

Record number: 20/437409  
Phone: (07) 3034 5257

11 August 2020

Dear Chairperson

I am writing to you as the Chairperson of a non-State school governing body within the meaning of that term under the *Education (Accreditation of Non-State Schools) Act 2017* (the 'Accreditation Act'), to advise you of important changes to the Blue Card system.

The *Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019* (the 'WWC Amendment Act') was assented to 24 May 2019.

Certain provisions to improve the safety of the children and young people (referred to as No card, No start) were yet to commence by proclamation. On 9 July 2020, the date of commencement of the remaining provisions was fixed as 31 August 2020.

Blue Card Services ('BCS') has published [information about the Changes to the blue card system](#) on their website.

### Changes for directors of non-State school governing bodies

#### Naming conventions

The names of certain terms regarding the administration of blue cards are changing.

Below is an overview of the changes:

Current	From 31 August 2020	Comments
Positive notice blue card ('Blue card')	Working with children card ('WWC card')	A WWC card is evidence that the person holds a working with children clearance or working with children exemption.  A current Blue card is taken to be a WWC card issued under section 232A.  A WWC card will include a photograph of the person.  A police officer or registered teacher applying for a working with children check for an exemption will also be issued with a WWC card.
Positive notice	Working with children clearance	Issued under amended chapter 8, part 4, division 9
Prescribed notice (application)	Working with children check (application)	The application
Positive exemption notice	Working with children exemption	Applies to police officers or registered teachers
Negative exemption notice	Negative notice	
Negative notice	Negative notice	No change
N/A	Working with children authority	Means a working with children clearance or a working with children exemption

#### No Card, No Start

All directors of non-State school governing bodies are required to have a working with children authority (previously current positive notice or current positive exemption notice) before they commence in their position as director. Otherwise the governing body is not

suitable to be, or to continue to be, a school's governing body under section 26(3) of the Accreditation Act.

Under Schedule 1, part 2, section 25 of the *Working with Children (Risk Management and Screening) Act 2000* (the 'WWC Act'), directors of non-State school governing bodies are taken to be persons carrying on a regulated business.

Section 176B of the WWC Amendment Act prescribes that a person must not carry on a regulated business unless the person holds a working with children clearance. The maximum penalty is 500 penalty units or 5 years imprisonment.

### **Applying on the correct form or updating Blue Card services of changes in particular information**

Persons wanting to become a director of a non-State school will need to lodge a working with children check application as a person carrying on a regulated business ([Blue card business application](#)). It is important that the person selects "Director of a corporation which is the governing body for a non-state school".

If the person already holds a current working with children card for a different purpose, the person needs to submit a [Notification of change for self-employed persons](#) form. The maximum penalty for not notifying the chief executive under section 349 of the WWC Amendment Act is 10 penalty units.

### **New rule for expiring cards**

As long as a person submits their renewal application before their current card expires, they can continue carrying on the regulated business even if the new card has not been issued by the time the previous expires. This replaces the requirement to submit the renewal application 30 days prior to the expiry.

### **Expiry date for exemption cards**

From 31 August 2020, exemption cards will have an expiry date and be valid for three years. The card will expire if not renewed.

Existing exemption cards that do not have an expiry date will expire on 31 August 2023.

### **Update of governing body details**

The Board will write to all governing bodies again in September 2020 to request the review and update of governing body details. It is advisable that all governing bodies check the currency of their directors' working with children cards (current positive notice or current positive exemption notice).

If you have any enquiries about this process or are no longer the chairperson for the governing body, please contact the Board Secretariat on telephone (07) 3034 5257 or email [nssab.admin@qed.qld.gov.au](mailto:nssab.admin@qed.qld.gov.au).

Yours sincerely



**Lynne Foley OAM**  
Chairperson