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The Treasury  
Langton Crescent  
Parkes ACT 2600

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### National approach to worker screening in the care and support economy

The National Catholic Education Commission (NCEC) welcomes the opportunity to provide a short submission to the treasury's *National approach to worker screening in the care and support economy* consultation.

#### About Catholic Education

NCEC is the peak body for Catholic education in Australia and is responsible for the national coordination and representation of Catholic schools and school authorities. Our role is to ensure the needs of Catholic education, and the hundreds of thousands of Australian families who entrust the education of their children to our schools, are served through funding, legislation, and policy.

Catholic education is the major provider of education outside of government. Australia's 1,755, mostly low-fee, Catholic schools educate one in five, or 820,000, students and employ more than 112,000 staff. Catholic schools are not-for-profit and inclusive; open to all families who seek a Catholic education. Australia's low-fee Catholic schools give families the choice of a holistic, balanced, and affordable education.

Catholic education in Australia is associated with, runs and administers early childhood and preschool as part of its offering for families. The over 700 Catholic early childhood services are run under varying different governance models, all of which require clear and accountable safety measures for the protection of children.

As not-for-profit organisations providing services in numerous communities across Australia, Catholic schools, early childhood services and school systems have a significant interest in ensuring that the systems which ensure the safety of our children and young people, through the engagement of appropriate staff and volunteers, is paramount.

#### The current consultation

The current consultation seeks feedback on two proposed options for worker screening in the care and support economy:

- Mutual recognition – jurisdictions and sectors recognising checks done by other jurisdictions and sectors
- A single national check – combining all existing working screening checks into one national check

NCEC strongly supports both these options acknowledging the impact will include not only the care and support economy (including early childhood) but particularly the primary and secondary education sectors where Working with Children Clearance (WWCC) processes are the backbone of child safety polices and procedures.

The NCEC has a long history of advocating for a national WWCC, particularly one that facilitates information sharing and continuous verifications which are timely, reliable and as far as possible automated.

The comments offered in this submission are by way of considerations for the effective implementation of these options. The NCEC is unequivocal that a national WWCC should be pursued, it recognises that mutual recognition and cross jurisdictional information sharing is a step towards realisation of a national system.

Within this submission reference to WWCC has been used consistently notwithstanding jurisdictional differences in the name of such checks/clearances. Children and young people have been referenced as the key stakeholders in education however this similarly applies to vulnerable persons (both children and adults).

Challenges	Considerations for implementation
The current fragmented system created by jurisdictional variations is a key risk for any organisation providing care and support of children and young people.	A system of information sharing cannot be reliant on an employer knowing 'where to look' or 'what to ask' and should include a positive obligation to share certain information.
For sectors with a labour shortage (education and early childhood) current barriers including multiple processes for application and verification, can prevent pursuit of an inter-jurisdictional opportunity. Mobility has been linked to retention and reduces burnout.	The attraction, recruitment and retention of qualified professionals in the sector would be aided by processes and checks which aid mobility and transfer. Mutual recognition will also assist schools/service providers in rural, regional and remote areas to engage staff without the barriers of additional WWCC applications.
The current WWCC system, such as that in NSW where the Office of the Children's Guardian flags with organisations where an individual's WWCC has been placed in question, relies on a system which accurately links employees and volunteers to the organisations where they provide their services. This is often reliant on an employer or the employee themselves keeping this updated to receive timely notifications.	Consideration regarding the implementation of worker registration will need to consider how a person is linked to entities so that accurate verification and notification occurs. Reliance on the individual is high risk in the case of perpetrators and reliance on organisations introduces human error and delay/complacency.
Current processes for information sharing can be time and resource intensive.	The process for information sharing between jurisdictions should not be overly burdensome.
Information sharing in an employment context can sometimes provide access to information which is not relevant to a risk to children or young people.	Information sharing will depend on a clearly defined criteria for offences and behaviours which should be disclosed. The process cannot be used to circumvent an individual's right to privacy particularly around performance or past employment concerns that are not child related.

A national system may be perceived as mitigating the obligations of an organisation regarding employment screening and checks.

The WWCC is not a stand-alone solution and must sit alongside education materials, student voice, sound policies, effective recruitment practices, training, professional development and constant vigilance which prioritises child safety.

Currently WWCC have varied validity timelines and application costs for those employed in education as teachers. This is in addition to costs of professional registration (annual in some jurisdictions).

Consider linking professional fees and WWCC to provide a consistent and auditable compliance process i.e. the registration authority checks the validity of the WWCC when processing the professional fee.

Reporting requirements for misconduct vary across jurisdictions.

A consistent reportable conduct scheme should identify the behaviours and offences to be reported and these should be consistent. There should also be a consistent approach to excluded offences or an avenue for review particularly when the perpetrator is captured unfairly on a strict liability approach to the criteria in the reportable conduct scheme.

Reportable conduct and child safety reporting regimes vary between jurisdictions leading to confusion and uncertainty.

A central authority (possibly in line with the Standing Council of Attorneys-General) should oversee the reportable conduct schemes as administered by state authorities to ensure a consistent application and alignment with national principles of safeguarding.

Variation in the approach to no check no start

In the case of employment with children and young people, it should be nationally consistent that employment cannot commence without the appropriate clearances being given. This will also require an efficient approach to processing and approval of WWCCs.

My Gov may be a single front door for individuals to apply for screening.

The user experience of My Gov would need to be significantly enhanced particularly for Australians who come from non-English speaking or low-literacy backgrounds who can find the system very difficult to navigate.

A national check needs to be easily searchable and checkable.

Employers and organisations are not the only groups who need to be able to verify an individual's WWCC. Parents and carers should be able to verify a national WWCC to ensure coaches, tutors and para-professionals have the necessary clearances before engaging them. This is currently too reliant on the person themselves.

Should you have any further questions in relation to this submission, please contact me via phone 02 8229 0808 or via email [jacinta.collins@ncec.catholic.edu.au](mailto:jacinta.collins@ncec.catholic.edu.au).

Yours faithfully



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