



AFPA

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Policy Paper: Working with Vulnerable People Reform

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Executive Summary

The Working with Vulnerable People (WWVP) registration scheme in the Australian Capital Territory (ACT), governed by the *Working with Vulnerable People (Background Checking) Act 2011*¹, is a critical framework for protecting vulnerable people. Administered by Access Canberra, the scheme faces significant challenges, including limited enforcement powers, lack of inter-jurisdictional portability, processing delays, insufficient public awareness, and restricted access to real-time criminal intelligence.

This comprehensive discussion paper reviews the WWVP scheme, highlighting its strengths and challenges. It conducts an in-depth review of the ACT's legislation, proposes targeted improvements, and incorporates best practices from all Australian jurisdictions (New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania, and the Northern Territory).

Introduction

The WWVP scheme, implemented in 2012, ensures that individuals engaging in regulated activities with vulnerable people, including children and adults with disabilities, illnesses, or socio-economic disadvantages, undergo rigorous background checks and risk assessments. Currently managed by Access Canberra under the Chief Minister, Treasury and Economic Development Directorate, the scheme is essential for public safety but faces operational and legislative challenges that limit its effectiveness.

This paper provides a detailed analysis of the WWVP scheme, structured as follows:

- Section 1: Comprehensive overview of the WWVP scheme in the ACT, including legislative framework, administration, strengths, and challenges.
- Section 2: In-depth review of ACT legislation, proposed amendments, and comparative insights from other jurisdictions.
- Section 3: Conclusion and comprehensive recommendations.

Overview of the WWVP Scheme in the ACT

Legislative Framework of the WWVP Scheme:

The *Working with Vulnerable People (Background Checking) Act 2011* requires anyone aged 16 or older who engages in regulated activities, as outlined in *Schedule 1* of the Act, to be registered. These activities cover a wide range of services to protect vulnerable groups.

They include childcare services such as foster care, kinship care, out-of-home care, and early childhood education; disability services including NDIS-funded programs, disability support work, and respite care; health services such as nursing, mental health support, aged care, and allied health; education roles including teachers, tutors, school support staff, and extracurricular program providers; community services such as youth programs, religious organisations, homelessness services, and victim support; and justice or corrections work, including roles in juvenile justice facilities and child-related court services.

The Act requires a nationally coordinated criminal history check through the National Police Reference System.

This is supported by a risk assessment that considers convictions and charges, including certain spent convictions; non-conviction information such as restraining orders, allegations, or investigations; disciplinary actions from professional bodies such as teacher deregistration; and patterns of behaviour that indicate a potential risk to vulnerable people.

¹ <https://www.legislation.act.gov.au/a/2011-44>

Key Features of the WWVP Scheme:

The WWVP Scheme makes sure people working with children, the elderly, or other vulnerable groups are safe to do so. There are different types of registration.

General registration lets someone work in all regulated roles. Role-based registration limits work to specific jobs or organisations. Conditional registration comes with restrictions, such as needing to work under supervision. A negative notice means a person cannot work in any regulated role.

Registrations last for five years. Before they expire, applicants must complete updated checks. The scheme sends reminders about 12 weeks before the registration ends so there is time to renew.

Access Canberra can enforce compliance with the WWVP Scheme. They may conduct inspections of workplaces, coordinate with other state and territory screening units, and carry out ongoing checks on registrants. Non-compliance is taken seriously, with breaches referred for investigation and penalties applied where necessary.

Individuals working without registration can be fined up to \$32,000 or face up to two years in prison. Organisations that allow unregistered people to work can be fined up to \$162,000.

If someone receives a negative notice, they can appeal to the ACT Civil and Administrative Tribunal (ACAT) for a fair review of their case.

Administrative Framework of the WWVP Scheme:

Access Canberra is the regulator responsible for overseeing and administering all aspects of the WWVP scheme. It handles applications submitted online, at Access Canberra shopfronts, or by post. Applicants must provide at least 100 points of identification, proof of residency, and consent for background checks before their application can proceed.

Risk assessments are carried out by reviewing an applicant's criminal history, relevant non-conviction information, and any disciplinary records. These checks are conducted in accordance with the criteria set out in the *Working with Vulnerable People (Background Checking) Act 2011*.

Once an application is approved, Access Canberra issues a WWVP registration card in both physical and digital formats. It is also responsible for managing renewals and replacements.

Ongoing compliance may be maintained through both random and targeted workplace inspections. Access Canberra works with the NDIS Quality and Safeguards Commission and interstate screening agencies to ensure consistent safeguards across jurisdictions.

To support applicants, employers, and volunteers, Access Canberra offers detailed online guidance, answers to common questions, and a dedicated helpline. Standard processing times range from two to four weeks, though applications may take longer during high-volume periods or when more detailed investigation is required in complex cases.

Strengths of the WWVP Scheme:

The ACT scheme is distinct in that it applies to both children and vulnerable adults, unlike some jurisdictions such as New South Wales, which focus primarily on child-related work. It is linked to the NDIS worker screening database, supporting national consistency in the screening of disability workers.

Risk assessments are conducted in line with the Act, allowing consideration of non-conviction information and behavioural patterns. This broader assessment framework strengthens decision-making and enhances community safety.

Applicants who receive a negative notice can appeal the decision through the ACT Civil and Administrative Tribunal, ensuring a transparent and fair review process. The scheme also allows for conditional registrations, enabling lower-risk applicants to work under specific restrictions. This approach helps maintain safety while supporting access to employment.

Challenges of the WWVP Scheme:

Despite its important role in safeguarding vulnerable people, the ACT's WWVP scheme faces several operational and structural challenges that limit its effectiveness.

Access Canberra compliance officers currently lack the power to issue on-the-spot penalties or conduct unannounced inspections. Without these tools, enforcement is weaker and less likely to deter non-compliance.

WWVP registrations in the ACT are not recognised in other jurisdictions. This creates extra red tape for individuals who work across state or territory lines, particularly in the disability and care sectors, where multiple checks add both cost and delay.

Application processing can take up to four weeks, with complex cases taking even longer. These delays often prevent people from starting work or volunteering in areas where they're urgently needed.

Awareness of the scheme is also patchy. Many employers, volunteers, and smaller organisations remain unclear about who needs to register and when, leading to inconsistent compliance.

Access Canberra manages a wide portfolio of responsibilities, including various licences, permits, and registrations. This can stretch its resources and reduce the focus on WWVP-specific compliance and monitoring.

Transparency is another concern. Applicants who receive a negative notice are often given little information about the decision, which can undermine trust in the system and limit their ability to respond or seek review.

Ongoing monitoring is mainly limited to scheduled checks, such as those at the point of renewal. This approach increases the risk of missing significant changes in a person's suitability, such as new charges or allegations, between review periods.

Review of ACT Legislation and Proposed Reform

Current Legislative Strengths of the WWVP Scheme:

The *Working with Vulnerable People (Background Checking) Act 2011* has several strengths. It adopts a broad definition of vulnerable people, covering children as well as adults who have disabilities, illnesses, or socio-economic disadvantages. It is integrated with the NDIS worker screening database, which supports consistent national standards for disability workers.

The Act provides for comprehensive risk assessments that take into account convictions, charges, non-conviction information, and disciplinary records.

Applicants who receive a negative notice can appeal through the ACT Civil and Administrative Tribunal (ACAT), ensuring procedural fairness. The scheme also allows for conditional registrations, which provide flexibility by balancing safety requirements with access to employment.

Areas for Improvement of the WWVP Scheme:

The WWVP scheme faces a number of challenges that affect both applicants and regulators.

One key issue is the lack of inter-jurisdictional portability, which means that workers moving between states and territories often face repeated checks and additional costs.

Enforcement powers are limited, which can slow the response to non-compliance and reduce the overall effectiveness of the scheme.

Public awareness of obligations under the scheme remains low, resulting in unintentional breaches by employers and workers.

Transparency in risk assessment outcomes is also limited, which can undermine confidence in the decision-making process.

Processing times, which can extend up to four weeks, may delay employment for applicants, particularly in time-sensitive roles.

Periodic monitoring of registered workers does not capture risks in real time, leaving gaps in ongoing oversight.

The scheme also struggles to address emerging risks, such as those associated with online interactions with vulnerable people, which are not explicitly covered under current regulations. Together, these challenges highlight areas where improvements could strengthen both compliance and community protection.

Comparative Analysis:

Jurisdiction	Legislation	Regulator	Scheme Type	Key Requirements	Features	Strengths	Challenges
New South Wales	<i>Child Protection (Working with Children) Act 2012</i>	Office of the Children's Guardian (OCG)	Working with Children Check (WWCC)	Age 18+, national criminal history check, disclosure of misconduct; fingerprinting not required	Ongoing monitoring via police databases, mutual recognition interstate (30-day exemptions), online verification portal	Robust compliance via police intelligence, real-time verification, aligned with training programs	Lengthy processing times, limited full portability
Victoria	<i>Worker Screening Act 2020</i>	Service Victoria; oversight by VIT, Suitability Panel, CCYP	Working with Children Check (employees & volunteers)	National criminal history (lifetime offences), professional conduct assessments, reporting obligations	Portability within state, real-time monitoring, mandated employer training, interstate mutual recognition with exemptions	Strong oversight, flexible permitting, comprehensive requirements	Complex documentation, excluded from automatic mutual recognition for high-risk cases
Queensland	<i>Working with Children (Risk Management and Screening) Act 2000</i>	Blue Card Services, Department of Justice and Attorney-General	Blue Card	National criminal history, child protection orders, disciplinary information, first aid/training for specific roles	Full mutual recognition interstate, real-time monitoring, mandatory employer risk management, online verification	Streamlined applications, portability, education subsidies	Limited police involvement, gaps in real-time monitoring
Western Australia	<i>Working with Children (Screening) Act 2004</i>	Department of Communities, WWC Screening Unit	Working with Children Check	Criminal record check, proof of identity	Same-day mutual recognition, continuous monitoring, event-based exemptions	Police-led administration, strong oversight, workforce mobility	Processing delays, technical issues with online systems, in-person requirements limit accessibility

Jurisdiction	Legislation	Regulator	Scheme Type	Key Requirements	Features	Strengths	Challenges
South Australia	<i>Child Safety (Prohibited Persons) Act 2016</i>	Consumer and Business Services; SA Police for some checks	Working with Children Check	National criminal history, overseas checks for non-residents	Centralised database with NDIS integration, automatic bans for disqualifying offences, mutual recognition	Integration with screening systems, automatic bans enhance safety, streamlined applications	Limited police involvement, no real-time monitoring
Tasmania	<i>Registration to Work with Vulnerable People Act 2013</i>	Department of Justice	Registration to Work with Vulnerable People (RWVP)	National criminal history, proof of identity, risk assessment	Proactive audits, community outreach, mutual recognition, tiered risk assessments	Broad scope including vulnerable adults, proactive audits, community engagement	Limited real-time monitoring, reliance on non-police regulators
Northern Territory	<i>Care and Protection of Children Act 2007</i>	Department of Territory Families, Housing and Communities	Ochre Card	National police check, criminal history, court orders, first aid certificate	Automatic mutual recognition, community workshops, provisional clearances	Facilitates cross-border work, community-focused education, workforce development	Limited police-led enforcement, processing delays

Lessons from Other Jurisdictions for the ACT

New South Wales, Victoria, and Western Australia provide strong evidence that police-led models deliver better enforcement outcomes and stronger access to intelligence. When police are directly involved in administering or supporting these schemes, regulators can act on risks more quickly and make use of comprehensive data systems that would otherwise be unavailable. This integration not only strengthens the screening process but also builds greater confidence in the system's ability to protect children and vulnerable people.

In contrast, Queensland, the Northern Territory, and Tasmania have focused on mutual recognition, allowing workers with valid clearances in one jurisdiction to operate in another. This portability makes it easier for professionals and volunteers to move between states and territories without unnecessary duplication, though it also underscores the need for greater harmonisation at the national level. Without a consistent approach, workers can still face gaps in recognition and delays in obtaining clearances.

Real-time monitoring is another key feature, with New South Wales, Victoria, and Queensland linking their systems to police databases to detect new offences or risks as they arise. Continuous monitoring means that clearance status reflects current behaviour rather than relying on infrequent checks, which significantly improves safety and accountability.

Beyond enforcement, education and outreach programs play a vital role in compliance. Queensland, the Northern Territory, and Tasmania have invested in training, workshops, and community engagement to ensure that workers, employers, and volunteers understand their obligations. These initiatives encourage proactive compliance rather than relying solely on punitive measures, while also strengthening community confidence in the screening process.

Efficiency in processing applications is also emerging as a priority. Online portals, digital verification, and fast-track pathways have been introduced across several jurisdictions to cut delays that previously left employers short-staffed or workers unable to start roles. While not yet consistent nationwide, these improvements demonstrate the value of technology in reducing administrative backlogs.

South Australia has taken a further step in enhancing safety by applying automatic bans for high-risk roles when serious offences are identified. This approach provides clarity and consistency, removing discretion where risks are too great to be managed, and ensuring the system prioritises community safety above all else. Together, these varied approaches illustrate the strengths and gaps across jurisdictions, highlighting where national alignment could deliver both safer and more efficient outcomes.

Proposed Legislative Amendments

Inter-jurisdictional Portability

The scheme should include provisions for reciprocal recognition with New South Wales, Victoria, Queensland, and the Northern Territory, allowing individuals who already hold clearance for equivalent roles in those jurisdictions to be recognised under the ACT's Working with Vulnerable People registration.

This arrangement would operate through formal agreements between regulators, ensuring that only equivalent roles and screening standards are accepted. Reciprocal recognition would ease the burden on cross-border workers who are currently required to hold multiple clearances, creating duplication of costs, administrative effort, and delays.

The rationale for this reform is clear. Many workers in health, education, disability, and community services move between jurisdictions, particularly in border regions or in national programs funded by the Commonwealth.

Requiring them to undergo repeated checks in each state or territory increases costs for individuals and employers while adding unnecessary pressure to regulators already facing processing delays. Aligning with national trends toward portability, reciprocal recognition would streamline workforce mobility, reduce barriers to employment, and help address staffing shortages in critical sectors.

Implementation would require coordinated negotiation through national regulatory networks, with agreements carefully designed to maintain high safety standards while recognising the equivalence of interstate schemes.

A staged approach would be practical. This approach would provide sufficient opportunity to align risk assessment frameworks, establish data-sharing arrangements, and ensure robust safeguards are in place. By adopting reciprocal recognition, the ACT could demonstrate leadership in national reform and deliver a system that better supports workers, employers, and vulnerable people.

Strengthened Compliance Powers

The scheme should provide regulators with stronger enforcement powers, including the authority to issue on-the-spot fines to both individuals and organisations that fail to comply with the requirements of the Working with Vulnerable People framework.

Penalties could range from \$500 to \$1,000 for individuals and \$2,000 to \$5,000 for organisations, with more serious breaches referred for prosecution. These powers should be complemented by the ability to conduct unannounced inspections of workplaces, enabling regulators to identify risks in real time rather than relying solely on complaints or scheduled audits. Together, these measures would ensure that compliance is treated as a core obligation rather than a discretionary responsibility.

The rationale for introducing these powers is to create a stronger deterrent against non-compliance and to bring the ACT into alignment with the enforcement models already operating in New South Wales, Victoria, and Western Australia.

In those jurisdictions, police involvement and regulatory authority have been shown to improve compliance rates and support public confidence in child and vulnerable person safety schemes. Without meaningful penalties and proactive oversight, there is a risk that individuals or organisations will treat the system as a formality rather than a serious safeguard.

Implementation would require the development of clear compliance protocols within the first 12 months, setting out the circumstances in which fines, inspections, or prosecutions are appropriate. These protocols would need to balance consistency and fairness with the flexibility to respond quickly to risks.

Training for compliance officers should be delivered, ensuring that staff are equipped with the legal knowledge and practical skills needed to exercise their powers effectively. By embedding these enforcement measures into the scheme, the ACT can strengthen deterrence, increase accountability, and better protect vulnerable people from harm.

Mandated Public Education

All organisations that engage staff or volunteers in child-related or vulnerable person work should be required to deliver annual training on the Working with Vulnerable People (WWVP) scheme.

This training would ensure that employees and volunteers understand their legal obligations, the importance of maintaining compliance, and the consequences of failing to do so. Mandatory education at the organisational level would help build a culture of responsibility, particularly in sectors where awareness of the WWVP scheme may be inconsistent or underdeveloped.

In addition to training within workplaces, the scheme should include a territory-wide education campaign targeting employers, volunteers, and small businesses. These campaigns would aim to raise awareness of the registration requirements, promote the importance of safeguarding vulnerable people, and provide clear guidance on how to apply for or verify registrations.

Drawing on models established in Queensland, the Northern Territory, and Tasmania, the campaigns should be delivered through a mix of community programs, digital resources, and outreach activities designed to reach diverse groups across the ACT.

The rationale for these measures is straightforward. Training and education improve compliance by ensuring that individuals and organisations are not only aware of their responsibilities but also understand why compliance matters. Jurisdictions that have invested in education and outreach have reported higher levels of compliance and stronger community engagement with child protection frameworks. Without ongoing education, there is a risk that requirements are overlooked, particularly in smaller organisations where regulatory frameworks are less familiar.

Implementation would require a dedicated funding allocation each year to support the design, delivery, and evaluation of these programs. This funding would cover the development of training materials, the delivery of campaigns, and the resourcing of community outreach initiatives. Programs should be operational, with oversight mechanisms to ensure consistency of delivery and measurable improvements in compliance rates.

By embedding both organisational training and public campaigns into the WWVP framework, the ACT can strengthen protections, raise awareness, and improve accountability across all sectors that work with vulnerable people.

Enhanced Transparency

When a negative notice is issued under the Working with Vulnerable People (WWVP) scheme, it should be accompanied by a detailed risk assessment summary.

This summary would outline the key reasons for the decision, the criteria applied in reaching it, and the specific factors that were taken into account, such as criminal history, relevant court orders, or professional conduct concerns. Providing clear explanations of the assessment process would give affected individuals a better understanding of the decision and ensure they are not left in uncertainty about why their application or renewal was refused.

Alongside the summary, individuals should be provided with clear information about their rights to appeal. This would include the timeframe for lodging an appeal, the process for submitting supporting evidence, and the avenues available for independent review. By ensuring transparency at every stage, applicants would be given a fair opportunity to challenge decisions they believe are incorrect or unjust.

The rationale for this approach lies in building trust in the WWVP framework. Applicants are more likely to accept decisions when they can see that the process has been transparent and based on clear, consistent criteria. This model reflects practices in New South Wales, where detailed communication of risk assessments has been shown to improve public confidence and reduce unnecessary disputes.

Implementation would involve the development of standardised templates for risk assessment summaries, ensuring consistency in language, structure, and detail. Training for staff would also be necessary to support the delivery of high-quality written notices that balance clarity with sensitivity. Over time, the publication of anonymised case studies could further strengthen transparency by showing how criteria are applied in practice.

By mandating detailed explanations for negative notices and ensuring robust appeal options, the ACT would demonstrate its commitment to fairness, accountability, and procedural integrity within the WWVP scheme. This approach not only protects vulnerable people but also upholds the rights of applicants by embedding transparency at the heart of decision-making.

Legislated Processing Timelines

The WWVP scheme should introduce legislated processing timelines to improve efficiency and provide certainty for applicants and employers. A maximum period of twenty-one days should be set for standard applications, ensuring that individuals seeking clearance are not left waiting for extended periods that can disrupt employment or volunteering opportunities.

For critical roles, such as those connected to the NDIS, child protection services, or emergency care, a fast-track option should be established with a maximum processing time of seven days. This distinction would ensure that workers in high-demand or sensitive positions are able to commence their duties without unnecessary delay, while still subject to rigorous checks.

The rationale for legislating timelines is clear. Processing delays undermine confidence in the WWVP system and create risks for organisations that may face staffing shortages while waiting for clearances to be finalised.

By introducing a clear legal standard, the system would set an enforceable benchmark for service delivery, similar to practices in New South Wales and South Australia, where improved turnaround times have reduced backlogs and increased public trust. Legislated timelines would also send a strong signal to applicants and employers that the WWVP framework values efficiency as well as safety.

Implementing this reform would require significant upgrades to IT infrastructure to allow applications to be tracked, triaged, and processed with greater accuracy and speed. Automation could assist with lower-risk cases by flagging clear records for faster approval, while high-risk or complex applications would be prioritised for manual assessment. A staged rollout should be completed with the new system giving priority to roles that carry the highest responsibility for vulnerable people.

Embedding processing timelines in legislation would strengthen both fairness and accountability. Applicants would have certainty about when to expect outcomes, employers could better plan workforce management, and the public would benefit from a safer and more reliable system that balances rigorous screening with timely decision-making.

Real-time Monitoring

The WWVP framework should mandate continuous criminal record monitoring supported by automatic notifications to regulators and employers. This system would ensure that if a person with a clearance is charged with, or convicted of, a relevant offence, authorities are alerted in real time and can act immediately to suspend or review the individual's registration. Rather than relying on periodic re-checks, continuous monitoring creates a live safeguard that protects children and vulnerable adults from ongoing risk.

The rationale for this reform lies in the demonstrated effectiveness of such systems in New South Wales, Victoria, and Queensland, where real-time monitoring has significantly strengthened public confidence in working with children regimes. By identifying risks as they emerge, regulators can intervene promptly, either by imposing interim measures, requiring reassessment, or revoking clearances where necessary. This not only improves safety but also removes the possibility of unsuitable individuals continuing in sensitive roles for months or years before their record is reviewed.

To implement this, the scheme would need to engage directly with police, ensuring a secure and automated flow of information between law enforcement and the WWVP regulator. Employers should also be included in the notification chain so that they are aware of changes to an employee or volunteer's status without delay. Clear protocols would need to be developed to protect the rights of individuals, including appeal mechanisms and safeguards against errors in reporting, while still prioritising the safety of vulnerable people.

Mandating continuous criminal record monitoring would transform the WWVP system from a point-in-time clearance into a dynamic and responsive safeguard. It would enhance community trust, align the jurisdiction with national best practice, and close a critical gap that currently leaves vulnerable populations exposed to avoidable risks.

Expanded Scope for Vulnerable People definition

The WWVP framework should be expanded to include online interactions as regulated activities, recognising the increasing role of virtual spaces in service delivery.

Activities such as virtual tutoring, telehealth consultations, online mentoring, and remote support programs place children and vulnerable adults in direct contact with workers, often in unsupervised digital environments. Without explicit coverage in legislation, these online interactions fall into a regulatory gap, leaving individuals exposed to risks that are no less serious than those present in face-to-face contexts.

Addressing this gap is essential to modernise the scheme and ensure it reflects contemporary patterns of work and service provision. Queensland's risk management approach already highlights the importance of considering emerging technologies and environments where vulnerable people may engage with professionals, carers, or volunteers. By formally recognising online interactions as regulated activities, the ACT would align with national best practice and demonstrate responsiveness to the evolving nature of risk.

Implementing this reform would require regulators to define the scope of covered online activities, develop clear guidance for employers and organisations, and ensure that WWVP assessments explicitly consider digital risks such as grooming, inappropriate communication, or exploitation through online platforms. Training programs for registered individuals should also include modules on safe online conduct, digital safeguarding, and mandatory reporting of concerning behaviour in virtual settings.

Expanding the scheme to cover online interactions would future-proof the WWVP framework. It would ensure that technological change does not create loopholes in protection, strengthen safeguards for vulnerable groups in the digital environment, and provide greater consistency across the various ways services are now delivered.

Tiered Risk Assessments

The WWVP scheme should introduce a tiered risk assessment framework, categorising applications into low, medium, and high-risk groups. This structure would allow regulators to focus resources where they are needed most, ensuring that applicants seeking to work in sensitive roles, such as disability support, aged care, or intensive child protection services, are prioritised for faster and more thorough assessment. Applicants in low-risk roles, such as general volunteering with minimal direct contact, would still undergo screening but with reduced processing timeframes, helping to clear backlogs and improve overall efficiency.

Tasmania and Western Australia have demonstrated the value of tiered systems, where higher-risk roles receive closer scrutiny through deeper background checks and proactive auditing, while lower-risk roles are processed more quickly. Such a model balances efficiency with safety, recognising that not all roles carry the same level of risk. In the ACT, adopting a similar approach would help address concerns about delays while maintaining high standards of protection for vulnerable people.

Implementation would require regulators to establish clear criteria for each risk tier, informed by evidence of where the greatest risks to safety lie. Guidance for employers and applicants would need to be developed to ensure transparency and consistency in how roles are classified. IT systems would also need to be updated to support automatic risk categorisation, enabling staff to focus their efforts on the most sensitive cases.

A tiered risk assessment model would strengthen both fairness and efficiency within the WWVP framework. It would ensure that resources are directed to the areas of greatest need, provide faster outcomes for applicants in lower-risk roles, and ultimately deliver stronger protections for vulnerable people by minimising the chances of delays in high-risk clearances.

Mandatory Employer Verification

Employers should be required to verify the Working With Vulnerable People (WWVP) registration status of their staff through a secure online portal. This measure would strengthen compliance by providing a straightforward, reliable method for employers to confirm that individuals are appropriately registered before commencing work. Implementing an online verification system reduces the risk of unregistered or ineligible workers being employed in roles involving vulnerable people.

The approach draws on successful models already in place in New South Wales and Victoria, where online verification has improved oversight, streamlined administrative processes, and enhanced overall workplace safety. By adopting a similar system, organisations can ensure that they meet legal obligations while actively protecting the people in their care.

Recommendations

1. Establish reciprocal recognition agreements with other jurisdictions to enhance portability, allowing registrations to be recognised across state and territory borders.
2. Strengthen compliance powers by enabling on-the-spot fines and unannounced inspections to ensure organisations meet their obligations.
3. Fund public education campaigns to raise awareness of the scheme, its requirements, and the importance of registration.
4. Mandate detailed risk assessment summaries from organisations to improve transparency and provide clearer insight into potential risks and mitigation measures.
5. Enforce maximum processing timelines for standard and fast-track applications, providing certainty for applicants and employers.
6. Pilot real-time monitoring systems, progressing toward full integration to allow more timely oversight.
7. Expand the scope of the scheme to include online interactions, reflecting the growing use of digital platforms in services involving vulnerable people.
8. Introduce tiered risk assessments to prioritise higher-risk activities and roles, improving efficiency and safety.
9. Develop an employer verification portal to allow organisations to quickly and reliably confirm WWVP registration status.

These measures will streamline operations, strengthen compliance, and align the ACT's WWVP scheme with national best practices, ensuring robust protection for vulnerable populations.

Conclusion

The Working with Vulnerable People (WWVP) scheme in the Australian Capital Territory represents a foundational pillar in safeguarding children, adults with disabilities, and other vulnerable populations from harm. Since its inception in 2012 under the Working with Vulnerable People (Background Checking) Act 2011, the scheme has played a vital role in promoting community safety through rigorous background checks, risk assessments, and ongoing monitoring.

Administered by Access Canberra, it has demonstrated strengths in its broad scope, encompassing both child-related and vulnerable adult activities, its integration with the NDIS worker screening database, and its provisions for conditional registrations and appeals via the ACT Civil and Administrative Tribunal (ACAT). These elements have contributed to a framework that balances procedural fairness with protective measures, fostering trust among employers, workers, and the public.

However, as this paper has outlined, the scheme is not without significant challenges that undermine its effectiveness and adaptability in a rapidly evolving landscape.

Operational hurdles, such as prolonged processing times, limited enforcement powers, and insufficient real-time monitoring, create gaps in oversight and expose vulnerable individuals to unnecessary risks. Structural limitations, including the absence of inter-jurisdictional portability, patchy public awareness, and inadequate transparency in decision-making, further compound these issues, leading to inefficiencies, duplication of effort, and reduced compliance.

The comparative analysis with other Australian jurisdictions, New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania, and the Northern Territory, reveals valuable insights: police-led models enhance enforcement and intelligence access; mutual recognition agreements facilitate workforce mobility; real-time monitoring systems close critical safety loopholes; and proactive education campaigns build a culture of accountability. These best practices underscore the potential for the ACT to elevate its scheme through targeted reforms, aligning it more closely with national standards while addressing unique territorial needs.

The proposed legislative amendments detailed in this paper offer a roadmap for meaningful change. By introducing reciprocal recognition with key jurisdictions, the ACT can reduce administrative burdens for cross-border workers in sectors like health, education, and disability support, promoting efficiency without compromising safety.

Strengthening compliance through on-the-spot fines, unannounced inspections, and mandatory employer verification will deter non-compliance and empower regulators to act decisively. Enhancing transparency with detailed risk assessment summaries and robust appeal information will build public confidence and ensure fairness.

Legislated processing timelines, including fast-track options for critical roles, will mitigate delays that hinder employment and service delivery.

Real-time monitoring, expanded scope to cover online interactions, and tiered risk assessments will modernise the scheme, making it more responsive to emerging risks in digital and high-stakes environments. Finally, mandated public education and organisational training will foster widespread understanding and proactive adherence, transforming compliance from a regulatory obligation into a shared community value.

Implementing these recommendations will not only address the identified shortcomings but also yield broader benefits.

A reformed WWVP scheme would enhance protections for vulnerable people, streamline operations for Access Canberra, reduce costs for individuals and organisations, and support workforce mobility in essential services. It would position the ACT as a leader in national harmonisation efforts, contributing to a more cohesive Australian approach to safeguarding. Critically, these changes would reinforce the scheme's core objective: preventing harm before it occurs and ensuring that only suitable individuals engage in regulated activities.

The AFPA urges the ACT Government to prioritise reforms through legislative amendments, dedicated funding, and collaborative partnerships with interstate regulators and law enforcement.

A staged implementation plan, beginning with high-impact areas like portability and enforcement, will allow for measured progress while minimising disruption. By acting decisively, the ACT can create a WWVP scheme that is robust, equitable, and future-proof, ultimately delivering safer communities and greater peace of mind for all stakeholders. This is an opportunity to build on the scheme's solid foundation and secure lasting improvements for the protection of those who need it most.