

# FACT SHEET

## WORKING WITH CHILDREN CLEARANCE NOTICES

*This information has been produced to assist principals and managers with understanding and meeting their responsibilities under the Care and Protection of Children Act and department policy. Refer to the [Working with Children Clearance Notices \(Ochre Card\) Policy](#) and the [Care and Protection of Children Act](#) for further information.*

### Who needs an Ochre Card?

All people engaged in child related work in the Northern Territory are required to have a Working with Children Clearance Notice (Ochre Card).

Under Section 185 of the *Care and Protection of Children Act* (the 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.

The department policy requires that workers **must** hold a current Ochre Card in the following situations:

#### 1. School-based workers

All school-based workers, **regardless of the nature of their work or duties**, are required to hold a current Ochre Card at all times.

#### 2. Relief Teachers

Relief teachers must hold a current Ochre Card, **in addition to** being registered through the eRecruit. Managers must verify the currency of an Ochre Card, in addition to their registration status in eRecruit before engaging a relief teacher.

#### 3. Workers who may have access to student information

Any worker who may, during the ordinary course of their work or duties, have access to student information or student records, whether in electronic form or hard copy, must hold a current Ochre Card. This includes any worker providing information technology services.

#### 4. Other workers with access to a departmental workplace

If it is not readily apparent whether a worker will, or might perform child-related work, and the worker does not fall within one of the above specific policy situations, a manager will determine the need for an Ochre Card by having regard to the following principles:

- will the worker have, or potentially have, any form of physical contact with children
- will the worker have, or potentially have, any form of verbal contact with children, either face to face or by other means
- will the worker have, or potentially have, any form of written communication with children?

Situations must be assessed on a case-by-case basis, always ensuring that the wellbeing of children is the paramount consideration.

## School Councils

School Councils must comply with the same legislative requirements and are expected to adopt the same standards for the engagement of their own employees and contractors, as are set out in the policy document.

### Accessing identification to apply for an Ochre Card?

There are many types of identification that a person can use to support their application. [Click here](#) for a full list.

In cases where a potential employee does not currently have sufficient identification to support their application, the school principal/ manager should try to assist by connecting them to relevant agencies such as:

- [NTG Births Deaths and Marriages](#)
- Centrelink
- Local Council Office (some provide ID documents)
- The applicant's banking institution.

### What if the person's services are required immediately?

The school principal/manager may apply for a Temporary Exemption once an application has been submitted. A Temporary Exemption will allow the person to commence work, under the supervision of a person with a current Ochre Card, while their application is being processed.

[Application forms for exemptions](#) can be found on the NT.GOV.AU website.

### Who does not need an Ochre Card?

Section 186 of the Act provides the following three exemptions to the requirement to have an Ochre Card. The individual must meet all of the criteria for the exemption type they fall within.

Exemption type	Criteria <i>(note the person must meet all of the criteria under the exemption type)</i>
Parent	<p><b>The individual:</b></p> <ol style="list-style-type: none"><li>1. is engaged as a voluntary worker in a capacity (other than for work requiring overnight stay); <b>and</b></li><li>2. is a parent of at least one of the children with whom the individual may have contact with as such a worker; <b>and</b></li><li>3. is working under the direct supervision of someone who holds a current clearance notice; <b>and</b></li><li>4. is not required by the principal of the school to hold a clearance notice.</li></ol>
Under 15	<b>The individual is less than 15 years of age.</b>
Interstate Resident	<p><b>The individual:</b></p> <ol style="list-style-type: none"><li>1. is not a resident of the Territory; <b>and</b></li><li>2. is engaged as a voluntary worker to perform child-related work; <b>and</b></li><li>3. is so engaged for a total period that does not exceed the limit prescribed by regulation (14 days within a 12 month period).</li></ol>

### **Further queries regarding**

SAFE NT administer the application and renewal processes for Ochre Cards. Should you have any questions regarding an application you may seek advice from SAFE NT on 1800 723 368 or email [safent.police@nt.gov.au](mailto:safent.police@nt.gov.au).

Note: applications are assessed to determine whether a person poses an unacceptable risk to children. Having a criminal record does not automatically exclude an application from being approved.

### **Application fees**

The department will reimburse the application fee for the issue or renewal of an Ochre Card for a worker, where the worker is employed directly by the department.

The department has distributed funding to schools to reimburse fees incurred by departmental employees for the issue or renewal of an Ochre Card through their school funding allocation. Therefore schools are responsible for processing requests for reimbursement.

### **Ochre Card register**

Managers need to ensure their Ochre Card Register on the [myBiz Ochre Card Report](#) is up to date, and those requiring an Ochre Card have a valid Ochre Card or have a current exemption in place.