



Department of  
**Education**

# **Criminal History Screening for Department of Education Sites Policy**

Effective date: 1 September 2020

Version: 4.1

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## 1. Policy statement

Screening for criminal convictions is undertaken to maximise the safe learning and working environment for students and staff and other persons attending public schools and working within the Department of Education (the Department).

## 2. Policy rules

All employees must have a current Screening Clearance Number issued by the Department's Screening Unit before commencement of employment with the Department, consistent with the Department's 'No Screen, No Start' policy position. This also applies to people employed on a casual basis.

## 3. Responsibility for Implementation and Compliance

Implementation of the policy is the responsibility of principals and line managers.

Compliance monitoring is the responsibility of the Executive Director, Professional Standards and Conduct.

## 4. Scope

This policy applies to all employees.

## 5. Supporting Procedures

[Criminal History Screening for Department of Education Sites Procedures](#)

## 6. Definitions

### Applicant

Any person who submits an application for a Nationally Coordinated Criminal History Check under this policy.

### **Australian Criminal Intelligence Commission**

Australian Criminal Intelligence Commission (ACIC) is the federal government agency that facilitates the provision of criminal record information to accredited agencies.

The Department uses the ACIC to access criminal records through the National Names Index and National Police Checking Services across all states and territories.

### **Criminal History Screening**

The process of gathering relevant information about an applicant's criminal record in order to assist in making an informed decision about that person's suitability relevant to their application.

### **Employee**

Any person who is currently employed by the Department under the School Education Act 1999, or the Public Sector Management Act 1994.

### **Nationally Coordinated Criminal History Check**

A collation of police and conviction history information about an individual that has been determined releasable by Australia's police agencies and made available to the Department of Education Screening Unit by the Australian Criminal Intelligence Commission (ACIC) in accordance with the contractual Agreement between the ACIC and the Department for the purposes of pre-employment/placement/enrolment probity screening. The check involves processing an individual's biographic details, including name and date of birth, against information held by the ACIC through the National Police Checking Service Support System.

### **No Screen, No Start**

The requirement that all new employees, and former employees with a break in service, must be cleared through a Nationally Coordinated Criminal History Check and allocated a valid Screening Clearance Number (SCN) prior to commencement.

### **Screening Clearance Number**

A unique number allocated by the Screening Unit to applicants who have had a Nationally Coordinated Criminal History Check processed and have been cleared and permitted to seek employment, placement or enrolment within the Department of Education.

### **Screening Committee**

The committee responsible for making decisions on behalf of the Director General and making recommendations concerning employees/applicants for a Nationally Coordinated Criminal History Check whose convictions are disclosed as a result of criminal record checks

### **Screening Status Check**

A function within HRMIS allowing Department worksites to check a potential employee's screening status prior to commencement.

### **Screening Unit**

The unit that acts on behalf of the Director General to administer the process of Nationally Coordinated Criminal History Check (criminal history screening) for the Department of Education

### **Spent Conviction**

A conviction that has been declared or certified as spent under the Spent Convictions Act 1988 or ordered spent under Section 39 of the Sentencing Act 1995. In Western Australia the Spent Convictions Act 1988 provides for individuals to apply to have certain convictions to be certified or declared spent, generally after 10 years, provided there has been no further convictions. The Department is allowed to consider spent convictions pursuant to an exemption under Schedule 3 of the Spent Convictions Act 1988.

## Volunteer

A person who engages in voluntary work where the employment provides no remuneration to the individual, and/or the work undertaken fulfils a charity or community service good. A tertiary student undertaking a practicum in a school is considered a volunteer

## 7. Related documents

### Relevant legislation or authority

[Censorship Act 1996](#)

[Crimes \(Commonwealth\) Act](#)

[Criminal Code 1913 \(WA\)](#)

[Equal Opportunity Act 1984](#)

[Freedom of Information Act 1992](#)

[Government Officers Salaries Allowance and Conditions Award 1989](#)

[Industrial Relations Act 1979](#)

[Misuse of Drugs Act 1981](#)

[Pre-Employment Screening Policy, Department of Commerce, 2012](#)

[Prostitution Act 2000](#)

[Public Sector Code of Ethics](#)

[Public Sector Management Act 1994](#)

[Public Sector Management \(General\) Regulations 1994 \(WA\)](#)

[Public Sector Management \(Redeployment and Redundancy\) Regulations 1994 \(WA\)](#)

[Public Sector Management \(Breaches of Public Sector Standards\) Regulations 2005 \(WA\)](#)

[Public Sector Standards in Human Resource Management](#)

[School Education Act 1999 \(WA\)](#)

[School Education Regulations 2000 \(WA\)](#)

[Sentencing Act 1995](#)

[Spent Convictions Act 1988](#)

[State Records Act 2000](#)

[Teacher Registration Act 2012](#)

[Teacher Registration \(General\) Regulations 2012](#)

[Working with Children \(Criminal Record Checking\) Act 2004](#)

[Working with Children \(Criminal Record Checking\) Regulations 2005](#)

[Workplace Relations Act 1996 \(Cth\)](#)

### **Related Department documents**

[Staff Conduct and Discipline](#)

[Working with Children Checks in Department of Education Sites](#)

## 8. Contact information

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## 9. History of changes

<b>Effective date</b>	24 December 2013
<b>Last update date</b> <b>Policy version no.</b>	2.0



<b>Notes</b>	Criminal Screening policy reviewed and extensive changes made. Recast in new policy model. Director General endorsement D13/0679611.
<b>Effective date</b>	3 May 2017
<b>Last update date Policy version no.</b>	3.0
<b>Notes</b>	The Criminal Screening Policy has undergone a major review. Endorsed by the Director General at Corporate Executive on 10 March 2017.
<b>Effective date</b>	3 May 2017
<b>Last update date</b>	3 October 2017
<b>Policy version no.</b>	3.1
<b>Notes</b>	Minor changes to policy title D18/0435828 and to include reference to Public Schools D18/0151652.
<b>Effective date</b>	26 March 2019
<b>Last update date Policy version no.</b>	3.2
<b>Notes</b>	Major changes have been made to the policy and procedures. Endorsed by the Director General at Corporate Executive on 20 February 2019.
<b>Effective date</b>	1 September 2020
<b>Last update date Policy version no.</b>	4.0
<b>Notes</b>	Major review of the policy and procedures undertaken. Endorsed by the Director General on 24 August 2020. D20/0424094

<b>Effective date</b>	1 September 2020
<b>Last update date</b>	27 October 2021
<b>Policy version no.</b>	4.1
<b>Notes</b>	Minor change to Screening Unit contact number D21/0610043

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## 10. More information

### Supporting content

#### Procedure

[Criminal History Screening for Department of Education Sites Procedures](#)

### Policy review date

1 September 2023

### Policy last updated

27 October 2021

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