

# BACKGROUND CHECKS

## FOR COMMUNITY SERVICE ORGANISATIONS IN NSW



Organisations have a duty of care to ensure that they take reasonable steps to avoid harm to the organisation and its existing employees, volunteers (including Board members) and clients. Appropriate screening procedures will help manage the risk.

### Police Checks

Police checks are a mandatory requirement in some Aged Care and Disability services. Police checks are not mandatory for all people working or volunteering in the community sector, however it is best practice to complete a police check.

Some organisational policies specify that a police check is a mandatory requirement for a particular position. If an employee or volunteer has access to money, equipment or data, it may be appropriate to undertake a police check.

A police check will uncover any criminal convictions but as per Anti-discrimination laws you must not refuse an applicant because they have a prior conviction for an offence that has no relevance to the position.<sup>1</sup>

### Working With Children Check

A Working With Children Check is mandatory for anyone working in or volunteering in a child related position. This includes child development and protection services, disability services, early education and child care, education, justice centres, religious services, residential services, youth workers, school cleaners, clubs and bodies providing services for children, nannies, au pairs, home carers, tutors, child carers, sporting coaches and babysitters.

The result of a Working With Children Check is either a clearance to work with children or a bar against working with children. The clearance lasts for five years but applicants are subject to ongoing monitoring and the clearance may be revoked. A working with children check will only uncover any convictions that are related to children.<sup>2</sup>

<sup>1</sup> Justice Connect (2020) <sup>2</sup> Services NSW (2020) and Office of the Children's Guardian (2020)