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EMPLOYMENT SCREENING POLICY

Policy context: This policy relates to	
Legislation or other requirements	<p>NDIS (Practice Standards – Worker Screening) Rules 2018</p> <p>Disability Services Act 1993</p> <p>Disability Services (Assessment of Relevant History) Regulations 2014</p> <p>Children and Young People (Safety) Act 2017</p> <p>Children and Young People (Safety) Regulations 2017</p>
Contractual obligations	

Policy Statement

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) has a responsibility to provide a safe and appropriate environment for members of the community with whom staff come into contact with. This includes children, the elderly, vulnerable adults (including people with disabilities) and employees. In meeting this responsibility, Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service must be satisfied that all employees meet the highest standards of integrity and suitability so that the risk of placing anyone in an unsafe environment is minimised.

This policy responds to NDIS legislation and Worker Screening Practice Standards. This policy also reflects the values of EL and LAAS to provide a safe, appropriate and reliable service to Clients and the wider community.

Compliance with this policy is a condition of employment for all persons engaged to provide services on behalf of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service.

This document complies with NDIS 2018, section 2.7 Human Resources Management, and ACIS 2018, section 2.7 Resource Management.

This document is readily available to all Customers/Clients and employees of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service including The Boards.

Definitions

Child - a person under the age of 18 years.

Client – any person who uses the professional services of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service.

Currency of Employment Screening – all employees filling a position requiring Employment Screening (“Screening”) must have current Screening Clearances. Screening Clearances will be regarded as being current as follows:

- New employees – appropriate Screening Clearances must be issued with at least six (6) months validity.
- Existing employees – appropriate Screening Clearances have not expired. When Screening Clearances are nearing expiration, workers must provide evidence of application for screening renewal to the Senior HR Officer, prior to the expiration date. Staff for whom a Screening Clearance has expired will not be authorised to work until new Clearances have been obtained.

Employee – is a person who carries out work in any capacity for a person conducting a business or undertaking including work as an employee, contractor or subcontractor, an employee of a contractor or sub-contractor, an employee of a labour hire company, an outworker, apprentice or trainee, or a student gaining work experience or volunteer.

Government of South Australia - Department of Human Services – conducts screening checks for individuals who work in disability services. A Disability Services Employment Screening Check and a Working with Children Check are mandated for working with Customers/Clients of EL and LAAS.

Direct Client Contact – Regular contact with client/s during normal work activities, as prescribed in worker’s Position Description.

Inherent Requirement of the Position – refers to all positions, prospective or existing, that:

- Is a key personnel role
- a role for which the normal duties include the direct delivery of specified supports or specified services to a person with disability; or
- a role for which the normal duties are likely to require more than incidental contact with a person with disability
- Have direct access to records relating to children, people with disability and personnel records,

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- Have financial delegation of more than \$50,000; and
- Deal regularly with significant amounts of money.

Risk Assessed Role - refers to positions (existing or prospective) which require workers, as an inherent requirement of the position, to interact directly with children, people with disability, or hold a key position within EL or LAAS.

Screening Clearance – Screening which has been completed and evidence provided by the Screening body that the worker has no restriction with respect to filling a Risk Assessed Role.

Vulnerable Adult – people with a disability and recipients of aged care services.

Policy

The Department of Human Services (DHS) provides a screening and assessment process for employers, current employees, prospective employees and volunteers.

NDIS registered disability service providers must ensure that individuals working in a risk assessed role have obtained the relevant Screening Clearance before commencing employment.

Risk assessed roles are:

- Key personnel roles
- Roles for which the normal duties include the direct delivery of specified supports or specified services to a person with disability
- Roles for which the normal duties are likely to require more than incidental contact with people with disability. Contact includes physical contact, face-to-face contact, oral communication, written communication and electronic communication.

As per the NDIS Practice Standards – Worker Screening Rules 2018, Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service requires:

- A current NDIS Worker Screening check (or a current DCSI / DHS Disability Services Employment Screening Check issued before 1 February 2021), and
- A current DHS Working with Children Check (or a current DCSI / DHS Child-Related Employment Screening check issued before 1 July 2019)

for all staff roles. Other forms of screening are not acceptable.

By requiring both a NDIS Worker Screening check (or a DCSI / DHS Disability Services Employment Screening Check issued before 1 February 2021) and a DHS Working with Children Check (or a DCSI / DHS Child-Related Employment Screening check issued

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before 1 July 2019) of all current staff, EL and LAAS ensure screening best practice and avoid complex conditional requirements for staff which possess only one of the two clearances.

Adherence to this policy will ensure all screening and assessment of an individual's Criminal History is conducted in a transparent and consistent manner. As part of EL and LAAS's commitment, and in line with its responsibilities under the Children's Protection Act 1993, this policy provides explanation and guidelines on screening information.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service employees are required to work in circumstances which involve the acceptance of trust and responsibility for the welfare of children, vulnerable adults, organisational finances and confidential information. In such cases, it is necessary for EL and LAAS to request Screening for the protection of all parties.

The purpose of this policy is to:

- Protect Enhanced Lifestyle and Lifestyle Assistance and Accommodation Service's integrity
- Establish the suitability of employees working with children and vulnerable adults
- Establish the suitability of employees working with Enhanced Lifestyle's finances and confidential information
- Ensure that all employees and clients are protected from working with personnel who do not meet the requirements of satisfactory Screening.

Screening Clearances are required by those persons who Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service:

- Intends to employ,
- Currently employs,
- Engages to provide services as a contractor and/or consultant,
- Accepts as a provider of voluntary services; and,
- Otherwise has a relationship with, in any form, where a potential risk exists, e.g. finance and payroll.

Employees, both existing and prospective, who have previous convictions for offences in the following classifications, will not be considered as being suitable to work with children or vulnerable adults:

- Murder,
- Kidnapping,

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- Sexual offences,
- Serious violence,
- Offences against children,
- Child pornography offences,
- Sale or supply of prohibited drugs; and
- Robbery or larceny.

It is a condition of employment that all new employees undertake a Screening Clearance prior to commencing work with clients, and all existing employees are required to produce a current Screening Clearance every three (3) years, or five (5) years in the case of a DHS Working with Children Check. Each person, by consenting to undertake Screening, demonstrates their commitment to the provision of a safe working environment. Refusal to apply for Screening will result in that person's application for employment being withdrawn. Refusal to supply a Screening Clearance will result in that employee being withdrawn from their position.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service recognises that a Screening Clearance is not in itself an accurate assessment of suitability to a position and will ensure all aspects of the recruitment process are undertaken to determine the suitability of a person.

The decision process will be clearly documented with the applicant being informed of all steps of the process and given opportunity to make submissions in person or writing.

Strict confidentiality and privacy will exist in relation to screening information. Disciplinary action will be taken against anyone who discloses information without authorisation.

Expiry and renewal of screening

All employees working in a Risk Assessed Role must have a valid screening to work in this position. EL/LAAS are required to ensure their employees maintain a valid screening, therefore the following rules must be followed:

- 3 months prior to the expiry of an employee screening clearance the HR team will notify the employee, explain the importance of maintaining a valid screening clearance and initiate an application for screening
- 2 months prior to the expiry of an employee screening clearance the HR team will send a reminder if the new screening clearance has not been received or actioned by the employee yet
- 1 month prior to the expiry of an employee screening clearance the HR team will send another reminder and explain that if a new screening clearance is not approved before the expiry of the current clearance then the employee will be suspended from working in a Risk Assessed Role

- 1 week prior to the expiry of an employee screening clearance the HR team will notify the employee that the expiry of their screening clearance is close and notify the General Manager Accommodation and Services to make preparations should the employee have to be suspended
- 1 day prior to the expiry of an employee screening clearance the employee will be notified by the HR team that they will be suspended from services and that all their shifts have been cancelled. Any shifts and work will be reassigned to other employees
- When the employee screening clearance has been approved and received by the HR team they will confirm receipt with the employee and update their screening clearance records with the new expiry date

Responsibilities

Human Resources

Human Resources are responsible for:

- Ensuring confidentiality and privacy are maintained at all times
- Ensuring strict security measures are implemented which restricts access to Screening records to those personnel that require this information in order to properly discharge their responsibility for protecting children and vulnerable adults
- Advising Managers on issues related to Screening
- Ensuring the requirement for satisfactory Screening is included in all recruiting application forms and correspondence
- Monitoring existing employee requirements for updated Screenings
- Advising existing employees in writing of the requirements of satisfactory screening prior to the expiration of Screenings
- Notifying existing employees 3 months prior to expiry to action new Screening processes
- Monitoring or reminding employees to activate the process 2 months / 1 month / 1 week prior to expiry, as required
- As required, suspending staff members the day prior to expiry of Screening clearances
- Advising potential applicants and existing employees in a timely manner of decisions made in relation to Screening that will affect their ability to work for Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service.

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Managers are responsible for ensuring:

- Consistency of the application of this policy
- Employees under their direct supervision acquire the relevant and up to date Screenings
- Employees who do not acquire the relevant and current Screening are removed from shift
- Confidentiality is maintained at all times.

Prospective and Existing Employees are responsible for:

- Completing the Application for a **Disability Services Employment Screening Check** and **Working with Children Check** authorising third party release
- Paying the fee as required
- Notifying the Senior HR Officer of any offence(s) that may be recorded against their name, in the time period (three (3) years) between reviews,
- Ensuring currency of Screening; and
- Renewing their Screening and providing the original for sighting by a member of the HR team every three (3) years.

Documentation

Documents related to this policy	
Related documents	Q252A – NDIS Screening Process P252B – NDIS Worker Screening Procedure Q297 – Risk Assessed Roles List