

Employment Clearance for Working with Children Policy Essential Knowledge

Policy Description

The purpose of this policy is to promote the safety and wellbeing of children; and to set out guidelines for requesting, providing and responding to the requirements for employment clearances for working with children.

Who must comply?

Carclew Board members and staff employed on a full/part time, contract, casual, agent, unpaid and voluntary basis (staff, artists, tutors, agents, volunteers) and residents.

Which Clearance do I need?

- If you are Carclew staff member, Carclew Board member or an Artist (contractor) engaged with Carclew to work in and with SA schools you are required to undertake a **Child-Related Employment Screening with DCSI**.
- If you are an Artist (contractor), tutor assistant or resident working with Carclew you are required to undertake a **National Police Clearance for Working with Children with SA Police**.
- If you are a volunteer working on Carclew programs you are required to undertake a **VOAN National Police Clearance with SA Police**. Please contact the Manager, Finance & Operations at Carclew for more information.

The cost of undertaking an Employment Clearance for Working with Children is the responsibility of the applicant.

A representative of Carclew must:

Comply with the Employment Clearance for Working with Children Policy.

Undergo the relevant employment clearance as outlined in this Policy.

Carclew will view the criminal history and make a record of sighting the document. Personal records remain the property of the employee, contractor, and/or resident volunteer.

Contact

Carclew

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Employment Clearance for Working with Children Policy

1. Background

The *Children's Protection Act 1993* requires organisations providing certain services to children create and maintain a child safe environment. In this context, a child safe environment is one which protects children from abuse and harm. Also included is the requirement under the law for certain people to report suspected abuse and neglect.

It is Carclew's Policy to conduct criminal history assessments on employees, contractors, and resident volunteers who are working with children. Carclew is officially recognised as a Child Safe Environment organisation with the Department for Communities and Social Inclusion.

2. Purpose

Carclew is committed to the fundamental legal and moral responsibilities of ensuring the safety and wellbeing of all children participating in its programs. This policy has been developed with reference to the *Children's Protection Act 1993*.

The purpose of this policy is to promote the safety and wellbeing of children; and to set out guidelines for requesting, providing and responding to clearance requirements.

3. Scope

Carclew requires all Board members, staff employed on full/part time, contract, casual, agent, residents, unpaid and voluntary basis who have contact with children, work in close proximity and/or has access to their records on a regular basis must show evidence of the relevant employment clearance every three years.

4. Definitions

VOAN: Volunteer Organisation Authorisation Number

DECD: Department for Education and Child Development

DCSI: Department for Communities and Social Inclusion

SAPOL: South Australian Police

APP: Australian Privacy Principles

5. Policy Statement

All Carclew employees, Board members, contractors, volunteers and residents 18 years or over are required to show evidence of a current Employment Clearance for Working with Children. The relevant criminal history certificate will be considered current for a maximum of three years, from the date of issue.

The Chief Executive, Carclew and/or relevant Program Manager must sight satisfactory and current documentation prior to appointment or contract renewal. Under the *State Records Act 1997 - General Disposal Schedule for Records Management*, employees are not allowed to retain copies of criminal history checks on file. Carclew will only view the criminal history and make a record of sighting and accepting the document.

People convicted of any offence involving violence, neglect or any sexual offence against adults or children will not be engaged in paid or voluntary roles with Carclew, regardless of the time that has elapsed since the offence. A criminal history, not relating to offences against children or old convictions will not necessarily preclude a person from paid or unpaid employment with Carclew, however a person who refuses to undergo or provide documentation of the relevant clearance will not be considered for any position with the organisation.

External long and short-term contractors will be required to undertake the relevant screening. In exceptional circumstances a signed declaration stating that they have not been convicted of an offence that would preclude their working with children may be valid for the period of that particular engagement only. It is the responsibility of the Chief Executive and/or the Manager, Finance and Operations, to assess such appointments for criminal history screening based on the regularity and proximity of their contact with children/young people.

- I. Evidence of a current Child-Related Employment Screening (DCSI), National Police Clearance (SAPOL) or a signed declaration may not be required for once-off activities or special situations i.e. guest speakers, performances, or emergency fill-in.
- II. External long and short-term staff contractors engaged by Carclew to undertake projects and/or activities are required to undertake the relevant clearance or sign a declaration, at the discretion of the Chief Executive and the Manager, Finance and Operations.
- III. Other contracted service providers, employed by Carclew may be required to undertake a Child-Related Employment Screening or National Police Clearance. Carclew retains the right to request current evidence of clearance or a signed declaration based on the regularity and proximity of their contact with children/young people.

All information contained in sighted documentation will be treated as private and confidential as per the *South Australian Public Sector Employees Code of Conduct March 2009, Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth), Australian Privacy Principles* and *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*, issued by the Chief Executive, Department for Families and Communities in July 2009.

A documented procedure for undertaking the relevant clearance is available to any prospective Carclew employee, contractor and resident volunteer over 18 years of age and further assistance can be provided by Carclew staff.

5.1 Which clearance do I need?

Unless you have signed a declaration (see No. 5), evidence of a current Employment Clearance for Working with Children is an essential requirement of your work with Carclew. Please refer to the following information to ascertain which clearance you will need.

Child-Related Employment Screening (DCSI)

Applies to: Artists (contractors) working in and with SA schools, Carclew staff and Carclew Board members.

It is a requirement of Carclew and/or the Department for Education and Child Development (DECD) that all artists, engaged to work in South Australian schools, Carclew staff and Carclew Board members show evidence of a current Child-Related Employment Screening through the Department for Communities and Social Inclusion (DCSI) Screening Unit.

You can find out more information and download the appropriate form by going to the DCSI website at www.dcsi.sa.gov.au/services/screening

The cost of undertaking a DCSI Child-Related Employment Screening will be borne by the artist (contractor), incumbent, prospective employee or Board member.

National Police Clearance for Working with Children (SAPOL)

Applies to: Artists (contractors), tutor assistants, residents

It is a requirement of Carclew that all artists, tutor assistants and residents, engaged to work at Carclew and/or on Carclew programs (other than in schools) show evidence of a current National Police Clearance, stating 'for the purpose of working with children' through South Australia Police (SAPOL).

You can find out more information and download the appropriate form by going to the SAPOL website at www.sapolice.sa.gov.au

The cost of undertaking a National Police Clearance, through SAPOL will be borne by the prospective artist, tutor assistant or resident.

Volunteers

It is a requirement of Carclew that all volunteers, engaged to work on Carclew programs show evidence of a current National Police Clearance through South Australia Police (SAPOL).

Carclew holds a Volunteer Organisation Authorisation Number (VOAN), which entitles all volunteers working with Carclew to obtain the relevant clearance at no cost to the volunteer or organisation. Please contact the Manager, Finance & Operations at Carclew for more information.

6. Procedures Title

Employment Clearance for Working with Children Procedure

7. Responsibility for implementation

All staff members, contractors, residents and volunteers must provide evidence of the relevant clearance prior to their engagement with Carclew.

8. Policy Status

Created: July 2010

Endorsed: 15 July 2010

Reviewed: 6 October 2010 to update information in relation to VOAN & external contractors and again on 30 January 2014 to update information relating to relevant clearances.

Review Date: February 2016

9. Key Stakeholders

Carclew Board, staff and clients.

10. Approval Body

Carclew Strategic Team: 14 July 2010

11. Endorsement Body

Carclew Board: 15 July 2010

Reviewed: Carclew Board: 26 May 2011

12. Legislation

Children's Protection Act 1993

South Australian Public Sector Employees Code of Conduct March 2009

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

Employment Clearance for Working with Children Policy

Endorsed: 15.07.2010

Reviewed Endorsed: May 2013, V1.2 endorsed: 28 February 2014

Review Date: 28 February 2016

13. Related Policies / documents

Code of Conduct / Duty of Care Policy
Child Safe Environment Policy and Procedure
Grievance Policy and Procedure
Health, Safety and Wellbeing Declaration

14. Date effective

This Policy is effective as of 15 July 2010

15. Next Review Date

This Policy is due for review February 2016.

This Policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

16. Policy Author

Chief Executive, Carclew

17. Contact

Policy Administration Officer, Carclew

Acknowledgment

In developing this policy Carclew has drawn on resources prepared by SA Police (SAPOL), Department for Education and Child Development (DECD) and the Department for Communities and Social Inclusion (DCSI).

Disclaimer

This policy does not represent legal advice. If you have any queries about your obligations, you should seek your own independent legal advice.