

EMPLOYMENT CHECKS PROCEDURE

SCOPE

This procedure applies to positions identified by the University ('us', 'our' or 'we') as requiring an employment check.

Identified positions (new and existing) may include continuing staff, fixed term, volunteers, honoraries, adjuncts, consultants, casuals, sessionals and contractor positions (herein collectively referred to as 'you' for the purpose of this procedure).

PROCEDURE STATEMENT

The purpose of this procedure is to describe when an employment check is required as a condition of employment.

National Police Records Check, hereinafter referred to as 'NPRC'.

Finance Check, hereinafter referred to as 'FC'.

The highest level of professional and ethical behaviour is expected from everyone working, studying or participating in our community. Our employment checks are intended to meet legal obligations, protect the University and minimise risk and ensure a safe environment for all.

From the effective date of this procedure, if you are already an incumbent of an identified position, you will be required to obtain either a NPRC and/or FC upon renewal of your fixed term contract or as and when directed by us.

1. National Police Record Check (NPRC)

- 1.1 To ensure the safety of the members of our community and of our assets, a NPRC may be a condition of your employment with us.
- 1.2 A NPRC reviews your national criminal records and allow us to assess the relevance of any criminal offence. Further information is available at [Victoria Police: Information Release Policy](#).
- 1.3 A NPRC is a condition of your employment where:
 - your position has a financial delegation of more than \$100,000; or
 - your position has access to personal information as defined under the [Privacy and Data Protection Act 2014 \(Vic\)](#) and where the University determines this to be necessary; or
 - you're employed in a finance or finance faculty position; or
 - the Dean/Executive Director (or nominee) determines your position requires an NPRC.

2. Finance Checks (FC)

- 2.1 A FC reviews your financial records to determine whether you are or have been banned or disqualified by the [Australian Securities & Investments Commission \(ASIC\)](#) and/or declared bankrupt by the [Australian Financial Security Authority \(AGFSA\)](#).
- 2.2 A FC is a condition of your employment where:
 - your position holds a financial delegation of more than \$100,000; or
 - the Dean/Executive Director (or nominee) determines your position requires a FC.

3. Application process

- 3.1 We will advise you of the requirement for a NPRC and/or FC.
- 3.2 You can make an application for a check via the following:
 - NPRC via [Victoria Police](#) or by using an online provider e.g. Veritas Check.
 - FC via [Australian Securities & Investments Commission \(ASIC\)](#) and [Australian Financial Security Authority \(AGFSA\)](#).
- 3.3 You may seek reimbursement for the cost of the check via our usual reimbursement process.

4. Notification of result of NPRC and/or FC

- 4.1 The results of these checks will be sent to you directly from the relevant Government agency. You must provide a copy to Monash HR prior to the commencement of your employment or when directed by us.
- 4.2 We may ask to sight the original document and you will be required to produce this when requested. We suggest you keep the original in a safe place for this request.

5. Assessment of National Police Certificate (NPC) and/or FC

NPC and FC - Clear record

- 5.1 As we do not keep copies of these checks, Monash HR will record that we have seen your check, notifying the hiring manager/supervisor and HR Business Partner (if relevant).

NPC – Specific Outcome

- 5.2 Where the NPC identifies a finding of guilt, Monash HR and the hiring manager/supervisor will assess the relevance of your criminal offence(s) to your suitability for the position.
- 5.3 We will consider the following:

- the scope of your criminal history;
- the nature of your offence and the relationship of the offence to your position;
- the period of time that has elapsed since your offence;
- whether your offence was committed as an adult or a juvenile;
- the severity of any penalty imposed;
- whether you were convicted, or found guilty and placed on bond;
- whether there is evidence of an extended police record;
- the number of offences committed which may establish a pattern of behavior which renders you unsuitable for the position;
- whether your offence is still a crime, that is, has the offence now been decriminalised;
- whether there are other factors that may be relevant for consideration. For example, cultural factors or mitigating or extenuating circumstances, i.e. provocation, peer group pressure at the time of the offence and the circumstances in which your offence was committed or the effect of alcohol; and/or
- your general character since the offence was committed.

FC – Specific outcome

- 5.4 If you have been declared bankrupt, and/or have been banned or disqualified, Monash HR together with the hiring manager/supervisor will assess the relevance of the outcome(s) to your suitability for the position.

Delay in process

- 5.5 Where there is a delay in a Government agency process, (e.g. information required from other jurisdictions), Monash HR will consider alternative options e.g. varying the start date and/or duties.

6. Staff Disclosure

- 6.1 Should your circumstances change during your employment with us, we encourage you to disclose those changes (e.g. legal action, charges, convictions or offences) by talking to your HR Business Partner or Lead HR Business Partner.

7. Periodic NPRC and/or FC

- 7.1 Where your position is identified as requiring a FC or PRC, your employment is contingent on obtaining the relevant check.
- 7.2 You may be requested to obtain a new NPRC and/or FC:
 - every 3 years for fixed-term contracts (upon renewal)
 - every 5 years for ongoing appointments; or
 - at an alternative time as directed by the University.
- 7.3 Should you not provide a NPRC or FC, you may be deemed to not have complied with the terms and conditions of your employment and reasonable and lawful direction, which may result in disciplinary action in accordance with the [disciplinary action and dismissal procedure](#).

8. Breach of procedure

- 8.1 Should there be a breach of this procedure, we will manage the breach in accordance with the applicable Enterprise Agreement or contract terms.

DEFINITIONS

Employment check	Include finance checks, national police checks and the disclosure of offences, charges and convictions.
Finance check	Includes both a Bankruptcy search and a Banned and Disqualified search.
Hiring Manager	Is the manager responsible for filling a staff vacancy, usually the supervisor of the position.
HR Business partner	Is a key member of the Monash HR Business Partnering community that provides strategic advice, guidance and solutions that underpin key client goals, HR strategy and organisational vision to a particular client group.
National Police Check Certificate	Lists the results of the National Police Record Check
National Police Records Check	Identifies and releases information about an individual's past criminal record at the time of issue.
Supervisor	The person who is responsible for the day-to-day supervision of the staff member.

GOVERNANCE

Parent policy	Recruitment and appointment
Supporting schedules	
Associated procedures	<ul style="list-style-type: none">• Privacy• Recruitment of fixed-term and continuing staff• Working with Children checks
Legislation mandating compliance	Federal Legislation <ul style="list-style-type: none">• Criminal Code Act 1995 State Legislation <ul style="list-style-type: none">• Crimes Act 1958 (Vic)• Equal Opportunity Act 2010 (Vic)• Privacy and Data Protection Act 2014 (Vic)
Category	Human Resources
Approval	Chief Human Resources Officer as delegate of the Chief Operating Officer - 17 August 2018
Endorsement	Director, Workplace Relations - 17 August 2018
Procedure owner	Director, Workplace Relations
Date effective	26 October 2018
Review date	17 August 2021
Version	2
Content enquiries	ask.monash or phone Monash HR on (03) 990 20400