

APPENDIX C CRIMINAL HISTORY INFORMATION

The Executive Director, Professional Standards and Conduct, on behalf of the Director General, undertakes pre and post employment and practicum placement probity checks, and pre enrolment probity checks in the case of people seeking to enrol as post compulsory students in public schools, to assess suitability for employment, practicum placement or enrolment. This includes undertaking Nationally Coordinated Criminal History Check, Convictions identified during the screening process will be assessed and may be referred to the Screening Committee which takes into account all other information gained as a result of the screening process.

The Screening Committee assesses the information and makes decisions as to the applicant's suitability.

All criminal record information of applicants will be considered, including convictions and Western Australian spent convictions. Spent conviction information can be considered by virtue of an exemption under Schedule 3 of the *Spent Convictions Act 1988* when making an assessment on suitability of potential employees, or in disciplining existing employees if necessary.

All information gathered during the screening process, including information provided to the Department from the Australian Criminal Intelligence Commission and/or the Western Australia Police Force, will be assessed on a case-by-case basis in terms of the recency, nature and extent of the individual's criminal history.

All applicants will be treated fairly, equitably and in accordance with the principles of natural justice. Any action taken will be documented, transparent, legally defensible and capable of review.

All information will be dealt with in the strictest confidence and only accessed by authorised personnel in accordance with the contract for the provision of criminal history information with the Australian Criminal Intelligence Commission and relevant legislation and policies.

Criminal records are destroyed once an employment decision has been made or a review process finalised. Staff authorised to handle criminal history information are required to sign a deed of confidentiality agreement and undergo a regular Nationally Coordinated Criminal History Check in line with the contractual obligation with the Australian Criminal Intelligence Commission.

Applications for the release of criminal record information by applicants under the *Freedom of Information Act 1992* are assessed in accordance with established procedures following consultation with the Australian Criminal Intelligence Commission.

Applicants are required to pay a fee set by the Department to cover the cost of the criminal screening process.