How changes to information sharing under the Working with Vulnerable People (WWVP) scheme affect you

August 2016

The Working with Vulnerable People (WWVP) scheme was introduced to the ACT in 2012. The scheme aims to reduce the risk of harm to vulnerable people by ensuring that individuals who work with this group have a background check and are registered. The scheme applies to paid employees or volunteers who want to work with vulnerable people in certain registered activities. The WWVP scheme is administered by Access Canberra for the Commissioner for Fair Trading.

What changes are happening?

In 2015, the ACT Government undertook a review of the WWVP scheme. The review recommended that changes be made to improve the way that background information is shared under the WWVP scheme.

The ACT Government is proposing amendments to the Working with Vulnerable People (Background Checking) Act 2011 and Children and Young People Act 2008 that will commence in August 2016. The changes:

- strengthen Access Canberra’s ability to request information from government agencies and community organisations about an individual’s suitability to work with vulnerable people;
- support more timely information sharing between Access Canberra and government directorates, the ACT Teacher Quality Institute, approved care and protection organisations and the ACT Chief of Police; and
- allow Access Canberra to give information to Community Services, Health and Education Directorates, the ACT Teacher Quality Institute and the ACT Chief of Police, when it is needed to prevent harm occurring to a child.

Information requested by Access Canberra

Access Canberra use background information about an individual to make informed decisions about whether they are suitable to be registered under the WWVP scheme. These decisions can be made when a person first applies to be registered under the WWVP scheme, or at any time during a person’s registration period.

Access Canberra can request the information they need from government agencies and community organisations that hold this information (e.g. police and disability services).

The changes mean that government agencies and community organisations must now comply with all requests for background information or advice made by Access Canberra about any person who has applied to be registered, or is already registered, under the WWVP scheme.

For a full list of registered activities under the WWVP scheme, or to find out if you need to be registered go to www.act.gov.au/accessCBR.

Alternatively, you can contact someone by:

Phone: 13 22 81
Email: wwvp@act.gov.au
In person: Access Canberra shopfront
Timely information sharing
Access Canberra regularly monitors an individual’s suitability to work with vulnerable people throughout their registration period. Background information about an individual can be requested from government agencies and community organisations for this purpose. Changes are now being made to ensure that agencies and organisations can contact Access Canberra to provide relevant background information about an individual in a more timely way.

The changes mean that government directorates that are responsible for delivering disability, health, education, justice, child protection and out of home care services can now contact Access Canberra with information relevant to an individual’s registration under the WWVP scheme.

Preventing harm to a child
Children are a particularly vulnerable group and organisations work together to ensure their safety and wellbeing. The changes acknowledge that the best interests of children are paramount by allowing Access Canberra to disclose information to the police and government directorates responsible for delivering health, education, child protection and out of home care services, when it can be used to prevent harm occurring to a child.

What information can be shared?
Access Canberra can collect and use the following types of information about an applicant or registered person under the WWVP scheme:

- criminal history information;
- non-conviction information;
- an individual’s registration history; and
- any information relevant to assessing risk of harm to vulnerable people (e.g. child protection history).

This type of information is known as ‘protected information’. Criminal sanctions, including up to six months imprisonment, continue to apply for misuse or reckless disclosure of this information.

What do the changes mean?
For most community organisations, there will be no noticeable change.

Access Canberra is working with police and government directorates responsible for delivering disability, health, education, child protection and out of home care services to implement the changes.

Some organisations who engage employees and volunteers to work with vulnerable people may receive a request for information from Access Canberra when a background check is being conducted. If this happens, organisations are required to comply with the request, as far as practicable.

In limited cases, improved information sharing may mean that some individuals will have their registration suitability reassessed. Access Canberra will advise individuals if they are being reassessed, and employers will be informed of the outcome of an investigation that changes an individual’s registration status.

For further details about the type of information that can be shared under the WWVP scheme, visit: www.act.gov.au/accessCBR