

NATIONAL POLICE CHECKS FOR VOLUNTEERS PROJECT (NPCVP)

Information package for volunteer groups

July 2007



CONTENTS

1. Introduction
2. Short overview of process for registering and obtaining police checks
3. Eligibility criteria and checklist for volunteer agencies
4. How to register for the program
5. How to request a police check for a volunteer
6. Registration and Agreement forms

APPENDIX

- Definitions
- Frequently asked questions
- General screening information

National Police Checks for Volunteers Project

Introduction

The Office for Seniors Interests and Volunteering (OSIV), in conjunction with the WA Police (WAPOL), runs a program enabling volunteer groups to obtain a National Police Check for volunteers for a fee of \$10.00 per person checked. This program was launched on 1 July 2003 and is designed to assist organisations to adequately screen volunteers who provide services to vulnerable people (ie children and young people, people with disabilities and seniors), work in positions of financial trust or are involved in driving or other special duties.

From 1 January 2006, volunteers also required to have a Working with Children Check can obtain their National Police Check at no cost. The cost of the working with Children Check is \$10 for volunteers.

Recent Broadening of the Criteria to Participate in this Program

When this program first commenced, only non-government and later local government agencies were eligible to participate. From 1 January 2007 the program has been opened to all volunteer programs, including those in state government agencies, commercial organisations and Commonwealth departments. Registrations from these organisations are now invited.

Why should people be screened?

Screening is a process carried out by an agency to ensure the right person is matched with the work to be done.

Positions where there is a heightened risk, such as working with vulnerable people or in positions of financial trust, need to be identified and strategies put in place to manage that risk. One risk management strategy is screening volunteers and one part of the screening process is a check of criminal records.

The information package

This information package provides details about the operational processes for the program and general information about screening. It includes all the information organisations need to participate in the scheme. Please read the information before registering.

Please note that in order to provide police checks at this lower price, the system relies on information being sent to the Police by email, not by mail or in person. The process is designed to be as quick and simple as possible and therefore a suitable computer and access to email is essential.

Portability

These checks are NOT portable, this information should only be used by the volunteer and the organisation undertaking the check.

What this check provides

This program provides emailed basic information to the organisation about whether a person has a criminal record or pending charge of any sort but does not provide a detailed portable certificate. This program will mean that the 89% of people who have no criminal record can be checked at this basic level for \$10.00. For those with a criminal record, a full National Police Certificate listing disclosable court outcomes and pending charges can be requested by the organisation and obtained by the volunteer at any police station for \$44.50. This Certificate is portable.

Working with Children Legislation and Changes to this program in 2006

With the introduction of the Working with Children legislation on 1 January 2006, many volunteers working with children are required by law to have a Working with Children check (WWC) through the Working with Children Screening Unit at a cost of \$10 per check. The implementation of this legislation is being staged over a five year period and many volunteers are required to have a WWC until 2007 or 2008.

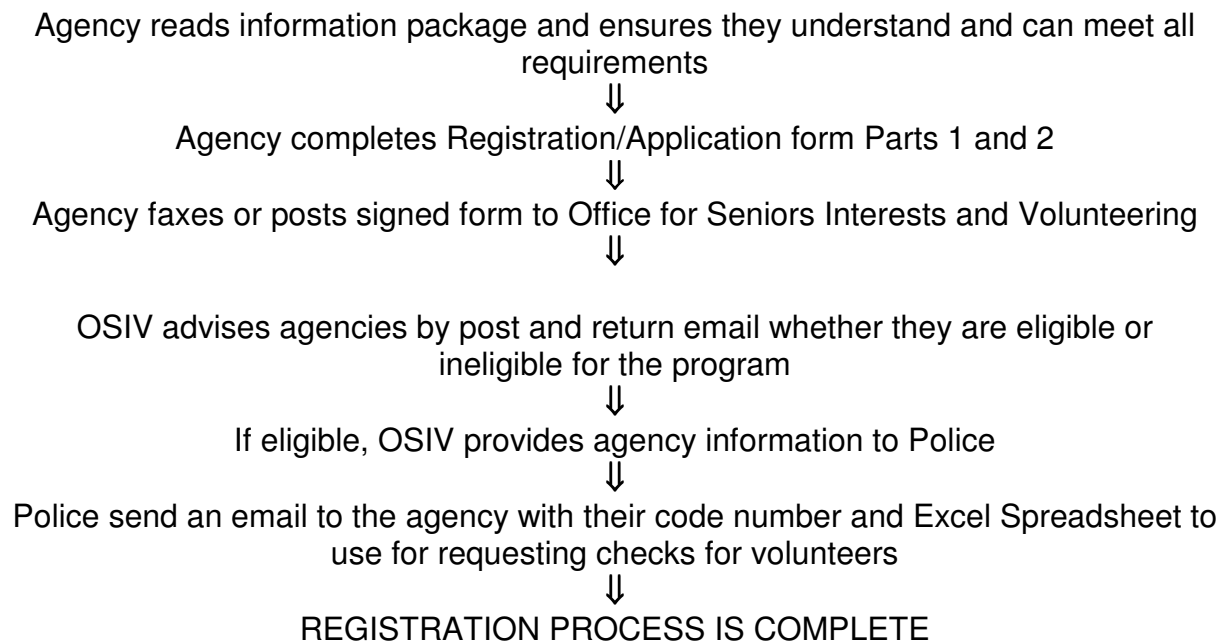
The criminal history checked in a Working with Children Check is only relevant to their interaction with children, it is not a full check of all convictions. Some volunteers working with children also perform other duties where it is considered important for a police check to be undertaken such as driving buses, working with the aged or disabled or managing money. These volunteers may need to have a National Police Check for Volunteers in addition to a Working with Children Check. This second check will be at no cost. Further details about this new initiative are provided in this pack.

Any queries about the program or other feedback can be sent to the following e-mail address:

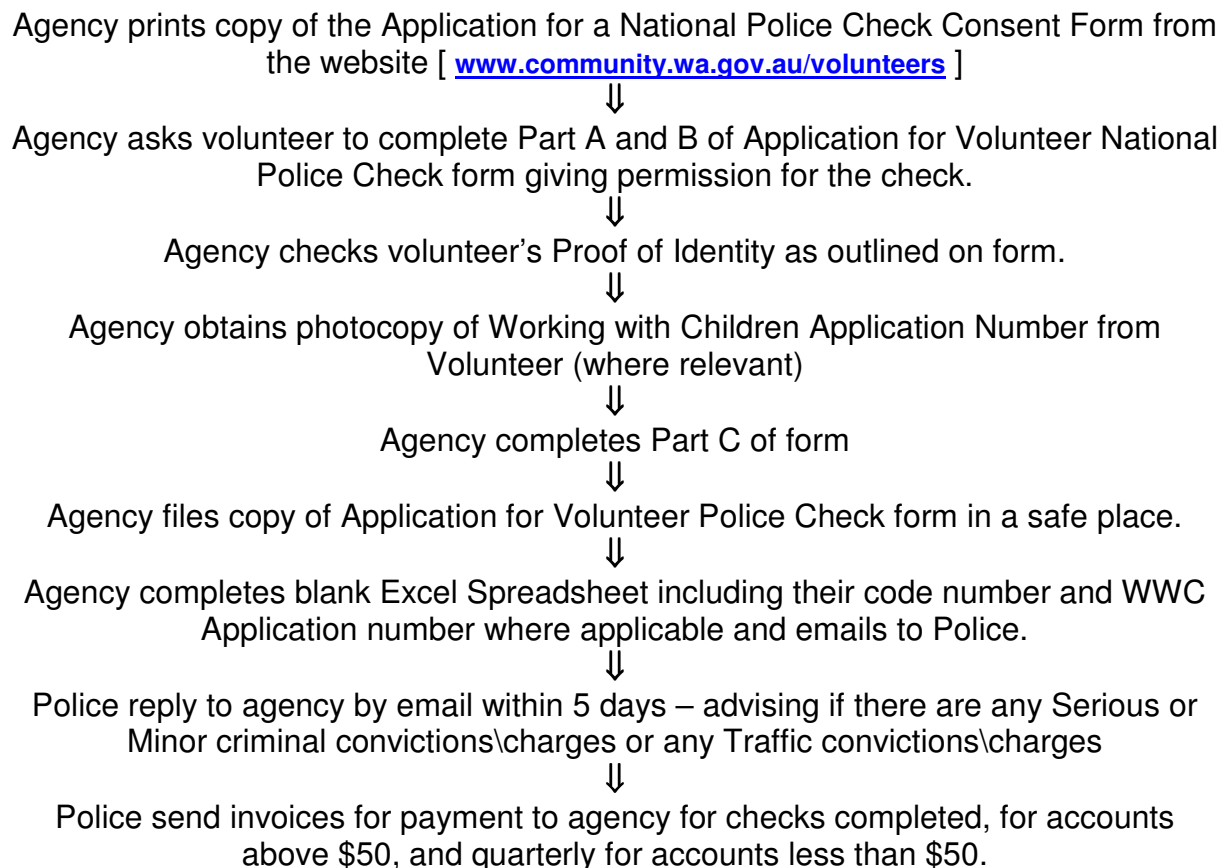
Information about Working with Children Checks can be obtained by visiting their website www.checkwwc.wa.gov.au.

SHORT OVERVIEW

How to register for the National Police Check for Volunteers Program



How to request a National Police Check for a Volunteer



Eligibility criteria and checklist for Volunteer Groups

All organisations involving volunteers are eligible to participate in the program:

The group must:

- If a non government group, be incorporated, or have relevant legal status
- Provide a community service
- Be a parent body, not a sub-branch with volunteers working within Western Australia*, and
- Use eligible volunteers as described below.

In addition, the group needs to:

- Have an email address to request and receive police checks,
- Have access to MS Excel 97 program or better.

Ongoing monitoring will be carried out to assess the suitability of the eligibility criteria.

What is a Volunteer?

Whilst a volunteer group may fall within the above criteria, only true volunteers who meet the criteria below can be checked under this scheme. A volunteer:

- Receives no payment for work (except out of pocket expenses)
- Performs volunteer work which provides a community service and not as part of obligated work placement (e.g student placement, work experience, "Work for the Dole")

Only the people who fit the description of a volunteer will be screened under the program.

* Note:

WA parent bodies are normally eligible for registration under the program and not local sub branches. Therefore, if a volunteer group is part of an organisation with a number of branches throughout WA, (eg churches, service organisations, sporting clubs, local government etc) only the central office should register. Requests will need to be coordinated through the central office on behalf of the branches.

If a national organisation has volunteers working within Western Australia, it may register for the program to undertake checks for those Western Australian volunteers.

HOW TO REGISTER FOR THE PROGRAM

Once you have read this package and believe you are eligible, please fill in the registration and agreement forms at the end.

- **Please ensure all information is legible, especially your email address.**
- If your group is eligible, you will receive confirmation by post and email from the Office for Seniors Interests and Volunteering. Your organisation will be allocated a code number.
- If you are not eligible, you will be contacted and an explanation provided.
- The Office for Seniors Interests and Volunteering will then forward the details of your registered organisation and its code number to the WA Police.
- The Police will then advise your registered organisation by email of the organisation code number. The police will also email you a MS Excel Spreadsheet template for completion when you conduct the volunteer's checks. Please save this Spreadsheet in your computer documents. When you want a police check done for volunteers, you will complete a spreadsheet and send it by email to the WA Police.
- The spreadsheet will require you to provide the volunteer's full name, a driver's licence number if they have one and a Working with Children Application number (if relevant).
- A batch of volunteer names can be entered on the one spreadsheet. The fee is \$10.00 per person, **not per batch**.
- Please only email new names for checking to the Police. i.e. don't leave the already checked names on the same spreadsheet as this will cause confusion.

HOW TO REQUEST A POLICE CHECK FOR A VOLUNTEER

- Once you have received your code number and spreadsheet from the Police, you can commence requesting police checks.
- Both the volunteer and the agency representative together need to complete the “Application for National Volunteer Police Check” form which is included in this package and is also available on the website.
- The volunteer must provide their written consent for the police check.
- The volunteer must produce proof of identification, even if you believe you know them well.
- If the volunteer has been required to also have a Working with Children Check, the National Police Check for Volunteers will be done at no cost if the Working with Children Application number is included on the email spreadsheet sent to police. This number will be on the receipt given to the volunteer when they apply for a WWC check. A photocopy of the WWC application receipt should be taken by the Volunteer organisation and kept with the signed consent form for possible later audit. **The volunteer does not need to have received back their assessment notice from WWC before the organisation applies for a National Police Check for them, they just need to have applied for it.**
- The volunteer must complete Parts A & B on the “Application for National Police Check for Volunteers”.
- A representative needs to confirm their identity and sign the checklist on the bottom of the form (Part C) regarding the Proof of Identity requirements. (The representative does not have to be someone from the agency’s central office but must be fully versed in their responsibilities as listed on this form).
- The original “Application for National Police Check for Volunteers” form must be kept in a secure place for a period of two years. The WA Police must be given access to the form for auditing purposes when requested.
- The volunteer group must then enter the person’s information on the MS Excel spreadsheet template, and email it to volunteer.check@police.wa.gov.au. All care should be taken when checking identification and entering details on the MS Excel template, as incomplete or incorrect information may result in the wrong records being checked and an additional fee being imposed.
- The names of a number of people requesting police checks can be put on one spreadsheet.
- Your organisational code must be included on all requests. Any requests without an organisational code, or an incorrect organisational code, will not be processed.
- The WA Police will provide a response to the volunteer group, confirming whether each volunteer has any criminal or traffic court outcomes and/or pending charges using the attached code. For court outcomes and/or pending charges, any offences will also be identified as “serious” or “minor” as per the code. This program will not reveal any other information regarding the record and/or pending charges.

- The WA Police will also advise if there is a “Fines Suspension”. If you receive a notation indicating that there is a Fines Suspension you should refer the individual to the Fines Enforcement Registry 9235 0235 to make appropriate arrangements for payment.
- Volunteer groups will need to decide what action is to be taken if notification of a record is received in accordance with their own risk management practices. Please read the section on “**What if a volunteer has a record**” in FAQ’s before taking any action.
- The WA Police will bill the volunteer group at \$10.00 per person checked. If a Working with Children Application number is provided for a volunteer, no fee will be charged for that volunteer. Accounts greater than \$50 will be issued on a monthly basis, those less than \$50 will be issued quarterly. Failure to make payment on time will result in the agency’s checks being discontinued.

NATIONAL POLICE CHECKS FOR VOLUNTEERS

PART 1 - VOLUNTEER GROUP REGISTRATION FORM

NAME OF VOLUNTEER GROUP OR PROGRAM

.....

NAME OF PARENT BODY (if applicable).....

Do you have incorporated or other legal status or are part of an organisation with this?

- YES
 NO

If other legal status (please state).....

Are you?

- a not for profit community organisation
 a local government authority
 a state government agency
 a commonwealth government agency
 a commercial (for profit) organisation

What is the main kind of service provided by your volunteer program?

.....

NOMINATED CONTACT PERSON

POSITION.....**TELEPHONE**.....

ADDRESS

***EMAIL ADDRESS**.....

(*An email address is essential. This address will be used for the transfer of information between your agency and the WA Police PLEASE write very clearly)

Approximate total number of volunteers in your group:

- 0-20
 20-50
 50-80
 80-100
 More than 100
 More than 500

Number working with children:

Number handling finances:

Number working with aged/disabled:

Number driving vehicles:

(Some volunteers may perform multiple roles so may be recorded more than once)

If you are not eligible, you will be advised of the reason. Please also complete **Part 2**.

Please sign this form and return to the Office for Seniors Interests and Volunteering. If your agency is assessed as being eligible, a code number will be allocated to you and the WA Police Service advised. The Police will then email you an Excel spreadsheet which you can use to email your applicant's details for Police checks. You do not need to send any money until the Police send your organisation an invoice.

PART 2 - AGREEMENT FOR NATIONAL POLICE CHECKS FOR VOLUNTEERS

We have carefully read the attached information and agree to abide by the following conditions:

if we are eligible to participate in the National Police Checks for Volunteers Program

.....(name of volunteer group) agrees:

1. To ensure that the Information Kit relating to the Police Checks project which was sent to my agency and is also available at www.community.wa.gov.au/communities/volunteers is read and fully understood by all personnel in our organisation who will be involved in the process of organising police checks so they are familiar with the obligations of the organisation and the processes to be followed.
2. To screen volunteers only for the purposes of volunteer activities.
3. To obtain **written consent** from all volunteers to be checked on the consent/application forms obtainable from the website above.
4. To ensure **the identity of the volunteer applicant is checked** as per the requirements listed on the consent form referred to above.
5. To store consent forms in a safe place for a period of two years.
6. To allow the WA Police to audit consent forms as required.
7. Not to release any personal information received as part of this program to any third party.
8. To comply with the National Privacy Principles (*Commonwealth Privacy Act 1988*)
9. To provide accurate details about the volunteer applicants to the WA Police on the MS Excel spreadsheet.
10. To pay accounts which will be invoiced by Police at \$10.00 per person checked.

Signed.....**Name**

Position**Date:**

Please return this form to: National Police Checks for Volunteers Project
Office for Seniors Interests and Volunteering
Fax: 9481 3886 or post to:
Volunteering Secretariat
Level 7, Dumas House
2 Havelock Street, West Perth WA 6005

APPENDIX

1 DEFINITIONS

For the *National Police Checks for Volunteers program*, the following definitions will apply:

CrimTrac. –

The CrimTrac Agency is an Australian Government agency created as a major national policing initiative. The WA Police uses the services of the CrimTrac Agency in order to check the records of other Australian policing jurisdictions

Disclosable Offence –

Where a police record in any Australian police jurisdiction exists, relevant legislation and release policy governing that police jurisdiction will be applied before a conviction may be considered. Under various sections of Australian Government, State and Territory legislation a person has the right to not disclose certain convictions (ie Spent and Juvenile Convictions). Any convictions for offences that are not restricted as described, are known as a disclosable offence and may be disclosed in a National Police Certificate.

Fines Enforcement Registry –

An agency under the Department of Justice with the legislative authority to suspend a motor vehicle driver's licence for non-payment of fines. The Fines Enforcement Registry can be contacted on 9235 0235 and will only discuss matters with the individual concerned.

Fines Suspension –

This is when a person's motor vehicle driver's licence has been suspended by the Fines Enforcement Registry for non-payment of fines. Several recovery attempts will have been initiated before the Fines Enforcement Registry takes this course of action.

National Police Certificate –

A certificate issued upon application by an individual, paying a \$44.50 fee. Applications must be made in person at any Police Station in WA. A National Police Certificate lists an individual's disclosable offences and pending charges. From 1 January 2007 this includes information about pending charges still to go before the courts. Further information is available on the application form available at the WA Police Service web-site www.police.wa.gov.au

National Police Check –

Information regarding police criminal records and is provided to the registered volunteering group with the consent of the volunteer. See the attached key for definitions of the results released by police.

Non-Disclosable Outcome –

Is an outcome that cannot be disclosed in accordance with the legislation or policies of any policing jurisdiction (ie Spent Convictions Act and Young Offenders Act). The existence of this type of offence cannot be acknowledged under this program.

Certain organisations have exceptions under the Spent Convictions Act for certain convictions; these exceptions are currently being applied. If you believe that your organisation is entitled to Spent Convictions, but it is not specifically named under

Schedule 3 of the Spent Convictions Act, please advise the WA Police when you receive your Organisation Code number and spreadsheet.

Organisation Code –

Number allocated to a volunteer group which has registered with the Office for Seniors Interests and Volunteering. This code is required when transferring volunteer applicant information to the WA Police.

Pending Charge –

A police charge for an offence that has still to come before the court.

Police Jurisdictions –

The areas of responsibility for each of the Australian police departments, services and forces.

Registered Agency –

A volunteering group registered as eligible for this scheme with the Office for Seniors Interests and Volunteering. (see “Eligibility Criteria for Participants”)

State Traffic Certificate

A certificate issued upon application by an individual for a \$17.60 fee. Applications must be made in person at any Police Station in WA. A State Traffic Certificate lists an individual’s disclosable traffic offences in Western Australia only. Due to a number of factors, it is not currently possible to issue a “National Traffic Certificate”. Further information is available on the application form available at the WA Police website www.police.wa.gov.au

Volunteer –

An individual volunteer working for an approved volunteer group within the eligibility criteria. (see “Eligibility Criteria for Participants”)

Volunteer Group –

A volunteer organisation which meets the ‘eligibility criteria’. (See “Eligibility Criteria for Participants”)

Working with Children Check

This is a criminal history check introduced through legislation on 1 January 2006 requiring all people undertaking “child related work” as defined by the Act to have a Working with Children check. More information is available at www.checkwwc.wa.gov.au

2 FREQUENTLY ASKED QUESTIONS

What information will a National Police Check give me about a volunteer?

For this program, a National Police Check for Volunteers will provide the requesting volunteer group with a response in line with the attached code from the WA Police. This information is obtained following a search of relevant databases for court outcomes and/or pending charges.

Which volunteers need to apply for criminal record screening?

The recruitment and selection policy of each agency should determine which volunteers need to apply for a National Police Check. Generally volunteers working with vulnerable people and in positions of financial trust would require a National Police Check as part of the screening process.

What if I have other paid staff who need to be screened?

Paid employees are not eligible to receive the reduced fee National Police Check. Paid employees need to apply at their local Police Station and pay the \$44.50 fee for a National Police Certificate or a \$17.60 fee for a State Traffic Certificate. Some agencies reimburse staff for the cost of their police checks, others do not.

What should I do if the information received is that the volunteer has a record?

The agency should discuss this outcome with the volunteer. The only way to obtain actual details of the volunteer's criminal record is to have them apply in person at a Police Station for a National Police Certificate for the \$44.50 fee or a \$17.60 fee for a State Traffic Certificate. The type of offences and the nature of the work done by the volunteer in the agency will influence the action taken.

How many volunteers are likely to have a criminal record?

Overall around 11% of people that apply for a National Police Certificate actually have a disclosable criminal record.

If a volunteer advises you that they have a criminal record, there is very little point in conducting a check under this program as it will only confirm the existence of a record and not the details of the conviction. It is better to send them straight to the police station for a National Police Certificate.

If I have the consent of the volunteer why can't I receive a copy of their criminal record history?

Police will not release detailed information to a third party, even with the person's consent. This is due to:

- The sensitivity of criminal records
- The risks associated with releasing records to a third party, and
- The costs involved in obtaining, filtering and releasing criminal records.

Will a National Police Check provide information about traffic offences?

Yes, WA traffic convictions are now included in these checks. Due to a number of factors, it is not currently possible to check the traffic records of other jurisdictions.

I have heard that volunteers providing services to children may be required by law to obtain a National Police Certificate. When will this start?

The *Working with Children (Criminal Record Check) Act 2004* was passed by Parliament and from 1 January 2006, certain people working and volunteering with children in Western Australia will be required to have a national criminal record check – a Working with Children Check. These will be phased in from 1 January 2006 over five years according to the type of work being carried out.

By the end of this time, all new and existing employees, volunteers and self-employed people working with children in prescribed areas will be required to have a Working with Children Check. Parents who volunteer with activities in which children participate and volunteers under the age of 18 years will be exempt from these checks.

The website www.checkwwc.wa.gov.au provides further information.

What should I do if I have volunteers already working with vulnerable people in areas of high risk who have not had a criminal record history check?

The agency needs to assess the risks associated with having volunteers who have not applied for a National Police Check, working with vulnerable people or in positions of risk. You might need to consider asking that the volunteers obtain a National Police Check via this program.

What if a volunteer already involved at the agency refuses to consent to a National Police Check?

The reasons for refusal should be discussed with the volunteer and based on the explanation, an assessment made as to the suitability of the volunteer to continue working with the agency in particular areas, without having a National Police Check.

An agency can not, under any circumstances, check a person under this program without that person's express consent.

Who pays for the National Police Check?

Agencies involved in this program will be billed directly by the Police each month. Some agencies may choose to recoup the cost from the volunteer, others may choose to carry the cost themselves.

Why do I need to register my agency with the Office for Seniors Interests and Volunteering?

Volunteer groups need to be identified as bona fide within the eligibility criteria for this program in order to receive the confidential information about the outcome of a person's application for a National Police Check.

How often should volunteers be checked?

The Agency needs to make a decision about the rechecking of volunteers providing services to vulnerable people or in positions of risk in conjunction with other screening and supervision systems in place.

Of what value is the National Police Check for Volunteers?

The National Police Check is one part of the screening process that volunteer groups need to consider for volunteers providing services to vulnerable people or working in a position of risk. It will only provide information if a person has a disclosable court outcome and/or pending charge.

What is a non-disclosable conviction?

A non-disclosable conviction is a conviction that cannot be disclosed in accordance with the legislation or policies of any policing jurisdiction (ie *Spent Convictions Act and Young Offenders Act*). The existence of this type of offence cannot be acknowledged under this program. Certain organisations have exceptions under the *Spent Convictions Act* for certain convictions; these exceptions are currently being applied.

How long does it take to become a registered volunteer group?

If the agreement form is returned promptly, registration will take between one and five days.

How long does it take to complete a volunteer check?

Generally a check will be completed within two working days of receipt of the request by the Police from the volunteer group. If no reply is received within five working days, the volunteer group should follow up the request with the WA Police.

Code for results provided as part of the National Police Checks for Volunteers

1. Western Australian Traffic convictions.

Traffic convictions are for offences such as dangerous driving, drink driving etc that have resulted in a court conviction in Western Australia. This does not include traffic infringements that have been issued to the person directly. Serious traffic offences such as dangerous driving causing death are charged under the *Criminal Code* and advice on these will be included in the serious/minor advice on criminal convictions.

2. An indication regarding the seriousness of a person's criminal conviction or pending charge.

To provide volunteer organisations with a better guide as to the seriousness of a person's court outcomes and/or pending charges, the following codes will be used:

<u>Code</u>	<u>Comments</u>
No	The person has no disclosable criminal or traffic record.
Yes (M)	The person has minor criminal conviction/s. (That is, convictions for offences, not including sexual offences, that have been heard only in the Court of Petty Sessions i.e. - Lower court).
Yes (S)	The person has serious criminal conviction/s. (That is a criminal conviction for any sexual offence and any offence that was heard in the District or Supreme Court of Western Australia i.e. - Higher court).
Yes (T)	The person has traffic conviction/s.
Yes (M) & (T)	The person has both minor criminal conviction/s and traffic conviction/s.
Yes (S) & (T) -	The person has both serious criminal conviction/s and traffic conviction/s.

Traffic convictions are not separated into serious or minor convictions. Pending charges will be listed in a separate column, using these same codes.

Fines Enforcement Registry (FER)

The use of FER indicates that the person has an outstanding drivers licence suspension due to unpaid fines.

Application for Volunteer National Police Check forms.

The volunteer application form has been amended to reflect the inclusion of pending charges. The new application form is on the website www.community.wa.gov.au/communities/volunteers and must be used for all future volunteer checks.

3. General Screening Information

10 Safe Steps

As you are aware there are limitations to screening using criminal record checks? The following information may be useful for considering which screening methods to use when recruiting volunteers.

The Safe Steps Screening Program provides an easy to use method for organisations to ensure that the people they provide services for are safe. The Safe Steps are much like a menu – you need only select those steps that apply specifically to positions within your organisation. The key to a successful screening program is to use the steps in a way that best suits a specific position within your organisation.

The 10 Safe Steps are:

1. Determine the risk

Organisations can reduce the risk in their programs. Examining the potential for vulnerability in programs and services may lead to preventing or reducing the likelihood of the risk occurring.

2. Write a clear description of roles and responsibilities

Detailed position descriptions send the message that an organisation is serious about screening. Responsibilities and expectations can be clearly set out, right down to the positions do's and don'ts. A clear position description indicates the screening requirements. When a volunteer changes positions, the screening procedures may change as well.

3. Establish a formal recruitment process

Whether an agency formally advertises for volunteer positions or uses other mechanisms, the agency must indicate that screening is part of the application process.

4. Use an application form

The application form provides needed contact information. If the volunteer position requires other screening measures (medical exam, driver's record, police records check), the application form will ask for permission to do so.

5. Conduct interviews

The interview provides not only an opportunity to talk to the potential volunteer about their background, skills, interests, and availability, but also to explore any doubts about the suitability of the candidate. In other words, the interview will help determine the "right fit".

6. Follow up on references

By identifying the level of trust required in the position and asking specific questions, the applicant's suitability may be easier to determine. People often do not expect that their references will be checked. Do not assume that applicants only supply the names of people who will speak well of them.

7. Request a National Police Check

A National Police Check is just one step in this screening process. National Police Checks signal - in a very public way - that the organisation is concerned about the safety of its participants.

8. Conduct orientation and training sessions

Screening does not end once the volunteer is in place. Orientation and training sessions offer an opportunity to observe volunteers in a different setting. These sessions also allow organisations to inform volunteers about policies and procedures. Probation periods give both the organisation and the volunteer time to learn more about each other.

9. Supervise and evaluate

The identified level of risk associated with a volunteer position will determine the necessary degree of supervision and evaluation. If the risk is great, it follows that the volunteer will be under close supervision. Frequent feedback in the first year is particularly important. Evaluations must be based on position descriptions.

10. Follow up with program participants

Regular contact with participants and family members can act as an effective deterrent to someone who might otherwise do harm. Volunteers should be made aware of any follow-up activities that may occur. These could include spot checks for volunteers in high-risk positions.

Information about the 10 Safe Steps Screening Program is reproduced with permission from Volunteering Canada.