

Background checks

June 2015

PLEASE NOTE: BACKGROUND CHECKS DO NOT JUST APPLY TO NEW VOLUNTEERS.
If background checks are required for the role, they apply to ALL volunteers;
whether they have been with your organisation for decades, or whether they have just started.

Police records checks and working with children checks are routinely used to screen prospective volunteers for suitability in a volunteer role. This is particularly the case where the volunteer will work with 'vulnerable' client groups such as children, the elderly, and people with disabilities, or in roles that have financial responsibilities or involve driving.

It is important to note that a police or criminal background check should have direct relevance to the volunteer role that is being filled and may not necessarily be appropriate for all volunteer roles. Although not a legal requirement, Volunteering Tasmania recommends that background checks are used as one part of a thorough screening process.

WHY DO BACKGROUND CHECKS?

DUTY OF CARE

- Undertaking checks helps to minimise risk to the organisation
- Undertaking checks helps to minimise risk to the organisation's clients and stakeholders
- Undertaking checks helps to minimise risk to the volunteer, and other volunteers

IT'S BEST PRACTICE

- The National Standards for involving volunteers in not for profit organisations addresses adequate background checks in Standard 4 (Recruitment and Selection), subsection 4.4
- You can download a copy of the National Standards for free at www.volunteeringtas.org.au

FUNDING REQUIREMENTS

Some funding agreements require background checks as a provision of the agreement

ARE BACKGROUND CHECKS RELIABLE?

Background checks are limited in their role as a screening tool used in the protection of vulnerable people in the following ways:

- Police checks only include convictions up to the date of issue - cases presently before the courts are not included
- Offenders who have not actually been convicted of a crime will not be identified. Working with Children registrations are the exception - a range of past, current and pending convictions and charges are considered
- A misspelled or inaccurate name may result in inaccurate results. Organisations can use the Volunteering Australia's 100 point identification schedule to verify an applicant's identity

WHAT TYPES OF CHECKS ARE THERE?

In Tasmania, there are now four kinds of checks available:

1. TASMANIAN POLICE CHECK

In Tasmania it is possible to request a check for criminal records in the home state only, though in most cases this is not recommended for volunteering.

Some convictions will be highlighted by a Tasmania Police Check. However some, (usually less serious) offences will no longer appear on police checks after a number of years (ten years in most jurisdictions).

For more information please contact Tasmania Police or see <http://www.police.tas.gov.au/services-online/police-history-record-checks/>

2. CRIMINAL HISTORY NATIONAL POLICE RECORD CHECK

These checks are available from Tasmania Police, but the records for the applicant are checked in all states of Australia. The reduced volunteer rate for approved Volunteer Involving Organisations (VIOs) is \$5.

Individual applicants must have the approved VIO authorise their application to be eligible for this reduced rate. Information on how to register your organisation can be found on the **National Police Certificate Application Form**.

3. DEPARTMENT OF EDUCATION GOOD CHARACTER CHECK

This check is mainly used by the Department of Education and other organisations which provide care for children, and can be accessed here <https://www.education.tas.gov.au/documentcentre/Documents/Good-Character-Check-Application-Form.pdf>

4. WORKING WITH CHILDREN REGISTRATION

If you want to volunteer with children, you might need to apply for this new type of registration. You can find out more detailed information here http://www.justice.tas.gov.au/working_with_children

IS BACKGROUND TESTING NECESSARY OR AVAILABLE FOR UNDER 18 YEAR OLDS?

Age limits vary depending on the type of check required.

In some instances checks do apply to under 18s, and even younger. You may need to obtain their parents' permission. It is important to check with each of the relevant organisations:

- Tasmania Police
- Tasmanian Department of Education, and
- Tasmanian Department of Justice

WHAT DO I DO IF SOMEONE HAS A NEGATIVE RESULT ON THEIR BACKGROUND CHECK?

This can be a very uncomfortable and potentially risky situation. We suggest contacting the Office of Anti-Discrimination to discuss your legal obligations prior to discussing it with the applicant.