

INFORMATION SHEET



Homestays and the Working with Children (Risk Management and Screening) Act 2000 **Queensland** AUSTRALIA

endless opportunities

Where a homestay for a student under 18 years of age is organised through a Queensland state school:

- the homestay provider is “engaged in regulated employment”, as a volunteer*, for the purposes of the *Working with Children (Risk Management and Screening) Act 2000* (“the WWC Act”)
- each adult “residing” in a homestay home is taken to be a volunteer* engaged in regulated employment. “Residing” means the place the person is living in on an ongoing or permanent basis as the person’s settled or usual abode.

This means that homestay providers and adult residents of the home require either:

- a blue card; or
- a positive exemption card, if the person is a registered teacher or a police officer.

Blue cards

Before a homestay provider application can be approved (before a student can be placed in the home):

- the homestay providers must have a current blue card
- all adult residents must have a current blue card
- the school must have notified Blue Card Services.

If the person does not hold a current blue card - the school submits an application to Blue Card Services using the [Blue card application](#) form. The school waits for notice from Blue Card Services about whether the application is withdrawn, or a positive or negative notice is issued. The homestay provider application can only be approved if a positive notice (blue card) is issued.

If the person already holds a blue card, the school should submit the [Link an applicant/cardholder to this organisation](#) form to Blue Card Services. Once this notification has been made, the WWC Act requirements have been met unless Blue Card Services informs the school otherwise.

* “Volunteer” is defined in s 165 of the WWC Act. Generally, homestay providers for Queensland state schools will be volunteers for the purposes of the WWC Act. If you require specific advice please contact Blue Card Services or [Legal and Administrative Law Branch](#).

If the person does not already hold a blue card but has applied for a blue card for a different organisation, the school should submit the [Link an applicant/cardholder to this organisation](#) form to Blue Card Services. The school waits for notice from Blue Card Services about whether the application is withdrawn, or a positive or negative notice is issued. The application to become a homestay provider can only be approved if a positive notice (blue card) is issued.

Note: schools can check whether a person's blue card is current by using the online validation service on the [Blue Card Services website](#).

Exemption cards – registered teachers and police officers

Where an applicant to become a homestay provider or an adult resident of the home is a registered teacher or a police officer, the WWC Act provides that a student cannot be placed in the home unless either:

- the person has a current positive exemption notice and the school has notified Blue Card Services; or
- the school has applied for an exemption notice about the person.

If the person already holds a positive exemption card, the school should submit the [Link an applicant/cardholder to this organisation](#) form to Blue Card Services. The WWC Act requirements have then been met, unless Blue Card Services informs the school otherwise.

If the person does not already hold an exemption card, the school should submit the [Exemption card application](#) to Blue Card Services. Education Queensland International (EQI) requires schools to wait for written notice from Blue Card Services stating whether the person was issued with a positive exemption notice or a negative exemption notice. A positive exemption notice is required before finalising the homestay provider application.

Note: schools can check whether a person's exemption card is current by using the online validation service on the [Blue Card Services website](#).

Exceptions

The WWC Act provides limited [exceptions](#) to the requirements for homestay providers and adult residents to hold blue cards. EQI require homestay provider applicants and all adult residents of their home to have blue cards/positive exemption cards before the homestay provider's application can be approved by a school.

The only exception to this rule is where the homestay provider or adult resident of the home is a "relative" of the student. A "relative" means the student's parent, grandparent, great grandparent, brother, sister, uncle, aunt, niece, nephew or first cousin.

The WWC Act provides another exception, for infrequent short term placements. This exception should not be relied upon by a school except in a genuine emergency where there is no approved homestay provider able to accept the student. An exception applies only if all of the following occur:

- a. the homestay is organised by the school
- b. the homestay provider is a “volunteer⁺”
- c. the arrangement is not more than twice per year
- d. it is for a period that is, or for periods that are each, 10 days or less.

Change in police information

Homestay providers and adult residents must immediately tell the school if there has been a change in their police information (e.g. a change to their criminal history). They do not have to provide any further details, only that a change has occurred.

Once notified, the school must *immediately* submit the [Change in police information notification form](#) to Blue Card Services. The person’s eligibility to hold a blue card or exemption card will then be reassessed by Blue Card Services.

The [Consent to discuss information](#) form authorises Blue Card Services to disclose information to a school, beyond what the legislation requires the school to be told. Where a school is notified of a change in police information by a cardholder, school staff should provide the form to the cardholder and ask the cardholder to complete the form.

The additional information from Blue Card Services may help a school to determine whether a student requires an immediate change of placement. If the cardholder refuses to complete the form, the school will have to make an assessment about the student’s placement without the additional information from Blue Card Services.

If the change in police information is relevant to the person holding a blue card/exemption card, Blue Card Services will give the school written notice containing information, such as:

- the person’s eligibility for a blue card/exemption card is being reassessed;
- whether the change in police information is a charge or conviction; and
- whether it is for a ‘serious offence’.

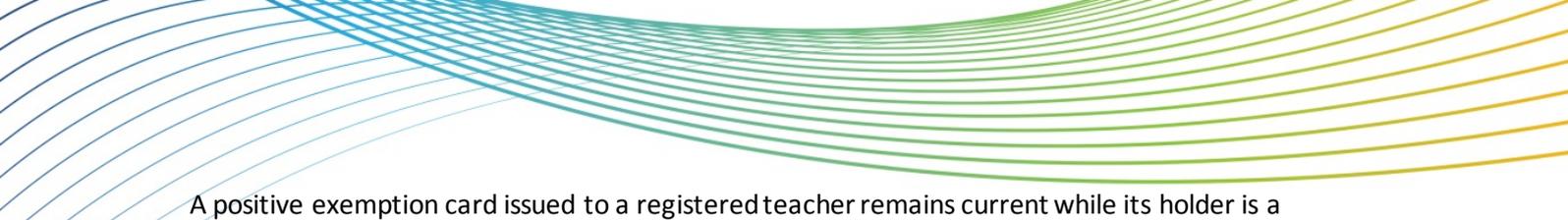
If a blue card or positive exemption card is cancelled or suspended, the school will be notified.

Card Expiry

Blue cards remain current for three years (unless cancelled earlier). [Renewal applications](#) must be made *at least 30 days* prior to the expiry date (if not, a student cannot stay in the home until after the person has received a new blue card).

A positive exemption card issued to a police officer remains current while its holder is a police officer, (unless cancelled earlier).

⁺ “Volunteer” is defined in s 165 of the WWC Act. Generally, homestay providers for Queensland state schools will be volunteers for the purposes of the WWC Act. If you require specific advice please contact Blue Card Services or [Legal and Administrative Law Branch](#).



A positive exemption card issued to a registered teacher remains current while its holder is a registered teacher, (unless cancelled earlier).

If a police officer or registered teacher is a homestay provider or adult resident with a positive exemption card and they cease to be a police officer or registered teacher, they must *immediately* notify the school. Schools should then *immediately* contact [Blue Card Services](#) for advice.

Risk Management Strategy

DET International, trading as EQI (on behalf of Queensland state schools) develops a written risk management strategy and reviews it at least every year, as required by the WWC Act.

It is the responsibility of DET International staff and all employees of Queensland state schools who organise homestays to be familiar with and implement the risk management strategy.

Further advice

Blue Card Services

- Website: www.bluecard.qld.gov.au.
- Factsheets: www.bluecard.qld.gov.au/info-sheets.html.
- Email through the website: http://www.bluecard.qld.gov.au/contact_form.aspx or info@bluecard.qld.gov.au.
- Telephone: 1800 113 611 or 3211 6999.