1. **OVERVIEW**

Bond University requires all employees and students who are engaged in child-related employment or child-related academic studies to comply with state legislative requirements, that is *Child Protection Act 1999* and *Commission for Children and Young People and Child Guardian Act 2000*. Compliance will require obtaining appropriate documentation and following risk management strategies prior to commencing work with *Children* and young people.

This Policy is applicable to those Bond University employees and Volunteers who are engaged in child-related employment, specifically where Children are their main objective target market. In these specific instances those individuals are required to obtain a Blue Card to carry out these activities.

The Policy is applicable also to Bond University students, who as part of their degree program, are required to undertake placement which involves working with Children. These Bond University students are also required to obtain a Blue Card prior to commencing their placement.

2. **THE POLICY**

2.1. Who Requires a ‘Blue Card’

According to the Commission, with specific reference to Bond University, the following areas are required to apply for a Blue Card with the Commission:

i. Paid employees and volunteers of the University, who in their role at Bond University are required to work with Children and young persons, including the following categories:

   a) Bond University English Language Institute (BUELI) teachers;
   b) Bond College teachers;
   c) Sports Centre staff if instructing a school-based education program;
   d) Child Accommodation services such as home-stays;
   e) Psychology Clinic, with the exception of Psychologists who hold registration with the Australian Health Practitioner Regulation Agency (APHRA); and
   f) Centre for Autism and Spectrum Disorders (CASD), with the exception of Psychologists who hold registration with the Australian Health Practitioner Regulation Agency (APHRA).

ii. Students who are required, as part of their degree program, to work with Children and young persons.
2.2. Exemptions
Registered health practitioners are exempt and do not require a Blue Card when providing services to Children or young people that relate to the functions as a registered health practitioner. The Commission’s Act defines a registered health practitioner as a person registered under any of the following Acts:

- Dental Technicians Registration Act 2001;
- Medical Radiation Technologists Registration Act 2001;
- Occupational Therapists Registration Act 2001;
- Speech Pathologists Registration Act 2001; and
- Health Practitioner Regulation National Law Act 2009 (this includes medical practitioners, nurses and midwives, podiatrists, psychologists, optometrists, osteopaths and physiotherapists).

2.3. Application Process
The Blue Card 'Working with Children' check is designed to determine whether a person is suitable to work with Children or not. A Bond University employee, student or volunteer who is required to undergo a check must complete an application for a Blue Card. Application forms are available from the Commission.

2.4. Existing Employees and Volunteers
It is the responsibility of the Faculty or Office Manager to advise Human Resources of positions within their area of responsibility that may fall into one of the identified child-related employment categories (see 2.1).

Employees and Volunteers who occupy these positions will then be contacted by Human Resources to make an application for a Blue Card.

It is Bond University's responsibility to lodge the employee’s and Volunteer’s completed application with the Commission.

2.5. New Employees and Volunteers
Position advertisements made by Bond University Human Resources for positions which fall under one of the identified child-related employment categories (see 2.1) will outline the requirement of a current Blue Card.

New Bond University employees and Volunteers will be notified in their appointment letter of the requirement to hold a Blue Card. This letter will also specify that continuation of their employment is conditional upon holding the Blue Card.

New Bond University employees and Volunteers who do not hold a current Blue Card prior to commencing employment must submit their completed form to Human Resources prior to their commencement. The University will lodge the employee’s or Volunteer’s completed application with the Commission.

New Bond University employees and Volunteers who do hold a current Blue Card will submit the relevant details to Human Resources, whereby the University will check with the Commission into the status of that Blue Card.

2.6. Students
All Bond University students who undertake practical placements working with Children and young persons as part of their degree program are required to obtain a Blue Card prior to commencing their placement. The relevant Faculty will advise students of their requirement to obtain a Blue Card prior to the commencement of the course.

Bond University students will be required to submit their completed application forms to the relevant Faculty. The Faculty will lodge the completed form with the Commission.

2.7. Payment of Blue Cards
Bond University has adopted the following practice in regard to payment of Blue Cards for employees, Volunteers and students in identified child-related categories (see 2.1):

i. Existing Employees and Volunteers: the application fee shall be met by Bond University on a ‘one-off’ basis. The cost of future renewal applications will be met by the employee or Volunteer.
ii. New employees and Volunteers: the application fee shall be met by the employee or Volunteer.

iii. An existing employee or Volunteer, who is appointed to a new identified child-related position within the University, after the date of implementation of this Policy and associated procedures, must meet the cost individually.

iv. All casual employees identified as being engaged in child-related employment are responsible for the cost of obtaining their Blue Card.

v. Bond University students are not required to pay the application fee for a Blue Card; as these are issued by the Commission at no charge.

2.8. Advice on Blue Cards

The Commission determines suitability of an applicant following lodgment of the application form to the Commission by Human Resources or the Faculty. The result will either be a positive or negative notice about the suitability of the applicant.

i. A positive notice: issued to the applicant and University, which will remain on the employee, Volunteer or student’s records. If changes occur to an employee, Volunteer or student’s criminal record notification must be made to the University.

ii. A negative notice: if deemed by the Commission that an applicant is unsuitable, this remains valid indefinitely unless cancelled by the Commission or reviewed by the Children Services Commission. For privacy reasons the University will only be advised that the applicant is unsuitable not of the reasons for that unsuitability.

Bond University is obligated under the Commission for Children and Young People and Child Guardian Act 2000 to cease employment of any employee or Volunteer working in a child-related employment category should a negative notice be issued. Where possible, a transfer to a suitable position not requiring a Blue Card may be negotiated if such a position is available and mutually agreeable.

Bond University students whose application is rejected must immediately inform their nominated Faculty as they will not be able to undertake that field of placement. The Faculty will provide the student with possible options to complete their program requirements.

Blue Cards issued after 1 April 2010 are valid for three years. They are transferable to other types of child-related employment.

Loss of Blue Cards by Bond University employees, Volunteers and students will require a re-application process, any re-application fees will be met by the individual.

2.9. Offences and Penalties under the Act

It is an offence to employ or engage a person in child-related employment where the employer:

i. has not applied for a criminal history check; or

ii. is aware that a negative notice has been issued and is current; or

iii. is aware the person has been convicted of a serious offence and has not received a Blue Card; or

iv. has been notified by the Commission that the employee, Volunteer or student has withdrawn their consent to the criminal history check.

It is an offence for persons deemed unsuitable by the Commission to apply for, start, or continue in child-related employment.

It is an offence to provide false or misleading information or documents for the purposes of the criminal history check.

Bond University employees, Volunteers and students must continue to advise the University about any changes to their criminal history. For privacy reasons, employees, Volunteers and students are not required to disclose any information in regard to the change in their criminal history to the University, other than to advise the employer that a change has occurred.

On receipt of such information, the employer must not continue to employ that person without applying to the Commission for a further Blue Card check. Failure to do so will be deemed an offence under the Act.
2.10. **Delegations Authority**

<table>
<thead>
<tr>
<th>Action</th>
<th>Approving Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advise Human Resources of requirement for completing application forms for Existing Employees and Volunteers</td>
<td>Faculty or Office Delegate</td>
</tr>
<tr>
<td>Lodge application for Blue Card for new and Existing Employees and Volunteers, and advise employees and Volunteers regarding receipt of advice.</td>
<td>Human Resources Delegate</td>
</tr>
<tr>
<td>Lodge application for Blue Card for students, and advise students regarding receipt of advice.</td>
<td>Faculty Delegate</td>
</tr>
<tr>
<td>Terminate appointment of employee or Volunteer issued with a negative notice</td>
<td>Human Resources Delegate in consultation with Faculty or Office Delegate</td>
</tr>
<tr>
<td>Register of employees and Volunteers who hold current Blue Cards</td>
<td>Human Resources Delegate</td>
</tr>
<tr>
<td>Register of students who hold current Blue Cards</td>
<td>Central Student Records in Student Business Centre in consultation with the Faculty Delegate</td>
</tr>
</tbody>
</table>

2.11. **Review and Evaluation of this Policy and Related Procedures**

Bond University’s Audit and Risk Management Committee, in conjunction with the Human Resources delegate and discussion with the relevant Faculties, will review this Policy and related procedures every two (2) years. If legislative changes are implemented prior to this scheduled date, revision will be brought forward.

3. **DEFINITIONS**

**Blue Card**
A card which is issued by the Commission as a positive notice to an individual. This involves investigation into whether a person has a criminal history, which will affect their suitability to work with Children. Relevant police information held by the Queensland Police Service and other Police Services in Australia are checked for any charges or convictions.

**Children**
Any person under the age of 18 years.

**Commission**
Commission for Children and Young People and Child Guardian.

**Counselling and Support Service**
Includes a person other than a registered health practitioner, providing counselling or a similar support service to a child in a situation where the person is physically present with the child while no-one else is present; or the person is not physically present with the child (over the phone, internet, etc.).

**Existing Employees**
Those Bond University staff who are appointed to the University as at the date of implementation of this policy and associate procedures.

**Faculty**
For the purposes of this Policy, Faculty includes Bond College & BU English Language Institute (BUELI).

**New Employees**
Those Bond University staff who are appointed to the University after the date of implementation of this policy and associated procedures.

**Volunteers**
A person employed by Bond University who is not paid, other than being reimbursed for out-of-pocket expenses.

4. **RELATED PROCEDURES**

5. **RELATED GUIDELINES AND FORMS**

5.1. [Risk Management Guideline for Working with Children](#)
5.2. The Commission's Paid Employees, Volunteers and Student [Application Forms](#)