



TRINITY COLLEGE

Child-Related Employment Screening Policy

Source of Obligation	<p>The Children's Protection Act 1993 (SA) (CPA) aims to ensure that all children are safe from harm.</p> <p>Section 8B(1) of the CPA requires that child safe environments are established by ensuring that people who are appointed to, or engaged to act in, a 'prescribed position' at Trinity College must undergo Child-Related Employment Screening.</p> <p>Prescribed positions are those positions involving child-related work.</p> <p>In addition, Principle 6 of the Child Safe Environment Principles issued by the SA Department for Education and Child Development requires Trinity College to choose suitable employees and volunteers.</p>
Our Policy	<p>It is our policy that:</p> <ul style="list-style-type: none">• we establish and implement child safe environments;• before any person, who is involved in child-related work, is appointed to, or acts in a position at the college, we ensure that child-related employment screening is undertaken;• this child-related employment screening is considered by the Head, who will decide whether to employ that person; and• we do not employ any person who poses any risk to children.
Who Must Undergo Child-Related Employment Screening?	<p>A person (including employees, volunteers, agents, contractors or subcontractors), before they are appointed to, or engaged to act in child related work at the college, must undergo child-related employment screening if he or she undertakes one or more of the following:</p> <ul style="list-style-type: none">• regular contact with students or work in close proximity to students on a regular basis (unless the contact of work is directly supervised at all times);• supervision or management of persons in positions requiring or involving regular contact with students or work in close proximity to students on a regular basis;• access to records relating to education, child care, health service, disability service, Children's Protection Act 1993 (SA), Family and Community Services Act 1972 (SA), Young Offenders Act 1993 (SA), Youth Court Act 1993 (SA), or legal proceedings; and• the provision of overnight care to students.

	<p>This includes:</p> <ul style="list-style-type: none"> • college administrators • volunteers; and • sports coaches.
<p>Who does not need to Undergo Child-Related Employment Screening?</p>	<p>Under regulation 14 of the Children’s Protection Regulations 2010 (SA) certain persons are exempted from the requirement to undergo a relevant history assessment before commencing work at the college.</p> <p>Those persons include:</p> <ul style="list-style-type: none"> • registered teachers; • volunteers under the age of 18; and • parents or guardians who volunteer in that capacity.
<p>Who is Responsible for a Child-Related Employment Screening?</p>	<p>The College Board is responsible for undertaking child-related employment screening, and for deciding whether to employ a person.</p> <p>The College Board has delegated this responsibility to the Head.</p> <p>Staff are responsible for ensuring that the necessary forms are completed, and for giving consent for child-related employment screening.</p> <p>Child-related employment screening is only one part of the Trinity College recruitment process. See Human Resources.</p>
<p>How is a Child-Related Employment Screening undertaken?</p>	<p>Trinity College will obtain a relevant history assessment relating to the person from the Department for Communities and Social Inclusion (DCSI) Screening Unit. The relevant history assessment will include an assessment of a person’s criminal history (if any).</p> <p>The DCSI Screening Unit will notify the college if:</p> <ul style="list-style-type: none"> it determines that a person poses an unacceptable level of risk and is subsequently not provided with a clearance; some (but not an unacceptable) level risk of harm to children is detected, in which case the DCSI Screening Unit will contact the college to finalise their determination and a determination may result in a specific clearance permitting an applicant to work in a nominated role only; or if an applicant is cleared for engagement. <p>Applicants have access to a review process if they don’t agree with a screening outcome.</p> <p>The relevant history assessment will help the Head to determine whether a person, if appointed to, or engaged to act in, a position at Trinity College will pose a risk of harm to students.</p>

	<p>The relevant history assessment must have been carried out in the last three years of a person’s commencement of child related work at Trinity College.</p> <p>A DCSI Child-Related Employment Screening is valid for three years.</p>
<p>Informed Consent and Application Forms</p>	<p>In order for the college to commence child-related employment screening, the applicant must fill out a child-related employment screening form.</p> <p>Applicants should fill this out in accordance with the instructions.</p> <p>This form is then submitted by the college on behalf of the employee. A fee is payable by the applicant. Trinity College does reimburse this fee for volunteers.</p> <p>Child-related employment screening requires:</p> <ul style="list-style-type: none"> • 100 point verification of identity; • the applicant's informed consent; • the applicant's personal information; • the applicant's personal history; and • the applicant's work history. <p>If a person has been a citizen or permanent resident of a non-Australian country since turning 18 years of age an overseas criminal history record check or statutory declaration should be sought.</p>
<p>What is Checked?</p>	<p>Child-related employment screening is a national criminal history check that involved the disclosure of, or obtaining of information between the CrimTac Agency, SA Police, the DCSI Screening Unit, and other agencies, including:</p> <ul style="list-style-type: none"> • personal information about the applicant; • details of convictions and outstanding charges, including findings of guilt or the acceptance of a plea of guilty by a court, that can be disclosed in accordance with the law or in accordance with the policies of the Police service concerned • any information from any Police service, court, prosecuting authority or other authorised agency; • details of convictions and pending or non-conviction charges or circumstances information relating to offences committed or allegedly committed by the applicant, regardless of when and where the offence or alleged offence occurred, and what the outcome may have been; and • relevant information about me that may be held by agencies and administrative units of the South Australian Government and/or relevant registration bodies, which may include Care Concern Investigation records held by the DCSI or Care Concern Investigation records and Child Protection records held by the DECD.
<p>Outcome of a Child-Related</p>	<p>Following child-related employment screening, the DCSI will issue an assessment of the person's relevant history.</p>

Employment Screening	The final decision about whether to employ a person rests with the Head based on the assessed risk.
Procedural Fairness	<p>Procedural fairness is an important aspect of making a decision about a person's employment. Trinity College ensures that the principles of procedural fairness are followed in relation to making any decision about a person's appointment to, or engagement in, child related work at the college.</p> <p>Trinity College ensures that any decision or rationale for excluding a person is documented and decision-making is rigorous, defensible, transparent and evidence-based.</p>
Security of Information	<p>Criminal history information is personal information for the purposes of the Privacy Act 1988 (Cth). Trinity College will protect the privacy of persons whose criminal history information is received by the college.</p> <p>Refer to our Privacy Program.</p>
Commencement of Employment	A person may not be appointed to, or engaged to act in child-related work at the college until an assessment is undertaken.
Re-assessment of Employees	Employees must be re-assessed for child-related employment at least once every three years.
Parent, guardian or caregiver request for information	<p>The CPA allows a parent, guardian or caregiver of a student to make a request to the college to provide, for the parent or guardian's inspection, evidence of either a:</p> <ul style="list-style-type: none"> • DCSI Child Related Employment Screening; or • Criminal history report prepared by South Australia Police or a CrimTrac. <p>Such requests must:</p> <ul style="list-style-type: none"> • be made in writing; • set out the name of the person making the request and the name of the student to whom the request relates; and • specify whether the person making the request is the parent, guardian or caregiver of the student. <p>If a request meets the above conditions the college must produce the evidence for inspection.</p>
Workers' Obligations	<p>Workers are responsible for following procedures in order to ensure child-related employment screening is undertaken.</p> <p>Workers must immediately inform the college if there is a change in his or her circumstances that affects his or her suitability to be employed at Trinity College.</p>

College's Obligations	<p>The college must ensure that:</p> <ul style="list-style-type: none"> • child-related employment screenings are undertaken for all employees who undertake child-related work; • a person's child-related employment screening is considered; • the principles of procedural fairness are applied to the recruitment process; and • the security of any criminal history information it receives is protected and secured.
Penalties	<p>There are serious penalties that apply for non-compliance with the Act, including considerable fines.</p>
Record Keeping	<p>It is the responsibility of the office of the Business Manager (non-teaching staff) and the Deputy Head (teaching staff) to ensure that all college employees, volunteers and trainee students are subject to child-related employment screening, and a consideration of their suitability to work with children is considered.</p> <p>Trinity College maintains a register of people who have been subject to child-related employment screening in hard copy that includes the following information:</p> <ul style="list-style-type: none"> • full name; • date of birth; • that person's child-related employment screening application form; • a written record of the decision to employ that person; • the date of that person's child-related employment screening and the date of the decision to employ that person; and • employment type (e.g. paid, volunteer).
Implementation	<p>This policy is implemented through a combination of:</p> <ul style="list-style-type: none"> • staff training; • effective communication and incident notification procedures; • effective record keeping procedures; • initiation of corrective actions where necessary.
Discipline for Breach of Policy	<p>Where a staff member breaches this policy, the college may take disciplinary action, including in the case of serious breaches, summary dismissal.</p>
Related Policies	<ul style="list-style-type: none"> • Child Protection – Abuse, Grooming & Neglect Identification & Initial Notification • Child Protection – Mandatory Notification • Child Protection – Child Safe Environments • Child Protection – Misconduct by Staff, Volunteers & Others