

Monash University Procedure

Procedure Title	<u>National Police Checks</u>
Parent Policy	Recruitment, Selection and Appointment policy
Date Effective	
Review Date	3 years from effective date
Procedure Owner	Chief Human Resources Officer
Category	Human Resources
Version Number	5.0
Content Enquiries	ask.monash or phone Monash HR on 990 20400
Scope	This procedure applies to all staff at Monash University Australia including volunteer, honorary, consultant and contractor positions.
Purpose	<p>Monash University requires that staff undergo National Police Record checks for positions involving financial responsibilities and/or access to sensitive data.</p> <p>National Police Record checks are conducted to protect the University and help minimise the risk of inappropriate use of University finances and data.</p> <p>This procedure is designed to complement the University's recruitment, selection, supervision and training practices.</p>
PROCEDURE STATEMENT	

Where National Police Record checks are required for casual and sessional staff, the role of the Recruitment Team in this procedure is performed by the HR Business Support Team.

1. National Police Record check

The Recruitment Team and the hiring manager determine when a National Police Record check is required

- 1.1. A National Police Record check is a mandatory requirement for all specified positions (existing or prospective) which requires a person as an inherent part of their employment to:
 - have a financial delegation of more than \$100,000; or
 - deal regularly with significant amounts of cash and the Dean/Executive Director (or nominee) determines that this position requires the consideration of any police record before approving the appointment; or
 - have access to personal information as defined under the [Privacy and Data Protection Act 2014 \(Vic\)](#) and where the University determines this to be necessary.
- 1.2. A National Police Record check must be conducted prior to any offer of employment, promotion or internal transfer to a specified position being made.

Monash University Procedure

- 1.3. Consultation with the HR Business Partner may be sought on the requirement for the position to have a National Police Record check.

The Recruitment Team ensures the requirement to undergo a National Police Record Check is included in the position description

- 1.4. The Recruitment Team will:
- ensure that the requirement to undergo a National Police Record check is included in the final position description and associated documentation; and
 - ensure that the following statement is included in the advertisement: "Making an appointment to this position is subject to a satisfactory National Police Record check".

The Chair of the Selection Committee ensures the candidate understands the requirement to undergo a National Police Record check

- 1.5. The Chair of the Selection Committee must inform the candidates that they may be required to undergo a National Police Record check. The candidate can be referred to the [Victoria Police website](#) for further information.
- 1.6. It is normal practice to request a National Police Record check from the preferred candidate only. However, the Chair has the discretion to request more than one candidate undergo a check as required.

The candidate applies for a National Police Record check

- 1.7. Once the preferred candidate has been selected, the Chair will provide the Recruitment Team, via email, the name of the successful candidate and advice that the candidate must undertake a National Police Record check.
- 1.8. The Recruitment Team must then advise the candidate to complete an application by following the instructions on the [Victoria Police website](#). If accessibility is an issue the candidate can seek assistance from the Recruitment Team.
- 1.9. The candidate must complete a request for a [National Police Record check online](#).
- 1.10. Candidates who are required to undergo a National Police Record check are able to receive reimbursement for the cost from their faculty or division. Current prices can be found on the [Victoria Police website](#).
- 1.11. Victoria Police does not conduct police checks for candidates residing overseas or interstate. International candidates must apply to the [Australian Federal Police](#) for a National Police Certificate.

The hiring manager or the Recruitment Team sights the National Police Certificate

- 1.12. To ensure the protection of privacy, the National Police Certificate will only be forwarded to the candidate at their nominated postal address on the application form. The candidate must then provide the National Police Certificate to the hiring manager or Recruitment Team.

Monash University Procedure

- 1.13. The hiring manager or the Recruitment Team will:
- sight the original National Police Certificate;
 - return the original National Certificate to the candidate; and
 - where sighted by the hiring manager, email a copy of the National Police Certificate to the Recruitment Team to assess the outcome of the certificate.
- 1.14. For security purposes, only selected staff within the Recruitment Team will have access to copies of the certificate and will ensure they be securely stored and disposed of appropriately. Refer to the Privacy Procedure for further information.

The Recruitment Team assesses the National Police Certificate

- 1.15. The Recruitment Team will assess the outcome of the National Police Certificate to determine whether the candidate is suitable for the required position. The Recruitment Team may consult as appropriate with the relevant HR Business partner and/or Workplace Relations.

Outcome of a National Police Record check

- 1.16. Clear Record

The Recruitment Team record the National Police Record check in the SAP system.

The Recruitment Team must confirm that the candidate has received a clear National Police Record check (no findings of guilt, outstanding charge or other matters) before the candidate commences in the specified position.

- 1.17. Incumbered Record

When a National Police Certificate lists a finding of guilt, outstanding charge or other matters, the Recruitment Team in conjunction with the HR Business Partner and/or Workplace Relations will review the certificate to determine the candidate's suitability for the position. An incumbered record is not automatically precluded from a position.

The Recruitment Team will assess the record of the candidate based on the following criteria:

- the relevance of the criminal offence in relation to the position;
- the nature of the offence and the relationship of the offence to the particular position for which the person is being considered;
- the length of time since the offence took place;
- whether the person was convicted or found guilty and placed on a bond;
- whether there is evidence of an extended police record;
- the number of offences committed which may establish a pattern of behaviour which renders the applicant unsuitable;
- whether the offence was committed as an adult or a juvenile;
- the severity of punishment imposed;
- whether the offence is still a crime, that is, has the offence now been decriminalised;

Monash University Procedure

- whether there are other factors that may be relevant for consideration. For example, cultural factors or mitigating or extenuating circumstances; ie. provocation, peer group pressure at time of the offence and the circumstances in which the offence was committed or the effect of alcohol; and/or
- the person's general character since the offence was committed.

Any decision made for or against an appointment on the basis of a National Police Record check or statutory declaration (if applicable) must be supported by reasons and fully documented.

1.18. Delay in process

Victoria Police aims to process the Police Certificate within 10 working days of the receipt of the application. The processing time may be delayed as information may be required from other jurisdictions. If this is the case, there are two options available - the staff member's start date may be deferred until the National Police Record check is returned or alternative options may be explored with Workplace Relations.

Decision not to appoint due to the outcome of a National Police Record check

1.19. Where there is a decision not to appoint due to an incumbered record of a National Police Record check the following actions will be undertaken:

- the Recruitment Team will communicate this outcome to the Chair and the HR Business Partner;
- the Chair must inform the candidate of the decision and its rationale; and

1.20. The Chair may provide an opportunity for the candidate to discuss the results.

2. Responsibilities

Monash HR

Director Workplace Relations

2.1. The Director Workplace Relations is responsible for:

- reviewing the staff member's employment (or potential employment) subject to receiving an incumbered record via a National Police Record check; and
- ensuring compliance with this procedure and maintaining this procedure.

The Recruitment Team

2.2. The Recruitment Team is responsible for:

- ensuring the requirement for a National Police Record check is included in the position description and advertisement text;
- assessing the National Police Certificate and, checking the validity of the documents;
- seeking assistance from the HR Business Partner and/or Workplace Relations in relation to an Incumbered Record;

Monash University Procedure

- notifying the Chair of the selection committee of the outcome;
- advising the Director Workplace Relations of staff who receive either an incumbered record for a National Police Record check;
- discussing options with Workplace Relations if there is a delay in the outcome of a National Police Record check and facilitating discussions with relevant parties.

HR Business Partner

- 2.3. The HR Business Partner is responsible for providing advice to the hiring manager on the requirements for a National Police check as required.

Payroll Services

- 2.4. Payroll Services, Monash HR is responsible for:
- recording the National Police Record check in SAP; and
 - ensuring that monitoring processes are in place (in consultation with the Recruitment Team) to check that all relevant staff have had a National Police Record check completed.

Hiring manager

- 2.5. The hiring manager is responsible for:
- establishing, together with the Recruitment Team, when a National Police Record is required;
 - sighting the original National Police Certificate and emailing copies to the Recruitment Team for assessment; and
 - assisting with the reimbursement process for the cost of a National Police Record check.

Chair

- 2.6. The Chair is responsible for:
- informing the candidate in the interview that they may be required to undergo a National Police Record check;
 - notifying the Recruitment Team that the candidate must undergo a National Police Record check; and
 - informing a candidate of the decision not to appoint due to an unsuccessful National Police Record check.

Candidate

- 2.7. The candidate is responsible for:
- applying for a National Police Record check; and
 - providing the original National Police Certificate to the Recruitment Team.

Monash University Procedure

Responsibility for implementation	Staff Recruitment and Hiring Managers	
Status	Revised	
Approval Body	<p>Academic Quality and Standards procedure</p> <p>Name:</p> <p>Meeting:</p> <p>Date:</p> <p>Agenda item:</p>	<p>Operational procedure</p> <p>Name: Chief Human Resources Officer</p> <p>Date: Date effective</p> <p>Author: Director, Workplace Relations</p>
Definitions	<p>Chair: the Chair of the Selection Committee convened as part of the University's selection process. The chair may delegate duties as appropriate. If a Selection Committee is not involved in an appointment, the appointing manager will adopt the responsibilities of the Chair.</p> <p>Dean or Executive Director: means the dean of the faculty or executive director or his or her nominee in any case where the dean or director has formally nominated a person to act as his or her nominee for the purpose.</p> <p>Hiring Manager: is the manager responsible for filling a staff vacancy, usually the supervisor of the position.</p> <p>HR Business Partner: is a key member of the Monash HR Business Partnering community and provides strategic advice, guidance and solutions that underpin key client goals, HR strategy and organisational vision to a particular client group.</p> <p>National Police Certificate: lists the results of a National Police Record check. The certificate will only be issued to the applicant.</p> <p>Payroll Services: is the Centre of Expertise in Monash HR which manages the payroll and related services.</p> <p>National Police Record check: a National Police Record check identifies and releases information about a person's past criminal record at the time of issue.</p> <p>Rex: is Recruitment Express, the University's online recruitment system. Rex is used to manage the end-to-end recruitment and appointment process for all Monash employees and visitors. Rex is also used to manage the on-line application process for other University programs and initiatives.</p>	
Legislation Mandating Compliance		
Related Policies	<ul style="list-style-type: none"> • Privacy procedure • Fraud and Corruption: Reporting Procedures • Fraud and Corruption: Control Procedures • Recruitment of fixed-term and continuing staff procedure 	
Related Documents	<p><u>EA Agreements</u></p> <ul style="list-style-type: none"> • Monash University Enterprise Agreement (Academic and General Staff) 2014 	

Monash University Procedure

	<p><u>Documents & Forms</u></p> <ul style="list-style-type: none"> • Fraud and Corruption Policy • Recruitment and Selection related procedures • Monash University Privacy Compliance Manual • Online application form - Consent to Check and Release National Police Record <p><u>Relevant Legislation</u></p> <ul style="list-style-type: none"> • Equal Opportunity Act 2010 (Vic) • Victoria Police website • Crimes Act 1958 (Vic) • Criminal Code Act 1995 • Children, Youth and Families Act 2005 (Vic)
<p>SCHEDULE(S)</p> <p>Additional mandatory requirements specific to a Faculty or Offshore location Education procedure This field will only be published if required.</p>	
Name of Faculty/Offshore Location	N/A
Procedure Statement	N/A