**APPLICATION FOR VARIATION**

The Office of the Children's Guardian expects employers plan their activities so that they comply with the [Children’s Guardian Regulation 2022](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2022-0122#sec.17).

This application must clearly explain why you cannot work within the requirements of the Code and show how you will take into account the needs of each child.

If your request is approved, you will receive a Variation Certificate. You must comply with the terms of the Notice of Variation and all of its conditions.

If you don’t receive a certificate, you must comply with the Code of Practice.

Giving false or misleading information to the Office of the Children’s Guardian in applying for a variation is a serious offence.

|  |  |
| --- | --- |
| **Authority Number:** |  |
| **Employer Name:** |  |
| **Variation requested by:** |  |
| **Contact email/phone:** |  |
| **Production Name:** |  |
| **Date/s required for variations** |  |

**Child Details**

|  |  |  |
| --- | --- | --- |
| **Child’s Name** | **Date of Birth** | **Parent / Guardian Name and Contact Phone** |
|  |  |  |
|  |  |  |

**What Variations are you requesting?**

[ ]  Babies less than 12 weeks [ ]  More travel time [ ]  More work hours

[ ]  Move 1 hour rest break [ ]  Extra work days [ ]  Multiple / Split shift

[ ]  Under 12 hrs between shifts [ ]  Work later than allowed [ ]  Start before 6am

[ ]  More than 5 days in row [ ]  Over 4 hours of work before or after schooling

[ ]  Work past 9pm on the evening before schooling the following day

[ ]  Other:

1. Details of variation amount of time, days, finish time etc.
2. Why do you need this variation? include what you have done to work within the requirements
3. What are the parents' and child’s views about your request and the ability of the child to cope? You must consult a parent and where appropriate the child regarding your request before you submit this application. They will need to be happy with your proposal and agree it’s appropriate.
4. Outline the child’s schedule for the day or dates of variation (or attach with request). Please ensure this clearly shows in detail periods of work, mandatory and additional breaks.
5. What facilities will be available for the child / children to use for resting, eating, doing schoolwork etc during their mandatory breaks or other down time?
6. Has or will the child/ children work on any other days this week? If so, provide details
7. Does any child have any excess travel issues on the days the variation is requested? *That is, travel that exceeds 90 minutes from home to the place of employment, or on the return trip.*
8. Please tell us about anything else that you want the Office of the Children's Guardian to think about when making a decision about your request.

Email your request to: kidsemployment@ocg.nsw.gov.au. The Children's Employment Team may contact you to clarify your request or obtain additional information.