

Police Check Policy

MINTO DISABILITY SERVICES

PURPOSE

The purpose of this policy is to assist us to meet our regulatory requirements and duty of care to clients, employees, the public and its assets by ensuring that relevant employees and volunteers do not have a criminal record which may adversely affect these obligations. This policy sets out how we manage the requirement for employees, preferred candidates, volunteers and potential volunteers to have police checks conducted prior to, and while undertaking our roles with our clients.

SCOPE

This policy applies to our employees, preferred candidates, volunteers and potential volunteers.

DEFINITIONS

Police check (National Police History Check) - a process of conducting a police records search about an individual's criminal history for the purposes of employment, voluntary work and occupation related licensing or registration to ensure the integrity of individuals placed in a position of trust.

Child-related work - working with or caring for children in any of the occupational fields referred to as 'services, places, bodies or activities' in the Act that involves contact with a child that is direct, regular and a part of the person's duties (not incidental to the work).

No Disclosable Court Outcomes (NDCO) - a police check result which indicates that there is no police history information (PHI) that is held or that can be released to the submitting organisation.

Disclosable Court Outcomes (DCO) - a police check result which indicates that PHI exists that can be released to the submitting organisation. The police history information may include:

- charges
- court convictions – including any penalty or sentence
- findings of guilt with no conviction
- court appearances
- good behaviour bonds or other court orders
- pending matters awaiting court hearing

- traffic offences

SITUATIONS REQUIRING A POLICE RECORD CHECK

Employees, preferred applicants and volunteers whose role or position description requires work in the following situations will require a police check:

- working with the aged, frail or people with a disability (including staff who are reasonably likely to interact with clients or contact clients by phone, volunteers who have unsupervised interaction with clients and executive decision makers for activities under the Commonwealth Home Support Programme)
- working within early learning centres
- entering private homes
- authorised officers who undertake prosecution for offences
- managing highly confidential information (including but not limited to People and Culture, Executive Office, Community Services, Executive Assistants to Directors, Information Services, Risk Management, Finance & Payroll) as determined by the recruiting manager or people manager
- cash handling/receipting (as defined in the Cash Handling Policy)
- access to valuable artworks
- Executive/Senior Management (CEO, Directors and Managers)

Additional positions or work areas (other than those identified above) may be deemed as requiring a satisfactory police check, by the Manager, People and Culture, the Manager Executive Services or the recruiting manager.

With the exception of positions and work areas that require regular police checks to meet legislative or regulatory requirements, police checks will generally only be conducted prior to commencement of employment. However, a police check may be requested from an employee or volunteer at any time as required.

EXEMPTIONS

Employees and volunteers under the age of sixteen (16) years are not required to undertake a police check (but are required to undertake a police check upon turning 16 years of age).

RECRUITING TO AN ADVERTISED POSITION

Position advertisements (and position/role descriptions for those positions) in the abovementioned work areas should include the following statement (or similar): All final applicants for this position/role will be asked to consent to a police check. Please note that people with criminal records are not automatically barred from applying for this position. Each application will be considered on its merits. Offers of employment/volunteer

agreements to a position/role in the abovementioned work areas should include the following statement (or similar): This offer of employment/volunteer agreement is subject to receiving a satisfactory police check. An applicant who refuses to complete the police check form will not be considered for the position for which they have applied.

WORKING WITH CHILDREN

Employees and contractors, working in any position within the organisation which involves child-related work within the definition of the Victorian Working With Children Act (2005) must have a current Working with Children (WWC) Check. All volunteers and potential volunteers, regardless of their role, must have a current WWC Check. For further information on WWC Checks, please refer to the Working with Children Check Policy.

OFFERS OF EMPLOYMENT

For positions where a police check is required under regulatory/funding commitments, applicants are required to produce a police check at the time of interview or be in the process of making an application.

EXISTING EMPLOYEES & VOLUNTEERS

Employees/volunteers are required to advise their people manager/supervisor if they are charged with a criminal offence which is punishable by imprisonment, or if found guilty, could reasonably be seen to affect their ability to meet the inherent requirements of the work/role they are engaged to perform. If a Home Support employee or volunteer is arrested for a precluding offence (as defined by the Aged Care Act 2007) they are to advise their people manager as soon as reasonably possible. All existing employees recruited, seconded or appointed to a position who do not have a police check which is less than 6 months old, are required to complete a police check. The same process applies. All existing volunteers who undertake a secondary/different role which relates to situations listed in section 4 and do not have a police check which is less than 6 months old, are required to complete a police check. The same process applies. Where an employee or volunteer is found to have a DCO result, the Manager People and Culture in consultation with the employee's/volunteer's manager, will inform the employee/volunteer who will be provided an opportunity to discuss the results. The manager People and Culture must inform the employee/volunteer of any action to be taken.