

ASSESSING RISKS ARISING FROM RELEVANT APPREHENDED VIOLENCE ORDERS

WHEN IS AN APPREHENDED VIOLENCE ORDER ASSESSMENT UNDERTAKEN?

An assessment of Apprehended Violence Order Information is undertaken when Employment Screening indicates that an applicant for a position has had a Relevant Apprehended Violence Order taken out against them.

A Relevant Apprehended Violence Order is a final order taken out by a Police Officer or other Public Official in NSW since 3 July 1995 for the protection of a child (or a child and others). Relevant Apprehended Violence Orders also include interstate restraint orders registered in NSW.

The assessment of Apprehended Violence Orders is considered with the other components of the full Risk Assessment. This always includes the assessment of the Workplace Characteristics and may also include the assessment of Criminal Record Information and the Report on Disciplinary Procedures Information if relevant.

BEFORE COMMENCING AN APPREHENDED VIOLENCE ORDER ASSESSMENT

Prior to undertaking the Apprehended Violence Orders assessment, applicants must be contacted to confirm that they have been correctly identified and that the relevant Apprehended Violence Order information is consistent with their own understanding of the record. This contact must be undertaken in accordance with the Contact with Applicant module.

The assessment of relevant Apprehended Violence Orders is always considered in conjunction with the other components of the Risk Assessment model. This will always include the assessment of Workplace Characteristics and may also include the assessment of Criminal Record Information and the Relevant Completed Disciplinary Proceedings assessment if appropriate.

COMPLETING THE APPREHENDED VIOLENCE ORDER ASSESSMENT

The format for completing risk assessments for relevant apprehended violence orders is included as Appendix 17.

To complete the Apprehended Violence Order Assessment, assessors respond to questions about the detail of an applicant's relevant Apprehended Violence Order record. The responses each have a score or rating. The rating is an indicator of the severity of the matter which is under assessment.

When the Apprehended Violence Order Assessment is completed the ratings are totalled. This provides an overall rating of the level of risk arising from the

applicant's Apprehended Violence Order record as it applies to children in the workplace.

To complete the Apprehended Violence Order (AVO) Assessment you must:

- Choose the response which is consistent with information held about the applicant and the applicant's Apprehended Violence Order record.
- Tick the box which is adjacent to the correct response.
- Circle the corresponding rating (the number) in the adjacent cell.
- At the end of the assessment add up the ratings to gain a total.
- Tick the box which indicates whether the applicant presents a low, medium or high level of risk in the workplace.

Where a person has two or more AVO's for the same incident

If the applicant has two or more relevant AVO's, but it is verified that the relevant AVO's related to the same incident/event, the assessment should be carried out as though there is only one relevant AVO.

Where a person has AVO's which arose out of incidents on different occasions

This risk assessment module requires you to indicate if AVO(s) arose out of incidents on different occasions. Information gathered for assessment should be used to determine if the AVO(s) was/were issued as a result of more than one alleged incident involving the applicant or act committed by the applicant.

AVO's that lead to criminal charges

If the incident/event that led to the relevant AVO(s) is also the reason the applicant has criminal charges laid against them (ie: AVO and criminal charges for the same incident/event) , both the Relevant Apprehended Violence Order Assessment and the Relevant Criminal Record Assessment are to be completed.

Where both the Relevant Apprehended Violence Order Assessment and the Relevant Criminal Record Assessment modules are completed for a single incident/event, the overall level of risk associated with employing the applicant in the identified position, ie: when using the risk assessment matrix, should:

- first use the outcome of the Relevant Apprehended Violence Order Assessment whilst setting the Relevant Criminal Record Assessment aside; then
- the outcome of the Relevant Criminal Record Assessment is to be used setting the Relevant Apprehended Violence Order Assessment aside.

The overall assessment outcome which indicates the highest level of risk of the two separate assessments, is the overall risk assessment outcome to be used in determining the level of risk the person may pose and indicated on the Report to Employer on Risk Assessment.

It is important that the assessor is able to verify that the relevant criminal record arose out of the same incident/event that led to the AVO. It may be possible to verify this through a Police Statement of Facts or other court held record. In cases where an applicant claims that the AVO arose from the same incident that led to a Relevant Criminal Record that is also being assessed, but it is not possible to verify this, the applicant should be assessed in both the Relevant Criminal Record Assessment and the Relevant Apprehended Violence Order Assessment.

ASSESSMENT OF RELEVANT APPREHENDED VIOLENCE ORDERS

A Relevant Apprehended Violence Order is a final order taken out by a Police Officer or other Public Official in NSW since 3 July 1995 for the protection of a child (or a child and others). Relevant Apprehended Violence Orders also include interstate restraint orders registered in NSW.

Person was an adult at the time relevant AVO(s) was/were made.	<input type="checkbox"/> No	0
	<input type="checkbox"/> Yes for one	5
	<input type="checkbox"/> Yes for two or more	8

Number of relevant AVO(s) against person. (Note: if relevant AVO's relate to the same incident, assess as one AVO)	<input type="checkbox"/> One	2
	<input type="checkbox"/> Two	5
	<input type="checkbox"/> More than Two	12

If person has relevant AVO(s) , did AVO(s) arise out of incidents on different occasions. (Note: scores are cumulative where there is more than one AVO)		1 st AVO	2 nd AVO	3 rd AVO
	<input type="checkbox"/> No, one occasion only	0	0	0
	<input type="checkbox"/> Two occasions	2	2	2
	<input type="checkbox"/> More than two	4	4	4

Time elapsed since most recent relevant AVO against person was made.	<input type="checkbox"/> Less than two years	4
	<input type="checkbox"/> 2-5 years	2
	<input type="checkbox"/> More than 5 years	1

Age difference between the youngest child protected by a relevant AVO and the person.	<input type="checkbox"/> Less than two years	2
	<input type="checkbox"/> 2 years to 5 years	4
	<input type="checkbox"/> More than 5 years	8

Was/were the relevant AVO(s) made to protect the child/ren from risk of/actual psychological and/or physical harm by the person.	<input type="checkbox"/> No	0
	<input type="checkbox"/> Yes for one AVO	1
	<input type="checkbox"/> Yes for two AVO's	3
	<input type="checkbox"/> Yes for more than two AVO's	6

Was/were the relevant AVO(s) made to protect the child/ren from risk of/actual sexual harm by the person.	<input type="checkbox"/> No	0
	<input type="checkbox"/> Yes for one	3
	<input type="checkbox"/> Yes for two	6
	<input type="checkbox"/> Yes for more than two	12

On how many occasions was the person convicted for a breach of a relevant AVO(s).	<input type="checkbox"/> None	0
	<input type="checkbox"/> One	5
	<input type="checkbox"/> Two	10
	<input type="checkbox"/> More than two times	18

Total points =

Assessed level of risk by the person to children in the workplace:

- High (28 or more points)
 Medium (21 – 27 points)
 Low (1 - 20 points)
 Risk assessed as no greater than average (0 points)

Reassessment to include additional information provided by applicant

The applicant provided information which could affect the outcome of the Risk Assessment. This information was verified (must include verification by a Police Liaison Officer if about the facts of the matter or Magistrates ruling).

- Yes, provided significant information which was verified
 No, additional information provided by applicant was not verified
 No, no additional information was provided by applicant which would assist with assessment

The verified information provided indicates that:

- Applicant's risk to children in the workplace is assessed as no greater than average
 Applicant's previously high assessment should be reduced to
 - o Medium
 - o Low Applicant's previously medium assessment should be reduced to
 - o Low

Assessed by: _____

Assessor's signature: _____

Date assessment completed (including any re-assessment) .../.../20...

Where re-assessment was undertaken this was approved by:

Manager Employment Screening: _____

Manager's signature: _____/.../20...