



**EDMUND RICE EDUCATION
AUSTRALIA**

Northern Region

Screening Policy and Guidelines

INTERIM – AUGUST 2008

POLICY STATEMENT

Edmund Rice Education Australia is committed to providing a safe environment in communities of care for students attending Catholic schools in the Edmund Rice tradition in the Northern Region.

Each person working within Edmund Rice Education Australia Northern Region whether a paid employee or a volunteer shall be subject to screening procedures, both as required by this policy and by the legislative requirements in Queensland. These screening procedures will be enacted confidentially, comprehensively and vigorously.

1. INTRODUCTION

Edmund Rice Education Australia (EREA) is committed to the protection of students in Catholic Schools in the Edmund Rice tradition. Moral and legal obligations and a commitment to provide a safe, supportive, caring environment for students underpin this and all other policies.

2. RATIONALE/PURPOSE

Catholic schools in the Edmund Rice tradition within Edmund Rice Education Australia Northern Region (Queensland) are guided not only by common and statute law, but also by Gospel values as exemplified in the life of the founder of the Christian Brothers, Blessed Edmund Rice.

The purpose of this policy is to ensure procedures are in place for the screening of personnel who come in contact with students in Catholic schools in the Edmund Rice tradition in Queensland.

3. OBLIGATIONS

Edmund Rice Education Australia (EREA) is obliged to administer Catholic Schools in the Edmund Rice tradition in the Northern Region in the spirit of Edmund Rice, and in a manner that fulfills civil and statute law and church obligations, including

- Commission for Children and Young People and Child Guardian Act 2000*
- Child Protection Act 1999*
- Education (Accreditation of Non-State Schools) Act and Regulation 2001*
- Education (General Provisions) Act 2006*
- Education (Queensland College of Teachers) Act 2005*
- Criminal Law (Rehabilitation of Offenders) Act 1986*
- The Code of Canon Law*
- The Constitutions and Statutes of the Congregation of Christian Brothers*

Other obligations arise from:

- Relevant Professional Standards and Codes of Ethics
- Relevant Catholic Church documents such as *Towards Healing and Integrity in Ministry*
- Edmund Rice Education Australia (EREA) policies, particularly *Student Protection Policy* and *Student Protection Risk Management Compliance Policy*
- UN Charter of the Rights of the Child

4. POLICY STATEMENT

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5. DEFINITIONS

Catholic School in the Edmund Rice tradition means a school operated by EREA in Queensland and for the purposes of this policy is inclusive of Nudgee International College and Indooroopilly Montessori Children's House.

Child and/or young person/people refer to an individual under 18 years of age or an individual over that age if that individual is a student of a Catholic School in the Edmund Rice tradition in the Northern Region.

Child Protection Risk Management Strategy refers to the legislative requirement of the Commission for Children and Young People and Child Guardian Act that requires all organizations working with children and young people to have a Child Protection Risk Management Plan in place to address specified criterion.

Code of Conduct for Interacting with Young People refers the ethical position that staff should adopt when working with children and young people and as set out in *EREA Northern Region Code of Conduct*.

Each person working in Edmund Rice Education Australia Northern Region refers to all staff, religious and volunteers (both paid and unpaid) involved in Catholic Schools in the Edmund Rice tradition, Indooroopilly Montessori Children's House and Nudgee International College.

Edmund Rice Education Australia (EREA) means the governing authority responsible for Catholic schools in the Edmund Rice tradition in Australia, Nudgee International College and the Indooroopilly Montessori Children's House.

Edmund Rice Education Australia Northern Region Office means the regional office of EREA for Queensland and the Northern Territory.

Principal is a person who has delegated responsibility for the day to day operations of a particular school for which Edmund Rice Education Australia is the governing authority and, for the purposes of this policy, include the Chief Executive Officer, Nudgee International College and the Director/Manager, Indooroopilly Montessori Children's House.

6. PROCEDURES

6.1 RESPONSIBILITIES

6.1.1 The Executive Director, Edmund Rice Education Australia (EREA) has responsibility for:

- a) ensuring the development and review of this Policy;
- b) approval of this Policy for Edmund Rice Education Australia – Northern Region (EREA Northern Region)
- c) monitoring the application of the Policy within EREA Northern Region;
- d) ensuring that the requirement for a Working with Children Check (blue card) is stated in applicable job advertisements by including the following statement:

All applications for this position will be subjected to screening procedures, Queensland Police Checks and Commission for Children and Young People and Child Guardian legislation. All applicants will be required to authorize such checks and provide identification.

These checks are consistent with Edmund Rice Education Australia's commitment to child protection policies and procedures.

- e) ensuring that applicable job descriptions detail the condition of undergoing a Queensland Police Check / Working with Children Check and / or holding a valid blue card;
- i) ensuring legislative compliance of individuals, paid and unpaid, engaged in work within EREA Northern Region;
- j) ensuring all members of EREA Northern Region are familiar with and committed to this Policy;
- k) assisting and supporting the Regional Administrator EREA Northern Region in applying this Policy;

- l) confidentially communicating through the Regional Administrator, EREA Northern Region, with Towards Healing and other employers, systems and diocese regarding information that may impact on screening for employment paid or unpaid;
- m) supporting the principles of privacy and the need for confidentiality as governed by *Child Protection Act 1999, Commission for Children and Young People and Child Guardian Act 2000* and *Privacy Act 2000*;
- n) ensuring a written procedure is in place to ensure the requirements of the *Commission for Children and Young People and Child Guardian Act 2000* are met within EREA Northern Region; and
- o) ensuring that the Regional Administrator, EREA Northern Region, is supported to provide best practice in risk management to be utilized in conjunction with the Working with Children Check system as required by the *Commission for Children and Young People and Child Guardian Act 2000*.

6.1.2 The Regional Administrator, Edmund Rice Education Australia Northern Region (EREA Northern Region) bears the primary responsibility for the overall co-ordination of this Policy including:

- a) dissemination of this Policy to all EREA Northern Region staff;
- b) overseeing the monitoring for compliance with the Policy in EREA Northern Region;
- c) supporting the principles of privacy and the need for confidentiality as governed by *Child Protection Act 1999, Commission for Children and Young People and Child Guardian Act 2000* and *Privacy Act 2000*;
- d) implementing and regulating compliance with this policy;
- e) ensuring screening checks are conducted in special circumstances (e.g. a 17 y.o. past student who volunteers to coach a team and who will turn 18 during the season);
- f) coordinating training of staff in relation to this policy;
- g) ensuring advice/in-service programs are conducted in EREA Northern Region;
- h) ensuring random audits are conducted from time to time within EREA Northern Region to ensure that paid employees and volunteers have been screened in accordance with this policy and legislation;
- i) ensuring all EREA Northern Region schools maintain a Screening Register to ensure consistent and strict compliance with legislation and this Policy. This register will include:
 - a copy of all applications for a Working with Children Check to the Commissioner for Children and Young People and Child Guardian;
 - a copy of all Working with Children Check positive and negative notices issued by the Commissioner for Children and Young People and Child Guardian;
 - noting and monitoring the expiry dates of all positive notice blue cards and the renewal of positive notice blue cards in accordance with this Policy; and
 - a copy of any notifications for verification of a new employee with a blue card and when a blue card holder leaves employment
 - the details of any checks on teaching staff with the Queensland College of Teachers;
 - the details of any reasonable suspicion of a criminal history of an existing employee or subsequent change in criminal history, and details of screening subsequently conducted;

- any other matters the Regional Administrator EREA Northern Region considers relevant.
- j) ensuring that if there is a reasonable suspicion of a criminal act/history that would make an employee or volunteer unsuitable for child related work in EREA Northern Region that the Commission for Children and Young People and Child Guardian and / or the Queensland College of Teachers are notified immediately; and
- k) confidentially communicating with the knowledge of the Executive Director EREA, with the Director or Professional Standards (Queensland) and other employers, systems and diocese regarding information that may impact on screening for employment paid or unpaid; and
- l) reviewing of the Policy.

6.1.3 College Boards have delegated responsibility for:

- a) ensuring systems are in place for compliance with the requirements of this Policy.

6.1.4 A Principal is responsible for:

- a) supporting the principles of privacy and the need for confidentiality as governed by *Child Protection Act 1999, Commission for Children and Young People and Child Guardian Act 2000 and Privacy Act 2000*;
- b) the application of and compliance with this Policy within the school;
- c) promoting the Policy to staff;
- d) monitoring screening requirements regarding personnel and referring matters to the Regional Administrator, where required;
- e) ensuring the appropriate College Leadership Team Member or the Business/Personnel Manager is delegated with the oversight and monitoring of the school's compliance with this policy and relevant legislation;
- f) designating a staff member to be the Screening Contact Person for the school and ensuring correct procedures are followed;
- g) ensuring the school maintains a Screening Register to ensure consistent and strict compliance with legislation and this Policy. This register will include:
 - a copy of all applications for a Working with Children Check to the Commissioner for Children and Young People and Child Guardian;
 - a copy of all Working with Children Check positive and negative notices issued by the Commissioner for Children and Young People and Child Guardian;
 - noting and monitoring the expiry dates of all positive notice blue cards and the renewal of positive notice blue cards in accordance with this Policy; and
 - a copy of any notifications for verification of a new employee with a blue card and when a blue card holder leaves employment
 - the details of any checks on teaching staff with the Queensland College of Teachers;
 - the details of any reasonable suspicion of a criminal history of an existing employee or subsequent change in criminal history, and details of screening subsequently conducted; and

- any other matters the Regional Administrator EREA Northern Region considers relevant.
- h) notifying the Regional Administrator of changes to the criminal history of a paid employee or volunteer within EREA Northern Region;
- i) ensuring that, if the Commissioner for Children and Young People and Child Guardian issues a negative notice, the employee's employment is terminated. In this instance, a copy of the results of any search by the Commission for Children and Young People and Child Guardian must be retained on the school's Employee Screening Register. The employee has the right to appeal under the Act;
- j) applying for a Working with Children Check for students attending the school who work with children as part of their studies, (e.g. as part of a Vocational Education and Training program);
- k) ensuring that Trainee Students irrespective of their age, studying at a registered training organization, university or TAFE, who carry out work within EREA Northern Region as part of their study have been issued with a Positive Notice Blue card;

Note: A trainee student must have a blue card BEFORE they start volunteering in regulated employment, regardless of how often they come into contact with children and young people.

- l) ensuring that homestay providers (including those living in the home aged 18 years and over) have been issued with a Working with Children Check current positive notice blue card before student accommodation commences;
- m) providing appropriate documentation / records to the Regional Administrator EREA Northern Region; and
- n) ensuring when schools advertise locally for positions that require a Working with Children Check, the following statement is included:

"All applications for this position will be subjected to screening procedures, Queensland Police Checks and Commission for Children and Young People and Child Guardian legislation. All applicants will be required to authorize such Checks and provide identification."

"These Checks are consistent with Edmund Rice Education Australia's commitment to child protection policies and procedures."

Note: There are a range of penalties for not complying with the legislation. Information regarding obligations and penalties are on the Commission for Children and Young People and Child Guardian website: www.ccypcg.qld.gov.au.

6.1.5 The Screening Contact Person shall be responsible for:

- a) supporting the Principal by ensuring that all non-teaching staff and volunteers are screened as required by the *Commission for Children and Young People and Child Guardian Act 2000*;
- b) maintaining a screening database which includes records of all Working with Children Checks (blue cards) application forms and positive or negative notices and Queensland College of Teachers Registration details for all teaching staff; and
- c) providing the school's screening records to the Regional Administrator EREA Northern Region when requested for the purpose of auditing.

6.1.6 Each non-teaching employee and volunteer working within EREA Northern Region is responsible for:

- a) applying for their own Working with Children Check (blue card). Working with Children Check application forms can be obtained from and processed through the Screening Contact Person at their school, and EREA Northern Region Administration staff. Alternatively, Working with Children Check application forms can be downloaded from *the Commission for Children and Young People and Child Guardian's* website - www.ccypcg.qld.gov.au but must be processed through the Screening Contact Person. (A range of forms are available from the *Commission for Children and Young People and Child Guardians* website - www.ccypcg.qld.gov.au);
- b) providing the Screening Contact Person with a copy of their Working with Children Check application form and positive or negative notice or photocopy of their blue card if obtained before commencing their employment or volunteer position;
- c) immediately notifying the Principal or the Regional Administrator if their criminal history changes. For further information see **Change in police info** Form at www.ccypcg.qld.gov.au;

Note: A person's criminal history changes if a person is charged or convicted of a criminal offence, whether or not a conviction is recorded.

- d) notifying the Commission for Children and Young People and Child Guardian within 14 days if their blue card is lost or stolen, **to avoid penalty under the Act.** (Note: You can notify the Commission by completing a **Positive Notice Letter / Blue Card Lost or Stolen Form** that can be downloaded from www.ccypcg.qld.gov.au. The Commission charges a \$10 fee for the replacement of a blue card;
- e) notifying the school Screening Contact person if their blue card is lost or stolen;
- f) notifying the Commission for Children and Young People and Child Guardian within 14 days if their name or contact details change **otherwise a penalty may apply.** To notify the Commission of a change, complete the **Change of Name Form** that can be downloaded from www.ccypcg.qld.gov.au;

Note: Blue card holders, applicants and those issued with negative notices must advise the Commissioner if their name or contact details change.

- m) advising the Commissioner for Children and Young People and Child Guardian within 14 days of their work ending with the employer who applied for a blue card on their behalf, **otherwise a penalty may apply.** To notify the Commission that you have ceased your child-related work, complete the **No Longer in Child Related Employment Form** that can be downloaded from www.ccypcg.qld.gov.au

Note: There is a range of penalties for not complying with the legislation. Information regarding obligations and penalties are on the Commission for Children and Young People and Child Guardian website: www.ccypcg.qld.gov.au

6.1.7 Employees of other organizations who come into regular or close contact with students in Catholic schools in the Edmund Rice tradition within EREA Northern Region should be screened by their employer in accordance with policy and legislation.

Note: Where contractors are sought for the provision of goods and services (e.g. building services) that require them to be in contact with students on school sites, risk management strategies will be employed as follows:

- As part of a contract for services, include a clause identifying the commitment of EREA Northern Region to a caring student environment and state that any action detrimental to such an environment may result in termination of the contract;
- Ensure contractors are properly supervised; and
- Ensure contractors do not use student toilets, student canteen or shower facilities when working on-site.

7. COMPLIANCE

An internal audit must be completed annually for each school.

An external audit is carried out at least every 3 years, or as required.

8. REVIEW

This policy will be reviewed at least every three years or as appropriate

9. POLICY BREACH

Any deliberate breach of this Policy may lead to the Regional Coordinator working with the College Board and the Principal to address this breach and identify strategies to support the school to implement this policy in the spirit intended. In the case of a deliberate and serious breach of this policy, disciplinary action may result.

10. ANNEXURES TO THIS POLICY

- Annexure A - Suitability Declaration (for all teaching positions) - to be included with application package for new staff
- Annexure B - Suitability Notice Declaration (for all non-teaching positions) – to be included with application package for new staff

11. LINKS TO RELEVANT WEBSITES

- (i) Regulated Employment – Who needs a blue card.

Refer to information sheet available on the CCYPCG website at:

<http://www.ccypcg.qld.gov.au/pdf/bluecard/infosheets/Info-Sheet-general.pdf>

- (ii) The Act and Current Employees

Refer to the *Commission for Children and Young People Act 2000* section 128. This Act can be accessed on the internet at:

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf>

- (iii) Changes to the Identification Requirements for Blue card Applications

Refer to Fact Sheet “How to meet identification requirements to apply for a Blue Card” available on the CCYPCG website at

<http://www.ccypcg.qld.gov.au/pdf/bluecard/infosheets/Info-Sheet-How2meetIDrequirementsstoapplyforaBC.pdf>

- (iv) Offences and Penalties – Obligations and Penalties under the *Commission for Children and Young People and Child Guardian Act (2000) Qld.*

Information available on the CCYPCG website at –

<http://www.ccypcg.qld.gov.au/employment/bluecard/penalties.html>

- (v) *Commission for Children and Young People and Child Guardian Forms.*

Forms are available on the CCYPCG website at:

<http://www.ccypcg.qld.gov.au/employment/bluecard/applications.html>

- (vi) Applicability of the Screening Procedures

For information about applicability of screening procedures to employees and volunteers, particularly in relation to the frequency of employment and the requirement for the employee or volunteer to hold a valid Blue Card refer to the FAQs and Fact Sheets available on the CCYPCG website at:

<http://www.ccypcg.qld.gov.au/employment/index.html>

ANNEXURE A
SUITABILITY DECLARATION
(FOR ALL TEACHING POSITIONS)

PERSONAL PARTICULARS

Surname	_____	Given Name	_____
Date of Birth	_____	Preferred Title (e.g. Mr, Mrs, Ms)	_____
Address	_____		
	_____	Postcode	_____
Phone No.	_____	Mobile	_____
Email	_____		

POSITION DETAILS

Name of Employer	_____	Suburb/Town	_____
Position	_____		
Basis of Employment			
<input type="checkbox"/>	Full Time		
<input type="checkbox"/>	Part Time	_____	Hours per week.
<input type="checkbox"/>	Casual	_____	Payment via timesheets.

EMPLOYMENT SUITABILITY DECLARATION

- a) I verify I:
- have not been convicted of a serious offence; and
 - agree to disclose any change to my (criminal) history to the employer.
- b) I know no legal or moral impediment to my suitability to work with children.
- c) I am aware that a check will be conducted with the Queensland College of Teachers prior to my employment in relation to my suitability to work with children.

_____	_____
Name (<i>Printed</i>)	Signature

Date	

ANNEXURE B
SUITABILITY NOTICE DECLARATION
(FOR ALL NON TEACHING POSITIONS)

PERSONAL PARTICULARS

Surname	_____	Given Name	_____
Date of Birth	_____	Preferred Title (e.g. Mr, Mrs, Ms)	_____
Address	_____		
	Postcode	_____	
Phone No.	_____	Mobile	_____
Email	_____		

POSITION DETAILS

Name of Employer	_____	Suburb/Town	_____
Position	_____		
Basis of Employment			
<input type="checkbox"/>	Full Time		
<input type="checkbox"/>	Part Time	_____	Hours per week.
<input type="checkbox"/>	Casual	_____	Payment via timesheets.

EMPLOYMENT SUITABILITY DECLARATION

Please tick (✓) one box.

- ☐ I am 'suitable' as defined by the *Commission for Children and Young People and Child Guardian Act 2000* to apply for, or start or continue in, child-related employment.
- or
- ☐ I am 'not suitable' as defined by the *Commission for Children and Young People and Child Guardian Act 2000* to apply for, or start or continue in, child-related employment.
- or
- ☐ I do not possess a "suitability notice" as defined by the *Commission for Children and Young People and Child Guardian Act 2000* and shall assist in obtaining any such notice as required.

_____	_____
Name (Printed)	Signature

Date	

NOTE: Please seek advice from the *Commission for Children and Young People and Child Guardian* if you are unsure of your 'suitability' state. (Fax: 3247 5200).

Please return this form to: **Principal**