO Board & Staff	SSO Board & Staff	Club Board & Staff	All Volunteers
ANTI-DOPING COURSES	**Anti-Doping Fundamentals**	**REQUIRED** (High Performance Staff / Athlete Services / Event Staff)	**REQUIRED** (High Performance Staff / Athlete Services / Event Staff)		
		RECOMMENDED (Board & other Staff)	**RECOMMENDED** (Board & other Staff)		
	Annual Update	**RECOMMENDED**			
	Clean Sport 101				
INTEGRITY COURSES	**National Integrity Framework**	**REQUIRED**	**REQUIRED**	**REQUIRED**	**RECOMMENDED**
	Safeguarding Children and Young People in Sport Induction	**REQUIRED**	**REQUIRED**	**REQUIRED**	**REQUIRED** (Club Coordinators)
	Competition Manipulation & Sports Gambling	**REQUIRED** (High Performance Staff / Athlete Services / Event Staff)			
		RECOMMENDED (Board & other Staff)			

Access to these courses is via this link: **Sport Integrity Australia eLearning: Log in to the site**