

Document Control

Document Name	Document Register Number	Review Date
Criminal Record Check Policy	GOV.POL.0013.001	July 15
Date Adopted	Minute Number	Summary of Changes
16 October 2013	3582	New Policy

Purpose

This Policy Directive and the associated Procedures outline the mandatory requirements for National Criminal Record Checks ('NCRCs') and Working with Children Checks ('WWCCs') for persons engaged or employed within Greater Hume Shire Council.

This policy includes the requirements of the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013* that commence on 15 June 2013 for child related workers, together with the requirements of the (Commonwealth) Aged Care Act 1997 and the amended (Living Longer Living Better) Act 2013 for aged care workers.

Scope

The policy applies to the General Manger, Directors, Chief Financial Officer and staff, volunteers, students and any other persons engaged by GHSC to undertake work for or on behalf of GHACS.

Definitions

GHSC Greater Hume Shire Council

GHACS Greater Hume Aged and Community Services

GM General Manager

HR Human Resources

NCRCs National Criminal Record Checks

WWCCs Working With Children Checks

Policy Content

It is good practice for the General Manager, Directors and Chief Financial Officer to have in place an approved Police Check.

All applicants for aged and community care positions in GHSC, including volunteers, must complete a NSW NCRC consent form and provide the associated 100 points of identification, regardless of whether or not they are existing staff members.

All GHSC aged care workers must have a NCRC every three years in accordance with the (Commonwealth) Aged Care Act 1997 (Amended 2013)

Any person seeking to work in GHSC in 'child-related work' must have a valid WWCC number in addition to any requirements for a NCRC in accordance with the requirements in this policy.

GHSC must validate and keep records of WWCC numbers obtained from the Children's Guardian.

All child related workers must have a WWCC every five years in accordance with the NSW Child Protection (Working with Children) Act 2012.

All applicants for positions at GHSC, including volunteers, must complete a NSW National Criminal Record Check (NCRC) consent form and provide the associated 100 points of identification, regardless of whether or not they are existing staff members.

The offences that preclude a person under the Act from working in aged and community care are:

- **a conviction for murder or sexual assault; or**
- **a conviction of, and sentence to imprisonment for, any other form of assault.**

Any person with a conviction for a precluding offence **must not be employed**, contracted, hired, retained, or accepted as an unsupervised volunteer in an aged care service subsidised by the Commonwealth.

The Human Resources Officer will identify whether other the convictions or pending charges may be relevant to the position and determine if the records are relevant and if they are likely to affect the individual's ability to undertake the key responsibilities of the position for which they are being considered. The matter will be referred to the General Manager for review and the procedure for analysis.

Links to Policy

Model Code of Conduct
Child Protection Policy

Links to Procedure

Criminal Record Check Policy
Child Protection Procedure

References

<http://www.afp.gov.au/what-we-do/police-checks/national-police-checks.aspx>

http://www.police.nsw.gov.au/about_us/structure/specialist_operations/forensic_services/criminal_records_section

<http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-quality-factsheet-policechecks-guidelines.htm>

Responsibility

- The GHSC General Manager is responsible for ensuring the organisation has systems in place to implement and monitor this policy
- Human Resource Officer is responsible for the application, maintaining and monitoring the criminal record check register and training as necessary to support establishment of local procedures for effective implementation of this policy.
- The Program Manager will ensure that checks are in place.
- All GHSC staff and volunteers are required to comply with the mandatory requirements of this policy.

Relevant Legislation

- All Commonwealth legislation is available on the Commonwealth Law website:
www.comlaw.gov.au/
- Aged Care Act 1997 Amended (Living Longer Living Better) Act 2013

Records Principles 1997

Privacy Act 1988

Quality of Care Principles 1997 (the Accreditation Standards)

Fair Work Act 2009

Human Rights and Equal Opportunity Act 1986

Child Protection (Working with Children) Act 2012

Child Protection (Working with Children) Regulation 2013

Associated Records

Police Check Register