



## Factsheet 4: The Parent Volunteer Exemption

*The Working with Children (Criminal Record Checking) Act 2004* (the WWC Act) requires people who engage in 'child-related work' to apply for a Working with Children (WWC) Check. This includes work done by volunteers. A volunteer is considered to engage in 'child-related work' where their work is in connection with one of the categories of child-related work and the usual duties of their work involves, or is likely to involve, contact with a child and no exemption applies. Those who are not considered to be in child-related work should not apply for a WWC Check. For more information about child-related work and exemptions see [Factsheet 2: Child-Related Work and Exemptions](#) on the WWC Check website ([www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)> Resources> Factsheets and tools> Resources for employers and organisations).

Certain people, such as parent volunteers may be exempt from applying for a WWC Check in certain situations. For the purposes of the WWC Act, the exemption provided to parent volunteers means that a parent's participation in, and support of, their child's educational, social and physical development may not be considered to be 'child-related work'.

The application of the parent volunteer exemption varies according to the category of child-related work, however there is no exemption for parent volunteers on overnight camps (category 15). If a person is exempt they are ineligible to apply for a WWC Check and must not do so unless their working arrangements change and they carry out child-related work.

A table of the 18 categories of child-related work and the parent volunteer exemption can be found on page 2.

### **Why are parent volunteers exempt from requiring a WWC Check in most cases?**

Western Australia, like other states, considers that voluntary work done by parents to support their children should not be regulated by legislation. To safeguard children in these situations there are other child safety strategies which are more workable and effective. For more information about child safe practices visit the [Child Safety page](#) on the WWC Check website ([www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)> About> Child Safety).

The parent volunteer exemption is supported in WA because:

- Thousands of parents give up time to volunteer in organisations with their children like sporting clubs, schools and churches. The valuable service provided by parent volunteers needs to be encouraged in order to enable community groups to function and children and families to reap the benefits.
- It is not possible, or desirable, to require all adults who have contact with children to have a WWC Check. As part of normal life, children regularly have contact with adults who do not have a WWC Check. This includes contact with the parents of their friends and classmates, as well as with adults they don't know, in many types of settings.

- Parents contribute informally in activities with their children and their friends in many ways. Attempting to capture and monitor these informal voluntary roles would discourage parents from offering to help and would not add to the protection of children. The WWC Check therefore only captures *formal* situations where there is an agreement to engage in paid or unpaid child-related work.

## Categories of Child-Related Work and Parent Volunteer Exemptions

Category	Parent volunteer exemption
1. A child care service (means a child care service as defined in the <i>Child Care Services Act 2007 s4</i> or an education and care service as defined in the <i>Education and Care Services National Law (Western Australia) s5(1)</i> )	<ul style="list-style-type: none"> <li>• Work carried out on a voluntary basis by a parent of a child to whom the service is being provided; or who is <b>enrolled</b> for, or otherwise ordinarily is provided with, the service.</li> </ul>
2. A community kindergarten registered under Part 5 of the <i>School Education Act 1999</i>	<ul style="list-style-type: none"> <li>• Work carried out on a voluntary basis by a parent of a child who is <b>enrolled</b> at the kindergarten.</li> </ul>
3. An educational institution for children	<ul style="list-style-type: none"> <li>• Work carried out on a voluntary basis by a parent of a child who is <b>enrolled</b> at the educational institution.</li> </ul>
4. A coaching or private tuition service of any kind	<ul style="list-style-type: none"> <li>• Work carried out on a voluntary basis by a parent of a child to whom the service is being provided in connection with an activity in which the child is <b>participating, or ordinarily participates</b>.</li> <li>• When the coaching or private tuition is also in connection with a club, association or movement (including of a cultural, recreational or sporting nature and whether incorporated or not) with a significant membership or involvement of children, and the work is carried out on a voluntary basis by a parent of a child who is involved, <b>or is ordinarily involved</b> in some, or all, of the activities of the club, association or movement.</li> </ul>

Category	Parent volunteer exemption
5. An arrangement for the accommodation or care of children, whether in a residential facility or private residence	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>
6. A placement arrangement or secure care arrangement under the <i>Children and Community Services Act 2004</i>	<ul style="list-style-type: none"> <li>No parent volunteer exemption.</li> </ul>
7. The performance by an officer, as defined in the <i>Children and Community Services Act 2004</i> , of a function given to the officer under that Act	<ul style="list-style-type: none"> <li>No parent volunteer exemption.</li> </ul>
8. A detention centre, as defined in the <i>Young Offenders Act 1994</i> section 3	<ul style="list-style-type: none"> <li>No parent volunteer exemption.</li> </ul>
9. A community child health service	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child to whom the service is being provided in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>
10. A counselling or other support service	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child to whom the service is being provided in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>
11. Religious organisation	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>
12. A club, association or movement (including of a cultural, recreational or sporting nature and whether incorporated or not) with a significant membership or involvement of children	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child who is <b>involved, or is ordinarily involved</b> in some, or all, of the activities of the club, association or movement.</li> </ul>
13. A ward of a public or private hospital in which children are ordinarily patients	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>

Category	Parent volunteer exemption
14. A baby sitting or child minding service	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child, to whom the service is being provided, in connection with an activity in which the child is <b>participating, or ordinarily participates.</b></li> </ul>
15. An overnight camp, regardless of the type of accommodation or how many children are involved	<ul style="list-style-type: none"> <li>No parent volunteer exemption.</li> </ul>
16. A transport service specifically for children	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child who is a <b>passenger</b> on the transport service, or is <b>ordinarily a passenger</b> on the transport service.</li> </ul>
17. A school crossing service, being a service provided to assist children to cross roads on their way to or from school	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child who is <b>enrolled</b> at the school.</li> </ul>
18. A children's entertainment or party service	<ul style="list-style-type: none"> <li>Work carried out on a voluntary basis by a parent of a child in connection with an activity in which the child is <b>participating or ordinarily participates.</b></li> </ul>

## What can organisations do to make their services safer for children?

Organisations should have policies, procedures and codes of conduct which take into account the possibility that any adult, whether a paid staff member, parent volunteer or visitor to the premises, may be seeking to have contact with children for undesirable reasons, including drug dealing and sexual abuse.

If parent volunteers are ineligible for a WWC Check under the parent volunteer exemption, an organisation can have their own policy that requires parent volunteers for particular activities to have a Volunteer National Police Certificate.

Criminal record checks of any type need to be thought of as similar to a swimming pool fence – a great safety measure but not a substitute for supervision or teaching a child to swim. Child safe practices need to go beyond screening of employees and volunteers. This is because checks like the National Police Check and WWC Check will not identify those people who have not been charged for offences which indicate children may be harmed, although they may still pose a danger.

For more information about [Child Safe Organisations](#) see the Australian Human Rights Commission website ([www.childsafe.humanrights.gov.au](http://www.childsafe.humanrights.gov.au)> Our Work> Children's Rights> Current Projects> Child Safe Organisations).

## **What should parents look for when their children join clubs and groups such as in recreation, sports, and social organisations?**

As a parent your responsibilities for your children include monitoring their safety even when they are away from your care. You need to make sure the organisation your child is involved with has 'child safe' policies and processes in place.

You can also make sure your children are aware of 'protective behaviours' so they know what to do and who to talk to if they find themselves in an unsafe situation.

## **What if the parent volunteer's child is absent from the club or association for some reason, but the parent still wishes to volunteer at these times?**

As long as the child is 'ordinarily' involved in some or all of the activities of the club or association, the parent is still able to volunteer in their role when their child or children are absent.

### **More information**

Visit the [Factsheets and tools page](#) on the WWC Check website ([www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)> Resources> Factsheets and tools) for relevant information and resources to help you comply with the WWC Act.

### **Disclaimer**

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The latest publication of a factsheet and further information about the WWC law is available on our website at [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au). If you require additional assistance you may also contact us on (08) 6217 8100 or 1800 883 979.

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### **Working with Children Screening Unit**

Website address: [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au)

Email address: [checkquery@communities.wa.gov.au](mailto:checkquery@communities.wa.gov.au)

Phone number: (08) 6217 8100 or 1800 883 979