

RELEVANT TO	All employees of the Diocese of Maitland-Newcastle
INTRODUCED	Human Resources Manager, Diocese of Maitland-Newcastle
REVIEW DATE/S	December 2019
APPROVED BY	Vice Chancellor Administration
RELATED POLICIES	Recruitment and Selection Policy Privacy Policy
RELATED PROCEDURES	Recruitment and Selection Process
RELATED FORMS	Informed Consent Form

1. Purpose

The Catholic Diocese of Maitland-Newcastle (and its agencies including St Nicholas Early Education, CatholicCare Social Services Hunter-Manning, Parishes and Catholic Development Fund) is committed to ensuring that all persons conducting services on its behalf are of suitable background and character for the protection of children and families that we support.

This is consistent with the principles detailed in the resource Integrity in the Service of the Church and the mission and vision of the Catholic Diocese of Maitland-Newcastle and its agencies.

2. Policy Statement

The Catholic Diocese will conduct a Health Assessment, Criminal Record Check and Working with Children Check prior to the engagement of any person to conduct services on its behalf subject to an Informed Consent being provided by the person seeking employment.

The Catholic Diocese will apply the Spent Convictions Scheme in the review of outcomes of Criminal Record and Working with Children Checks.

All employees may be required to resubmit a Criminal Record Check every three years to maintain employment, based on the role, legislation applied to the environment in which the employee operates, and Management discretion.

All information contained within the pre-employment will remain confidential at all times. Reports will be destroyed in accordance with the agreement with CRIMTRAK (an agency of the Australian Federal Police) and the Commission for Children and Young People (CCYP) and other relevant legislation.

Diocese of Maitland Newcastle	Pre-Employment Screening Policy HR-DC-PO-11	Page 1
Issue Date:	Review Date: December 2019	Document Owner: Human Resources Manager
Related Policy		Related Procedure

3. Definitions

The Criminal Record Check means a report issued of all convictions in any Australian State or Territory conducted by CRIMTRAK (an agency of the Australian Federal Police).

The Working with Children Check is conducted by the CCYP.

A conviction is spent where:

- the individual has been granted a pardon for a reason other than that the individual was wrongly convicted of the offence, or
- the individual was not sentenced to imprisonment for the offence (or not imprisoned for more than 30 months) and the waiting period for the offence has ended
- the waiting period is ten years beginning on the day on which the individual was convicted of the offence, or five years in the case of a juvenile offender (generally being a person under the age of 18 except in Queensland where it is under the age of 17).

Informed consent means consent in writing to the conduct of a Criminal Record Check or Working with Young Children Check by an applicant for employment, student placement, work experience or volunteer work, subject to the documented guidelines contained within the form.

A person who has been convicted or found guilty of a listed serious offence against children or serious sex offence (whether in NSW or elsewhere) is prohibited from seeking, accepting or continuing in child-related employment. Anyone registered under the *Child Protection (Offenders Registration) Act 2000* is automatically prohibited from child-related employment.

Assessment of convictions: The Human Resources team will investigate and assess the suitability of an applicant's potential employment, should any outcomes in a Criminal History Record Check be communicated by CRIMTRACK. The assessment is undertaken using a Criminal History Check Assessment Tool, in accordance with the NSW Police Guidelines and the Human Rights Commission Guidelines (under the recommendation of Catholic Church Employee Relations).

4. Scope

The policy applies to all persons conducting services (paid or unpaid) on behalf of St Nicholas Early Education, CatholicCare Social Services Hunter-Manning, Parishes and Catholic Development Fund.

5. Policy Context

The policy should be read in conjunction with the Recruitment and Selection Policy and Privacy Policy.

6. Responsibilities

The Human Resources Manager is responsible for compliance with the policy in the engagement of persons conducting services on behalf of St Nicholas.

Diocese of Maitland Newcastle	Pre-Employment Policy HR-DC-PO-11	Page 2
Issue Date:	Review Date: December 2019	Document Owner: Human Resources Manager
Related Policy		Related Procedure

The Human Resources Manager is responsible for ensuring the currency of checks for persons conducting services on behalf of St Nicholas Early Education, CatholicCare Social Services Hunter-Manning, Parishes and Catholic Development Fund.

7. Legislative/Professional Guidelines

Children and Young Persons (Care and Protection) Act 1998

St Nicholas Early Education Code of Conduct

NSW Ombudsman Amendment (Child Protection and Community Services) Act 1998

Child Protection (Prohibited Employment) Act 1998

Human Rights Commission Guidelines for Discrimination in Employment on the basis of Criminal Record (2014)

Diocese of Maitland Newcastle	Pre-Employment Policy HR-DC-PO-11	Page 3
Issue Date:	Review Date: December 2019	Document Owner: Human Resources Manager
Related Policy	Related Procedure	

Diocese of Maitland Newcastle	Pre-Employment Screening Policy HR-DC-PO-11	Page 4
Issue Date:	Review Date: December 2019	Document Owner: Human Resources Manager
Related Policy		Related Procedure