

The Junction Club House Cairns Ltd		
Policy: Criminal History Screening		
Policy number: JQS.P6.4 Criminal History Screening		Date adopted: 29/06/2018
Authorised by: The Board		
Date last reviewed: 2/12/2021	Reviewed by: Quality Review Panel	Date of next review: 00/00/2018
Related documents:		
Related policies and procedures, How To Task Lists, forms, registers or other organisational documents of The Junction		
Other standards	<ul style="list-style-type: none"> National Mental Health Standards The International Standards for Clubhouse programs NDIS Practice Standards 	
Legislation or other requirements	<ul style="list-style-type: none"> Work Health & Safety Act 2011 Work Health and Safety Regulation 2011 	
Definitions	<ul style="list-style-type: none"> 	

1. Purpose

The purpose of this policy is to protect members and employees and to ensure The Junction complies with state legislation and the National Disability Insurance Scheme (NDIS) REQUIREMENTS. The Disability Services Act 2006 outlines the criminal history screening

The Junction Quality System (JQS)

requirements for people engaged by NDIS non-government service providers. National Police checks are also required when the Junction is in receipt of federal funding.

2. Scope

This policy will apply to all employees and volunteers, including board members per the legislative requirements below:

The legislation requires all people engaged by a Department of Communities, Disability Services and Seniors funded non-government service provider or a NDIS non-government service provider to undergo criminal history screening every 3 years. Engaged persons include employees, volunteers, students, contractors, executive officers and members of a board management committee or other governing body.

NB: Pursuant to the Disability Services Act 2006, the following individuals are exempt from criminal history screening:

- A consumer of services (clients)
- Tradesperson who is not an employee of the service
- A relative or consumer (client) only providing care for their relative
- A person providing disability services only to children (these persons are screened under the blue card system)
- A registered health practitioner

3. Policy statement – Our commitment

The Junction recognizes that people with a disability, that may include people experiencing a mental illness, can be more vulnerable to abuse, neglect, and exploitation than other members of the community. We will ensure priority is given to the safety of members when they are accessing services from the Junction by committing to all employees and volunteers undergoing a criminal history check and being issued with a positive notice and yellow card. Under no circumstances will a person be employed or act as a volunteer of The Junction should receive a negative notice.

4. Procedures

4.1 Applying for criminal history check

4.1.1 **NDIS Provider Register – Banning Orders** means that prior to an engaged person applying for a criminal history check. The Junction shall check this register to ensure the engaged person is not listed. Part 2 of the NDIS Provider Register contains information on the compliance and enforcement actions taken by the NDIS Commission, including banning orders, compliance notices and suspensions of registration. The register is published under Section 73ZS of the NDIS Act and in accordance with the NDIS (Provider Registration and Practice Standards) Rules 2018). This register is regularly updated by the NDIS Commission. To find the register go to

The Junction Quality System (JQS)

- www.ndiscomission.gov.au
- Type into search bar ...provider register
- Go into Ndis provider register
- Down bottom go into ... compliance and ... enforcement

4.1.2 The Junction shall apply for a criminal history check on behalf of each engaged person using Form 10-1 Prescribed Notice – yellow card form after seeking the person’s consent to conduct criminal history screening and checking the NDIS Provider Register – Banning Orders.

4.1.3 A prospective employee or volunteer already has a yellow card or an Yellow Card exemption, The Junction must complete a Form 10-6 for information from register of engaged persons.

4.1.4 Any change of details e.g. Name, contact details must be notified using form 10-4 Change details positive notices or positive exemption notice card holder form.

4.1.5 The Junction will submit applications to the Department of Communities, Disability, Services and Seniors either by mail or electronically. Applications must be on the approved forms per above and signed by The Director of The Junction and the engaged person.

4.1.6 The Junction will also require national police checks for each engaged person per the requirements outlined in the federal funding agreement.

To ensure use of current forms, the above forms are to be obtained from the Department of Communities Criminal History website.

4.2 Record-keeping

4.2.1 Copies of the completed forms shall be placed in the employee’s personnel file along with a copy of the yellow card and other information received from the department. The same applies for a volunteer’s file.

4.2.2 The relevant details shall be entered into the Junction’s HR Compliance register and an alert/notification set in the Director’s outlook calendar for 3 months prior to the expiry date to ensure renewal is completed and submitted to the department in time. The register is a standing agenda item of the Quality Review Panel meeting and is monitored at each meeting for currency and accuracy.

4.3 Important information

4.3.1 A person can consent to more than one application through different service providers at the same time. The department will advise both service providers who have submitted an application of the outcome of the screening process.

4.3.2 The department will forward the application to the Queensland Police Service for a national check of the person’s criminal history.

The Junction Quality System (JQS)

4.3.3 The department will use the information to determine whether a person should be engaged by a department funded non-government service provider or a NDIS non-government service provider. A decision to issue either a positive or negative notice will be made by the Director-General of the department.

4.3.4 A positive notice means a person can work for a department funded non-government service provider or a NDIS non-government service provider.

4.3.5 A positive notice remains current for three years from the date of issue unless it is suspended or cancelled earlier due to a change in criminal history. A person who wishes to continue working for a department funded or non-government service provider or a NDIS non-government service provider can apply to renew their positive notice and yellow card up to 3months before its expiry date.

4.3.6 A negative notice means that a person cannot work for a department funded non-government service provider or a NDIS non-government service provider.

4.3.7 Service providers can engage a paid employee once an application has been submitted, However, if a negative notice is issued, this will have an impact on the person's continued engagement with the organization.

4.3.8 Should an engaged person have a change in circumstances that may render them ineligible for a yellow card i.e. A disqualifying offence, they must notify the Director immediately who will contact the relevant authorities. The person may be stood down immediately pending outcome.

5. Review processes

Policy review frequency: Annually	Responsibility for review: The Director
Review process: Director of Operations as Chair of the Quality Review Panel convenes the panel to conduct reviews.	
Documentation and Communication: All policy decisions will be documented and communicated through the Quality System Review Panel observing the Document control HTTL. Note: add version number after review.	