

|  |
| --- |
| Safety screening policy for funded organisations  Reissued January 2022 |
|  |
| OFFICIAL |

Contents

[What is safety screening? 3](#_Toc88034250)

[When does the policy apply? 5](#_Toc88034251)

[Safety screening – additional information 5](#_Toc88034252)

[Police record check (including proof of identity) 5](#_Toc88034253)

[Recurrent police record check – once every three years 5](#_Toc88034254)

[International police check 5](#_Toc88034255)

[Disclosable outcomes 5](#_Toc88034256)

[Referee checks 6](#_Toc88034257)

[Employment history (including misconduct or disciplinary action disclosure) 6](#_Toc88034258)

[Qualification check 6](#_Toc88034259)

[Working with Children (WWC) Clearance (Victoria) 6](#_Toc88034260)

[Victorian Institute of Teaching Registration 6](#_Toc88034261)

[Out-of-home care disqualified carer check and carer register 6](#_Toc88034262)

[Disability worker screening checks 7](#_Toc88034263)

[Disability worker prohibition order 7](#_Toc88034264)

[Use of labour hire staff 7](#_Toc88034265)

[Use of labour hire staff - only licensed labour hire providers 7](#_Toc88034266)

[Use of labour hire staff for residential care services for children and young people 7](#_Toc88034267)

[Student placements 8](#_Toc88034268)

[Record storage and destruction 8](#_Toc88034269)

[For further information 8](#_Toc88034270)

|  |
| --- |
| To receive this document in another format, email [Service Agreement Strategy Practice](mailto:%3cSApolicy@dffh.vic.gov.au%3e), <sapolicy@dffh.vic.gov.au>  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Families, Fairness and Housing, first released January 2020 updated and reissued January 2022.  ISBN 978-1-76096-377-4 (pdf/online/MS word)  Available at [Safety screening policy for funded organisations](https://providers.dffh.vic.gov.au/safety-screening-policy-funded-organisations-word) <https://providers.dffh.vic.gov.au/safety-screening-policy-funded-organisations-word>. |
|  |

# What is safety screening?

Safety screening is a requirement by the Department of Health and the Department of Families, Fairness and Housing (departments) for funded and/or registered organisations who provide services to clients in the Victorian health and community services sector.

The aim of the policy is to minimise harm to vulnerable people and strengthen protections and safeguards by organisations conducting the safety screening checks prior to clients coming into contact with workers and volunteers.

Table 1 below summarises the checks which the departments require to be undertaken. Additional information is provided later in this policy.

Table 1: Required Screening Checks by Staff Type

| Type of staff | Police record check and Proof of identify | International police record check (lived overseas 12 months or longer) | Referee check | Employment history/ criminal check | Qualification check (if mandatory) | Working with Children (WWC) Clearance or Victorian Institute of Teaching registration (VIT) | Out-of-home-care disqualified carer check and carer register | Pre-existing injury check | Disability worker screening checks  and Disability worker prohibition order |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| All direct care services staff | Yes | Yes | Yes | Yes | Yes |  |  |  |  |
| Out-of-home-care (Foster care / permanent care / registered out-of-home care) | Yes | Yes | Yes | Yes | Yes | Yes | Yes |  |  |
| Labour hire residential care services (out-of-home care) | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |  |
| Disability services provider / labour hire disability services |  |  | Yes | Yes | Yes | Yes |  |  | Yes |
| Student placement  17 years or younger |  |  | Yes |  |  |  |  |  |  |
| Student placement 18 years and older | Yes | Yes |  |  |  |  |  |  |  |
| Person 16 years or younger |  |  | Yes |  |  |  |  |  |  |

# When does the policy apply?

The safety screening policy applies to all organisations that are funded to provide direct care services, and particularly for those staff who provide client facing services.

# Safety screening – additional information

## Police record check (including proof of identity)

A police record check (and/or international police check) must be undertaken for all relevant staff, volunteers, carers, students on placement and contract agency staff in accordance with applicable Service Agreement and departmental/authority policies. The check must also include a proof of identity check.

## Recurrent police record check – once every three years

Recurrent police record checks must be undertaken at least once during each period of three years, in specific service delivery types. The recurrent police record check is in addition to the initial police record check undertaken prior to any offer of engagement or employment.

The specific service delivery types include:

* Individuals providing residential care for child protection clients
* A foster carer or lead tenant
* Usual members of the household in home-based settings (including spouses/partners, children aged 18 and older and persons who regularly stay overnight).

## International police check

An International police check is required for applicants who have lived overseas for 12 months or longer in one country in the last 10 years. This is not applicable if they were travelling through countries, for example, backpacking and only staying in some countries for very short periods or if the applicant was a minor when they were overseas.

## Disclosable outcomes

In Victoria, police have an information release policy that governs what information is released in a police check. The release of information may take into account the age of the police record, the purpose for which the information is being sought and the relevance of the criminal history. This is called the disclosable record. Disclosable records include all court outcomes that are findings of guilt.

Any disclosable records, court outcomes, outstanding charges or other information gained from a police check will be a key factor in relation to assessing the suitability of a potential employee. An adverse police check result does not necessarily preclude a person from becoming an

employee. Some program requirements oblige funded organisations to inform departmental staff of any potential employees with a disclosable outcome (for example, Home Based Care).

## Referee checks

Referee checks are mandatory and require a minimum of two checks to confirm the applicant's suitability, including contact with their most recent employer. Refer to the [Safety screening referee check template](https://fac.dhhs.vic.gov.au/safety-screening-referee-check) < https://fac.dhhs.vic.gov.au/safety-screening-referee-check >.

## Employment history (including misconduct or disciplinary action disclosure)

Applicants must be asked to disclose any misconduct or formal disciplinary action taken against them by any current or former employer. This includes any finding of improper or unprofessional conduct by any court or tribunal of any kind and any investigations that the applicant has been subject of by an employer, law enforcement agency or any integrity body or similar in Australia or in another country.

## Qualification check

If qualifications are a mandatory requirement of the role, original qualifications must be copied, certified as being a true copy of the original and dated by the relevant delegate then returned to the applicant.

## Working with Children (WWC) Clearance (Victoria)

All paid workers, volunteers and self-employed persons who perform child-related work, and Ministers of Religion, must hold a valid Victorian WWC Clearance (WWC Clearance is not transferable interstate).

The new Worker Screening Act 2020 (the Act) has replaced the Working with Children Act 2005 (the WWC Act), as of 1 February 2021. Information on the WWC Clearance is available on the [Working with Children in Victoria website](https://www.workingwithchildren.vic.gov.au/) < https://www.workingwithchildren.vic.gov.au>

## Victorian Institute of Teaching Registration

Victorian Institute of Teaching (VIT) registered teachers and early childhood service workers continue to be exempt from holding a WWC Clearance but from 1 September 2019, must notify Working with Children Clearance Victoria (WWCCV) of any child-related work they do outside of their school or early childhood service-based position (whether paid or voluntary).

VIT cards are valid for one year and have a registration date of 30 September. The individual must show their VIT card to their line manager for their records. The sighting and documentation of each new VIT card must be undertaken every year.

## Out-of-home care disqualified carer check and carer register

All foster carers, residential carers (including permanent, part-time, casual and temporary agency staff and providers of services to children at an out-of-home residence **must** have a disqualified carer check conducted and cleared **prior** to an out-of-home carer being approved, employed or engaged by an out-of-home care service.

The service **must** then register the out-of-home carer on the carer register within 14 days.

For further information about the disqualified carer check process or the carer register, email the Department of Families, Fairness, and Housing Outcomes Unit <mailto:carer.register@dffh.vic.gov.au>

## Disability worker screening checks

With the cessation of the Disability Worker Employment Scheme (DWES) on 31 December 2021, safety screening for funded organisations providing disability related services has changed.

For registered NDIS providers, the department will accept an NDIS clearance as suitable safety screening for new staff.

For those organisations that are not registered NDIS providers, a police check is required for new staff.

The NDIS Clearance does not replace Victoria’s WWC Clearance which will still be required for child related work.

Further information is available through the [NDIS Worker Screening Check](https://www.vic.gov.au/ndis-worker-screening-check)  <https://www.vic.gov.au/ndis-worker-screening-check>

## Disability worker prohibition order

The Victorian Disability Worker Commission (VDWC) is part of the Disability Worker Registration Scheme. The Commission’s role is to receive and investigate complaints about disability workers All disability service providers are required to ensure they do not employ a person who is subject to a prohibition order issued by the Victorian Disability Worker Commission (VDWC).

The VDWC publishes a list of people who are subject to a prohibition order on its website [Victorian Disability Worker Commission – Prohibition Orders](https://www.vdwc.vic.gov.au/prohibition-orders) <https://www.vdwc.vic.gov.au/prohibition-orders>

## Use of labour hire staff

### Use of labour hire staff - only licensed labour hire providers

Funded organisations may rely on labour hire providers to fill staff vacancies. Legislation has been introduced which requires labour hire providers to have applied for, or have, a labour hire licence as of 30 October 2019.

Further information is available through the [Labour Hire Authority](https://labourhireauthority.vic.gov.au/) website < https://labourhireauthority.vic.gov.au>.

### Use of labour hire staff for residential care services for children and young people

Funded or registered organisations using labour hires for residential care services for children and young people must comply with the [Engaging labour hire residential care staff in out-of-home care services](https://providers.dffh.vic.gov.au/labour-hire-procedures) policy < https://providers.dffh.vic.gov.au/labour-hire-procedures>.

Labour hire staff must undergo a satisfactory police record check, international police check (where required under the Department’s Police Records Check Policy), WWC Clearance, out-of-home disqualified carer check and referee check.

## Student placements

**Students aged 17 years or younger** require a referee check.

**Students aged 18 years or older** require a National police record check prior to the confirmation of the first placement and also require a recurrent National police record check in each subsequent year of study.

**Persons 16 years or younger** referee checks are required for persons 16 years or younger. Teachers, parents and others who personally know the individual should act as referees and the credentials of any referees should be verified.

# Record storage and destruction

Use and storage of safety screening documentation (consent forms, proof of identity information documentation and information provided about an individual’s police check history) must be in accordance with the *Privacy and Data Protection Act 2014* and any contractual requirements of the Australian Criminal Intelligence Commission accredited agency.

Information about [Record storage and destruction](https://fac.dhhs.vic.gov.au/record-storage-and-destruction) < https://fac.dhhs.vic.gov.au/record-storage-and-destruction> is available on the Funded Agency Channel.

# For further information

[Service Agreement Strategy and Practice](mailto:mailtot:SApolicy%20(DFFH)%20%3cSApolicy@dffh.vic.gov.au)   
Email: SApolicy (DFFH) <SApolicy@dffh.vic.gov.au>