



SLSQ Policy

Title: Blue Card Screening Policy - Members	Division: Board
Policy No: B01	Version: 6
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1. Introduction

This policy supports Surf Life Saving Queensland’s (SLSQ) commitment to the safety and welfare of members and others who engage with SLS.

This policy provides direction to all SLS Clubs, Branches and SLSQ regarding the legislative and compliance requirements of the Blue Card System administered under the [Working with Children \(Risk Management and Screening\) Act 2000 \(the Act\)](#) and its amendments and [Working with Children \(Risk Management Screening\) Regulation 2020](#). This policy is also a mandatory component of the SLSQ Child and Youth Risk Management Strategy.

2. Purpose

The purpose of this policy is ultimately to maintain the safety and wellbeing of children and adults engaged with Surf Lifesaving in Queensland, through the provision of robust organisational practices and procedures in line with the legislative requirements for Working with Children. SLSQ is bound by Queensland legislation requiring volunteers who are engaged in regulated employment with persons under 18 to obtain blue cards prior to commencement and continued participation in the organisation.

The Blue Card System aims to contribute to the creation of safe and supportive environments for children and young people when receiving services and participating in activities which are essential to their development and wellbeing, such as Surf Lifesaving Queensland.

SLSQ employees, both unpaid and paid, are captured under the [Churches, clubs and associations involving children](#) and [Health, counselling and support services](#) categories of regulated employment.

Child Youth Risk Management Strategy

Each service provider (SLSQ and its affiliated or recognised entities) are required to implement and maintain a child and youth risk management strategy which must be reviewed annually. These strategies aim to ensure that there are appropriate policies and procedures in place to identify and minimise the potential risk of harm to children. Visit www.qld.gov.au/bluecardriskmanagement for more information.

We all have a responsibility to ensure the safety and welfare of children and youth. The Child Youth Risk Management Strategy are mandatory requirements for SLSQ. Every person within SLSQ are bound by the Statement of Commitment and the Code of Conduct. Education courses developed provide legislative requirements and how to report offences. Audits of working with children checks are carried out to ensure compliance. Essential resources to maintain compliance and support are provided.

There are 8 mandatory requirements to the strategy:

1. Statement of commitment
2. Code of conduct



3. Recruitment, selection, training, and management
4. Reporting disclosures and suspicions of harm
5. Managing breaches
6. Risk management plan for high-risk activities
7. Managing compliance with the blue card system
8. Communication and support

Blue card screening

Before Blue Card Services start the blue card check, all blue and exemption card applications are subject to a National Reference System database search to determine if another state or territory has made an adverse working with children decision about them.

Once this is completed, they continue with the blue card check to determine a person's eligibility to work with children and young people based on their known past behaviour.

The blue card check assesses:

- any national charge or conviction (including spent convictions and pending and non-conviction charges) 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
- if a person is subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004 or Dangerous Prisoners (Sexual Offenders) Act 2003
- disciplinary information held by certain professional organisations including teachers, child care licensees and foster carers
- domestic violence information
- other information about the person that is relevant to deciding whether it would be in the best interests of children to issue a blue card
- police investigations information relating to allegations of serious child-related sexual offences, even if no charges were laid.

The blue card check is only one component of the blue card system.

Ongoing daily monitoring

All blue card applicants and holders are monitored daily by the Queensland Police Service. If any police information changes (i.e. if a card holder is arrested for an offence against a child and is deemed a risk to be working with children) Blue Card Services can immediately suspend or cancel a blue card and let SLSQ know of the change in the person's blue card status.

Linking

Individuals who already hold a valid blue or exemption card with another organisation, must link their card to SLSQ, before they engage with SLSQ, by submitting a *request via the Blue Card Services portal*. This allows SLSQ to receive any important updates about an applicant or card holder's status. Visit www.qld.gov.au/bluecardchangingwork for more information.

Should a blue or exemption card expire, be suspended, or cancelled there may be ramifications regarding continuing volunteering with a surf life saving activity/ organisation, such as being placed on leave restricted duties, suspension, or expulsion of membership. SLSQ and its affiliated or recognised entities must take steps to ensure that the person is no longer engaged in regulated employment by following procedures outlined in Appendix A – Blue Card Policy Procedures.



Blue cards must be linked to SLSQ for Blue Card Services to notify SLSQ of any changes to an individual's card status or police information. If an individual is involved in the SLSQ organisation without being linked a penalty may incur.

National Reference System

Queensland participates in the Working with Children National Reference System to share information between jurisdictions of individuals who have been deemed ineligible to work with children in another participating state or territory. All applicants are searched in the National Reference System database to determine if another state or territory has made an adverse working with children decision.

The National Reference System (NRS) records adverse working with children check decisions in a national database made by another participating jurisdiction to be shared to indicate they are prohibited from working with children for another jurisdiction and avoid performing new checks. Should an application be submitted by a negative notice holder of another jurisdiction this application will be withdrawn in Queensland.

Through the NRS if a cardholder is suspended interstate, their Queensland working with children card will be suspended and will not be required to consider lifting the suspension until the interstate suspension ends. If a negative notice is issued in another jurisdiction while holding a Queensland authority, this will be cancelled with no right of review. If an interstate adverse decision is no longer in effect the applicant will be risk assessed by the chief executive (QLD Working with Children Authority-Blue Card Services).

Volunteer Blue Card

Volunteer cards are for members over the age of 18 involved in SLSQ in a volunteer role that requires them to hold a blue card. The fees for applications for volunteers are waived when linked to an organisation.

Paid Blue Card

Paid cards are for paid staff of Surf Life Saving Clubs, Surf Life Saving Branches, or Surf Life Saving Queensland. A paid blue card is required to work or continue to work in paid employment for staff over and under the age of 18.

SLSQ recommends that clubs and affiliated entities develop their own policies and procedures for managing paid staff Working with Children Checks. SLSQ staff should refer to HR036 – SLSQ Blue Card Screening Policy- Staff.

Exemption Blue Card

Exemption cards are for current Queensland Police Officers and Queensland registered Teachers only. This is a type of working with children card for people working in these professions who volunteer with children outside of their ordinary employment in regulated employment. 'Exemption card' does not mean they are exempt from requiring a blue card when volunteering.

3. APPLICATION OF THE POLICY

This policy applies to all members and volunteers of SLSQ and its affiliated or recognised entities during the conduct of surf lifesaving activities within Queensland. This policy does not apply to SLSQ staff, nor staff of SLSQ clubs or affiliated entities. SLSQ staff should refer to HR036 – SLSQ Blue Card Screening Policy-Staff.

This policy outlines the application of the Act for the purposes of conducting screening for members and volunteers involved in surf lifesaving activities throughout Queensland. This includes:

- who must hold a card, including what positions SLSQ deem as mandatory
- volunteer exemptions
- who cannot apply for a blue card
- when can a person start



Who must hold a Working with Children Check (Blue Card)

Volunteers over the age of 18 years who work with children and young people must hold a Working with Children Check if their work falls into a category of regulated employment, regardless of how often they will come into contact with children and young people, unless an exemption applies.

A person can apply for a Working With Children Check three months prior to turning 18 years in preparation to begin/continue volunteering at the age of 18. Their blue card will be issued on their 18th birthday.

Due to Surf Lifesaving's unique nature and large, varying scope of activities, SLSQ has recognised and accepted that parent members who are actively involved in working with and/or supervising children are not, or are very unlikely to be, involved in activities without their children from week to week. Therefore, parent members who are not involved in roles or functions listed in section 4.2 below are not required to complete the Working with Children Check requirements.

Individuals cannot rely on exemptions as a restricted person who are:

- Issued with a negative notice
- A suspended blue card
- A disqualified person
- Charged with a disqualifying offence that has not yet finalised, or
- Subject of an adverse interstate Working with Children Check decision in effect.

Positions held in SLS who must apply for a Working With Children check

The following is a list of positions in Surf Lifesaving where the people in those positions, if over 18 years of age, **must** complete the screening procedures and hold a positive notice blue card

- Committee Members
- Junior Activities Chairperson and Committee Members
- Team Managers / Assistant Team Managers
- Age Managers and Assistant Age Managers
- Cadet / Youth Officers
- Chief Training Officer and Training Officers
- Assessors
- Patrol Captains
- Patrol Members
- Coaches / Assistant Coaches
- Chaperones
- Officials
- Water Safety Personnel (including Nipper Adult Assistants)
- Photographers
- Peer Support Officers
- All People in Positions of Authority involved in a "live-in" situation or camp
- Caretakers (including Live-in)
- Grievance Officers/Complaint Officers/MPIOs
- Child Safety Officers
- All members who are participating in any surf life saving educational course (accredited or non-accredited). This includes awards for lifesaving, surf sports and membership/junior activities.
- All members applying for a credit transfer/RPL

SLSQ's affiliated or recognised entities including Branches, Clubs and Supporters Clubs shall not add any further positions to this list without the prior written approval of SLSQ.

3.1. Who doesn't need a Working with Children Check



Volunteers under 18 years of age are exempt from requiring a Working with Children Check unless they are a trainee student doing a practical placement as part of their studies with an education provider.

Frequency

A person does not need a blue or exemption card if their work is less than 7 days a calendar year.

- This applies to any regulated child-related work between 1 January and 31 December.
- a 'day' includes a full day or part of a day (e.g. 2 hours of work on 1 day is considered to be a day).

If the persons work is more than 7 days a calendar year, they will need a blue or exemption card.

The 7-day frequency exemption only applies to volunteers, paid employees and students doing practical placements for their course. The frequency exemption does not apply business operators. A [restricted person](#) cannot rely on the frequency exemption.

Individuals cannot rely on exemptions as a restricted person who are:

- Issued with a negative notice
- A suspended blue card
- A disqualified person
- Charged with a disqualifying offence that has not yet finalised, or
- Subject of an adverse interstate Working with Children Check decision in effect.

3.2. Who are prohibited from applying for, or renewing a Working with Children Check

A Disqualified person or Restricted person are prohibited from applying for or renewing a blue card or exemption card, must not work in child related employment and cannot rely on exemptions. Refer to Offences and Restrictions section for further details.

3.3. When can a person begin work?

Under the Act a **volunteer, trainee student** of SLSQ's affiliated or recognised entities **must not commence** regulated child-related work until they hold a valid blue card that is linked to SLSQ. Valid linked Working with Children Card details are recorded in Surfguard by SLSQ.

3.4. Renewals

Volunteer Working with Children Cards are issued with an expiry date of three (3) years if not cancelled or suspended prior. The card holder is responsible for renewing their card under the following conditions:

- Renewal applications must be submitted to Blue Card Services before the current card expires to continue working in regulated child-related employment.
- If a renewal application is not submitted prior to the expiry date of the current card the member will be subject to No Card, No Start legislation, not able to continue working in regulated child-related employment until a new blue card is issued
- A reminder is sent by Blue Card Services to renew Working With Children Cards 10 weeks prior to the current card's expiry.
- A current card holder can renew a valid blue card 16 weeks prior to the expiry date.

Offences and Restrictions

SLSQ is notified by Blue Card Services when an individual's card is Cancelled, Suspended, Withdrawn, or issued with a Negative Notice. This is actioned promptly notifying the Club President confidentially and suspending the member from duties. This is recorded in Surfguard.

Disqualified Person



A disqualified person is someone charged or convicted with committing a disqualifying offence. All disqualifying offences are listed in the [Working with Children \(Risk Management and Screening\) Act 2000](#).

A disqualified person is:

- A reportable offender under the [Child Protection \(Offender Reporting and Offender Prohibition Order\) Act 2004](#)
- The subject of an offender prohibition order under the [Child Protection \(Offender Prohibition Order\) Act 2008](#)
- Prohibited by a court to apply for or hold a blue card
- The subject of a sexual offender order under the [Dangerous Prisoners \(Sexual Offenders\) Act 2003](#)

If a person has been convicted of a disqualifying offence:

- They must not apply for, start, or continue child-related work (paid or voluntary) or a child-related business regulated by the blue card system. Disqualified people are not able to apply for or hold a blue card. It is an offence to do these and may result in a penalty.
- If a person did not receive an order of imprisonment, they can apply for an eligibility declaration by making a submission to Blue Card Services.
- If the charge is finalised and the individual is not convicted of the offence, Blue Card Services will reassess the eligibility to hold a blue or exemption card.

Serious Offences

People charged or convicted of serious offences will have their blue card application withdrawn or suspended if they currently hold one.

All serious offences are listed in the [Working with Children \(Risk Management and Screening\) Act 2000](#).

An offence is a 'serious offence' if:

- It is against a provision of an Act in the list of serious offences.
- It is committed under a law of another jurisdiction, but if it had been committed in Queensland would be considered a serious offence in the list of serious offences.
- It is a class 1 offence or a class 2 offence under the [Child Protection \(Offender Reporting and Offender Prohibition Order\) Act](#) that is not otherwise a serious offence under this Act
- It is the counselling or procurement of the commission of an offence of a kind mentioned in the list of serious offences.
- It is an attempt or plan to commit an offence of a kind detailed in the list of serious offences.
- There is an intention to commit an offence of a kind mentioned in the list of serious offences.
- At the time it was committed, an offence of a kind mentioned in the list of serious offences.

If a person has been convicted of a serious offence:

- They must not apply for, start, or continue child-related work (paid or voluntary) or a child-related business regulated by the blue card system. It is an offence to do these and may result in a penalty.
- Suspended cards must be returned to Blue Card Services immediately.
- While a card is suspended, the individual is a restricted person.
- The individual may make a submission to Blue Card Services to review.

Negative Notice

A negative notice is issued when Blue Card Services assess the eligibility to hold a blue card based on an individual's past police or disciplinary information. The individual may make a submission to Blue Card Services to review.

- A person issued with a negative notice must not apply for, start, or continue child-related work (paid or voluntary) or a child-related business regulated by the blue card system. It is an offence to do these and may result in a penalty.
- A negative notice holder can apply to cancel a negative notice two years after issued. This is not guaranteed to overturn the decision and negative notices do not have an expiry date, remaining current until they are cancelled. If the notice remains current the individual cannot apply to cancel for another 2 years.
- If a negative notice is cancelled the individual may apply for a blue card.



Cancellation of blue or exemption card

A person's blue card or exemption card may be cancelled if they are assessed as no longer eligible by Blue Card Services through the daily monitoring.

- A person whose blue card or exemption card has been cancelled must not apply for, start, or continue child-related work (paid or voluntary) or a child-related business regulated by the blue card system.
- Cancelled cards must be returned to Blue Card Services immediately.
- If an individual has been issued a negative notice, they are a restricted person.

Restricted person

A restricted person cannot start or continue employment or volunteer work and cannot rely on any exemptions in restricted employment. A restricted person is a person who are:

- Issued with a negative notice
- A suspended blue card
- A disqualified person
- Charged with a disqualifying offence that has not yet finalised, or
- Subject of an adverse interstate Working with Children Check decision in effect.

Restricted employment allows particular people to work with children without a blue card:

- A volunteer parent, so long as the parent is volunteering in a role that provides the same or similar service that their child receives at the club
- A volunteer who is under the age of 18
- Paid or unpaid staff working in regulated child-related employment for not more than 7 days in a calendar year (one day is not determined by the number of hours worked that day).

Individuals cannot rely on exemptions as a restricted person.

Withdrawal

A withdrawal notice may be issued if the:

- blue card applicant does not provide the information requested by Blue Card Services by the stated time (for example, documents to establish the identity of the applicant, or
- employer has not sighted the employee's proof of identity documents, or
- applicant has not declared that he or she is not a disqualified person), or
- applicant is charged with a disqualifying offence, or
- applicant withdraws their consent to employment screening, or
- applicant is no longer employed by the employer stated in the application, or
- applicant is not engaged in employment or carrying on a business that falls within the scope of the blue card system.

4. Obligations

The Act places obligations on applicants and card holders. Failure to comply with these obligations may attract penalties outlined by Blue Card Services, [Offences and penalties under the blue card system](#). The following section outlines the responsibilities of cardholders, clubs, branches and SLSQ.

Change to police information

Applicants and card holders must immediately notify Blue Card Services of changes to their police information. A change to police information include:

- Any charge or conviction for an offence
- Existence of police investigative information relating to allegations of serious child-related sexual offences, even if no charges were laid
- Being the subject of an application for a disqualified order



- Being respondent to an application for offender prohibition order under the [Child Protection \(Offender Reporting and Offender Prohibition Order\) Act 2004](#)
- Becoming subject to reporting obligations or a child protection offender prohibition order under the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004*, or a disqualification order, or a sexual offender order.

Blue Card Services will determine if this information effects the eligibility to hold a blue card and will notify the individual and organisation linked.

Minor infringements should not affect an individuals' blue card eligibility. To clarify a specific situation, contact Blue Card Services

Child Sexual Offence Reporting

When a sexual offence occurs, it is mandatory to report this to police. In these circumstances SLSQ takes action by addressing the situation, maintaining preventative measures, and implementing procedures and training to prevent future instances.

Child sexual offence is an offence of a sexual nature committed against a child include:

- Indecent treatment of a child
- Carnal knowledge with or of a child
- Rape
- Incest
- Grooming a child (or their parent or carer)
- Making child exploitation material
- Maintaining a sexual relationship with a child

As of July 2021, it is an offence for any adult not to report sexual offending against a child by another adult to police. Report offences to PoliceLink on 131 444 or if it is an emergency phone Triple Zero 000.

Obligations and Penalties

Once issued with a blue card it is valid to the expiry date provided unless suspected or cancelled earlier by Blue Card Services.

A blue card or exemption card holder is required to notify Blue Card Services within 14 days if:

- No longer work with children
- Change of name, address or contact details
- Card is lost or stolen
- Begin working or volunteering with children in a new or additional organisation
- Change from volunteer to paid work with children

From 1 July 2023, 1 penalty unit is \$154.80

A person must not start or continue without a current working with children clearance. This includes negative notice holder and disqualified person.

Maximum penalty: \$77,400.00 (500 penalty units) or 5 years imprisonment

If a person holds a current blue card they must immediately notify Blue Card Services of any change in police information.

Maximum penalty: \$15,480.00 (100 penalty units)

When holding a current working with children clearance a person must notify Blue Card Services within 14 days of change of name, address or contact details.

Maximum penalty: \$1,548.00 (10 penalty units)

If current working with children card has been lost or stolen, must apply for a replacement card within 14 days.

Maximum penalty: \$1,548.00 (10 penalty units)

4.1. Responsibilities of Working with Children Check / exemption card holders:



- a. Once you have applied for or hold a working with children clearance, you must notify Blue Card Services of any of the following changes:
 - change of address,
 - change of employment circumstances (such as starting a new job),
 - change of name (including name changes due to marriage/divorce),
 - if your notice or card is lost or stolen,
 - if you stop working in child-related employment,
 - if there is a change in your police information.
- b. Card holders must monitor their expiry dates and act accordingly to ensure they can continue to volunteer in regulated employment. Should a card expire, be withdrawn, discontinued, suspended, or cancelled there may be ramifications regarding continuing volunteering with a surf life saving activity/organisation such as being placed on leave restricted duties, suspension, or expulsion of membership which are outlined in Appendix A – Blue Card Policy Procedures.
- c. If a member is a restricted person they cannot start or continue employment or volunteer work and cannot rely on any exemptions in restricted employment. A restricted person is a person who are:
 - Issued with a negative notice
 - A suspended blue card
 - A disqualified person
 - Charged with a disqualifying offence that has not yet finalised, or
 - Subject of an adverse interstate Working with Children Check decision in effect.
- d. A restricted person must return blue card or exemption card to Blue Card Services immediately.
- e. A restricted person must not apply for, start, or continue regulated employment.

4.2. Responsibilities of Affiliated Entities

- a) Required to implement child and youth risk management strategies which address the eight minimum legislative requirements.
- b) Maintain a register of all volunteers.
- c) Audit Club all members required to hold a card.
- d) Advise Blue Card Services immediately if a volunteer, student, or person defined as working in regulated employment proposes to commence child-related work with the club by lodging the appropriate form with SLSQ.
- e) Advise SLSQ if the volunteer ceases employment with the club (the card will be delinked from SLSQ)
- f) Advise Blue Card Services and SLSQ if they receive notification that there is a change in the person's police information, [Change in Police Information notification](#).
- g) Clubs must not employ a person whose card has been suspended, a disqualified person or negative notice holder in regulated child-related employment within your organisation.
- h) It is an offence not to provide every applicant with a warning that they must not sign an application form if they are a disqualified person. Further information is available on the Blue Card Services website www.qld.gov.au/bluecard If an applicant is unsure whether they are a disqualified person, they should not complete an application and you should direct them to contact Blue Card Services immediately for further information.

4.3. Responsibilities of Branches

- a) Required to implement child and youth risk management strategies which address the eight minimum legislative requirements.
- b) Maintain a register of all volunteers.
- c) Audit Branch all members required to hold a card.
- d) Advise Blue Card Services immediately if a volunteer or student proposes to commence child-related work with your organisation by lodging the appropriate form with SLSQ.



- e) Advise SLSQ if a member ceases employment with the Branch.
- f) Advise Blue Card Services & SLSQ if you receive notification that there is a change in the person's police information.
- g) Branches must not accept a person whose card has been suspended, a disqualified person or negative notice holder in regulated child-related employment within your organisation.
- h) It is an offence not to provide every applicant with a warning that they must not sign an application form if they are a disqualified person. Further information is available on the Blue Card Services website www.qld.gov.au/bluecard If an applicant is unsure whether they are a disqualified person, they should not complete an application and you should direct them to contact Blue Card Services immediately for further information.

4.4. Responsibilities of SLSQ

- a) Required to update (as required) and implement child and youth risk management strategies which address the eight minimum legislative requirements.
- b) Audit State Position holders and key volunteers and staff engaged in the delivery of regulated services.
- c) Maintain a register of all volunteers.
- d) Advise Blue Card Services immediately if a volunteer or student proposes to commence child-related work by lodging the appropriate form.
- e) Advise Blue Card Services if the member ceases employment with SLSQ.
- f) Advise Blue Card Services if you receive notification that there is a change in the person's police information.
- g) SLSQ must not accept a person whose card has been suspended, a disqualified person or negative notice holder in regulated child-related employment within your organisation.
- h) It is an offence not to provide every applicant with a warning that they must not sign an application form if they are a disqualified person. Further information is available on the Blue Card Services website www.qld.gov.au/bluecard If an applicant is unsure whether they are a disqualified person, they should not complete an application and you should direct them to contact Blue Card Services immediately for further information.

5. Related Legislation and Policy Instruments

The following documents can be found on the Members Portal

- SLSQ Child Youth Risk Management Strategy and supporting resources
- SLSQ Policy MS03 – Dealing with Police Investigations, Criminal Charges, Guilty Pleas and/or Convictions
- SLSA Member Protection Policy 6.05

Further information regarding Blue Card Services:

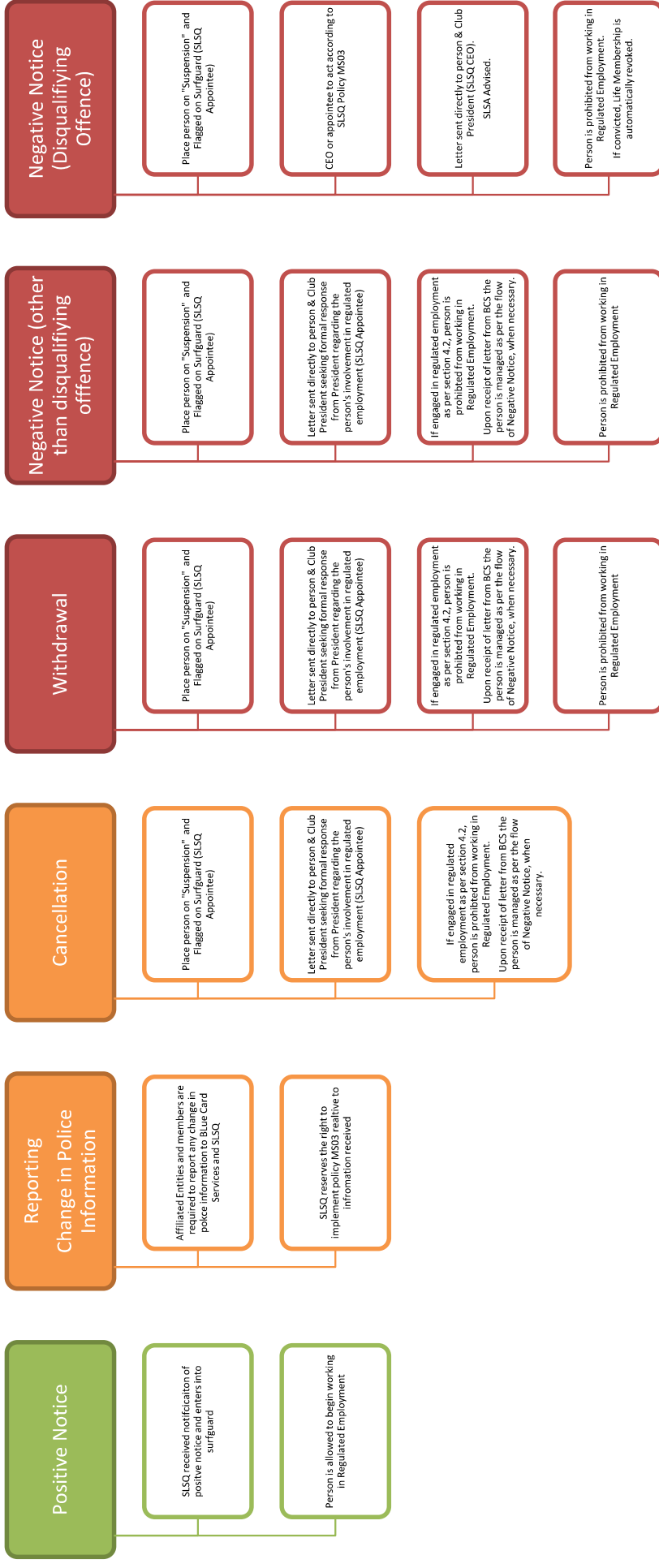
- Blue Card Services Website: <http://www.bluecard.qld.gov.au/> Phone 1800 113 611 or 07 3211 6999

A handwritten signature in black ink, appearing to read 'Dave Whimpey'.

Dave Whimpey
Chief Executive Officer
Surf Life Saving Queensland



APPENDIX A – Working with Children Check Policy Procedures when advised by Blue Card Services



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