



# Criminal Record Screening Exemption Procedure

## 1. Guiding Principles

In accordance with the [WA Health Criminal Record Screening Policy](#) (the Policy) and [Guidelines](#), no new appointments are to be made without a satisfactory criminal record check. However, in circumstances of urgent workforce demand, a person may commence work pending a satisfactory criminal record check with the approval of the Delegated Authority. In order to improve governance, this process sets out the requirements for commencing employment at the WA Country Health Service (WACHS) without a satisfactory criminal record screening (CRS) process completed.

## 2. Procedure

- 2.1 A manager identifies a need to fill a position urgently, on a temporary basis and has approval to fill the position.
- 2.2 The manager may ask the appointee whether they have a current (within 12 months) Australian National Police Certificate (ANPC) prior to commencement. If the appointee can provide this, the manager should complete an N1 – Request to Appoint (temporary) to begin the appointment process.
- 2.3 If the appointee doesn't have an ANPC (or having applied for one are waiting on the results) prior to completing the N1, the manager requires approval from the Delegated Authority.
- 2.4 The manager completes the Exemption Request Form and escalates to the Delegated Authority for approval.
- 2.5 Once approved, the manager completes the N1 and provides the appointee the CRS Statutory Declaration and CRS Exemption Process FAQ. If the appointee makes a disclosure about a criminal record, the manager should contact Human Resources to discuss the implications of this disclosure.
- 2.6 The manager provides the completed Statutory Declaration and Exemption Form to Health Support Services (HSS).
- 2.7 The appointee completes the paperwork for the WA Health CRS and remaining commencement paperwork provided to HSS for processing.
- 2.8 Manager may commence employee in the workplace, ensuring that appropriate supervision is provided pending the CRS process being completed.

The Direct Appointment CRS Process Flow provides a visual representation of this and can be found at Appendix 1.

### 3. Definitions

|                                |   |
|--------------------------------|---|
| <b>Appointee</b>               | A person who is going to be appointed to the job or position.   |
| <b>Appropriate Supervision</b> | The process whereby a manager, or nominated individual, regularly interacts with the employee to oversee or review their work. Note that this will differ depending on occupational group, work history and experience of the individual and the position (e.g. the employee will not be rostered alone on shift; shift supervisor will monitor their interactions with clients). |
| <b>Delegated Authority</b>     | For the purposes of this policy approval is at the Tier 3A Regional Director/ Tier 2B Area Executive Director.  |
| <b>Urgent Workforce Demand</b> | Urgent activities that demand immediate attention as the consequences of not filling the position will have a serious impact to service delivery. For example engaging a plumber to fix a burst water pipe or unplanned leave coverage for an essential position.   |

### 4. Roles and Responsibilities

**Delegated Authority** - the Policy provides that commencing a person pending a satisfactory criminal record check requires the approval of the workforce director, their equivalent or delegate. For the purposes of this process approval to commence can be obtained from the T3A/T2B. If the CRS Exemption request is being made by a T3A/T2B, then approval can be sought from the next tier of management.

**Manager** – The manager is responsible for completing the N1 and the CRS Exemption Request form. The manager needs to ensure the appointee is informed of the CRS process by providing a copy of the CRS Exemption Process FAQ and answering any questions. The manager needs to outline that there will be appropriate supervision until a satisfactory CRS is received.

**Appointee** – The person to be appointed to a WACHS position is required to undertake the CRS process and complete the Statutory Declaration if they don't already have an ANPC.

### 5. Compliance

Failure to comply with this procedure may constitute a breach of the WA Health Code of Conduct (Code). The Code is part of the [Integrity Policy Framework](#) issued pursuant to section 26 of the [Health Services Act 2016](#) (WA) and is binding on all WACHS staff which for this purpose includes trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within WACHS.

WACHS staff are reminded that compliance with all policies is mandatory.

### 6. Records Management

All WACHS corporate records must be stored in the approved Electronic Documents and Records Management System.

[Records Management Policy](#)

### 7. Evaluation

Evaluation of this policy is to be carried out by the Director Human Resources.

Compliance monitoring will be conducted through regular reporting of non-compliant staff to WACHS Executive.

### 8. Standards

[National Safety and Quality Health Service Standards](#) – 1.7

### 9. Legislation

[Criminal Code \(WA\) 1913](#)

[Health Services Act \(WA\) 2016](#)

[Oaths, Affidavits and Statutory Declarations Act \(WA\) 2005](#)

[Public Sector Management Act \(WA\) 1994](#)

[Spent Convictions Act \(WA\) 1988](#)

### 10. References

[CRS Exemption Process FAQ](#)

### 11. Related Forms

[CRS Exemption Form](#)

[N1- Request to Appoint \(temporary\)](#)

[Statutory Declaration CRS Form](#)

[Decision to Employ Form](#)

## 12. Related Policy Documents

[Records Management Policy](#)  
[WACHS Volunteer Policy](#)

## 13. Related WA Health System Policies

[WA Health Code of Conduct](#)  
[WA Health Discipline Policy](#)  
[WA Health Criminal Record Screening Policy](#)

## 14. Policy Framework

[Integrity Policy Framework](#)

## 15. Appendices

Appendix 1: Direct Appointment Process Flow

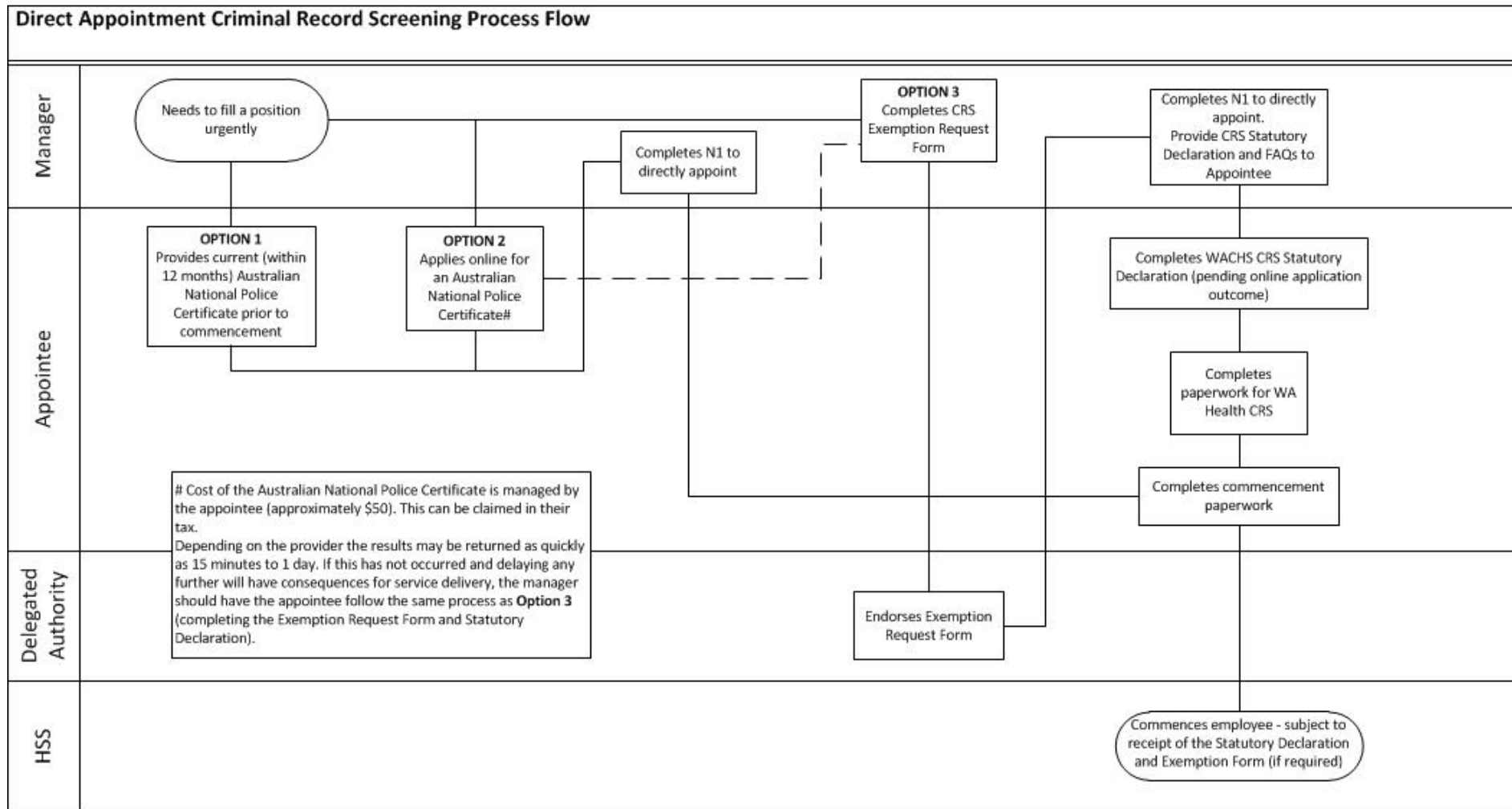
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| <b>Directorate:</b> | People and Culture                     | <b>EDRMS Record #</b>  | ED-CO-20-48953 |
| <b>Version:</b>     | 1.00                                   | <b>Date Published:</b> | 06 July 2020   |

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## Appendix 1: Direct Appointment CRS Process Flow



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