*This information has been produced to assist managers and school principals 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*](https://education.nt.gov.au/education/policies/working-with-children-clearance-notices-ochre-cards) *and the* [*Care and Protection of Children Act*](https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007) *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* (CPCA), 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.

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.

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.

1. 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.

1. 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, whether on site at a departmental workplace or otherwise.

1. 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.

### Who does not need an Ochre Card?

Section 186 of the CPCA 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 *(note the person must meet all of the criteria under the exemption type)* |
| --- | --- |
| Parent | The individual:1. is engaged as a voluntary worker in a capacity (other than for work requiring overnight stay); and
2. is a parent of at least one of the children with whom the individual may have contact with as such a worker; and
3. is working under the direct supervision of someone who holds a current clearance notice; and
4. is not required by the principal of the school to hold a clearance notice.
 |
| Under 15 | The individual is less than 15 years of age. |
| Interstate Resident | The individual:1. is not a resident of the Territory; and
2. is engaged as a voluntary worker to perform child-related work; and
3. is so engaged for a total period that does not exceed the limit prescribed by regulation (14 days within a 12 month period).
 |

### School Representative Bodies (including School Councils)

School Representative Bodies 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](https://nt.gov.au/emergency/community-safety/working-with-children-clearance-before-you-apply/id-requirements) for a full list.

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

* [NTG Births Deaths and Marriages](https://nt.gov.au/law/bdm)
* Centrelink
* Local Council Office (some provide ID documents)
* The applicant’s banking institution.

### Managing a person’s ability to work

The manager must apply for a Temporary Exemption no later than 14 days prior to commencement of a worker or expiry of a worker’s Ochre Card where an application for an Ochre Card, or a renewal of an Ochre Card has been made and no decision has been made on the application. The Temporary Exemption, once received, will allow the person to commence or continue to work with children while their application for the Ochre Card is being processed.

[Application forms for exemptions](https://nt.gov.au/emergency/community-safety/working-with-children-clearance-before-you-apply/for-employers-or-volunteer-coordinators) can be found on the NT.GOV.AU website.

### 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 from school-based staff.

### Ochre Card Register

Managers need to ensure their Ochre Card Register on the [myBiz Ochre Card Report](http://apps.ntschools.net/mybiz/Pages/welcome.aspx) is up to date, and those requiring an Ochre Card have a valid Ochre Card or have a current exemption in place.

Principals are required to complete their Ochre Card register and upload it to the [School Financial Improvement and Support Portal](http://apps.ntschools.net/myobupload/Pages/FileToolKit.aspx) on the first day of each school term, and monthly in accordance with the school finance end of month reporting cycle. See page 5 of the policy for further details.

Individuals and their managers can check whether they hold a valid Ochre Card through the online [SAFE NT website.](https://forms.pfes.nt.gov.au/safent/CheckValidity.aspx?IsValidityCheck=true)

### Further queries regarding the Ochre Card application process

SAFE NT administer the application and renewal processes for Ochre Cards. Information about the process is available on their [website](https://forms.pfes.nt.gov.au/safent/). Through this site, individuals can:

* Apply for a new Ochre Card
* Renew an existing Ochre Card
* Check whether an individual has a valid Ochre Card
* Check the progress of an application or renewal for an Ochre Card
* Change your personal details; and
* Request a replacement card if it is lost or stolen.

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.