

Background Checks

October 2016

WHAT ARE BACKGROUND CHECKS?

Background checks form part of your risk management strategy and involve National Police Checks and/or Working With Children and Vulnerable People Checks. The checks are conducted to screen current and prospective volunteers' suitability for a role. This is especially important where volunteers are working with, or in close proximity to, children and other vulnerable people.

Background checks should have a direct relevance to the role being filled and may not be required for all volunteer roles.

WHY CONDUCT BACKGROUND CHECKS?

There are a number of reasons that your organisation should consider background checks:

Duty of Care

A duty of care arises where a risk is reasonably. In this circumstance your organisation should take steps to minimise or eliminate the risk. A robust screening process that includes background checks will assist you in meeting your duty of care.

Best Practice

The National Standards for Volunteer Involvement require adequate background checks to be undertaken as best practice (Standard 4.4). You can download a free copy of the national Standards at www.volunteeringtas.org.au

Funding Agreement

Some funding agreements and contracts require background checks to be conducted as part of the terms and conditions of the agreement. Check your current agreements to ensure you are compliant.

WHAT INFORMATION DOES A BACKGROUND CHECK PROVIDE?

It is important to note that background checks have some limitations. In deciding which type of check to conduct you should consider the following:

- National Police Checks are a “point in time” check. They only give details of previous convictions. Criminal matters that are on foot will not be recorded on the check as a conviction of guilt is yet to be recorded.
- In some cases spent convictions will also not be recorded. A spent conviction is one that meets the specific requirement of relevant legislation and is removed from an individual record.
- Working With Children and Vulnerable People registrations will review past history, pending charges and other information available such as AVO’s, non-criminal court orders and other relevant information. Registrations are monitored by the Justice Department and unlike police checks, any relevant offending will be reported to the organisation linked to the registration.

TYPES OF BACKGROUND CHECKS

National Police Check

These checks are available from Tasmania Police and the record for the applicant is cross checked in all states and territories of Australia. Approved Volunteer Involving Organisations can get the check done at a reduced cost. To access this reduction the volunteer organisation must authorise the application

Details on how to register for the reduced rate can be found at <http://www.police.tas.gov.au/services-online/police-history-record-checks/concession-rate/>

Working With Children and Vulnerable People Check

In 2013 Tasmania passed the *Registration to Work With Vulnerable People Act 2013* (Tas). This requires all volunteers who work with, or in close proximity to, children and vulnerable people to be registered with the Department of Justice. To gain registration applicants must complete the online form and pay the prescribed fee at Service Tasmania.

Registrations are monitored and organisations can be notified if a person has committed an offence that would affect their registration. Information about what applicants are screened for can be found at http://www.justice.tas.gov.au/working_with_children/what_gets_assessed

Department of Education Good Character Check

In Tasmania the Department of education has a comprehensive screening process for people wishing to volunteer within the school system. To undertake this process volunteers are to complete the Good Character check application form which is provided by the Department. This check includes a National Police Check and may include a Working With Children and Vulnerable People Check. Further information about the process can be found at

<https://www.education.tas.gov.au/documentcentre/Documents/Good-Character-Checks-FAQ.pdf>

BACKGROUND CHECKS AND YOUNG PEOPLE

In some cases background checks will be required for volunteers under 18. If this is the case for your organisation then the consent of the young person's parent or guardian will be required.

If in doubt contact the Department of Justice for advice on 1300 654 499