

## **Procedures**

Human Resources, in consultation with Line Managers, will ensure that all relevant employee Job Descriptions include a requirement for a current NDIS Worker Screening Clearance (or Department of Human Services (DHS) Disability Services Employment Screening check issued before 1 February 2021) AND DHS Working with Children Check (or DHS Child-Related Employment Screening check issued before 1 July 2019). This is based on the potential for employees to have:

- Contact with people with disability
- Contact with children
- Access to records pertaining to people with disability or children.

This procedure applies to positions that are permanent, full-time, part-time and to positions that are temporary including contract, casual and voluntary positions. This procedure is in accord with the values of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service, as well as with the NDIS (Practice Standards – Worker Screening) Rules 2018

Refer to Q297 – Risk Assessed Roles List for the positions that have been assessed as requiring screening.

## **Confidentiality**

The confidentiality of applicant and existing employee information must be fully ensured. Screening information will be filed on Personnel files in a secure area under the direct control of the Human Resources team. Screening information will only be accessible to those staff responsible for protecting children and people with disability. The principles of protecting the privacy of individuals will take precedence over the requirements of administrative expediency.

## **Existing Employees**

All Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service employees will be required to apply for a:

- NDIS Worker Screening check every five (5) years
- DHS Working with Children check every five (5) years

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service will not accept the services of employees who refuse to provide or undergo a Screening Clearance.

It is the responsibility of Human Resources for the following:

- Run regular reports detailing employees who have a Screening Clearance due to expire within the following three (3) months,
- Send letters to all employees explaining the requirement for a current DHS Disability Services Employment Screening check and DHS Working with Children check
- Provide scheduled reminders to employees to commence their screening application, in cases where the employee has not responded to initial prompts
- If a renewed screening is not sighted by the expiry of a screening check, the employee will be given written notification of the suspension of shifts and removal from duty until such time as a current Screening Clearance has been completed.
- Notify the appropriate Manager in writing of the decision to suspend or remove the employee from their duties.

It is the responsibility of the Manager to:

- Discuss the breach of policy with individual employees who do not produce a current and valid Screening Clearance upon request,
- Counsel employees who do not produce a current and valid Screening Clearance; and
- Immediately remove from duty any employee who does not produce or does not have a current and valid Screening Clearance by suspension of employment.

## **New Employees**

Only applicants who are shortlisted for induction will be required to produce current screening checks. Prior to commencement of paid work or work with clients, new employees are required to have produced current and valid Screening Clearances. New employees cannot commence employment until the current and valid Screening Clearances are received by Human Resources.

It is the responsibility of Human Resources to ensure that staff are only cleared for work once required clearances are confirmed and entered into the central HR database.

The Employee Mandatory Screening and Training Checklist Form must be used on each occasion a new staff member is recruited into the organisation. This form is to be stored in the employee's personnel files by the HR team.

## **How to Apply for Screening through the Department of Human Services**

The Department of Human Services (DHS) screening process is completed online. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service will commence

the process on behalf of the employee and the employee will be sent an email by DHS on how to complete the process. This process will be begun three (3) months before the expiry of the current screening.

### Application Process is as Follows

1. The employee must request that Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service instigates the Employment Screening (ensuring that all mandatory fields are completed as Department of Human Services will send a notification to Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service advising fields are not completed or are completed incorrectly), which will cause a delay in processing.
2. Once the clearance has been instigated by Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service, the employee must action the email received from The Department promptly to ensure swift processing.
3. **100 Point Identification Check** Applicants will need to produce documentary evidence of their identity to the minimum standard of the “100 Point Check” as referred to in the Financial Transaction Reports Act 1988 . Employees can produce 100 points of ID (original documents) to the People and Culture or Chief Executive Officer for verification.
4. The Department of Human Services will automatically notify Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service of the outcome of the clearance via email and a letter will automatically be sent to the applicant.

## Right of Appeal

Should any person who has applied for a position feels that they have been unjustly dealt with in relation to the outcome of their screening, they have the right to appeal the outcome with DHS.

## Related Legislation and References

- Australian Human Rights Commission Regulations 1989
- NDIS (Practices Standards – Worker Screening) Rules 2018
- Children and Young People (Safety) Act 2017
- Children and Young People (Safety) Regulations 2017
- Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children
- Crimes Act 1914
- Disability Services Act 1993 (the Act)
- Financial Transactions Report Act 1988
- Human Rights and Equal Opportunity Commission – Guidelines for the prevention of discrimination in employment on the basis of criminal record 2012
- Privacy Act 1988
- Standard 6 Disability Service Standards: Service Management

## Breaches of this Policy

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for noncompliance. Only in exceptional circumstances, and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will EL / LAAS accept such an argument.

## Record Keeping

The NDIS (Practice Standards – Worker Screening) Rules 2018 outline the requirements for record keeping in regard to worker screening and risk assessed roles. Records must be kept for seven (7) years from the date the record is made.

**P252B**

**NDIS WORKER SCREENING PROCEDURE**

These records **must** contain:

- The full name of the employee
- Date of birth
- Address
- The risk assessed role(s) in which they engage
- The employee's NDIS worker screening check application number
- The employee's NDIS worker screening check number
- The expiry date of the employee's NDIS worker screening check
- Any decisions which may not allow the employee to engage in a risk assessed role and the nature of that decision

**Enhanced Lifestyles** – Records of an employee's NDIS worker screening check are stored in a database system called NAV along with personal information. It is the responsibility of Human Resources to maintain the records of employee clearances.

**Lifestyle Assistance and Accommodation Service** – Uses a register to keep the records of its employees' clearances. It is the responsibility of the Quality Assistant to maintain this register, with oversight from the Chief Operations Officer.

**Distribution and Review**

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed two yearly or when legislation or Government Policy determines.

**Documentation**

Documents related to this policy	
Related documents	Q252A - NDIS Screening Process Q252B – NDIS Worker Screening Policy Q297 – Risk Assessed Roles List