

Employment Checks

POLICY STATEMENT

Our organisation is committed to meeting its obligations to deliver safe, high-quality services to all consumers and a safe work environment by ensuring employment checks are conducted, documented, maintained and monitored.

1. PURPOSE

To outline the organisation's procedure to ensure the timely and accurate completion of employment checks to ensure the workforce are appropriately credentialed. This includes the following checks:

- Reference checks
- Banning orders
- Police check
- Professional registrations
- Drivers licence and vehicle registrations.

2. EMPLOYMENT CHECKS REGISTER

An Employment Checks Register is maintained and includes information on police checks, banning order checks, police checks, professional registration checks and driver's licence and insurance.

3. BANNING ORDER CHECK

- A Banning Order Check is made of all applicants before employing, engaging, extending or renewing a contract or agreement of a staff member, volunteer or key personnel/ executive decision-maker.
- The check is made on the [Aged Care Register of Banning Orders](#).
- If a current Banning Order is in place the person is not engaged.

4. REFERENCE CHECKS

- Reference checks are conducted for each preferred applicant.
- The chair of the interview panel contacts one or more of the referees of the preferred applicant.
- Referees are asked to comment on the person's ability to carry out the duties of the position applied for, strengths and areas for development.
- Referee's comments are noted in writing on the Summary of Interview form and filed in the staff file if employed.

5. POLICE CHECKS¹

5.1 DEFINITIONS

See the Department of Health and Aged Care, Aged Care Worker Screening Guidelines 2021 (pp 10-12) for definitions of staff, volunteers, non-staff members and contractors.

¹ Procedures for police checks are based on information in the: Australian Government Department of Health and Aged Care [Commonwealth Home Support Programme \(CHSP\) Manual](#) 2023-2024 Published 10 July

5.2 STAFF AND VOLUNTEERS

- Acorn Aged Care requires all staff members who are reasonably likely to have access to consumers, supervised or unsupervised, and volunteers² who have unsupervised access to consumers, to provide a Police Certificate not more than three years old.
- Staff meet the cost of their police check. Volunteer police checks are available at a reduced cost from the WA Police for registered volunteer organisations. Applications are made online and are paid for by Acorn Aged Care.
- The following offences preclude a person from working in Acorn Aged Care:
 - A conviction for murder or sexual assault
 - A conviction of, and sentenced to imprisonment for, any other form of assault
 - Convicted for an indictable offence within the past 10 years³.
- A person with other convictions can be considered for employment by the relevant manager in consultation with human resources taking into consideration their role and contact with consumers.

5.3 APPROVED PROVIDERS⁴ AND NDIS WORKER SCREENING⁵

5.3.1 NDIS PROVIDER

Whilst Acorn Aged Care is not an NDIS provider, we can accept the following for our aged care workers:

- Evidence of a NDIS worker screening clearance, not more than 5 years old, or
- A police certificate not more than 3 years old.

OR⁶

As Acorn Aged Care is a registered NDIS provider⁷ we accept, in risk assessed roles supporting NDIS participants:

- Evidence of an NDIS worker screening clearance, or
- A police certificate, if it was issued before 1 February 2021 and is still current.

2023, Appendix D – CHSP Police Certificate guidelines; and the Australian Government Department of Health and Aged Care [Aged Care Worker Screening Guidelines](#)

² The Australian Government Department of Health and Aged Care [Aged Care Worker Screening Guidelines](#) advises that service providers do not need to obtain a police check for CVS Volunteers provided by the CVS, as they have a police certificate and have been assessed as meeting the requirement. P 13. The Guidelines further state: "Community Visitors will provide approved providers with a 'Letter of Introduction' confirming the date of expiry of their police check and that they have made a statutory declaration if they have lived permanently overseas after they turned 16. Provided that the letter is current, the home is not required to view the original police certificate or statutory declaration. The home may keep a copy of the 'Letter of Introduction' to assist with compliance requirements. P 13

³ The Australian Government Department of Health and Aged Care [Commonwealth Home Support Programme \(CHSP\) Manual](#) 2023-2024 Published 10 July 2023, Appendix D – Commonwealth Home Support Programme Police Certificate Guidelines

⁴ Approved providers include providers who deliver Home Care Packages or residential care.

⁵ Australian Government Department of Health and Aged Care [Aged Care Worker Screening Guidelines](#) July 2021 4 NDIS Worker Screening Clearances p.7. It is recommended that providers read this document in full

⁶ Select text based on your NDIS provider status

⁷ Note: If an approved provider is not an NDIS provider they can still accept a valid NDIS Worker Screening Clearance. If you are not an NDIS Provider replace all the text under this heading with: Whilst Acorn Aged Care is not an NDIS provider, we still accept a valid NDIS Worker Screening Clearance.

All other workers will need to provide a police certificate unless they hold an existing NDIS worker screening clearance that is less than 5 years old.

Acorn Aged Care as an approved provider is responsible for identifying which roles are risk assessed roles and ensuring all workers in these roles have the appropriate clearance.

The Worker Screening Rules define a risk assessed role as one that:

- Is a key personnel role as defined in s 11A of the NDIS Act (for example, a CEO or a Board Member) involves the direct delivery of specified supports or services to a person with disability
- Is likely to require 'more than incidental contact' with people with disability, which includes:
 - physically touching a person with disability; or
 - building a rapport with a person with disability as an integral and ordinary part of the performance of normal duties; or
 - having contact with multiple people with disability as part of the direct delivery of a specialist disability support or service, or in a specialist disability accommodation setting.

If after reviewing the Worker Screening Rules we are unsure whether a worker is in a risk assessed role and should get an NDIS Worker Screening clearance, we contact the NDIS Quality and Safeguards Commission for assistance.

5.3.2 CHSP AND NDIS WORKER SCREENING⁸

- The NDIS worker screening arrangements are acceptable for employees who also deliver services under the CHSP if they also include a police check prepared by the Australian Federal Police, a State or Territory police service or an Australian Criminal Intelligence Commission accredited agency.
- In place of a national criminal history record check, Acorn Aged Care may accept staff members and volunteers who hold a card issued by a State or Territory authority following a vetting process that enables the card holder to work with vulnerable people.

5.4 SUBCONTRACTORS SERVICE DELIVERY

The contract signed between Acorn Aged Care and contractors who provide services to consumers on our behalf requires that they or their staff or sub-contractors have a current Police Clearance and professional registrations as appropriate. This is monitored by the relevant Manager. We ensure we are provided with evidence of sub-contractors police check documentation. (See 5.4.2 Subcontracting Service Delivery.)

5.5 INDEPENDENT CONTRACTORS

Police check requirements are not intended to extend to people engaged on an ad-hoc basis. Trades people engaged to provide a service at a date and time determined by the person providing the service generally do not require police checks⁹. These people are supervised by an Acorn Aged Care staff person whilst they are in contact with consumers.

⁸ Australian Government Department of Health and Aged Care [Commonwealth Home Support Programme \(CHSP\) Manual](#) 2023-2024 Published 10 July 2023, 6.1.3 Police checks. It is recommended that providers read this section in full

⁹ The Australian Government Department of Health and Aged Care [Aged Care Worker Screening Guidelines July 2021](#) p.11 provides more information on contractors

5.6 STATUTORY DECLARATIONS

5.6.1 NEW STAFF COMMENCING EMPLOYMENT WITHOUT A POLICE CHECK

Acorn Aged Care requires all new staff members and volunteers to have a current police certificate before they start work. Where this is not possible and the circumstances are extenuating and require the person to commence work, we, under Section 49 of the Accountability Principles, allow a person to start work prior to obtaining a police certificate and pending an assessment of any criminal conviction subject to the following:

- The person provides a copy of the application for a police certificate showing that it was made before the date on which the person first became a staff member or volunteer
- It is clear the care and other services to be provided are essential and cannot be provided in the absence of the staff person and this is documented
- The person is appropriately supervised until the police certificate is obtained
- It is clearly shown and documented how supervision occurs in a range of working conditions such as during night shifts and holiday periods when supervisory staff numbers may be limited
- The person makes a statutory declaration stating that they have never been:
 - convicted of murder or sexual assault, or
 - convicted of, and sentenced to imprisonment for, any other form of assault.

5.6.2 STAFF AND VOLUNTEERS WHO HAVE RESIDED OVERSEAS

Staff members and volunteers who have been citizens or permanent residents of a country other than Australia at any time after turning 16 must make a statutory declaration before starting work in any aged care service, stating that they have never:

- Been convicted of murder or sexual assault, or
- Been convicted of, and sentenced to imprisonment for, any other form of assault.

This statutory declaration is in addition to a current national police certificate, as this reports only those convictions recorded in Australian jurisdictions.

5.7 PROCESSING POLICE CHECKS AND OTHER DOCUMENTS

- The relevant team member processes the individual police check assessments for staff and volunteers. When the original or certified copy of the police clearance or other notification is received relevant information including the reference number and expiry date is entered in the Employment Checks Register.
- The Police Certificate and other documents including statutory declarations are filed in a sealed envelope in the person's file which is only accessible to management staff.
- The Employment Checks Register is checked at the start of each month by the team member, and three months prior to the police check expiring, each staff member or volunteer is advised that a new police certificate is required. When staff provide the updated certificate the information in the Employment Checks Register is updated. Staff taking leave may be provided with additional notice as necessary.
- If staff do not provide an updated police certificate before the expiration of the existing certificate, they are not permitted to work until a valid police certificate is obtained.

5.8 ASSESSING OFFENCES

Where staff or volunteers have recorded an offence other than those specified above under Staff and Volunteers the relevant manager considers the offence/s against the criteria specified in the Department of Health Police Certificate Guidelines March 2017 (p 12). A previous conviction does not necessarily disqualify a person from employment.

Staff and volunteers are required to advise their Coordinator if they are convicted of any offence in the three-year period between obtaining and renewing their police clearance. Any offences are considered by the Manager and a Board representative. If the reviewers are satisfied on reasonable grounds that the offence makes the person unsuitable to work with our consumers and other staff, they are not permitted to continue as a staff member or volunteer. Notes are maintained on all considerations of police and other checks.

5.9 KEY PERSONNEL/EXECUTIVE DECISION MAKERS¹⁰

Acorn Aged Care follows the requirements for key personnel/executive decision makers stipulated by the Australian Government Department of Health and Aged Care¹¹. Police clearances and other checks of key personnel are managed by the CEO, if he/she has a current clearance. If a check is being conducted of the CEO, a board member manages it. The same process that applies to staff applies to key personnel but with the board deciding the action taken in the event of a non-disqualifying conviction.

Police certificates and other check documents are filed in a sealed envelope in the person's file which is only accessible to the relevant manager. Notes are maintained on all considerations of police and other checks.

Acorn Aged Care makes sure that key personnel are not disqualified individuals through three yearly renewals of their police certificate. We advise the Department of any changes that affect our suitability to provide aged care.

(See also 8.2.11 Approved Provider Responsibilities/Key personnel.)

6. PROFESSIONAL REGISTRATIONS CHECKS

All staff and visiting professionals who are required to be registered with a registration body are required to provide a copy of their registration certificate on commencement of employment and on each expiration of their certificate.

This applies to:

- Registered and enrolled nurses
- Doctors
- Allied health professionals, excluding social workers.

7. DRIVERS LICENCE AND VEHICLE REGISTRATION CHECKS

All staff who use their vehicle in their work are required to provide a copy of their valid driver's licence (and, if they transport consumers) a copy of their valid car registration and insurance certificates (identifying that the vehicle is used for work purposes) on commencement with the organisation and on expiry of the certificates.

Staff are required to advise us if their licence or registration is revoked.

¹⁰ The HCP program refers to key personnel and the CHSP programme refers to executive decision makers. Both groups have the same role. Key personnel/executive decision makers include: directors, board members, executive staff, the nurse responsible for nursing services and any person who is responsible for the day-to-day operations of the aged care service See 8.2.11 Key personnel

¹¹ Australian Government Department of Health and Aged Care [Home Care Packages Program Operational Manual A Guide For Home Care Providers](#) Version 1.4 – August 2023, 15.1.2 Material changes to suitability. This information can be applied to all programs

DOCUMENT INFORMATION:

Owner	Manager Corporate Services
Date Approved	1 May 2024
Applicable Aged Care Programs	CHSP, HCP, Residential Care
Keywords	Staff, workforce, recruitment, orientation, training, equal employment opportunity, EEO, discrimination, awards, vacant position, selection panel
Associated Documents	Application for Employment Staff Volunteer Orientation Checklist Police Check Assessment Staff Summary of Interview Staff and Volunteer Personal Details Record Staff and Volunteer Code of Conduct
Review History	Developed: 1 May 2024
Date of review and summary of changes	
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