



Working with children checks

South Australia

Legislation

What are the screening requirements for sporting organisations?

Under section 8B of the *Children's Protection Act 1993*, government and non-government organisations providing services to children are required to undertake a criminal history assessment:

- for all people in their organisation who work or volunteer in *prescribed positions*; and
- before a person is appointed to, or engaged to act in, a prescribed position in the organisation.

Under section 8C of the *Child Protection Act 1993* a sporting organisation is required to establish and maintain a child safe environment. This includes choosing suitable employees and volunteers. Therefore it is expected that all employees and volunteers will also undergo referee and qualification checks.

Are there penalties for not obtaining a criminal history report?

Penalties of up to \$10,000 may apply for non-compliance.

For further information www.families.sa.gov.au/childsafe

What are the requirements for visitors from other states/territories?

Criminal history information is only required for prescribed positions which are persons who are in regular contact with children over a period longer than 10 days. Organisations may accept criminal history evidence from other sources. It is advisable to check that they meet the working with children legislation in their own state and seek additional background information. Recent Working with Children checks from Qld, NSW, Vic, NT and WA are acceptable.

Information regarding the obligation for mandatory notification of suspected child abuse should be provided to all employees/volunteers working in sporting and recreation activities.

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Action

How do you obtain a Criminal History Assessment?

A National Police Certificate may be completed online through SAPOL. www.police.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp and the organisation must then complete the assessment on this information.

For volunteers in sporting and recreation organisations this may be available at no charge through the State organisation. (see below)

Alternatively you can apply for a Working with Children Screening through the Department for Communities and Social Inclusion Screening unit. This is a centralised, consistent and confidential approach for obtaining criminal history assessment. Applications can be obtained through Australia Post agencies. <http://www.dcsi.sa.gov.au/services/screening>.

Relevant information

Who has responsibility to apply?

If an individual is asked to provide a criminal history report or police check it is their responsibility to apply. The individual is responsible for presenting the original to be sighted by the requesting organisation.

The National Police Certificate belongs to the individual and not the organisation requesting it and therefore it cannot be copied or retained by the organisation for longer than 3 months.

How much does it cost?

National Police Check

- Individual: \$56.50
- Individual concession: \$40.75
- Volunteer: \$36.50
- Volunteer Organisation Authorisation Number (VOAN) approved: No charge

When an organisation is a member or affiliated club or association of a larger organisation, a VOAN will be provided to the central body only and may only be used by those individuals authorised by SAPOL.

If the VOAN applies, the application is free and must be lodged through the State body.

DCSI Screening Unit

- Individual: \$62.70 (GST inc.)
- Individual/Conc/Volunteer: \$41.25 (GST inc)

For applications lodged at an Australia Post outlet there is an additional administrative fee of \$5 per application. Lodgement of applications and payment can only be made through the requesting organisation or Australia Post.

The VOAN does not apply to these checks.

This cost includes conducting the criminal history, background information check, a confidential and comprehensive assessment and clearance letter to the individual applicant and an email to the requesting organisation.

Who is responsible for payment?

This depends on the policy of the organisation requesting the criminal history report. The organisation should advise you of the required procedure for obtaining the assessment.

What does the National Police Check Certificate contain?

- Name
- Alias/Previous Names
- Date of Birth
- Current Address
- Purpose of the Police check
- Charge(s)
- Court outcome of the matters heard including Court name, hearing date, any penalty or sentence imposed
- Pending Matters
- Outstanding Warrants

Is there support for assessing criminal history information?

Interpreting criminal history information to make an employment decision can be difficult and you may require guidance to determine whether the applicant can be employed/volunteer in a particular role.

The Department for Education and Child Development have a comprehensive document – *Child safe environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*, which is available on the website www.families.sa.gov.au/childsafef

Alternatively the DCSI Screening Unit can obtain and assess the criminal history report for your organisation. The branch is also able to provide advice on assessment guidelines.

For more information visit www.dcsi.sa.gov.au/services/screening

Contact: 1300 321 592, or email screening@dcsl.sa.gov.au

How long is it valid for?

Under the current legislation Criminal history assessments are valid for a period of three years.

Is a criminal history information obtained for one organisation transferable to a different organisation?

Organisations may at their discretion accept the following types of evidence which has been obtained within the last three years:

- Letters of clearance from South Australian Crim-Trac accredited agencies
- National Police Certificates

- Criminal history checks undertaken and clearances provided in other Australian jurisdictions i.e. the Blue card (Qld) and Working with children checks (Vic, WA, NT and NSW)
- Statutory declarations from individuals who have lived in countries other than Australia.

In accepting other evidence, there must be compatibility between the roles of the organisation (based on a risk assessment) and the criminal history reports obtained (i.e. is it a check to work with children).

For further information regarding the transferability of criminal history information see the *Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children.*

Resources

- South Australian Police-SAPOL - www.police.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp
- Department for Education and Child Development - www.families.sa.gov.au/childsafe
- DCSI Screening unit - www.dcsi.sa.gov.au/services/screening