

NATIONAL PROBITY AND SUITABILITY CHECKING POLICY GUIDELINE

WE
LIFE WITHOUT BARRIERS
WE

ATTACHMENT 1.

Life Without Barriers is committed to the safety and protection of clients in out care. As part of our policy guideline regarding this, prospective employees, contractors, volunteers, foster carers, members of foster care households and Board members will undergo suitability and probity checks in accordance with State based legislation.

Summary

Suitability checks apply to all employees, contractors, volunteers and carers within Life Without Barriers. All current employees, contractors, volunteers and carers and potential employees, contractors, volunteers and carers must receive a positive outcome to the suitability screening process before they commence or continue working with Life Without Barriers. This includes employees, contractors, carers and volunteers regardless of whether they have direct or indirect contact with children.

These checks may include:

- An Australian Federal Police Criminal History Check
- A Working with Children Check
- Prohibited Employment Declaration Check
- Suitability Check Reviews
- Background Investigation

No potential employees, contractors, volunteers or carers will commence with LWB unless they have completed the Criminal Record Check process.

Target Audience

All current and potential employees, contractors, volunteers and carers regardless of whether they have direct and indirect contact with children.

Probity Checking Policy Guideline

When an individual engages with Life Without Barriers, the individual's suitability information will be treated with the strictest confidence. All information collected in relation to the Suitability Check process, including the risk assessment will be kept in a secure file separate to the employees personnel file with access available only to State Human Resources, Senior Management and the Chief Executive Officer for the purposes of carrying out their duties.

Applicants will not be automatically precluded from approval as an employee, contractor, carer or volunteer on the basis of having a criminal record.

Where a flag, heightened risk profile or negative outcome is alerted to LWB, the following background checking procedures will be followed.

In determining the risk of engaging a person with a criminal record Life Without Barriers will consider each case upon its merits:

- the relevance of the criminal offence, in relation to the job or placement (assault, AVO involving violence, serious driving offences involving death or serious injury, repeated driving under the influence of drugs or alcohol examples only)
- the nature of the offence and the relationship of the offence to the particular job or placement for which the applicant is being considered (the difference between shoplifting i.e \$2.50 Mars bar as a teenager, and stealing handbags at the same shop)
- the length of time since the offence took place
- whether the person was convicted or found guilty and placed on a bond
- whether there is evidence of an extended police record
- the number of offences committed which may establish a pattern of behaviour which renders the applicant unsuitable
- whether the offence was committed as an adult or a juvenile
- the severity of punishment imposed
- whether the offence is still a crime, that is, has the offence now been decriminalised
- whether there are other factors that may be relevant for consideration, and
- the person's general character since the offence was committed.

It is also imperative that you refer to your relevant State legalisation for clarification.

Roles and Responsibilities

Role	Responsibility
Convener of Recruitment Process	Ensure potential candidates for employment are provided with relevant forms for completion and ensure that checks are cleared before commencement Sight original documents that add to a minimum of 100 points of ID as required by law.
State HR	Facilitate the background investigation process
Area Operations Manager (AOM) & Operations Managers	Make recommendations on the exclusion of applicants with an adverse finding, in consultation with State HR
State Director	Make decisions on the exclusion of applicants based on recommendations from AOMs and Operations Managers
Chief Executive Officer	Consider appeals about adverse findings and exclusions

Risk Assessment Tool

TABLE 1

				CONSEQUENCE				
LIKELIHOOD	Qualitative Likelihood	Quantitative Likelihood	Likelihood Risk	Insignificant	Negligible	Moderate	Extensive	Significant
		Has occurred in most circumstances, or the matter is considered to be of a serious nature.	Has occurred in the past 12 months and there is a regular history	Almost Certain	6	7	8	9
	Will probably occur again or the matter is considered to be of a significant nature	Has occurred in the last 12 months to 2 years and is sporadic	Likely	5	6	7	8	9
	Has occurred at sometime, or the matter is considered to be of a minor nature	Has occurred in the past 2 - 5 years	Possible	4	5	6	7	8
	Has possibly occurred at sometime and of a minor nature	Has occurred in the past 5 - 10 years	Unlikely	3	4	5	6	7
	Has not occurred for sometime	Has occurred in the past 10+ years	Rare	2	3	4	5	6

TABLE 2

LIKELIHOOD RISK		RISK EVALUATION TOTAL (Please Circle)				
		Insignificant	Negligible	Moderate	Extensive	Significant
ALMOST CERTAIN	10	60	70	80	90	100
LIKELY	5	25	30	35	40	45
POSSIBLE	3	12	15	18	21	24
UNLIKELY	2	6	8	10	12	14
RARE	1	2	3	4	5	6

TABLE 3

RISK EVALUATION		
100-50	EXTREME RISK	Notification to CEO / Director Operations mandatory. Immediate Action required. Risk must be recorded. Risk Register. Responsibility for management at State Directors level who will have responsibility for management of the risk identified.
49-20	HIGH RISK	Notification to State Director mandatory. Plan or program for management / mitigation required. Risk must be recorded and HR to be notified. Risk monitoring and review must occur when specified in the Risk Register. Responsibility for management at either HOD's or delegated senior management, by a nominated individual who will have responsibility for management of the risk identified.
19-10	MODERATE RISK	Notification to AOM's and OM's. Plan or program for management / mitigation required, unless risk is accepted at higher management. Risk monitoring and review must occur every 3 months or earlier when specified in the Risk Register. Responsibility for management at either HOD's or delegated senior management, by a nominated individual who will have responsibility for management of the risk identified.
9-4	LOW RISK	Management via routine processes / procedures. Senior Management should be notified / aware of risk. Risk monitoring and review must occur every 6 months or earlier when specified in the Risk Register. Responsibility for management at a delegated senior management level, by a nominated individual who will have responsibility for management of the risk identified.
3-1	VERY LOW RISK	Accept the risk, no mitigation action required. Senior Management need not be notified / aware of risk. Risk monitoring and re-assessment must occur every 12 months or earlier when specified in the Risk Register.

Maintaining Suitability and Probity Checks

- Once engaged all employees, contractors, volunteers and carers must advise Life Without Barriers of any issues that may affect their probity status, including details of charges or convictions which have occurred during their engagement with Life Without Barriers.
- Where possible Life Without Barriers will consider this information in accordance with the Background checking procedure.

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