



## Djarragun College

### Blue Cards

#### Who Needs a Blue Card?

The Working with Children Act and Regulations require that, subject to the exemptions referred to below, people employed in regulated employment or carrying on regulated business must possess a Blue Card.

People require a Blue Card where their usual function at or their employment by the College (including as a Volunteer or Third Party Contractor) includes, or is likely to include, providing services directed mainly towards, or conducting activities that mainly involve, children.

The Education (Accreditation of Non-State Schools) Act 2017 (Qld) also requires directors of non-state schools to have a current Blue Card or Exemption Card before they can commence work as a director at the College.

Therefore, at Djarragun College, the following people require a Blue Card:

- members of the Board who are not also teachers or Queensland Police Officers
- paid staff members (other than teachers)
- Direct Contact Volunteers (other than parents)
- some Third-Party Contractors
- student teachers
- teacher aides
- College crossing supervisors.

The Working with Children Act also requires that persons who work in the boarding section of the College hold a Blue Card, regardless of whether their services are directed mainly at, or their activities mainly involve, children.

At Djarragun College, these employees include:

- boarding house supervisors
- kitchen/catering staff in the boarding house, whether as staff members or as contractors
- builders, electricians, plumbers or construction workers carrying out work for the Djarragun College, whether as staff members or as contractors.

For all the above (except board Members and Third-Party Contractors), a Blue Card is only legally required if the length of employment meets the frequency test.

#### Who Doesn't Need a Blue Card?

A Blue Card is not legally required if an employee (other than a board Member or Third-Party Contractor) does not meet the frequency test.

*The following employees also do not need a Blue Card, regardless of how often they work at the College:*

- registered teachers with the Queensland College of Teachers (QCT)\*\*
- registered health practitioners, including registered nurses\*\*\*
- child Volunteers (aged under 18)
- Volunteers who are a parent of a child attending the College.



\*\*Staff members with current QCT teacher registration do not require additional screening as registration includes equivalent checks. They may however need to apply for an Exemption Card if they provide other child-related services, in addition to their normal professional duties. For more information, refer to Exemption Cards.

\*\*\*Registered health practitioners,

such as the College nurse, do not require additional screening as registration includes equivalent checks. They may however need to apply for a Blue Card if they provide other child-related services, in addition to their normal professional duties. For example, a nurse who also provides music lessons or supervises after school hours care would require a Blue Card.

Under Queensland law, people who are not legally required to hold a Blue Card **cannot** apply for one.

### Applications for Blue Cards: What is Checked?

***The Blue Card check is a national criminal history and other records check that assesses a person's suitability to work with children, based on:***

police information:

- any charge or conviction for an offence (even if no conviction was recorded)
- child protection prohibition orders (whether a person is a respondent or subject to an application)
- disqualification orders
- whether a person is subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004 (Qld) or Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)

investigative information:

- information that the Police Commissioner may provide about police investigations into allegations of serious child-related sexual offences, even if no charges were laid and
- disciplinary information:
- information held by certain professional organisations including teachers, childcare providers, foster carers and certain registered health practitioners.

### Outcome of Blue Card Applications

There are three outcomes that can result from a Blue Card application: Withdrawn; a Positive Notice; or a Negative Notice.

#### ***Withdrawn:***

An application for a Blue Card can be withdrawn by the College at any time before it is decided.

Applications, and/or consent to employment screening, are also deemed to be withdrawn in certain circumstances, such as when the person about whom the application is made does not comply with requests from Blue Card Services for additional information or is charged with a disqualifying offence.

The College cannot employ a person whose application has been or is deemed to have been withdrawn.

#### **Positive Notice:**

The application has been approved and a Positive Notice is issued to the person about whom it was made, along with:

- a Paid (P) Blue Card for paid employees or regulated business owners or
- a Volunteer (V) Blue Card for volunteers.



Paid employees and business operators can use their P Blue Cards for all regulated child-related categories, including volunteer work in other organisations provided they link it to that relevant organisation.

Volunteers can use their V Blue Card across all unpaid regulated child-related work categories, including in other organisations provided they link it to that relevant organisation and are not in any paid regulated employment.

Positive Notices and Blue Cards are valid for three years. During this time, Blue Card Services will conduct ongoing monitoring of the card holder's police information and may suspend or cancel the Positive Notice and Blue Card.

**Negative Notice:**

The application has been refused and a Negative Notice is issued to the person about whom it was made. The person is prohibited from all regulated child-related employment and from carrying on a regulated business. It is an offence for a person with a Negative Notice to apply for, start or continue in regulated employment, or to carry on a regulated business.

If the person believes the Negative Notice was issued based on incorrect or incomplete information, an application can be made to Blue Card Services to have the notice reassessed.

Applications for review of decisions by Blue Card Services to suspend or cancel a Positive Notice/Blue Card, or to issue a Negative Notice, can also be made to the Queensland Civil and Administrative Tribunal (QCAT).

A Negative Notice remains current unless and until it is cancelled.

**No Card, No Start**

Under Queensland's No Card, No Start requirements, prospective College employees (other than those who are exempt) must not commence employment or engagement with the College until they hold a valid Blue Card, or receive positive notification that their Blue Card application has been approved.

For continuing employees, applications for renewal of a Blue Card must be submitted before their Blue Card expires. They may continue to work even if their new Blue Card has not been issued before the old one expires. However, if they fail to apply for renewal before the expiry date, they are subject to No Card, No Start and must cease working with children until their new Blue Card has been issued.

**How to Apply For or Renew a Blue Card**

It is the responsibility of each individual to apply for a Blue Card check and to renew their Blue Card every three years before it expires.

There is no fee for Volunteers or trainee students.

Home stay providers who meet the frequency test, and any adults (persons over 18) also residing in the home, must apply for a Blue Card and nominate the College as the employer.

**New Staff, Volunteers and Relevant Third-Party Contractors**

**Employees' obligations**

Prospective employees who do not already have a Blue Card must apply for and have received their Blue Card prior to commencing their employment or engagement at the College.

Many prospective staff and Volunteers may already hold a Blue Card by reason of their previous or other employment. It is also likely that most Third-Party Contractors who work with children and External Education Providers engaged by the College are carrying on a regulated business within the meaning of the Working with Children Act. As such, they would normally already hold a Blue Card.



Holders of current Blue Cards must complete the Link an applicant/cardholder to this organisation form, prior to commencing in their role, to advise Blue Card Services that they are undertaking child-related activities with a new or additional organisation (the College). The College is also required to complete information on that form.

It is the responsibility of the Blue Card System Manager at the College to complete the form when required.

### **The College's obligations**

Where a prospective staff member, board Member, Volunteer or Third-Party Contractor needs a Blue Card to work at the College, the College is responsible for:

- checking the individual's identity documents
- checking the validity of that Blue Card
- notifying Blue Card Services of the employment or proposed employment of the individual prior to the individual commencing work at the College.

The Blue Card Services online validation portal is accessible [here](#).

The College must not employ or engage, or continue to employ or engage, these employees if they do not have a valid Blue Card.

For more information, refer to Blue Cards and Exemption Cards – Additional Obligations of the College.

### **Continuing Staff, Volunteers and Relevant Third-Party Contractors**

#### **Employees' obligations**

Blue Cards are valid for three years. It is the responsibility of each individual who holds a Blue Card to apply for its renewal.

Blue Card renewal reminder notices are sent out by Blue Card Services approximately 10 weeks prior to the expiry of the Blue Card.

All **employees** must submit their renewal application before their Blue Card expires. If they do this, they can continue working while their renewal application is being processed.

Any employee who fails to submit their application for renewal before their expiry date must cease working with children while their renewal application is being processed.

#### **The College's obligations**

The College will be notified of all relevant updates about the status of Blue Cards for its staff, Volunteers and relevant Third-Party Contractors, including notices of a suspension or cancellation.

The College has specific obligations if it becomes aware that an employee:

- has been issued with a Negative Notice
- is a disqualified person or a restricted person, or
- has had their Blue Card cancelled or suspended.



The College must:

- ensure that the employee does not continue to undertake regulated, child-related work within the College. This includes any position on a committee or advisory board where the person's decision-making impacts on children within the College environment
- ensure that appropriate policies and procedures are in place to manage any risks of harm to children and young people if the employee continues to be employed by the College in work that is not child related.

For more information, refer to Blue Cards and Exemption Cards – Additional Obligations of the College.