

7. Compliance with the requirements of the blue card system

What do I need to do?

It is necessary to outline policies and procedures to ensure compliance with the blue card system requirements under the Act. Your organisation's policies and procedures in relation to blue card compliance, together with procedures for review, must be incorporated in your child and youth risk management strategy.

Why do I need to have policies and procedures to ensure compliance with the blue card system?

By ensuring that you are complying with your legislative requirements under the blue card system, your organisation can demonstrate to stakeholders that you are committed to maintaining a safe and supportive environment for children and young people. You can also ensure that your strategy remains current and effective in identifying and minimising risks of harm to children and young people.

How do I do it?

Some guiding information has been included in this toolkit to assist you and your organisation to develop procedures for compliance with the blue card system, including implementing and reviewing a child and youth risk management strategy, developing policies to ensure screening requirements are met and keeping a written register of the blue card status of your staff. The procedures you develop will depend on the services your organisation provides to children and young people.

Risk management requirements

Your organisation must have clear procedures for implementing and reviewing your child and youth risk management strategy. Continually reviewing your strategy will ensure that it remains up-to-date with any legislative changes and continues to be effective in addressing the risks to children and young people in your service environment. Your child and youth risk management strategy must be reviewed at least annually and you should ensure that you include input from your stakeholders, including children and young people, within your policies and procedures.

Your annual review of your child and youth risk management strategy should consider:

- whether your policies and procedures were followed
- whether any incidents relating to children and young people's risk management issues occurred
- the actual process used to manage any incidents
- the effectiveness of your organisation's policies and procedures in preventing or minimising harm to children and young people, and
- the content and frequency of training in relation to your child and youth risk management strategy.

You should document your review and ensure that any relevant changes to your policies and procedures are appropriately communicated to staff.

Blue card screening requirements

Your child and youth risk management strategy should contain clear procedures for compliance with blue card screening requirements.

To assist you to comply with the Act, your organisation should specifically address:

- **Identification of who requires a blue card or exemption card**

It is important to recognise that blue card screening requirements do not apply to every environment a child may be present. The blue card system is structured so that organisations providing services which are essential to children’s development and wellbeing, such as child care, education, sport, and cultural activities are captured. Further information to assist you in determining whether people in your organisation require a blue card or exemption card can be accessed on the [Blue Card Services website](#). Please note that you cannot make it a compulsory requirement for employees or volunteers to hold either card unless they are providing child-related services that are regulated by the Act.

- **Nomination of a contact person/s**

You should clearly identify a designated contact person/s who will be responsible for managing blue cards and exemption cards within your organisation. Each [blue card or exemption card application](#) form for a paid employee or volunteer has a space in the “Organisation details” section for a “contact person”. This is the person who Blue Card Services will send all notifications to and this is the only person who Blue Card Services can discuss the person’s blue card status with unless additional authorisation is provided.

- **Following the blue card processes**

There are a number of important blue card system processes which must be followed and you should have clear guidelines in place to guide relevant staff in completing these processes:

Managing blue card applications

- You must consider the need to make a blue card application for every person you engage in regulated employment that does not already have a blue card.

IMPORTANT THINGS TO REMEMBER

- You must notify all applicants that by signing the application form they are consenting to the screening process.
- You must be able to certify that the ‘contact person’ or delegate has sighted documents to confirm an employee’s identity as prescribed under the Act.
- You should carefully check through the application form to ensure all sections have been appropriately completed. This will minimise unnecessary delays that can result if further information is required after receiving an incorrect or incomplete form.
- Be aware that while paid employees can commence employment after an application form has been submitted, volunteers and trainee students must not commence regulated employment until they hold a valid blue card and positive notice.
- You must explicitly warn potential staff (paid employees, volunteers and students) that it is an offence for a ‘disqualified person’ to sign a blue card application form or a renewal form. **It is an offence for an employer not to provide this warning.**

Managing existing blue card holders

- If a person joins your organisation and already has a blue card, you must ensure that you have processes in place to:
 - Verify the validity of the blue card, AND
 - *If the person holds a paid blue card*
Lodge an [Authorisation to confirm a valid card/application form](#) with Blue Card Services. This will ensure that you receive important notifications in relation to the blue card holder, including that the card has been cancelled or suspended.
 - *If the person holds a volunteer blue card and will be undertaking paid employment with your organisation*
Lodge a [Volunteer to paid transfer form](#) with Blue Card Services. This will transfer their card from volunteer to paid status and will ensure that you receive important notifications in relation to the blue card holder, including that the card has been cancelled or suspended.
 - *If the person holds a volunteer blue card and will be undertaking voluntary employment with your organisation*
Lodge an [Authorisation to confirm a valid card/application form](#) with Blue Card Services. This will ensure that you receive important notifications in relation to the blue card holder, including that the card has been cancelled or suspended.
- If a person ceases working with you, you should lodge an [Applicant/cardholder no longer with organisation \(for organisations\) form](#) to advise Blue Card Services immediately.

TIPS

- To check of the validity of a prospective employee's card, it is possible to do so on the [Blue Card Services website](#) provided that you have details of the employee's name as it appears on the card, full card number (including the number following the '/' on the card) and its expiry date.
- It is still a mandatory requirement that you also submit the [Authorisation to confirm a valid card/application form](#).

Managing changes in police information

- You must ensure that individuals understand their obligation to advise you if there is a change in their police information. Your employees/volunteers are not required to disclose the specific nature of the change, only that a change has occurred, and
- You must have processes in place to ensure that a [Change in police information notification](#) is submitted to Blue Card Services if you receive notification that there is a change in the person's police information.

Managing high-risk individuals

- You must ensure that you have relevant processes in place for managing notifications from Blue Card Services in relation to high-risk individuals, for example:
 - an employee receives a negative notice or is a known disqualified person, or
 - an employee has their blue card or exemption card cancelled or suspended, or
 - an employee has their blue card application withdrawn, or

- a notification in relation to a serious change in criminal history is received from Blue Card Services.

TIPS

- If an employee has had a card cancelled or suspended or receives a negative notice after a change in police information, your organisation must:
 - ensure the employee does not continue to undertake child-related work within your organisation (work that is regulated by the Act), and
 - if you continue to employ the person to perform work that is not child-related, ensure that appropriate policies and procedures are in place to manage any risks of harm to children and young people that may arise as a result of the person’s ongoing employment within your organisation.

Employee Register

As part of your child and youth risk management strategy, your organisation is required to establish and maintain an employee register which is a written record or register of all business operators, paid employees and volunteers involved in child-related activities within your organisation.

Under the Act, Blue Card Services has the power to conduct an audit on an organisation to ensure that the organisation maintains an employee register.

You will need to develop procedures for establishing and maintaining a register in either electronic or hard copy format. For large organisations, you may already have a database – this is sufficient. If employees or volunteers come to your organisation with a blue card, you will need to confirm that the card is valid.

If a complaint is made in relation to an individual or your organisation, you may be asked for a copy of your employee register.

In relation to your organisation’s obligations regarding your blue card register, you are required to maintain a written record of all employees within your organisation which includes:

- whether or not the person requires a blue/exemption card (if not, why not – e.g. an exemption applies under the Act)
- the type of application/blue card (e.g. paid or volunteer) or exemption card
- when the person applied and/or the date of issue of the positive notice and blue/exemption card
- the blue card/exemption card number and the expiry date of the blue card, and
- the renewal date.

TIPS

- If business operators, volunteers and students apply at least 30 days before their blue card expires, it allows them to continue working in child-related employment, even if their blue card expires before a new card is issued.
- Paid employees must submit a renewal application before the expiry date of their blue card to continue working in regulated child-related employment once their application has been lodged).

A template blue card register is provided below and is available on the [Blue Card Services website](http://www.bluecard.qld.gov.au/risk-management.html) at <http://www.bluecard.qld.gov.au/risk-management.html>.

You must also ensure that appropriate and confidential records in relation to the following are maintained:

- whether a negative notice has been issued
- any change in status to a blue/exemption card or exemption card (such as a change in police information, or the cancellation or suspension of a blue/exemption card)
- where there is a change in police information, the date you informed Blue Card Services of the change
- where an employee leaves your organisation and the date you informed Blue Card Services, and
- any change to the employee's/volunteer's personal information, including the date they informed Blue Card Services (you should note that it is an offence for an employee to fail to notify Blue Card Services on the appropriate form of any change in personal details within 14 days).