

## Consent attached to Statutory Declaration to be used for audit purposes under Section 40A *Child Protection (Working with Children) Act 2012*

I ..... declare that I am the person named in the attached Statutory Declaration.

I am aware that providing false information in a statutory declaration is a serious offence.

I consent to the Children's Guardian or a person approved by the Children's Guardian obtaining and considering my criminal records from any jurisdiction (if any) and such other records or other information as may be permitted by the *Child Protection (Working with Children) Act 2012* for the purpose of verifying the information provided in the attached Statutory Declaration in accordance with section 40A of that Act.

I acknowledge that the Office of the Children's Guardian or a person approved by the Children's Guardian may provide information in the attached Statutory Declaration to the Australian Criminal Intelligence Commission (ACIC), an Agency of the Commonwealth of Australia, and the Australian Police Agencies for the purposes of a Working with Children Check, which includes a National Police History Check.

I acknowledge that any information provided by me in the attached Statutory Declaration relates specifically to the purpose of obtaining a Working with Children Check for the purpose of verifying the information provided in the attached Statutory Declaration.

I consent to:

- ACIC disclosing personal information about me to the Australian Police Agencies;
- the Australian Police Agencies disclosing to ACIC, from their records, details of convictions and outstanding charges, including findings of guilt or the acceptance of a plea of guilty by a court, that can be disclosed in accordance with the laws of the Commonwealth, States and Territories and, in the absence of any laws governing the disclosure of this information, disclosing in accordance with the policies of the Australian Police Agency concerned;
- the ACIC providing the information disclosed by the Australian Police Agencies to the Office of the Children's Guardian or a person approved by the Children's Guardian in accordance with the laws of the Commonwealth.

I acknowledge that information released as part of the National Police History Check obtained from ACIC will be released in accordance with the Spent Convictions Schemes (see below)

I understand that there may be exclusions from the Spent Convictions Schemes in the information that may be released.

I acknowledge that any information provided by the Australian Police Agencies or the ACIC, relates specifically to the purpose of verifying the information provided in the attached Statutory Declaration. ACIC's privacy officer can be contacted on (02) 6268 7000 or by e-mail to [privacy@acic.gov.au](mailto:privacy@acic.gov.au) or in writing to GPO Box 1573 Canberra City ACT 2601.

I acknowledge that the Office of the Children's Guardian or a person approved by the Children's Guardian may obtain information or documents for the purpose of verifying the information provided in the attached Statutory Declaration from:

- ACIC;
- NSW Police;
- the Director of Public Prosecutions, whether or not those documents are subject to legal professional privilege or other restrictions of disclosure;

- Courts; and
- Government agencies and other persons holding information about me.

I acknowledge that personal information that I provide in the attached Statutory Declaration may be disclosed to the Office of the Children's Guardian or a person approved by the Children's Guardian (including contractors or related bodies corporate) located in Australia for administrative purposes.

The OCG privacy officer may be contacted on General phone: 02 8219 3800 or by e-mail to [kids@kidsguardian.nsw.gov.au](mailto:kids@kidsguardian.nsw.gov.au) or in writing to Attn: Director Business and Executive Support Office of the Children's Guardian Suite 1, Level 13, 418A Elizabeth St SURRY HILLS NSW 2010

I acknowledge that it is usual practice for an applicant's personal information to be disclosed to Australian Police Agencies for them to use for their respective law enforcement purposes including the investigation of any outstanding criminal offences.

I acknowledge that the Office of the Children's Guardian will be informed if the information provided in my Statutory Declaration is inaccurate.

I acknowledge that the Office of the Children's Guardian may disclose such information to:

- my employer;
- NSW Police or other Australian Police Agencies;
- the Ombudsman;
- any other investigative agency that the Children's Guardian considers appropriate;
- the Department of Family and Community Services;
- the Director of Public Prosecutions;
- a court or tribunal;
- an approved interstate screening agency;
- the Minister of Family and Community Services;
- the Office of the Information and Privacy Commissioner;
- any other person approved by the Information and Privacy Commissioner and prescribed in the *Child Protection (Working with Children) Regulation 2013* (NSW).

I understand that I may withdraw my consent but may only do so by:

- Ceasing any paid or unpaid child-related work, and;
- Making a written request to have my Working with Children Check Clearance cancelled

If I do not have a Working with Children Check Clearance, I understand that to withdraw consent in relation to my application for a Working With Children Check Clearance, I may only do so by:

- Ceasing any paid or unpaid child-related work, and;
- Making a written request to withdraw my application

I understand I can request to have my Working with Children Check clearance cancelled or my application withdrawn by writing to:

**Working With Children Check**  
Office of the Children's Guardian  
Suite 1, Level 13, 418A Elizabeth St  
SURRY HILLS NSW 2010  
Email: [check@kidsguardian.nsw.gov.au](mailto:check@kidsguardian.nsw.gov.au)

Signature

Date

## Undertaking to accompany Statutory Declaration to be used for audit purposes under section 40A of the *Child Protection (Working with Children) Act 2012*

I provide with this Statutory Declaration certified copies of identity documents equal to or greater than 100 points as outlined in the requirements for identity verification at:

<https://www.acic.gov.au/files/npcs-proof-identity-requirements>

First Name: .....Surname: .....

Previous names: .....

Date of birth .....  Male  Female

Street address: .....

Suburb .....State .....Post Code: .....

My Drivers Licence Number is: .....  I do not have a Drivers Licence

I currently hold a passport issued by the .....Government

Passport Number .....  I do not have a current passport

In addition to the address provided, I have lived at the following Australian addresses in the past five years

I have not lived at another Australian address in the past five years.

Street address: .....

Suburb .....State .....Post Code: .....

Street address: .....

Suburb .....State .....Post Code: .....

### Undertaking under section 40A of the *Child Protection (Working with Children) Act 2012*

I undertake, as a condition of my continuing to perform child-related work (including volunteering) for **<employer name>**, that I will notify **<employer name>** of:

- (a) any refusal to grant me a working with children check clearance under the NSW *Child Protection (Working with Children) Act 2012*;
- (b) the cancellation of any working with children check clearance I may hold under the NSW *Child Protection (Working with Children) Act 2012*;
- (c) the imposition of an interim bar under the NSW *Child Protection (Working with Children) Act 2012* that prevents me from engaging in child-related work that requires a working with children check clearance; and
- (d) any conviction imposed on me for an offence, or finding that I am guilty of an offence, or finding that the charge for an offence against me is proven, where the offence is of the kind referred to in the attached Statutory Declaration.

.....  
Signature

.....  
Date