

# Setting up an Op Shop



For those who wish to start an Op Shop  
and  
Those who already have an Op Shop and want to use as a check list.



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# Setting up an Op Shop

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This document has been prepared to assist Parishes navigate their way forward when making a decision to open an Opportunity Shop. Diocesan staff are more than willing to assist you, should you come across an issue not raised in this document. Your first point of call is to contact Mrs Pam Wardle, Administrative Assistant, Registry – (03) 9653 4298.

## **Getting Started**

- Vision:  
It is good to determine the purpose for the Op Shop ie:
  - to raise money for ministry,
  - as an outreach into the community, and/or
  - to raise money for mission.It is important for everyone (Vestry) to share the same vision otherwise the venture will not succeed.
- Prayer:  
Pray about your vision for an Op Shop together, ensuring that this is what God wants your Parish community to do. Op Shops can consume a large amount of parishioners' time, so it is important that your parish endorses this venture as a ministry direction, and is aware of its commitment.

## **What skills can we utilise when setting up an Op Shop?**

Where possible it would be good to gather people with competency skills in the following areas:

- Management
- Financial accounting and reporting – this does not equal management.
- Retail management and marketing
- Selling skills
- Practical Volunteer Staff Management. Note: this might be the person running the day to day operation. Remember management skills developed in business (see 1) does not equate to being a person necessarily skilled at managing volunteer workers.
- Legal knowledge in set up, particularly for Council Regulations and understanding lease arrangements etc. and available for other legal issues would be useful. This person needs to ensure that clauses to get out of a lease are available if the operation fails. Solicitors dealing in this area generally have seen lots of good clauses to safeguard interests. (We don't want to get stuck with an unwanted lease. We would like the opportunity of long term use if it goes well.)

## **Should this be part of Vestry responsibilities?**

- It is imperative that your vestry is part of setting up the Op Shop and must be the major representatives on the Op Shop committee.
- Vestry must be informed of all that the Op Shop is doing including monthly financial statements. Refer to Op Shop Manual.

## **Op Shop Manual**

An Opportunity Shop Manual is available on request and is an essential guide to setting up an Op Shop.

## **Do we need a constitution?**

It is recommended that all Op Shops have a constitution and examples of this can be found in the Op Shop Manual at the back of the Churchwardens and Treasurers Manual.

## **Who needs a Police Check & Working with Children Check to work in our Op Shop?**

Anyone who has keys to open and close the shop and the person in charge should all have Police Checks. So also should the person who handles the money and does the banking.

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WWC card is needed by those shops that have students or young people under 18 years of age coming to work in their shops. Those in charge of these students must have a WWC card which means there must be a person in charge at all times who has a WWC card. The penalty is very severe for the Vicar and Churchwardens if this is not adhered to.

## **Do we have a paid Manager?**

If you decide to have a paid Manager or staff member Gabrielle Guedes from the Diocese will assist you with any queries you may have regarding paying that person.

## **Finding a Premises**

- Where?  
Some parishes are able to use church property for their Op Shop but many of the Anglican Op Shops are in rented premises. It is very important that the financial aspects are well researched (feasibility study) before launching into a contract that could bind the Parish to an unprofitable commitment. For this reason a lengthy lease arrangement when commencing is probably to be avoided until the viability is realised.
- Process
  1. Archdeacon: Approval to lease must be obtained via your Archdeacon, and the lease is to be between the Melbourne Anglican Trust Corporation (MATC) and the owner of the property. (refer point 2)
  2. Melbourne Anglican Trust Corporation  
All leases, including a lease for an Op Shop is to be between the Melbourne Anglican Trust Corporation and the owner of the property. This is because the parish is not a legal entity, and therefore the Diocese is responsible for all legally binding contracts. (The lease will be in the name of the Diocese legal entity - Melbourne Anglican Trust Corporation and the Lease is signed by two Trustees under seal.)

The procedure is that parishes liaise with Lynn Saldanha, Property Officer, at the Diocese as soon as negotiations start. The lease will be submitted to Lynn Saldanha for review and for approval from the Authorisation Sub-Committee or Archbishop in Council (depending on the term of the Lease).

## **Does my local council need to know about the Op Shop?**

It is important that you are informed of local bylaws so that you do not contravene local council regulations. You need to contact the planning department of the council to find these out.

Things to consider are:

- **Planning Permit** - Does your shop need a planning permit? Check with the Planning department of your local council. Business Zone 1 does not need a permit but if you are a church premises you may need a permit especially if you are zoned residential.
- **Rubbish** – does the council have any issues with what sort of donations are left out side your premises? Check with Infrastructure Department of your local council regarding this.
- **Rubbish disposal** – is a pick up part of your lease or do you have to pay for your own rubbish disposal?
- **Sandwich boards** – are these allowed? You need to check with Bylaws department of your local council.
- **Advertising** – are you allowed to display any sort of advertising outside the shop? There are state regulations regarding signage and you must check with Planning Department of your local council that you comply.
- **Wheelchair access** – be aware of council regulations here.

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- **Who is responsible for maintenance** – need to have an understanding of who is responsible for implementation of maintenance of the premises. Check the lease.

Also be aware if **Council owns the land** on which the owner is really a tenant of the building – this means we might be a sub-tenant. In this situation some councils will get involved to ensure that their interests are safeguarded eg being sued because the interior of our building causes injury/damage to a person or other property. Council may impose operating hours eg if the site is used for after hours say for a special day.

## **Does our shop need an ABN and what about GST?**

- ABN -This depends on the structure of the Op Shop and the Parish should contact Ross Ingram at the Diocese for direction. It would be unwise to make any decisions independently.
- GST: - there is some information with relation to this on the sale of donated second-hand goods in the Churchwardens Manual. However committees looking to enter into this type of business can always contact Ross Ingram to arrange a meeting to discuss ABN and GST once they think they know the structure they are considering. You should see Ross Ingram (Accounts Department) before you implement that structure as it might not be appropriate.

Note: There are GST implications for donated new goods such as factory over runs or old season's stock. Ross Ingram in Accounts Department will assist you with this.

## **Insurance**

- All insurance issues must go through the Diocesan Insurance Department as they need to have some involvement where insurance is concerned as you set up your Op Shop.
- Any issues pertaining to Property Insurance (eg burglary, fire storm), Volunteer Workers Personal Accident (eg volunteer injured by collapsed table), and Public Liability Insurance (customer fell or tripped), are to be referred to Ralph Halnon at the Diocesan Insurance Office.
- It is a requirement under Occupational Health and Safety that records must be kept to record any incident that results in an injury to a person. The Diocesan Accident/Incident report form will meet this requirement.

NOTE: Where the Op Shop is to be operated in conjunction with other organisations it is essential that the Insurance Department is involved to ensure all interests are protected.

## **Deletion of electrical goods from the Op Shops**

The Risk Management and Insurance Department has clarified the ruling on sale of electrical goods.

**Sale of Electrical Goods:** If the goods are **new** (not 'as new') and in their **original packaging** then any claims would be made against the manufacturer. We have no problem with these items being sold.

## **No second hand Electrical Goods in Op Shops**

If the goods are other than new the seller would be liable for any liability claims. That is the Op Shop and therefore the Diocese. This liability cannot be avoided using notices in the shop or having the purchaser sign a waiver.

The courts would never accept this approach. **The Diocese cannot allow sale of goods where such a liability exists.**

If an electrical appliance sold through a Parish killed or injured a customer the fact that it was, or was not, tagged would be irrelevant. The only relevant fact would be that un-necessary injury had been caused. The safest path across an organisation as diverse as the Diocese, where compliance with this type of regulation is impossible to guarantee, is to prohibit the sale of such items.

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## Bikes

Questions that could arise:

- Q) What happens if a bike is sold in good condition and then the brakes fail? What is the Op Shop's liability?
- A) ***There should be no ongoing liability in the case of the bikes on the assumption that an adult purchaser had the opportunity to inspect the bikes before purchasing them and that no member of the staff made any statement guaranteeing them. It must be up to the purchaser to make a decision about the bikes being fit for their purpose. You may even choose to say to purchasers that "the shop does not guarantee the bikes; we sell them on an as seen basis".***
- Q) Should we sell second hand bike helmets?
- A) ***Bike helmets must not be sold second hand. You may not be able to tell from an inspection of the helmet if they are damaged. If a helmet has been involved in an accident the signs may not be obvious.***

## Goods not to be sold in Anglican Op Shops

- Helmets - bicycle, or motor cycle
- Second hand electrical goods
- Cots - children or baby
- Baby capsules
- Car booster seats
- Mattresses
- Prams and Strollers

## **Prams and Strollers**

As from 1 July 2008 the Victorian Government has issued a Safety Standard for prams and strollers. As from 1 July 2008 it is illegal to supply prams and strollers that fail to comply with the prescribed safety standard. There are financial penalties for non-compliance. **This applies to NEW or OLD prams and strollers.**

**If you have any in the op-shops they must be removed from sale NOW.**

To comply with the new safety standards, prams and strollers must meet construction, performance and marking requirements.

Prams and strollers now must have at least one brake or parking device that limits the movement of the pram or stroller. The colour of the brake must be red and in contrast to the surrounding framework so that vehicle operators can immediately identify and apply the brake when necessary.

Tether straps will now also have to be supplied with prams and strollers to reduce the risk of the device rolling away without the carer's knowledge.

"Stores and suppliers must comply with these new regulations as CAV inspectors will continue to conduct unannounced inspections, and follow up and investigate consumer complaints," Mr Robinson said.

"Suppliers and retailers who have broken the law by supplying or selling dangerous products may be liable for prosecution and hefty fines."

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Please read below which has been re-produced from Consumer Affairs Victoria as to the requirements and fines.

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## **CAV Resource Centre – cav Products Banned - Prams and strollers**

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### **Product Hazard Alert**

#### **Prams and strollers**

##### **Hazards**

- Serious injury and death can result when carers lose control of a pram or stroller.
- Strangulation or suffocation can occur when infants become trapped in parts of the pram or stroller.
- Serious injuries can occur when infants fall from a pram or stroller.

##### **Prohibited goods**

From 1 July 2008 all prams and strollers that fail to comply with The Fair Trading (Safety Standard) (Prams and Strollers) Regulations 2008 are prohibited from supply.

##### **Mandatory Safety Standard**

Under the Standard, prams and strollers must have:

- a restraint harness
- a parking brake
- parking device actuators that are clearly red in colour
- safe-use warning labels
- a suitable strap that must be tethered to carers during use to help them retain control of the pram or stroller.

To avoid the risk of strangulation, the tether strap must:

- be as short as practical, and
- have a perimeter of less than 360 mm, and
- have the following notice placed on the tether strap:

**"WARNING: USE THIS STRAP TO STOP THE PRAM/STROLLER\*  
ROLLING AWAY."**



***This stroller no longer meets the Standard***

## **Checking compliance of goods**

Traders who are unsure whether the prams and strollers they are selling comply with the mandatory Standard should:

- obtain copies of relevant and current test certificates from their supplier confirming compliance of the goods, or
- arrange for appropriate testing to be conducted by a qualified test laboratory, or
- obtain copies of AS/NZS 2088: 2000 "Prams and strollers – safety requirements" to assist with determining compliance
- withdraw products from sale until they can confirm compliance with the mandatory Standard
- contact Consumer Affairs Victoria for assistance on 1300 55 81 81.

## **Victorian Government Mandatory Safety Standard**

Fair Trading (Safety Standard) (Prams and Strollers) Regulations 1 July 2008. It is illegal to supply products that do not comply with this Standard.

## **Current penalties**

- Up to 240 penalty units x \$113.42 = \$27,220.80 for persons
- Up to 600 penalty units x \$113.42 = \$68,052.00 for corporations

Please note: the value of a penalty unit is the amount fixed by the Treasurer each financial year by notice published in the Government Gazette.

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## HOW SAFE IS YOUR SHOP?

### SECURITY IN THE SHOP

Daily takings and Float must never be left on the premises, especially rented premises. The takings should be banked as soon as possible with the float remaining in the custody of the Shop Supervisor.

Occasionally someone has had their purse stolen because they either did not put it in a secure place or there was no secure place for it to be put.

- CMS Op Shop have a very good idea and that is a cupboard clearly marked “not for sale” in the back area of their shop where the ladies can put their personal things. This is locked for security reasons and ensures no inconvenience or heart ache of having things stolen.
- This may not suit your shop but please install some sort of security for your volunteers for their personal belongings.

### OCCUPATIONAL HEALTH AND SAFETY ISSUES:

- Is your floor clear of obstacles? The shop should be arranged so as to provide a safe environment for all employees, volunteers and customers. The correct placement of tables, shelving and racks will minimise the risk of a person injuring themselves. Routine checking of equipment is also recommended if using second-hand items.
- Does your storage area have clutter on the floors?
- Are all fire exits clear? ie nothing in front of the doorways.
- Do you have the correct fire extinguishers?
- Have they been serviced?
- Do you know how to use them?
- Do you have an evacuation plan?
- Do you know the emergency services number?
- Do you have an up-to-date first aid kit?
- Is it accessible?
- Does someone know how to use the kit?
- Do you have safe procedures for reaching high items?
- Are you aware of best practice for manual handling of goods?
- Please take a look around your shop and ensure that it is a safe environment for your volunteers to work in.
- Make sure there are no dark corners in the shop.
- The ‘Protecting People Protecting Property’ Manual, distributed to parishes, is a valuable resource for all matters regarding Risk Management. The Insurance Department will supply a copy to your shop on request.

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## **MANAGING OUR VOLUNTEERS (& OUR LEGAL DUTY)**

The Church has a legal responsibility for the health & safety of all employees and volunteers working for us, under the OH&S Act 2004 (OHS Act).

When engaging volunteers, it is essential that we ensure volunteers have appropriate skills, training & supervision to perform the work safely.

### **PROTECTING VOLUNTEER HEALTH & SAFETY**

It is our obligation to protect the health & safety of both employee and volunteer under the OHS Act. The best way to manage this is to treat volunteers as paid employees, by providing them with the same risk & safety assessments as paid employees.

Managing health & safety as part of the day-to-day operations demonstrates to the volunteer we value their help & commitment, and we are serious about their health & safety; contributing to higher volunteer retention.

If we do not manage the health & safety of our volunteers, we risk damage to our reputation & possible legal action.

### **INFORMATION, INSTRUCTION, SUPERVISION**

Volunteers, like employees need to have the experience to do their role safely OR they need to be supervised by an experienced person.

We need to provide volunteers with information, instruction & training on the safe use of any object, substance or equipment they need to use. This will help lessen the risk of injury to themselves or others, who may be affected by their actions.

Before volunteers start their role at any of our centres, we should outline:

- The tasks & boundaries of their roles
- Health & safety procedures (ie instructions for equipment they will be using)
- Who to talk to if they have any health or safety concerns & how to report incidents
- Arrangements for counselling after an incident or other traumatic circumstance
- What situations they should remove themselves from
- Emergency procedures, location of exits, & where equipment is kept.

### **KEEP IN MIND SOME COMMON CAUSES OF INJURIES – (as part of our management of volunteers/similar incidents)**

- Volunteers using hazardous or unfamiliar equipment
- Lack of role clarity
- Tasks requiring work at height (ladders/other)
- Volunteers who come into contact with substances that are not labelled
- Congested aisles; loose items on the floor; heaters next to clothing; items stored at high level; moving/handling heavy bags & boxes; bending/twisting while sorting goods
- **Lack of training, instruction & supervision.**

**REFER 5-STEP SYSTEMATIC HEALTH & SAFETY RISK ASSESSMENT & CONTROL PROCESS available on request.**

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## Helpful Hints

### Knives

- Flick knives and butterfly knives are prohibited goods and cannot be sold at all. The CIB has suggested that if you are in doubt about the item then don't sell it.
- Pocket Knives and Swiss army knives can be sold in your Op Shop according to information from the Police CIB. It was stated that if the item is sold in stores then you also can sell it.

Some Op shops have decided not to keep knives of any sort as a matter of safety. Others have chosen to keep them but not display them. The CIB have suggested that if you are concerned about knives then sell them privately and don't have them in your shop. If it is not affecting your bottom line and you are concerned about stocking the item then don't.

### CARE LABELLING - CLOTHING:

**Second hand goods:** All second hand goods are exempt from Care Labelling.

*Reference: Commonwealth of Australia Gazette NO GN 28, 15 July 1998*

NOTE: If the goods are new then compliance with the care labelling requirements is mandatory. This means hand made goods must comply to the care labelling and also donated new goods such as factory over runs and old season stock.

Details can be obtained from ACCC 9290 1800

### What should we do if there is a difficult person in the shop?

Some of our Op Shops have expressed concern about what to do if there was a difficult person in your shop. These are what some Op Shops have done to address this issue.

- **MMA:** has a policy of no-one working alone and if they have a difficult person they cannot deal with they must leave the shop, taking the mobile phone with them and call for help from outside the shop.
- **St Paul's Frankston:** have a needle exchange program and Crisis Centre in the same area as their shop and occasionally have a difficult customer. The police have provided them with an emergency number for immediate help. (They haven't had to use it to date.)

If you have concern about this then please ensure your Vestry is informed so they can look for solutions for you.

### Stock Rotation

That is keeping a fresh look to the stock on your racks. Here are some of the ideas that have been shared at recent Network meetings for moving stock:

- 50¢ an article day - every other week. Helps to move stock. Red Spot specials.
- Once a month Saturday specials
- Half price sales twice a year.
- \$5 bag days. Cram a bag day.
- Half price book and shoe sale
- Toy and games sale prior to Christmas
- \$1 only rack at front of shop (clearance rack)
- Different coloured tags for stock each month and a clearance policy on how long it has been there.
- Change the ticket colours every two weeks to keep the stock moving.
- Check how local stores freshen up their displays of stock

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## **INDUCTION SEMINAR**

This induction seminar was put together by 'The Bridge' Op Shop of Westmeadows/Bulla. It is used to induct every new volunteer when they start working in their Op Shop so they are aware of Occupational Health and Safety issues in their shop at all times. It has been reproduced with their permission for other Op Shops to use if they wish. They have drawn the information from various sources available from the Diocese, most of which has come from the Risk Management Manual which is now part of the Church Warden's Manual. They have also simplified the 'Incident Reporting Form' for use in their Op Shop, which is also included.

## **OP SHOP SEMINAR**

### **Occupational Health & Safety:**

**Incident Reports** - Procedures, forms etc.

Show form - stress "things may be trivial" to you but it is in your best interests to report incidents. (*Complete as soon as possible whilst it is still fresh in your mind.*)

### **Security:**

- If a robbery occurs - do precisely as you are directed.
- Avoid eye contact - speak only when spoken to - make no sudden movements - try to remain calm and control your emotions
- Try to remember as many details as possible about the robber and the incident. (e.g. - wearing brown jumper, had earring, as tall as my husband, time etc).
- After the robber leaves if possible, carefully check to see if a vehicle was used and if another person was in the car. If possible look to see which way they leave.
- **DO NOT DISCUSS THE AMOUNT OF TAKINGS FOR THE DAY/WEEK IN THE SHOP - YOU DO NOT KNOW WHO IS IN THE SHOP AT ANY TIME.**

If any person/persons come into the shop in an agitated manner and you are anxious or worried - just leave the premises and if possible call police. Do not try to interact. If the persons leave and you are worried that they may return - stop trading and shut the shop and if required call the police.

### **Emergency Procedures:**

If in case of fire leave premises immediately if necessary - if the fire is small, if possible use the extinguisher that is in shop - call fire brigade. On leaving turn off lights and close door. Ensure that all staff and customers leave the shop in an orderly and safe manner. Try to stay calm

**First aid:** A standard basic first aid kit is stored in a marked drawer in the kitchen for your use. Please note what items are used so that they can be replaced. Panadol/and or any other type of tablets should not be given by a staff member to other staff or customers. A Doctor's surgery and a chemist are in the shopping block refer to them for assistance if necessary. Please call 000 if an emergency.

### **Lifting:**

- Do not lift heavy items - eg "brotherhood bags" should be only ½ to ¾ filled.
- If customers bring in boxes of donations ask them to place the goods on table.

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- When bending - bend your knees - place bags onto a chair so you do not have to continue to bend over.
- Do not over stretch - keep things within easy reach
- If large items are left outside shop do not try to bring them inside - just leave them where they are. (Council security cameras record what happens outside and where possible “dumpers” will be prosecuted.)

## **Storage Bags:**

As above - do not over fill - when taking bags out to “Bob’s bin” get help if necessary or leave until someone else can remove the bag for you. Clothing only to go into the bags - all other items such as shoes and bags to go directly into the rubbish bin.

## **Ladder Usage:**

Use ladders to reach up to higher items - DO NOT STAND ON CHAIRS.

Two small step ladders kept at rear of shop and are manageable so please use them

## **Windows:**

Do not place large items on top shelf - e.g. large glass plates, vases etc.

Do not try to reach top shelf to retrieve items - use a small ladder.

## **Electrical:**

All electrical items (e.g. kettle, fridge, vacuum cleaner) in use at the shop are tested and tagged by the diocese on a yearly basis. Do not try any electrical items that may have been left at or donated to the shop - THROW THEM OUT - we are not permitted to sell this type of item.

Use electrical leads with caution - do not have them trailing around the shop - If you are unsure about the working order of power points, kettle, heater, radio etc turn off and report the fault to a committee member. When using vacuum cleaner be careful of trailing lead in and around clothing racks.

## **General comments:**

- Keep your workspace, sorting table clear and tidy
- When storing goods for winter/summer do not overload boxes.
- Keep boxes of saleable goods off the floor. Floor area should be clear and free making sure that staff and customers are able to move around the shop freely.
- Prams and walkers can be a problem if customers try to move around shop. Ask that they be left near the front door.
- Sorting can be repetitive so try not to stand for too long in one position - stop and move around then return later. Stress injury can happen with repetitive jobs.
- When sorting glassware, china etc be very careful and watch for chips, cracked and broken glass.
- Keep doorways and exits clear.
- After the floor has been mopped - use the “Wet Floor” sign to warn others
- DO NOT BE FRIGHTENED TO ASK FOR HELP - SHARE THE LOAD

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### Working with Children Check



It is a legal requirement that church volunteers and workers must have a Working With Children Check if their role means that they have contact with children or any young person under the age of 18 years. This means that, if your Op Shop has students working or helping in the Op Shop, the adult workers or volunteers must have a valid Working with Children Card. The Working With Children Check is in addition to the requirement for a National Police Check.

To apply for a Working with Children (WWC) Check you need to:

1. Complete a WWC Check application form, using **BLACK** ink and **BLOCK LETTERS**. Do not sign the form as you will need to do so when you lodge your application. **Application forms are available from most Australia Post outlets.** (Note: In Section D of the application you are asked to insert a code number. The correct code is “64” (Religious organisations).)
2. Prepare your original identification documents. You will need at least three documents that are current and original (not photocopies). The application form specifies documents you can use, and there is a points system, similar to a passport application.
3. Organise a passport-size photograph; many post offices offer this service, and will know the requirements, which are quite detailed. (See Section 5 of the Guide in the application form for more information.)

Take your completed application form, original identification documents, passport-size photograph and, if you are a paid worker, the \$76.10 application fee to a participating Australia Post outlet. Volunteers do not need to pay the application fee as this cost is being met by the Victorian Government. (You will have to pay for the passport photo.)

You are considered a volunteer even if expenses you incur are reimbursed. However, it is an offence for volunteers to use their ‘volunteer’ Assessment Notice and WWC Check card for ‘child-related work’ that is for profit or gain. If you are moving from a volunteer to a paid position, you will need to apply for an ‘employee’ WWC Check and pay the application fee when you lodge your application.

At the Australia Post outlet, the attendant will photocopy your original identification documents. You need to sign the form and Application Receipt in front of the attendant. You need to keep the Application Receipt (with a unique number) as evidence that you have submitted your application.

After you have applied for the WWC Check you need to:

1. Show the designated person in the parish your receipt so that they can record the date and number. (If you are not sure who is the person responsible, ask your Vicar.)
2. When you receive your WWC card, show the designated person so that the details can be recorded.
3. Tell your “employer” (your Vicar), if you receive a Negative Notice. This a legal obligation and you must also ensure that you do not have contact with children (young people under the age of 18) as part of your Op Shop duties.

Reapply for a WWC Check every five years.

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Apart from the legal requirement for the WWC Checks, the Anglican Church takes its obligation to be a safe place for children very seriously, and we understand that children are precious in God's eyes (e.g. Matthew 18). So we welcome the opportunity to participate in a screening process that aims to provide greater protection to children. Working with children is a great joy and benefits us in many ways, and it is worth the effort of filling in forms, and to remind ourselves as adults of our responsibility towards our young people.

Dorothy Hughes  
***Children and Family Facilitator***  
***Anglican Diocese of Melbourne***

Note: Dorothy can be contacted at the Diocese on (03)9653 4275



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