

WORKING WITH CHILDREN CHECKS AND OTHER POLICE CHECKS DURING THE COVID-19 EMERGENCY

Please note that the following amended police check provisions apply during the COVID-19 emergency:

Uncertified copies of original identifying documents can be accepted for National Police Checks where interviews are done remotely

During the COVID-19 emergency, job interviews in NSW Health organisations are likely to be done via an interactive visual medium (such as videoconference or Skype), rather than face-to-face. Where Health organisations are not able to sight original identifying documents at interview, and if the applicant has not been able to have copies of their documents certified, uncertified copies of original documents can be accepted for lodging a National Police Check. However, the Health organisation must still sight the original documents and complete the NSW Health ID checklist for the selected candidate as soon as possible.

Emergency conditional appointments may be used as necessary

NSW Health policy ([PD2019_003 Working With Children Checks and Other Police Checks](#)) allows for conditional appointments of staff without finalised National Police Checks (section 4.10) or Working With Children Checks (section 5.8) in certain emergency situations.

These policy provisions may be used during the COVID-19 emergency, as necessary, to assist in the speedy appointment of new frontline health staff.

Working With Children Checks (WWCCs) – Six month extension to any WWCCs due to expire between 26 March 2020 and 26 September 2020

Following the passing of the *COVID-19 Legislation Amendment (Emergency Measures) Act 2020* by the NSW Parliament on 25 March 2020, the Office of the Children's Guardian (OCG) has extended all WWCC clearances that are due to expire between 26 March 2020 and 26 September 2020 for a further six months. The six-month period applies from the date of the person's current expiry date. Further extensions may be applied for should they be needed.

For further details, please visit <https://www.kidsguardian.nsw.gov.au/about-us/news/nsw-children-s-guardian-extends-wwcc-clearances-in-response-to-covid-19>.

The OCG has advised people who have been granted an extension by email, and their system has been automatically updated. StaffLink will also be automatically updated with the new expiry date via the daily OCG validation program between OCG and StaffLink, as long as the current expiry date is in the open active line in StaffLink.

Temporary changes to witness requirements for Statutory Declarations by overseas applicants / students, aged care workers and health care / locum agency staff

Under a temporary Regulation for the Covid-19 emergency under section 17 of the *Electronic Transactions Act 2000 (NSW)*, the categories of people authorised to witness NSW statutory declarations have been expanded to include those who may witness Commonwealth statutory declarations. For further information on who can witness a statutory declaration, see the Federal Government Guidelines at <https://www.ag.gov.au/Publications/Statutory-declarations/Pages/who-can-witness-your-statutory-declaration.aspx#who>.

In addition, the Regulation provides that NSW statutory declarations can temporarily be witnessed by video conferencing technology (eg Skype, WhatsApp, FaceTime, Zoom). The witness must still

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see a person signing the document in real time and endorse the document by specifying how the document was witnessed. For further details on the temporary requirements, please see https://www.dcj.nsw.gov.au/_data/assets/pdf_file/0012/778971/FINAL-Witnessing-legal-documents-remotely-22.04.20.pdf. The temporary Regulation will expire on 26 September 2020, unless changed by further regulation or resolution of Parliament.

The provisions outlined in the Regulation apply to overseas applicants and overseas students applying for a position / placement in NSW Health where they are required to provide a NSW statutory declaration regarding any criminal charges or convictions.

NSW Health will also apply the above provisions to relevant Commonwealth statutory declarations, in line with current advice from the Federal Attorney-General's Department. These include the Aged Care Declaration and Criminal Record Statutory Declarations by health care / locum agency staff.