



Congregational Policy: National Criminal History Checks

1.0 Policy Statement

The ministers (those in training and in service) and employees of the Uniting Church in Australia have responsibility for a broad range of high trust activities and therefore require a satisfactory National Criminal History Check (NCHC) or Police Record Check (PRC).

1.1 Our Calling

As a people journeying together we affirm our calling under God:

- to preach Christ the crucified and risen one and confess him as Lord
- to bear witness to the unity of faith and life in Christ, rising above cultural, economic, national and racial boundaries
- to engage in fearless prophetic ministry in relation to social evils which deny God's active will for justice and peace
- to act with God alongside the oppressed, the hurt and the poor
- to accept responsibility for the wise use and conservation of the finite resources of this earth for the benefit of all
- to recognise, treasure and use the gifts of the Spirit given to all God's people for ministering
- and to live a creative, adventurous life of faith, characterised by openness, flexibility, hope and joy.

Consideration should be given to our calling in seeking guidance and interpretation surrounding this policy.

1.2 Scope

These provisions apply to all prospective and existing Uniting Church ministers, lay ministers and general employees.

1.3 Principles Underpinning Process

- a) Natural justice/procedural fairness
- b) Equity
- c) Understanding of Power
- d) Confidentiality

1.4 Definitions

Natural Justice/Procedural Fairness:

Natural justice refers to a due process that displays fairness to all parties. It includes the right to be heard, the right of reply, the right of support during processes, the right to be treated



fairly, the right to be informed of allegation(s) being made and the right to objective consideration of allegations and responses, all within a timely manner.

Understanding of Power:

The synod workplaces are places where there is recognition of the appropriate use of power and an expectation that power residing in any individual due to position, status, gender, and personal attributes will be exercised with due regard to its use for the benefit of the health and wellbeing of individual staff and the organization as a whole.

Confidentiality:

In all matters within the workplace recognition is given to the primacy of appropriate confidentiality in the implementation of processes and the respect for privacy in HR to drop in clause from sexual harassment policy.

Equity:

That the actions and/or the treatment of others are characterized by justice, fairness, and impartiality

1.4 Policy Owner

This National Criminal History Check Policy is implemented and maintained by the Director, People and Culture.

1.5 Further Assistance

Any staff member who requires further assistance in understanding or applying this policy can contact a member of the People and Culture team.

1.6 Policy Review

This policy will be reviewed every two years or earlier if required.

1.7 Related Policies and Procedures

Equal Opportunity Policy

Bullying, Harassment and Sexual Harassment Policy and Procedures

2.0 Policy in Practice

2.1 Requirement for National Criminal Checks

Following a review by the Culture of Safety Unit in October 2013, it was decided to extend the requirements that all prospective candidates hold a current criminal history check to cover them as they become ministers, and to ensure that all current ministers and active retired ministers have a current criminal history check. All other employees of the Uniting Church also require a current check.



2.3 Adverse Criminal History Information

- a) 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 and Culture team.
- b) Where CHI or a PRC result raises a query about the suitability of a person for ministry, 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.

2.4 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 ministry NCHC application will be destroyed within a three month period in accordance with the NCHC provider contract.