

CHILD PROTECTION PROCEDURES RECRUITMENT AND SCREENING PROCEDURES v2

Contents

Introduction	1
Purpose	2
Pre-employment screening	2
Table 1: Pre-employment screening requirements.....	3
Recruitment Procedure	4
Identifying workforce need.....	4
Job Descriptions.....	4
Advertising the Vacancy.....	5
Applications.....	5
Shortlisting Applicants.....	5
Selection Committee.....	5
Interview Questions.....	6
Interviews.....	6
Referee Reports.....	7
National Criminal History Checks and Working With Children Checks.....	8
Secondments /Transfers.....	9
Making a verbal offer.....	9
Contract of employment.....	9
Induction of Employee.....	9
Probation Period.....	10
Related Policies, Forms and Legislation	10

Introduction:

These procedures are to be read in conjunction with the Promote Child Safety in the Workplace Policy which states:

- Marist180 is proactive in creating safe and supportive environments for children and young people. A safe environment is one where the risk of harm is minimised and clients, carers and employees feel safe and secure.

- Marist180 is committed to maintaining rigorous and consistent recruitment, screening, selection, induction and training processes to ensure that those engaged in work with our clients are suitable for such work and pose no apparent risk to clients.

Purpose

The purpose of this procedure is to:

- outline steps to be taken to ensure the Promote Child Safety in the Workplace Policy is adhered to
- ensure a fair approach in the recruitment, assessment and selection process
- ensure consistency with equal opportunity principles
- ensure transparency, whilst balancing the need for confidentiality of all applicants
- promote a timely and efficient process
- ensure clear roles and responsibilities are integrated with workforce planning to ensure that Marist180 has the right capabilities in the right place at the right time and at the right cost.

Pre-employment screening

(as detailed in the Promote Child Safety in the Workplace Policy)

- All employees, carers and volunteers, irrespective of which state or territory in which Marist180 operates, are required to undertake a National Criminal History Record Check. In addition, all employees, carers and volunteers are required to undertake pre-employment screening. The pre-employment screening requirements may vary depending on the particular state or territory in which the Marist180 program operates. This is set out in Table 1 below.
- Applicants for paid and voluntary work with Marist180 will be advised in advance by the appropriate agency representative that working with Marist180 will require pre-employment screening checks to be conducted.
- In circumstances where a position must be filled urgently, employment may be offered to the applicant conditional upon successful finalisation of the pre-employment screening. In such circumstances additional supervision should be provided or unsupervised access to children and young people should be restricted until completion of the screening process.
- If pre-employment screening indicates that the applicant is not suitable for child-related work, the relevant agency representative must discuss this outcome with the Executive Manager, People Strategies.
- The Executive Manager should note 'People convicted and imprisoned for murder, the indecent or sexual assault of a child, child pornography or incest with a child victim will never be able to appeal to the NSW Civil and Administrative Tribunal (NCAT) to overturn a ban on them working with children.'

- Persons subject to a control order, for example good behaviour bond or home detention, cannot appeal to NCAT against a refusal decision for the duration of the order.
- If the pre-employment screening indicates that a person is suitable for child-related work, the recruitment process may proceed. An employee deemed suitable for child-related work will be required to undertake periodic checks to ensure their ongoing suitability for working with children and young people. Table 1 below sets out the relevant validity periods in the different states and territories in which Marist180 operates.

Table 1: Pre-employment screening requirements

State	Screening Program	Validity	Who	Responsible authority
NSW	NSW Working With Children Check	5 years	Employees and carers/ volunteers aged 18 years and over. Adults living in the household of an authorised carer.	NSW Office for the Children’s Guardian
ACT	ACT Working With Vulnerable People Background Check	3 years	Employees and volunteers aged 16 years and over	Office of Regulatory Services, Justice and Community Safety Directorate
SA	Child-related Employment Screening	3 years	Employees, volunteers, agents, contractors and subcontractors	Department of Communities and Social Inclusion
VIC	Working With Children Check	5 years	Employees and Volunteers aged 16 years and over	Department of Justice
WA	Working With Children Check	3 years	Employees and only volunteers aged 18 years and over	Department for Child Protection and Family Support

QLD	Working With Children Check (“Blue Card”)	2 years	Employees and only volunteers aged 18 years and over	Public Safety Business Agency
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Marist180 will:

- Verify new and current paid workers and volunteers in regard to NCHC and WWCC
- Remove any barred or unauthorised person from child-related work in response to a notification received from the relevant State authority.
- Not employ any person who is barred or unauthorised to work with children
- Keep records of child-related workers relating to their Working With Children Check
- Report any findings of misconduct that indicate that an employee has engaged in sexual misconduct committed against, with or in the presence of a child, including grooming a child or any serious physical assault of a child.

Any person who receives a bar is entitled to lodge an application for review with the NSW Civil and Administrative Tribunal. Applications for a review must be lodged within 28 days of receiving notification of a final bar or after an interim bar has been in force for six months. If this submission is not successful the applicant will remain barred and can still not be employed. A risk assessment may be conducted to determine if the person should have any role in the agency. Such a determination would also depend on the availability of a non-child-related role within the agency that is also suitable for the person. The HR Manager, People and Strategies, is responsible for administering this process.

Recruitment Procedure

- **Identifying workforce need**

The position supervisor determines whether an established position has become vacant, or that there is a demonstrated need for a new position

Vacancies can occur due to a resignation, an internal promotion or a new position being established. It is the responsibility of the Executive Manager or Manager to complete the Recruitment Authorisation Form, have the vacancy or new position approved by the CEO or designate and discuss this with the Recruitment Team in People Strategies.

- **Job Descriptions**

When a vacancy is established the current job description needs to be reviewed or a new job description needs to be written.

Job descriptions detail the skills, qualifications and experiences required. They should also detail expectations to provide a safe environment for children and be in line with Marist180's Philosophy and Code of Conduct.

All new or updated Job Descriptions should be submitted to the relevant Executive Manager and HR Manager for review and approval.

• Advertising the Vacancy

The Recruitment Team and the Hiring Manager will agree an effective recruitment strategy for the vacancy.

- All vacant positions will be advertised internally
- External advertising will be agreed
- The Recruitment Team is responsible for placing advertisements in the agreed media.
- Job advertisements should state requirements for National Criminal History Checks and Working With Children Checks

• Applications

- All applications/resumes will be received in the recruitment database, Taleo.
- Taleo is managed by the Recruitment Team and any correspondence received in relation to a vacancy will be kept on Taleo.
- All applicants receive an email acknowledging that their application has been received.

• Shortlisting Applicants

The Recruitment Team will construct the initial short list of applications. The Recruitment Team will ensure that all candidates are treated fairly in accordance with the selection criteria.

• Selection Committee

A selection committee or interview panel should be agreed before any interviews take place. The members of a committee should be knowledgeable about the role advertised and be trained in employee selection. The composition of interviewing panels must consist of a minimum of two people. Any more than three people may be intimidating for the applicants. They must be independent, thorough, conscientious, fair and professional in exercising their responsibilities. In the case of an Aboriginal position, the interview panel should include as a minimum a senior Aboriginal staff member or a respected community member.

The role of the Selection Committee or interview panel is to:

- assess the relative merit of the applicants against the job description
- assess the applicants' suitability for working with children
- declare any potential and/or actual conflict of interest
- take notes carefully on the interview guide and conscientiously make sure the applicant meets or exceeds the selection criteria in the application
- assess each candidate's relative merit and suitability for working with children on the basis of the requirements of the position and the agreed selection criteria
- undertake appropriate reference checks to ensure suitability for working with children

Employees assisting in the recruitment and selection process must be aware of and respect confidentiality in this process. They must not jeopardise the integrity of the process by divulging information to anyone outside the selection committee

• Interview Questions

Interview questions are most effective when they are structured around the key selection criteria and the inherent requirements of the job. Interview questions should be used to establish the applicant's skills and experience, ability to perform the role and suitability for working with children. The questions should explore past or hypothetical behaviour and address the "Essential requirements" and "Desirable requirements" as detailed in the job description.

In assessing an applicant's suitability it is important to explore their attitudes and behaviours in regard to working with children. For example:

- What do you find most rewarding about working children?
- How do you think your peers, supervisors and referees would describe the way you work with children and young people?
- How would you respond to a child or young person who disclosed they were being subjected to abuse?
- What would you do if you thought another staff member was harming a child or young person?

The Recruitment team will assist in drafting suitable interview questions.

• Interviews

When inviting an applicant in for an interview they should be provided with reasonable notice to attend (ideally 3 days). The recruitment team will book

candidates in to the interviews and will confirm via email. They will advise the candidates what documentation they need to bring to the interview. This information will be collected and copied by a member of the interviewing panel or a member of the recruitment team when the applicant arrives for the interview.

At the conclusion of the interview the applicant should be provided with information as to next steps and timeframe. Applicants should be kept informed of their progress throughout the application process.

At the conclusion of the interview process the committee needs to make recommendations in regard to the preferred applicant.

If the panel is not in agreement on the preferred candidate, further discussions should be undertaken. If after these discussions the panel members do not agree with the recommendation then they should discuss their recommendation with their Executive Manager and the Human Resources Manager.

If the committee determines that a second round of interviews need to be undertaken for certain applicants, this should be referred to the Recruitment Team to arrange.

• Referee Reports

Reference checking is essential to confirm the applicant's work performance and behaviour.

Structured reference checks are essential for assessing past performance and suitability for working with children and young people. The same questions should be asked of all referees.

The recruitment team will provide a reference check form and guideline questions.

The types of questions which should be asked to assess a candidate's suitability for working with children include:

- Would you have any concerns about the candidate working with children or young people?
- Do you know of any instances where the candidate has demonstrated inappropriate touching and physical contact with children or young people?
- Do you know of any instances where the applicant has acted outside the boundaries of his/her role?
- Have there been any findings against the applicant in relation to allegations of inappropriate behaviour with respect to children or young people?
- Are you aware of any circumstance or action that if reported would mean the suspension of the applicant working with children?

Reference checks can also be used to confirm information given by the applicant in the application or interview.

If a member of the selection panel is also a referee provided by an applicant, in the interests of transparency and fairness the applicant should be asked to provide the name of an additional referee.

Reference checks should not be undertaken on applicants who have not been successful in the interview process.

Contact should not be made with a current employer or any referee without the applicant's permission. If an applicant has not listed an appropriate supervisor from their current past employer as a referee they should be asked to explain the reason for this. While there may be a legitimate reason, there may also be an employment issue they are seeking to hide.

- **National Criminal History Checks and Working With Children Checks**

All potentially successful applicants are required to have a current National Criminal History Check (NCHC).

Marist180 will update National Criminal History Checks every 2 years. Refer to the People Strategy team for timetable and process.

All potentially successful applicants who will be working with children are required to have a Working With Children Check, or State equivalent, before they can commence work with Marist180. (Refer Table 1 above for State requirements). The NCHC is undertaken by the recruitment team.

When an applicant attends Marist180 for an interview they will be required to complete the relevant NCHC (Applicant Declaration and Consent) Form and provide 100 points of identification. On the recommendation of the Interview Panel a member of the Recruitment Team will lodge the application through the Catholic Commission for Employment Relations (CCER). For further details refer to the Recruitment team.

Applicants are responsible for applying for their own WWCC. Marist180 recruitment team verifies the outcome of the WWCC.

The recruitment team will advise the relevant hiring manager when the results have been received in regard to the Working With Children and National Criminal History Checks. If the results are clear the applicant can progress to the next stage of the recruitment process.

If there is an adverse finding in regard to the NCHC then a risk assessment will need to be completed by the hiring manager and reviewed by the Human Resources Manager. For further details refer to the Recruitment team who will confirm the process and provide the guidelines set by CCER.

If the WWCC does not come back clear the applicant is not able to be employed.

- **Secondments /Transfers**

If there has been a recommendation to appoint a current employee from within Marist180 to a temporary or permanent position within another division, the Executive Managers of both divisions will need to be consulted to approve this appointment.

- **Making a verbal offer**

When the Recruitment Team receives all relevant documentation relating to the Working With Children Checks, National Criminal History Check and reference checks along with any other documentation required they will contact the relevant Manager or supervisor. A decision can then be made to make a verbal offer of employment. Start dates should be agreed and salary confirmed. Salary must be in line with grade and salary approved in the Recruitment Approval Form.

- **Contract of employment**

When the applicant accepts the verbal offer of employment, the Recruitment Team will prepare a contract of employment.

All Contracts of Employment will be signed by the Executive Manager People Strategies or delegate. The relevant job description must be attached to the Contract of Employment.

The applicant then accepts the terms and conditions detailed by signing the contract.

The applicant cannot take up a position within Marist180 until the Contract has been signed and received by the Recruitment Team. This applies to both internal and external appointments.

All relevant documentation may be forwarded to the Recruitment Team prior to commencement or on the day of commencement. The information is then forwarded to Payroll who will enter the information onto Preceda (Marist180's Payroll system) and an Employee file is established.

- **Induction of Employee**

On commencement of employment the Manager or Designate will induct the new employee in line with program and department specific procedures as well as an introduction to Marist180 overall, including:

- Marist180 Child Protection Framework
- Marist180 Philosophy and Code of Conduct
- Marist180 Email and Internet Policy
- Marist180 Work Health & Safety Fundamentals

- Marist180 Bullying & Harassment

All new staff are to attend Marist180 Orientation which is held every 6 weeks. All induction and training outcomes are to be recorded in Preceda.

- **Probation Period**

All new employees, except those employed on a casual basis, are placed on a six month probationary period. During this period they will receive appropriate support and regular supervision. Any concerns raised should be addressed at the time.

The Probation review form should be completed at the completion of one month and three months of employment and prior to the conclusion of the employee’s six month probationary period. The Manager or Supervisor is required to complete the final probation review and make recommendations for the permanent appointment to the position. Completed probation review forms are to be signed by the employee and manager and sent to People Strategies to be placed in individual employee files.

Related Policies, Forms and Legislation

<p>Related Documentation</p>	<ul style="list-style-type: none"> • Marist180 –Child Protection Framework • Marist180 -Child Protection Policy • Marist180 –Promote Child Safety in the Workplace Policy • Marist180 –Manage Allegations against Employees procedure • Marist180 Probation review form • Marist180 Staff Recruitment – working with children interview questions • Marist180 Staff recruitment- working with children referee check questions
<p>Relevant Legislation</p>	<ul style="list-style-type: none"> • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Children and Young Persons (Care and Protection) Act 1998 Amendments, 2015, NSW • Child Protection (Working with Children) Act 2012 and Amendments 2016, NSW • NSW Ombudsman’s Act 1974 • <i>Children and Young People Act 2008 (ACT)</i> • <i>Children, Youth and Families Act 2005 (Vic.)</i> • <i>Children and Community Services Act 2004 (WA)</i> • <i>Children’s Protection Act 1993 (SA)</i> • <i>Child Protection Act 1999 (Qld)</i>

Coverage: This procedure covers Marist180 staff in all states.

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