

Memo

MHDA

Ref: NSHD/24/17633

TO	NSLHD MHDA CPWs, CPW Line Managers, Service Quality and Risk Managers, Service Directors
CC	
FROM	Ms Sheila Nicolson, A/Director Mental Health Drug and Alcohol
SUBJECT	Working with Children Check – Consumer Peer Workers
DATE	4 March 2024

Dear Colleagues

I write to advise of proposed changes for all Consumer Peer Workers working in Mental Health Drug and Alcohol (MHDA) Services at NSLHD, to comply with the Child Protection (Working with Children) Act 2012.

The MHDA Consumer Peer Workers roles at NSLHD meet the definition of child-related work as stipulated in the Child Protection (Working with Children) Act 2012, as described in the below extract:

- (1) *A worker is engaged in child-related work for the purposes of this Act if –*
 - (a) *the worker is engaged in work referred to in subsection (2) that involves direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work*
- (2) *The work referred to is work for, or in connection with, any of the following that is declared*
 - by the regulations to be child-related work –*
 - (c) *children’s health services*
the provision of health care in wards of hospitals where children are treated and
the direct provision of other child health services

This reclassification has the effect that all Consumer Peer Workers employed will be required to obtain and maintain a valid Working with Children Check (WWCC) in order to comply with the Child Protection (Working with Children) Act 2012.

It is proposed that all existing MHDA Consumer Peer Workers be granted until the 28th of June 2024 to provide a valid WWCC to continue in unaffected employment as a Consumer Peer Worker at NSLHD. The proposed timeframe allows adequate time for the lodgement and outcome of WWCC applications, which involves a National Police Check. Please note that results of a National Police Check can take up to 4 weeks to be received.

The proposed timeframe also provides opportunity to gather the identification documents required to complete the application, as well as make any plans to fund the \$80 application fee. Please note that deductions for the cost of a working with children check can be claimed in your income tax return at the end of the financial year.

For more information on the Working With Children Check, including information on how to apply, please visit <https://www.service.nsw.gov.au/transaction/apply-for-a-working-with-children-check>

A copy of this memo has been issued to the Health Services Union.

A two-week consultation period will now occur between 4th to 18th of March 2024. During this time, should you wish to raise any questions, the MHDA contact person is MHDA Acting Engagement Manager Mr Sam Cruickshank who can be contacted by email at Samuel.cruickshank@health.nsw.gov.au.

Following this date, any changes made as a result of consultation feedback will be submitted back for final approval by the Chief Executive and the implementation period will commence, including writing to staff to formally advise of the requirement to provide WWCC.

You may wish to access NSLHD's internal free and confidential Employee Assistance Program (EAP) on 02 9462 9299 for support, or for free and confidential EAP provided by PeopleSense on 1300 307 912 for support.

MHDA A/ Engagement Manager Samuel Cruickshank will be supporting the consultation process along with the Human Resources team.

Warm regards

Sheila Nicolson



A/ Director, MHDA