

# Employment Clearance for Working with Children Policy Essential Knowledge

## Policy Description

The purpose of this policy is to promote the safety and wellbeing of children; and to set out guidelines for requesting, providing and responding to the requirements for employment clearances for working with children.

## Who must comply?

Ovation management and staff employed on a full/part time, contract, casual, agent, unpaid and voluntary basis (staff, artists, tutors, agents, volunteers) and residents.

## Which Clearance do I need?

- If you are Ovation staff member or an Artist (contractor) engaged with Ovation to work in our after school centre and with SA schools you are required to undertake a **Child-Related Employment Screening with DCSI**.
- If you are a volunteer working on Ovation programs off of school grounds you are required to undertake a **VOAN National Police Clearance with SA Police**. Please contact the Manager, Finance & Operations at Ovation for more information.

The cost of undertaking an Employment Clearance for Working with Children is the responsibility of the applicant.

## A representative of Ovation must:

Comply with the Employment Clearance for Working with Children Policy.

Undergo the relevant employment clearance as outlined in this Policy.

Ovation will view the criminal history and make a record of sighting the document. Personal records remain the property of the employee, contractor, and/or resident volunteer.

## Contact

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## Employment Clearance for Working with Children Policy

### 1. Background

The *Children's Protection Act 1993* requires organisations providing certain services to children create and maintain a child safe environment. In this context, a child safe environment is one which protects children from abuse and harm. Also included is the requirement under the law for certain people to report suspected abuse and neglect. It is Ovation's Policy to conduct criminal history assessments on employees, contractors, and resident volunteers who are working with children. Ovation is officially recognised as a Child Safe Environment company.

### 2. Purpose

Ovation is committed to the fundamental legal and moral responsibilities of ensuring the safety and wellbeing of all children participating in its programs. This policy has been developed with reference to the *Children's Protection Act 1993*. The purpose of this policy is to promote the safety and wellbeing of children; and to set out guidelines for requesting, providing and responding to clearance requirements.

### 3. Scope

Ovation requires all management, staff employed on full/part time, contract, casual, agent, residents, unpaid and voluntary basis who have contact with children, work in close proximity and/or has access to their records on a regular basis must show evidence of the relevant employment clearance every three years.

### 4. Definitions

**VOAN:** Volunteer Organisation Authorisation Number  
**DECD:** Department for Education and Child Development  
**DCSI:** Department for Communities and Social Inclusion  
**SAPOL:** South Australian Police  
**APP:** Australian Privacy Principles

### 5. Policy Statement

All Ovation employees, Board members, contractors, volunteers and residents 18 years or over are required to show evidence of a current Employment Clearance for Working with Children. The relevant criminal history certificate will be considered current for a maximum of three years, from the date of issue.

The Chief Executive, Ovation and/or relevant Program Manager must sight satisfactory and current documentation prior to appointment or contract renewal. Under the *State Records Act 1997 - General Disposal Schedule for Records Management*, employees are not allowed to retain copies of criminal history checks on file. Ovation will only view the criminal history and make a record of sighting and accepting the document.

People convicted of any offence involving violence, neglect or any sexual offence against adults or children will not be engaged in paid or voluntary roles with Ovation, regardless of the time that has elapsed since the offence. A criminal history, not relating to offences against children or old convictions will not necessarily preclude a person from paid or unpaid

employment with Ovation, however a person who refuses to undergo or provide documentation of the relevant clearance will not be considered for any position with the organisation.

External long and short-term contractors will be required to undertake the relevant screening. In exceptional circumstances a signed declaration stating that they have not been convicted of an offence that would preclude their working with children may be valid for the period of that particular engagement only. It is the responsibility of the Chief Executive and/or the Manager, Finance and Operations, to assess such appointments for criminal history screening based on the regularity and proximity of their contact with children/young people.

- I. Evidence of a current Child-Related Employment Screening (DCSI), National Police Clearance (SAPOL) or a signed declaration may not be required for once-off activities or special situations i.e. guest speakers, performances, or emergency fill-in.
- II. External long and short-term staff contractors engaged by Ovation to undertake projects and/or activities are required to undertake the relevant clearance or sign a declaration, at the discretion of the Chief Executive and the Manager, Finance and Operations.
- III. Other contracted service providers, employed by Ovation may be required to undertake a Child-Related Employment Screening or National Police Clearance. Ovation retains the right to request current evidence of clearance or a signed declaration based on the regularity and proximity of their contact with children/young people.

All information contained in sighted documentation will be treated as private and confidential as per the *South Australian Public Sector Employees Code of Conduct March 2009, Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth), Australian Privacy Principles and Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*, issued by the Chief Executive, Department for Families and Communities in July 2009.

A documented procedure for undertaking the relevant clearance is available to any prospective Ovation employee, contractor and resident volunteer over 18 years of age and further assistance can be provided by Ovation staff.

## **5.1 Which clearance do I need?**

Unless you have signed a declaration (see No. 5), evidence of a current Employment Clearance for Working with Children is an essential requirement of your work with Ovation. Please refer to the following information to ascertain which clearance you will need.

### **Child-Related Employment Screening (DCSI)**

Applies to: Artists (contractors) working in our after-school centres and with SA schools, Ovation staff and Ovation members.

It is a requirement of Ovation and/or the Department for Education and Child Development (DECD) that all artists, engaged to work in South Australian schools, Ovation staff and Ovation members show evidence of a current Child-Related Employment Screening through the Department for Communities and Social Inclusion (DCSI) Screening Unit.

You can find out more information and download the appropriate form by going to the DCSI website at [www.dcsi.sa.gov.au/services/screening](http://www.dcsi.sa.gov.au/services/screening) The cost of undertaking a DCSI Child-

Related Employment Screening will be borne by the artist (contractor), incumbent, prospective employee or Board member.

### **Volunteers**

It is a requirement of Ovation that all volunteers, engaged to work on Ovation productions show evidence of a current National Police Clearance through South Australia Police (SAPOL), if any volunteers are to work on school grounds then a (DCSI) check must also be obtained.

### **6. Procedures Title**

Employment Clearance for Working with Children Procedure

### **7. Responsibility for implementation**

All staff members, contractors, residents and volunteers must provide evidence of the relevant clearance prior to their engagement with Ovation.

### **8. Policy Status**

Created: 1 January 2011

Reviewed: 2 November 2015

Review Date: 2 November 2017

All relevant clearances are reviewed on an ongoing basis.

### **9. Key Stakeholders**

Ovation staff, clients and students.

### **10. Approval Body**

Ovation Strategic Team: 1 January 2011

### **11. Legislation**

*Children's Protection Act 1993*

*South Australian Public Sector Employees Code of Conduct March 2009*

*Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*

### **12. Related Policies / documents**

Code of Conduct / Duty of Care Policy

Child Safe Environment Policy and Procedure

Grievance Policy and Procedure

Health, Safety and Wellbeing Declaration

### **13. Next Review Date**

This Policy is due for review 2 November 2017.

This Policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

**Acknowledgment**

*In developing this policy Ovation has drawn on resources prepared by SA Police (SAPOL), Department for Education and Child Development (DECD) and the Department for Communities and Social Inclusion (DCSI).*

**Disclaimer**

*This policy does not represent legal advice. If you have any queries about your obligations, you should seek your own independent legal advice.*