



PROHIBITED EMPLOYMENT DECLARATION **Child Protection (Prohibited Employment) Act 1998**

With the exception of where an order, from the Industrial Relations Commission or the Administrative Decisions Tribunal, declares that the Act does not apply to a particular person, the Child Protection (Prohibited Employment) Act 1998 makes it an offence for a person convicted of a serious sex offence (a prohibited person) to apply for, undertake or remain in, child-related employment.

Section 5 of the Child Protection (Prohibited Employment) Act 1998 defines a serious sex offence as an offence involving sexual activity or acts of indecency that was committed in NSW and that was punishable by penal servitude or imprisonment for 12 months or more, or, an offence involving sexual activity or acts of indecency that was committed elsewhere and that would have been an offence punishable by penal servitude or imprisonment for 12 months or more if it had been committed in NSW.

Child-related employment means any employment that primarily involves direct contact with children where that contact is not directly supervised. Section 1 of the Child Protection (Prohibited Employment) Act 1998 specifies that child-related employment is employment:

- involving the provision of child protection services
- in pre-schools, kindergartens and child care centres (including residential child care centres)
- in schools or other educational institutions (not including universities)
- in detention centres (within the meaning of the Children (Detention Centres) Act 1987)
- in refuges used by children
- in wards of public or private hospitals in which children are patients
- in clubs, associations or movements (including of a cultural, recreational or sporting nature) having a significant child membership
- in any religious organisation
- in any entertainment venues where the clientele is primarily children
- as a babysitter or childminder that is arranged by a commercial agency
- involving fostering or other child care
- involving regular provision of taxi services for the transport of children with a disability
- involving the private tuition of children
- involving the direct provision of health services
- involving the provision of counselling or other support services for children
- on school buses
- at overnight camps for children.

Under this Act:

- it is an offence for a prohibited person to apply for, undertake or remain in child-related employment
- employers must ask existing employees, both paid and unpaid, and preferred applicants for employment
- to declare whether they are a prohibited person or not
- all child-related employees must inform their employers if they are a 'prohibited person' (someone
- who has been convicted of a serious sex offence) or remove themselves from child-related employment
- penalties are imposed for non compliance.



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I am aware that I am ineligible to apply for, undertake or remain in, child-related employment if I have been convicted of a serious sex offence as defined in the Child Protection (Prohibited Employment) Act 1998 or if I am a Registrable Person under the Child Protection (Offenders Registration) Act 2000.

I have read and understood the above information in relation to the Child Protection (Prohibited Employment) Act 1998. I am aware that it is an offence to make a false statement on this form.

I declare that I am not a person prohibited by the Act from seeking, undertaking or remaining in child-related employment.

I understand that this information may be referred to the Commission for Children and Young People and/or to NSW Police for law enforcement purposes and for monitoring and auditing compliance with the procedures and standards for employment screening in accordance with Section 36 (1) (f) of the Commission for Children and Young People Act 1998..

Name

(Please Use Block Letters)

Signature

Date

Contact Telephone Number

Note: Seek legal advice if you are unsure of your status as a prohibited person.

This form should be returned to your employer / potential employer