

Working with children clearance – Ochre card - policy and guidelines

Department of Education and Training

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1. Policy

The Department of Education and Training (department) is committed to safeguarding children and young people in all schools in the Northern Territory (NT), therefore all department employees must have a current Working with Children Clearance (Ochre Card).

Although department employee's primary role may not meet the definition of child related employment, it has been identified this policy mitigates the following risks:

- the potential for reputational risk for the department with a core business of providing services for children
- employing personnel who have not met screening requirements
- media cases involving principals, teachers and other school employees or volunteers and alleged, criminal behaviour including child sexual abuse and producing or possessing child abuse material
- non-school personnel accessing children's data without appropriate clearance.

To reduce the likelihood of these identified risks, everyone involved in the education of children and young people and delivering the functions of the department must have a current Ochre Card.

2. Legislation

The Care and Protection of Children Act 2007 (the CPC Act) , supported by the Care and Protection of Children (Screening) Regulations 2010 (CPC Regulations), establishes a comprehensive framework for promoting and safeguarding the wellbeing of children in the NT. The CPC Act governs the terms and conditions of all individuals who engage in child-related work, including the requirement to hold a valid Ochre Card.

This policy ensures adherence to the guiding principles for child-safe organisations as outlined in the Education Act 2015 (the Act) and the department's Child safety policy and contributes to a culture of safeguarding children.

This policy is more extensive than the requirements of the Act, the CPC Act and the CPC Regulations. In making this policy determination, the department has adopted a cautious approach to ensure that the wellbeing and safety of children is the first and foremost priority.

Regardless of any advice sought, for example from SAFE NT, all department employees must hold a current Ochre card.

3. Purpose

The department takes the safety of all children seriously and strives to ensure that all child-related activity is conducted in safe conditions. The holding of a valid Ochre Card for all department employees can reduce the likelihood of posing any risk to children's safety, welfare, and well-being, ensuring that the department's operations remain lawful, ethical and fully compliant with legislative obligations.

4. Scope

This policy applies to all department employees, school body members and employees, volunteers and contractors, in all school and corporate workplaces.

5. Roles and responsibilities

5.1. Chief Executive

The Chief Executive (CE) holds ultimate authority to approve the employment of personnel. In exceptional circumstances, the CE may deem a position critical and, provided specific conditions are met, approve an individual for employment pending their Ochre Card verification.

Exemptions are granted by the CE in accordance with sections 187(4) and 187(5) of the CPC Act.

5.2. Employees – must do actions

Employees and potential employees must:

- understand their roles and responsibilities
- monitor and maintain a current Ochre Card or apply for a temporary exemption
- renew their Ochre Card in a timely manner to ensure issuance before expiry
- notify their manager at least 14 days before Ochre Card expiry if renewal is pending
- immediately inform their manager or the panel chair, if their ochre card:
 - application is refused or will be delayed beyond the temporary exemption period.
 - is revoked, or under consideration for revocation by SAFE NT
 - has conditions placed on it
 - is under consideration of having conditions placed on it by SAFE NT.

5.3. Principals and Directors – must do actions

Principals and Directors must:

- understand their roles and responsibilities
- ensure all employees understand their roles and responsibilities
- ensure job descriptions submitted for recruitment action includes the requirement for a successful applicant to obtain an Ochre Card
- ensure that no employee is permitted to begin or continues child-related work without a current Ochre Card or temporary exemption
 - exemptions are to be authorised in line with the department Delegations policy
- authorise renewal payments in accordance with this policy
- maintain a current register which includes relevant details of all employees Ochre Card status. Schools record details of employee Ochre Card status within Ci Anywhere
- implement risk management strategies for employees with approved exemptions, and monitor and review them throughout the period of exemption
- immediately notify the relevant delegate in writing via email, of any employee who may be unable to continue in their role because:
 - their Ochre Card application is refused or will be delayed beyond the temporary exemption period
 - their Ochre Card is revoked, or under consideration for revocation by SAFE NT
 - conditions are imposed, or under consideration of being imposed, on their Ochre card by SAFE NT.

5.4. Selection panel chairs

Selection panel chairs must:

- understand their roles and responsibilities
- ensure positions are advertised subject to the successful applicant holding an Ochre Card and clearly stating the requirement in the job description
- provide successful applicants with information about Ochre cards
- provide appropriate advice during the recruitment process to ensure applicants are aware of the requirement to hold a valid Ochre Card
- finalise recruitment based on the successful candidates' outcome of their Ochre Card application
- ensure employees do not commence unless they hold a valid Ochre Card or exemption.

5.5. School body members and employees

Ochre Card requirements apply to school body (SB) members and employees. SB members must have a valid Ochre Card because their voluntary positions may involve contact with children. This requirement includes SB committee members, employees, parent consultative groups, and Local Engagement and Decision-making committees.

All SB members are required to:

- follow the same standards and requirements for the engagement of their employees and contractors as outlined in this Ochre Card policy
- apply for an Ochre Card upon election or appointment to the SB
- maintain a current Ochre Card for the duration of their SB membership
- notify the principal or SRB chair of any changes to their Ochre Card status, such as revocation, or any conditions being imposed by SAFE NT
- ensure timely renewal of their Ochre Card to maintain its validity.

6. Department requirements

6.1. Ochre Card requirements

- All corporate employees must have a valid Ochre Card effective 1 January 2026.
- Current employees without a valid Ochre Card or with an expired one must initiate or renew their clearance before 1 January 2026.
- Employees may seek exemption while their application is pending if clearance is not expected by this date.
- All school-based employees, including relief teachers and pre-service teachers must hold a current valid Ochre Card.
- External personnel, such as volunteers, contractors, SB members and employees engaged in roles involving or potentially involving interactions with children must also hold a valid Ochre Card before engaging in their work.

6.2. Job descriptions

All job descriptions must state the requirement that a successful applicant must hold or have the ability to hold an Ochre Card. The following statement must be included as follows: The selected applicant must hold a valid Ochre Card or have the ability to obtain one prior to commencement.

Due to specific requirements for the Working with Children Check, Ochre Cards cannot be transferred between states. Regardless of whether employees have previously applied for an Ochre Card or equivalent in another state, they must have a valid NT Ochre Card. For more information please go to the Australian National Character Check [ANCC page](#), and read the Working with children checks.

6.3. Applications

Applications must be submitted through [SAFE NT](#).

6.4. Exemption period

In cases where an Ochre Card is pending and does not cover the entire employment duration, managers are authorised to seek temporary exemptions. Application forms for temporary exemptions can be found on NT Government information and services site, [Working with children clearance: before you apply](#).

Exemptions are granted in accordance with sections 187(4) and 187(5) of the CPC Act, relieving an employee from the obligation to hold a current Ochre card during the processing of their application.

Applicants for exemptions should detail the measures the workplace intends to implement to mitigate risks during the exemption period.

6.5. Non-resident volunteers

Volunteers who are non-resident of the NT, and are engaged in volunteer child-related work for a period of less than 30 days in a 12-month period do not require an Ochre Card. They should only perform volunteer work under the direct supervision of someone who holds a valid Ochre Card.

This provision does not apply to interstate pre-service teachers or other students undertaking practical training of an educational or vocational course. Even if placements are unpaid, pre-service teachers must hold a valid Ochre Card.

6.6. Application fees

All employees will be reimbursed the cost of their application fees for Ochre Card issuance or renewal. Principals and directors will authorise reimbursement of these fees upon presentation of a receipt for payment made.

6.7. Ochre Card register

Principals and directors are required to maintain a current and accurate register detailing employees' Ochre Card status for security and compliance purposes.

7. Non-compliance

All employees must adhere to this policy and guideline and have responsibility to ensure the ongoing currency of their Ochre card at all times.

Failure to comply may result in disciplinary action as per the Code of Conduct and the *Public Sector Employment and Management Act 1993*, this includes:

- employees with expired Ochre Cards must not continue in their roles without having an exemption.
- employees who refuse to obtain an Ochre Card may face formal action as determined by the CE, for example termination of employment.
- new ongoing employees who fail to obtain an Ochre Card may be terminated before the expiration of their probation period.
- new fixed period employees may also be terminated if they are unable to obtain an Ochre Card.

When an Ochre Card is not applied for, is revoked, has been refused, or conditions are imposed and these actions are unable to be resolved at the workplace, the delegate will escalate the matter to a Senior Executive of the department, the Department of Corporate and Digital Development (DCDD), and Workforce Services to consider appropriate actions, or in the case of an Executive Contract Officer, pursuant to their Executive Contract.

8. Definitions

Table 1 - Definitions of key terms

Term	Definition
Child related employment	Under Section 185 of the CPC Act, a person is engaged in child-related work if they are working, paid or unpaid, volunteering or training with any education facility for children in the NT where the work may potentially involve contact with children. Education and care services are also included in this provision.
Delegate	As defined under the Department of Education and Training delegation policy.
Employees	All department employees and personnel, whether engaged directly or indirectly, and whether for reward or on a voluntary basis, by or for the department. This includes contractors and individuals employed by contractors, both within and outside the NT jurisdiction, and SB employees.
Manager	In the case of a school means the principal and otherwise means the director or other senior officer responsible for the implementation of this policy in a workplace.
SAFE NT	The screening authority, a body of individual members, appointed by the relevant Minister for the CPC Act, who is responsible for deciding whether to issue an Ochre card to a candidate who wishes to engage in child-related employment.
School body	A school representative body; a school management council; or a multi-school management council. School representative body includes joint school representative body. This includes SB members and employees.
Temporary exemption	An exemption for a specified period of time granted by the Chief Executive of the Department of Children and Families pursuant to section 187(5) of the CPC Act in respect of a pending application for an Ochre card.

Term	Definition
Workplace	Any place where a worker goes or is likely to be, while work is carried out for a business or undertaking. This may include offices, factories, shops, construction sites, vehicles, ships, aircraft or other mobile structures on land or water such as offshore units and platforms, that are not already covered under the Commonwealth’s offshore work health and safety laws.

9. Related legislation, policy and resources

9.1. Legislation

Education Act 2015 - <https://legislation.nt.gov.au/en/Legislation/EDUCATION-ACT-2015>

Education Regulations 2015 - <https://legislation.nt.gov.au/en/Legislation/EDUCATION-REGULATIONS-2015>

Care and Protection of Children Act 2007 - <https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>

Care and Protection of Children (screening) Regulations 2010 - <https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-SCREENING-REGULATIONS-2010>

Public Sector Employment and Management Act 1993 - <https://legislation.nt.gov.au/Legislation/PUBLIC-SECTOR-EMPLOYMENT-AND-MANAGEMENT-ACT-1993>

9.2. Policy

Child safety policy - https://education.nt.gov.au/policies/health-safety#child_safety_1119008

Department of Education Delegations policy - <https://elearn.ntschoools.net/pal/delegations>

Working with children check Australian ANCC - <https://www.australiannationalcharactercheck.com.au/working-with-children-checks.html#:~:text=Due%20to%20the%20peculiar%20requirements,in%20a%20different%20state%2Fterritory>

9.3. Resources

Application forms for temporary exemptions - <https://nt.gov.au/emergency/child-safety/working-with-children-clearance-before-you-apply/for-employers-or-volunteer-coordinators>

Ci anywhere – <https://elearn.ntschoools.net/school-operations/farms/business-processes#resources16447>
(Staff login required)

Department of education Code of conducts for education sites and workplace participants - <https://education.nt.gov.au/policies/conduct>

Employment Instruction 12 Code of Conduct - <https://ocpe.nt.gov.au/employment-conditions-appeals-grievances/code-of-conduct>

Ochre Card ID requirements - <https://nt.gov.au/emergency/community-safety/working-with-children-clearance-before-you-apply/id-requirements>

Acronyms	Full form
CE	Chief Executive
CPC Act	Care and Protection of Children Act 2007
CPC Regulations	Care and Protection of Children (Screening) Regulations 2010
department	Department of Education and Training
DCDD	Department of Corporate and Digital Development
the Act	Education Act 2015
Ochre card	Working with Children clearance

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