

Police check policy

1. Purpose

The purpose of this policy is to provide a framework for the conducting of a police check.

2. Scope

This policy applies to:

- a. All employees, volunteers, contractors and interns/work placements of RedR,
- b. Associate trainers,
- c. RedR deployees, and
- d. Standby personnel/applicants.

3. Policy Statement

In conducting a police check, RedR Australia (RedR) is demonstrating due diligence to ensuring a safe and productive workplace. Police checks are to be conducted for all persons who enter into the RedR Australia workforce, including staff, deployees, volunteers, interns, and Associate Trainers.

RedR has engaged Fit2Work, an applicant screening service which includes carrying out National Police History Checks (includes a vulnerable person check) and International Police Checks.

4. Principles

- RedR encourages an environment which will foster an open and honest exchange of criminal record information between RedR and job applicant or RedR personnel.
- RedR will not discriminate on the grounds of a criminal record when making a decision. It is not discrimination if the person's criminal record means that he or she is unable to perform the inherent requirements of the particular job¹.
- All Authorised Officers must undergo a police check. This is to ensure privacy and protection of the individuals who are being checked, as well as the Authorised Officer whose account is being used. Authorised Officers of each function will process the following personnel:
 - Human Resources – staff, interns, board
 - International Emergency Response – register members, deployees
 - Training – Associate Trainers, volunteers
- Criminal record checks should only be conducted with the written consent of the job applicant or current employee.
- If you have not resided in Australia for 12 months or more have recently arrived in Australia, RedR will request an international police clearance from the country of your citizenship, or other suitable records/ documentation. Additionally, if you have spent more than 12 months in any country outside of Australia in the last 5 years you must also obtain a police check from that country/countries.

¹ Section 3(1), AHRC Act

- All personnel within the scope of this policy must undertake a police check prior to commencement and every 3 years thereafter.
- RedR will accept a national police record completed up to 12 months prior however it must be accompanied with a vulnerable person check or Working with Children's Check.
- Advertisements and job offer should clearly state whether a police check is a requirement of the position.
- Retention of information
 - Police Reports will be stored in a private and confidential manner on the relevant personnel file.
 - Police Results are to be destroyed securely within 90 days.
- Disclosure of information
 - An individual may request a copy of their police record.
 - All personal information, including the national police check report, is not provided to third parties (all parties outside of the organisation, unless written consent is obtained from the applicant).

5. Procedures

5.1 When a disclosable outcome arises

- The Authorised Officer will notify the relevant Director. All parties to maintain confidentiality regarding the disclosable offence.
- RedR will give the job applicant or employee a chance to provide further information about their criminal record including, if they wish, details of the conviction or offence, the circumstances surrounding the offence, character references or other information, before determining the appropriate outcome in each case.
- In determining if a criminal record information is relevant, the following will be considered²:
 - The relevance of the police results to the inherent requirements of the work they will be required to do
 - The seriousness of the conviction or offence
 - The severity of any penalty imposed
 - Whether the offence has been decriminalised or removed from the statutes
 - Whether in relation to the offence there was a finding or guilt but without conviction, which may generally indicate a less serious view of the offence by the courts
 - The age of the applicant when the offence occurred
 - The period of time that has elapsed since the offence took place
 - Whether the applicant had a pattern of offences
 - The circumstances in which the offence took place
 - Whether the applicants circumstances have changed since the offence was committed, for example, previous drug use
 - The attitude of the applicant to their previous offending behaviour
 - Any conflict of interest
 - Compromise of health and safety of self and/or others

² Taken from *Police Check Policy*, Australia Red Cross

Criminal offence of concern include the following:

- Murder or sexual assault
 - Any other form of assault
 - Any offence involving harm or exploitation of vulnerable people
 - Any serious alcohol or drug related offences that indicate a pattern of dependence
 - Drug trafficking
 - Any offence involving dishonestly
 - Terrorism
- If RedR determines that the criminal record or offence does not meet the inherent requirements of the role, feedback will be provided to the individual.
 - If RedR determines that the criminal record or offence will not impact on the inherent requirements of the role and is satisfied with the matter, RedR will make a file note to confirm a police check was conducted and disclosable outcome/s has been assessed against RedR’s criterion.

6. Responsibilities & Reporting

6.1 Compliance, monitoring and review

The RedR HR manager is responsible for ensuring the policy:

- Aligns with relevant legislation, government policy and / or Red requirements/strategies/values,
- Is implemented and monitored, and
- Is reviewed to evaluate its continuing effectiveness

7. Related policy and documents

- Human Rights and Equal Opportunity Commission – ‘On the Record: Guidelines for the prevention of discrimination in employment on the basis of a criminal record’
- Fit2Work – User Guide
- Privacy Act 1988 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- RedR Child Protection Policy
- RedR Anti-Discrimination, Anti-Harassment, and Anti-Bullying Policy

8. Document control

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