

APPENDIX B. WHO IS REQUIRED TO CONSENT TO A NATIONALLY COORDINATED CRIMINAL HISTORY CHECK

EMPLOYEES

B.1. TEACHING STAFF

All teaching staff employed by the Department in a teaching role are required to have a current Nationally Coordinated Criminal History Check through the Department of Education Screening Unit that is less than 12 months old at the time of commencement with the Department.

A Screening Clearance Number will be issued to all teaching staff who are cleared through the Department's Screening Unit.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within twelve (12) months of the clearance date.

Validity: screening status remains valid unless a break-in-service occurs.

Break-in-service: must be re-screened if a break in employment exceeds twelve (12) months.

B.2. NON-TEACHING STAFF

All non-teaching staff are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a valid Screening Clearance Number before commencement. The clearance date must be less than six months old on the date of commencement. A teacher who holds a current criminal record clearance who is commencing in a non-teaching role can be commenced in the non-teaching role if their clearance is less than 12 months old at the time of commencement.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid unless a break-in-service occurs.

Break-in-service: must be re-screened if a break in employment exceeds six (6) months.

B.3. SEASONAL EMPLOYEES

Seasonal employees are casual staff who are appointed to undertake a specific role, which is usually needed on one or two occasions per year for a very limited tenure (often less than 5 business days). Seasonal employees are required to have a current Nationally Coordinated Criminal History Check through the Screening Unit and be allocated a Screening Clearance Number before they are commenced. The check must not be older than six (6) months at the date of commencement. The clearance will be valid for three (3) years, unless there is a non-work period greater than twelve (12) months. If there is a break-in-service of greater than 12 months, the person will require a new Nationally Coordinated Criminal History Check before re-employment. Examples include swimming instructors/supervisors, exam invigilators, specialist assessors, exam writers/markers/supervisors.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years, unless a break-in-service occurs of twelve (12) months.

Break-in-service: must be re-screened if a break in employment exceeds twelve (12) months.

B.4. EMPLOYEES UNDER THE AGE OF 18

Employees who are under the age of 18 at the time of commencement are not required to consent to a Nationally Coordinated Criminal History Check. Once an existing employee turns 18, they are then required to consent to a Nationally Coordinated Criminal History Check within three months after their eighteenth birthday.

Commencement: can commence without a criminal history screening.

Validity: must be screened and issued a Screening Clearance Number within three (3) months after 18th birthday.

Break-in-service: must be re-screened if a break in employment exceeds six (6) months.

B.5. SITES WITH RESIDENTIAL ACCOMMODATION FACILITIES

Employees based at sites with residential accommodation for staff are Department employees and are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a current Screening Clearance Number, before commencement.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid unless a break-in-service occurs.

Break-in-service: must be re-screened if a break in employment exceeds six (6) months.

Local Input Networking and Communications (LINC) committee members at Residential Colleges are required to consent to a Nationally Coordinated Criminal History Check through the Screening Unit. The volunteer fee of \$10.00 will be absorbed by the Screening Unit for parents and community LINC members. College Managers must confirm, that LINC committee members have a current screening before they commence.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break-in-service occurs.

Break-in-service: must be re-screened if a break-in-service exceeds six (6) months.

Family members, guests and visitors aged eighteen (18) and over who stay with live-in Residential and Agricultural College employees for 21 days or more must have a Nationally Coordinated Criminal History Check through the Department's Screening Unit. The NCCHC must be renewed every twelve (12) months for ongoing live-in arrangements.

Residency: if residing at a Residential or Agricultural College for 21 days or more, family members and guests of live-in employees must consent to a Nationally Coordinated Criminal History Check and be issued a Screening Clearance Number before live-in arrangements commence.

Validity: screening status remains valid for twelve (12) months unless a break-in-residency occurs.

Break in residency: must be re-screened if a break in residency exceeds six (6) months.

NON-EMPLOYEES

The Department adopts a risk management approach with respect to the screening of non-employees who may access a Department site, including schools. Factors that site managers should consider include: duty of care obligations, safeguards that may be in place (e.g. fences, separate toilet facilities, CCTV, attendance times, supervision), opportunity for or direct contact with students and/or resources, and other probity checks (e.g. Working with Children Checks). Please refer to Appendix F for guidance.

In some situations, it is mandatory for identified non-employees to complete a Nationally Coordinated Criminal History Check through the Department's Screening Unit prior to commencement. In other circumstances, the decision about a NCCHC will be an informed decision made by the site manager, using Appendix F as a guide. In some specific instances, the Screening Unit has exempt some categories of non-employees, and they are not required to consent to a Nationally Coordinated Criminal History Check through the Screening Unit.

MANDATORY SCREENING

B.6. SCHOOL COUNCIL AND SCHOOL BOARD MEMBERS

All new School Council and School Board members must have a Nationally Coordinated Criminal History Check processed through the Screening Unit, and be allocated a Screening Clearance Number, before their position on the Council/Board can be confirmed. The fee of \$10.00 will be waived for parents and community members. Existing employees who are also Council/Board members do not need another Nationally Coordinated Criminal History Check. Student members under the age of eighteen (18) do not require a Nationally Coordinated Criminal History Check. Serving sworn officers employed by the Western Australia Police Force or the Australian Federal Police are exempt and do not require a Nationally Coordinated Criminal History Check.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years.

Break-in-service: must be re-screened if a break in service on the Board/Council exceeds six (6) months.

B.7. POST-COMPULSORY STUDENTS ENROLLING IN A PUBLIC SCHOOL

All individuals seeking to enrol as a post-compulsory aged student at a public school, campus or college are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a valid Screening Clearance Number before enrolment. Existing students who turn 18 whilst enrolled in a public school are not required to consent to a Nationally Coordinated Criminal History Check.

Commencement: enrolment and attendance cannot occur until screening process is finalised and a Screening Clearance Number has been issued; must attend within six (6) months of screening clearance date.

Validity: screening status remains valid unless a break-in-attendance occurs.

Break-in-attendance: must be re-screened if a break in attendance exceeds six (6) months.

B.8. PRACTICUM STUDENTS

Students who are enrolled at a university, TAFE College, an educational training institution or a Registered Training Organisation (RTO) who are undertaking a practicum in a public school are required to consent to a Nationally Coordinated Criminal History Check and be issued a current Screening Clearance Number before they commence their practicum. These students are considered as volunteers and are only charged the concession fee of \$10.00.

Students on practicum are required to have a clearance date that is less than six months old at the commencement of their first practicum. University students undertaking a teaching practicum are required to have a Nationally Coordinated Criminal History Check in their first year of study, and will only be required to undergo another Nationally Coordinated Criminal History Check if they leave their course of study for a period of six (6) months or more. Other practicum students should refer to the [Screening website](#) for details on Nationally Coordinated Criminal History Check requirements.

Practicum students who are already employed as **teachers** with the Department of Education, that have been paid within the last twelve (12) months, are not required to undertake a new Nationally Coordinated Criminal History Check for their practicum. Department employees who have not worked, and/or have not been paid, for twelve (12) months or more will be required to consent to a new Nationally Coordinated Criminal History Check, and be cleared, before they can commence their practicum.

Practicum students who are current **non-teaching** employees of the Department of Education, and have been paid within the last six (6) months, are not required to undertake a new Nationally Coordinated Criminal History Check for their practicum. Department employees who have not worked, and/or have not been paid, for six (6) months or more will be required to consent to a new Nationally Coordinated Criminal History Check, and be cleared, before they can commence their practicum.

If a practicum student later seeks employment with the Department, even within six (6) months of their clearance for their practicum, they will be required to consent to, and pay for, a new Nationally Coordinated Criminal History Check at the full fee of \$46.00.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid unless a break in their tertiary studies occurs.

Break in tertiary studies: must be re-screened if a break in course attendance exceeds six (6) months.

B.9. VOLUNTEERS ENGAGED VIA SERVICE AGREEMENTS

People who are undertaking a formal volunteer role within the Department, where a service agreement is in place, are required to consent to a Nationally Coordinated Criminal History Check, at a reduced fee. Examples include *The Smith Family* and *EdConnect*. These volunteers **must** have a Nationally Coordinated Criminal History Check and be issued a Screening Clearance Number before they can commence

If a person screened as a volunteer is subsequently offered paid employment, they are required to consent to and pay the full fee for a new Nationally Coordinated Criminal History Check and be cleared before commencement. For volunteers engaged without a service agreement, refer to B.19.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break in volunteering occurs

Break in volunteering: must be re-screened if a break in volunteering exceeds six (6) months, and/or after three (3) years from the initial clearance date for ongoing volunteers.

B.10. **EXTERNAL CONTRACTORS**

External Contractors who are engaged by the Department are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a current Screening Clearance Number before commencement.

Central Office and Statewide Services contract managers are required to confirm appropriate criminal history screening of individuals, through the Department's Screening Unit, has been undertaken where a contract/service agreement is in place.

Screening requirements for specific groups of External Contractors include:

ICT Contractors – are required to consent to a Nationally Coordinated Criminal History Check, in accordance with the Terms and Conditions of the formal Contract/Agreement in place between the Department's ICT Division and the respective ICT Company.

Public Private Partnership (PPP) – PPP program External Contractors are required to consent to a Nationally Coordinated Criminal History Check through the Screening Unit. Sub-contractors who work 20 business days or less through the PPP are not required to consent to a Nationally Coordinated Criminal History Check.

Lawn mowing contractors – companies engaged via a service agreement to provide lawn mowing contractor services to public schools must ensure contractors consent to a Nationally Coordinated Criminal History Check, in accordance with the Terms and Conditions of the formal Contract in place between the Department's Infrastructure Division and the respective company.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years, unless otherwise stated in the Terms and Conditions of the relevant Contract/Service Agreement.

Break-in-attendance: must be re-screened if a break in attendance at Department sites exceeds six (6) months; or must be in accordance with the Terms and Conditions of the relevant Contract/Service Agreement; or every three (3) years if not employed under a Contract/Service Agreement with the Department.

B.11. SERVICE PROVIDERS

External service providers engaged by the Department to deliver a service are required to consent to a Nationally Coordinated Criminal History Check, in accordance with the Terms and Conditions of the formal Contract/Agreement in place between the Department and the service provider. Examples include: Clontarf Foundation; Registered Training Organisations; remote schools attendance strategy officers; therapy assistants.

Service providers engaged directly by parents/carers must also consent to a Nationally Coordinated Criminal History Check through the Department's Screening Unit. Those service providers who belong to a group exempt from the NCCHC (e.g. Department of Health employees; registered NDIS Service Providers) are not required to consent to a NCCHC. Refer to sections B.20.-B.23. for further information.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break-in-service occurs.

Break-in-service: must be re-screened if a break-in-service exceeds six (6) months.

B.12. SCHOOL CHAPLAINS

School Chaplains are required to consent to a Nationally Coordinated Criminal History Check through the Screening Unit and be assigned a Screening Clearance Number before commencement. This requirement is outlined in a specific clause in the service agreement between the Department and the service provider.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break-in-service occurs.

Break-in-service: must be re-screened if a break-in-service exceeds six (6) months.

B.13. EMPLOYEES OF OTHER AGENCIES ON SECONDMENT

Employees of other agencies on secondment or a work placement with the Department are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a current Screening Clearance Number, before commencement.

This includes those from other government agencies (Commonwealth and State) and private companies. Serving sworn officers employed by the Western Australia Police Force or the Australian Federal Police are exempt and do not require a Nationally Coordinated Criminal History Check.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break-in-service occurs.

Break-in-service: must be re-screened if a break-in-service exceeds six (6) months.

B.14. CANTEEN/CAFETERIA AND UNIFORM SHOP PERSONNEL

Managers, coordinators and other paid personnel working in school canteens, cafeterias and uniform shops, including those managed by a Parents and Citizens Association, are required to have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and be issued a current Screening Clearance Number, before commencement (refer to Appendix F for guidance).

It is not mandatory for parent volunteers to consent to a Nationally Coordinated Criminal History Check through the Department of Education Screening Unit to volunteer in schools, however, a Principal can determine that any volunteer regularly working in a school consent to a Nationally Coordinated Criminal History Check (refer to Sections B.9. and B.19. and Appendix F).

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for three (3) years unless a break-in-attendance occurs.

Break-in-service: must be re-screened if a break in attendance exceeds six (6) months

B.15. SCHOOL CURRICULUM AND STANDARDS AUTHORITY - BOARD AND COMMITTEE MEMBERS

All School Curriculum and Standards Authority (SCSA) Board and Committee members must have a Nationally Coordinated Criminal History Check processed through the Screening Unit, and be allocated a Screening Clearance Number, before their position on the Board and/or Committee can commence. Existing employees who are also Board and/or Committee members are not required to consent to a new Nationally Coordinated Criminal History Check.

Commencement: cannot commence until screening process is finalised and a Screening Clearance Number has been issued; must start within six (6) months of the clearance date.

Validity: screening status remains valid for the term of appointment to the Board and/or Committee.

NON-MANDATORY SCREENING

B.16. USE OF SCHOOL FACILITIES BY THE COMMUNITY

Local community groups may enter into formal arrangements (a Licence or Lease) with a school or the Department to use school property and/or facilities. These arrangements vary between schools and permit activities independent to the school, where no services are provided to students or staff. They may operate exclusively outside of school hours of operation, they may operate during the school day, or a combination of both.

Principals and site managers have discretion to determine if members of the community using school facilities should consent to a Nationally Coordinated Criminal History Check (refer to Appendix F for guidance). Considerations that Principals and site managers should evaluate include: existing safeguards (e.g. fences, CCTV, separate toilet facilities, separate entrance ways, separate carparks), duty of care and student supervision, frequency of on-site participation, whether other probity checks are in place, duration of the activity.

Examples of community use of school facilities include: yoga classes, pilates classes, out-of-school hours care, PlayGroup WA, sporting groups, community gardens, shared library, shared swimming pool, local interest groups.

Community members are not considered volunteers and must pay the full fee if the Principal or site manager deems a Nationally Coordinated Criminal History Check is appropriate.

B.17. TEMPORARY ADMINISTRATION STAFF

Temporary administration staff who are needed at short notice to complete a set task, or temporarily replace an absent employee, do not require a Nationally Coordinated Criminal History Check if the period of engagement is 20 business days or less. If the period of engagement extends to 21 business days or more, then a NCCHC will be required.

B.18. AGENCY-SUPPLIED TEMPORARY SCHOOL CLEANERS AND GARDENERS

Temporary cleaners and gardeners who are engaged through gardening and cleaning companies, and are required at short notice to work in schools, do not require a Nationally Coordinated Criminal History Check if the period of engagement is three (3) months or less. If the period of engagement continues beyond 3 months, then a NCCHC will be required.

B.19. VOLUNTEERS ENGAGED INFORMALLY OR AD-HOC

For situations where volunteering is informal or ad-hoc, the decision as to whether a volunteer should be screened for criminal convictions is to be made by the principal or site manager, and should take into account:

- whether the person will have access to students, money, confidential information, and/or valuables;
- the frequency with which the volunteer will be on-site;
- whether the person will be supervised; and
- the duration of their volunteering.

Refer to Appendix F for guidance.

If a volunteer is subsequently offered paid employment, they are required to consent to and pay the full fee for a new Nationally Coordinated Criminal History Check.

Validity: screening status remains valid for three (3) years unless a break in volunteering of 6 months or more occurs.

EXEMPT

B.20. WA HEALTH SERVICE PROVIDERS

Staff employed by WA Health Service Providers undergo national criminal record screening as a condition of employment and are therefore exempt from consenting to a Nationally Coordinated Criminal History Check through the Department of Education Screening Unit. This includes: WA Country Health Service (WACHS); Child and Adolescent Health Service (CAHS); East Metropolitan Health Service (EMHS); North Metropolitan Health Service (NMHS); South Metropolitan Health Service (SMHS), Department of Health. Examples of such employees includes: school nurses, occupational therapists, speech pathologists, dental therapists, physiotherapists.

Commencement: WA Health Service staff are to be asked to show a current staff identification card, displaying their name and photograph, for verification. Any WA Health Service provider engaging in child-related work should have their Working with Children Check details entered into the Department of Education's Working with Children Recording System by the school. Any WA Health Service staff or contractors engaging in child-related work should have their Working with Children Check details entered into the Department of Education's Working with Children Recording System by the school.

B.21. DEPARTMENT OF JUSTICE EMPLOYEES

Staff employed by the Department of Justice undergo national criminal record screening as a condition of their employment and are therefore exempt from consenting to a Nationally Coordinated Criminal History Check through the Department of Education Screening Unit. This includes Department of Justice staff who work with school staff to prepare for the re-entry of students who are transitioning back to a school.

Commencement: Department of Justice staff are to be asked to show a current staff identification card, displaying their name and photograph, for verification. Any Department of Justice staff engaging in child-related work should have their Working with Children Check details entered into the Department of Education's Working with Children Recording System by the school.

B.22. DEPARTMENT OF COMMUNITIES EMPLOYEES

Staff employed by the Department of Communities undergo national criminal record screening as a condition of their employment and are therefore exempt from consenting to a Nationally Coordinated Criminal History Check through the Department of Education Screening Unit. This includes Department of Communities staff who attend schools to work directly with students. This exemption also applies to approved contractors engaged by the Department of Communities to work directly with students.

Commencement: Department of Communities staff, and approved contractors, are to be asked to show a current staff identification card for verification. Any Department of Communities staff or contractors engaging in child-related work should have their Working with Children Check details entered into the Department of Education's Working with Children Recording System by the school.

B.23. REGISTERED NDIS SERVICE PROVIDERS

The National Disability Insurance Scheme (NDIS) Worker Screening Check (Check) is a compulsory screening strategy for people who work in risk-assessed roles for registered NDIS providers. It is a mechanism that helps NDIS providers determine that individuals seeking to work, or already working, in certain NDIS roles do not present an unacceptable risk of harm to people with disability. The NDIS Check is a national tool administered by Worker Screening Units in each state or territory. In Western Australia, the NDIS Worker Screening Unit operates within the Department of Communities. Individuals who hold a current valid NDIS Worker Screening Check are exempt from consenting to a Nationally Coordinated Criminal History Check through the Department of Education Screening Unit.

Commencement: cannot commence until proof of a current valid NDIS Worker Screening has been verified by the sighting of a NDIS Worker Screening letter, showing the individual's full name, clearance number, and expiry date. Any registered NDIS providers engaging in child-related work should have their Working with Children Check details entered into the Department of Education's Working with Children Recording System by the school.

B.24. UNIVERSITY OR TAFE SUPERVISORS

Supervisors employed by University, TAFE Colleges or other Registered Training Organisations who enter a school to supervise a practicum student are exempt from the requirement to consent to a Nationally Coordinated Criminal History Check. Generally, university supervisors are qualified teachers who have a current registration with the Teacher Registration Board of Western Australia.

B.25. GUEST SPEAKERS AND PRESENTERS

People engaged to deliver presentations to students and or staff in schools and other Department worksites are exempt from consenting to a Nationally Coordinated Criminal History Check through the Department's Screening Unit.

B.26. SCHOOL MAINTENANCE

Contractors employed by the Department of Housing and Works engaged to undertake maintenance work at schools are exempt and do not require a Nationally Coordinated Criminal History Check, as existing arrangements between the Department's Screening Unit and the Department of Housing and Works are in place regarding criminal history screening. Trades and Services engaged directly by schools under the Direct to Market Program, such as plumbers and electricians, are not required to consent to a Nationally Coordinated Criminal History Check through the Department's Screening Unit.

B.27. SECURITY GUARDS

Licensed Security Guards contracted as part of school security services contracts are exempt and do not require a Nationally Coordinated Criminal History Check through the Department's Screening Unit as they are registered with the Western Australia Police Force as licensed Security Guards. This includes Security Guards engaged to undertake patrol services, alarm response and static guard work, which is primarily outside of normal school hours.