



ACT
Government

Chief Minister, Treasury and
Economic Development

Dear sir/madam

**CHANGES TO THE *WORKING WITH VULNERABLE PEOPLE*
(*BACKGROUND CHECKING*) ACT 2011 IN RESPONSE TO THE COVID-19 HEALTH EMERGENCY**

I am writing to inform you of important changes to the *Working with Vulnerable People (Background Checking) Act 2011* (the Act) which have been made in response to the COVID-19 health emergency.

What is the change:

Working with Vulnerable People (WWVP) registrations held by workers expiring on, or after, 16 March 2020 will be automatically extended for a period of up to six months after the cessation of the declared health emergency.

Why this change?

The intention of this change is to remove barriers to workers from re-engaging with critical frontline work and provide the workforce with the capacity to deliver an effective and urgent response to the public health emergency.

How does this balance risk?

The Working with Vulnerable People scheme reduces the risk of harm to vulnerable people (including children) by preventing contact with people who have a history of inappropriate behaviour or who have not been assessed.

This change is extending those who have been assessed and would have had an expiry during that time. On balance, noting the full assessment has occurred, the risk is low.

What does this mean for registered people?

WWVP registration holders will be provided with an automatic extension. If the expiry date is on, or after, 16 March 2020 the person is considered to be registered, regardless of the date on the card. A confirmation notice will also be provided to registration holders advising them of this extension.

What if a card has expired?

The changes also provide the Commissioner for Fair Trading discretion to renew expired Working with Vulnerable People (WWVP) registrations when it is considered that the renewal is appropriate because of the COVID-19 health emergency.

Renewal of an expired registration can only be considered where it expired in the previous 12 months and will extend only until six months beyond the end of the public health emergency.

A person who has been granted a renewal of their expired WWVP registration will receive a paper notice that identifies their registration details which can then be used as evidence of their valid WWVP registration.

What does this mean for me as an employer?

You should familiarise yourself with the above changes, but you do not need to do anything additional to the standard management controls you have in place. It means that if any of your staff hold a registration card that expires on, or after, 16 March 2020, it is considered registered regardless of the expiry date. You can further check the status of a person's registration by asking them to show you the confirmation notice they would have received confirming extension to their registration.

We will again write to you advising of when the changes cease and how extended registrations will be updated.

Is anyone not captured by this?

These changes apply to applicants who have previously been risk-assessed and determined not to pose an unacceptable risk of harm to vulnerable people.

Reporting obligations remain in relation to all registered individuals. The amendments also make it clear that a person may still be deregistered during the period of a public health emergency where they are subsequently assessed as an unacceptable risk of harm to vulnerable people.

If you would like to discuss these amendments or have any additional questions, please contact Narelle Bramwell, Director, Working with Vulnerable People via email at narelle.bramwell@act.gov.au or on 02 6205 3706.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Josh Rynehart', with a long horizontal flourish extending to the right.

Josh Rynehart
Executive Branch Manager
Access Canberra

22 April 2020