

Issue Area 6: What will be checked?

It is proposed that in assessing risk the screening unit will consider a broad range of information available at the State and National level.

Under a recent agreement between Governments, a greater amount of information can now be shared between jurisdictions to inform the assessment of potential risk of those working with children. This information includes information relating to charges, acquittals and factual information concerning circumstances of individual cases. National criminal history checks will also include the same information currently obtained by employers

At the State level it is also proposed to consider Family Violence Orders, Child Protection information, and past employment records.

There were 18 comments. Twelve respondents supported the inclusion of a broad range of information, including non-conviction information, where it is required to protect the public interest. Five respondents expressed unreserved support, noting that the checking of the additional information as a major strength of the proposal.

A number of these respondents, whilst expressing broad support, also raised specific concerns. Many concerns were expressed relating to past employment records, and how the validity of information could be assured. Concerns included the risk of using untested information and the opportunity for vexatious claims.

Should past employment records be considered? If so what criteria could be used to ensure the appropriateness of material considered?

Yes, employment records relevant to the safety of children should be considered at the point of application-recruitment. We assume that the records that would be available would be any relevant disciplinary proceedings or official warnings.

How would these be checked?

Would this only apply to records held by employer registration bodies?

This process can be supplemented in part, at the organisational level where applicants provide accessible references from previous employers. Applicants could be asked to endorse a statement confirming that they have not withheld any previous employment records-contacts in relation to the safety of children.

There is also need to (legislate?) affirm organisations' responsibility to truthfully declare all issues relating to child safety when providing references. There is wide evidence of some employees deliberately excluding damaging information in references in order to get rid of staff.

Safeguarding Children Program provides organisations with template policies, procedures and example questions in relation to recruitment covering WWCC, advertising positions, wording position descriptions, interview and referee processes and questions.