



# National Criminal History Check procedure

## Parent policy

National Criminal History Check policy

## Scope

This policy applies to all prospective and current Synod staff.

## Procedures

### 1. Position descriptions

All position descriptions and associated documents describing work in a specified position must include the following statement '*Employment is subject to a satisfactory National Criminal History Check*'.

### 2. Employment Offers

Any offer of employment by the Synod is subject to provision by the employee of a satisfactory NCHC. New employees may provide a criminal history check that has been completed within three months of the commencement date of employment in lieu of completing a Synod criminal history check application.

### 3. Minimum age

There is no minimum age for a National Criminal History Check to be conducted, however parent or guardian consent must be provided for applicants under the age of 18 years.

### 4. Adverse Criminal History Information

In the event of adverse Criminal History Information (CHI), NCHC applicants will be engaged by the Director, People and Culture to obtain important information to confirm applicant identity and inform the applicant of adverse CHI. Applicants may dispute adverse CHI by completing a National Police Checking Service (NCPs) dispute form. The dispute process and form is available upon request from People & Culture team.

Where CHI or a PRC result raises a query about the suitability of a person for employment, the Director, People and Culture will confer with the General Secretary who will make a determination based on relevance and proportionality of the conviction. In assessing such suitability the General Secretary will consider:

- a) relevance of the type of conviction to the duties of the position;
- b) the significance of the conviction in relation to the duties of the position;
- c) whether excluding a person from employment is an outcome which is proportional to the type of conviction;
- d) how long since the conviction occurred;
- e) whether a person has been satisfactorily employed since the conviction;
- f) assessments, reports or findings in relation to treatment of a person since a conviction;
- g) whether the conviction represents an isolated incident or a pattern of criminality;
- h) the likelihood of an incident recurring if a person is employed for particular duties;
- i) the impact of a prospective incident if a person is employed for particular duties;
- j) strategies and / or procedures that could be put in place to reduce the likelihood of an incident occurring.

## 5. Maintenance of Records

All records relating to National Criminal History Checks or Police Record Checks will be maintained in accordance with the Synod's Privacy Policy. Any Criminal History Information resulting from a staff NCHC application will be destroyed within a three month period in accordance with the NCHC provider contract.

## 6. History Check Renewals

It is a requirement for checks to be renewed every three years. This will be monitored and administered by the People & Culture team.

### Definitions

*Staff:* Employees, volunteers, ministers, pastors, deacons, deaconesses, contractors and any other person engaged to perform a role on behalf of the Synod.

*Synod:* The Uniting Church in Australia Synod of Victoria and Tasmania

*National Criminal History Check:* involves identifying and releasing any relevant Criminal History Information (CHI) subject to relevant spent convictions/non-disclosure legislation and/or information release policies.

### Related policies and procedures

National Criminal History Check policy

Recruitment and Selection Policy

Inclusion policy

Working with Children Check policy

Keeping Children Safe Policy

### Related documents

Lay Staff Collective Employment Agreement

UC Camping Lay Staff Collective Employment Agreement

VERSION: APPROVAL	POLICY MANAGER	REVIEW DATE
1: Senior Leadership Team	Director People & Culture	24 July 2014
2: Senior Leadership Team	Director People & Culture	26 October 2019

### Further assistance

Contact People & Culture for interpretation and assistance with this procedure.