

Worker clearance policy and procedure



Purpose and Scope

Upholding the rights and maintaining the safety of vulnerable people and clients is an essential priority of Access4u.

Access4u acknowledges that a key step in the safe provision of services is to ensure that all persons working in or for the organisation have been deemed appropriate by a background check.

Access4u will ensure that all persons who regularly have more than incidental contact with vulnerable people or clients including staff, volunteers and contractors have background checks which are:

- Correct and appropriate;
- Current; and
- Recorded in accordance with legal requirements.

Responsibilities and delegations

This policy applies to	Governing Body, Staff and Volunteers
Specific responsibilities	The Board – Responsible for ensuring effective governance mechanisms are in place. The CEO and Managers – Responsible for monitoring and ensuring adherence to Policy and related procedures. Ensure due diligence and take reasonable steps to ensure Access4u are meeting their obligations. Ensure objectives of the policy are achieved. Staff – Responsible for adherence to this and related policies, procedures and forms that support this policy.
Policy approval	CEO

Policy context – this policy relates to:

Standards	National Disability Insurance Scheme Quality and Safety Framework
Legislation	National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 National Disability Insurance Scheme Act 2013 Disability Discrimination Act (DDA) 1992 The Disability Services Act SA 1993 The Disability Act 2006
Contractual obligations	NDIS Code of Conduct
Organisation policies and procedures	• Staff Induction Policy • Staff Code of Conduct Agreement
Forms, record keeping, other documents	• Worker Screening Register

Definitions

Check means a background check which is correct and appropriate, current, and recorded in accordance with legal requirements, and which confirms that the person who is checked does not pose a risk to vulnerable people or clients.

Incidental contact is contact with a vulnerable person or client which does not occur as part of the normal duties of the worker, e.g. administrative staff.

More than incidental contact is when the normal duties of a person include:

- Physically touching a vulnerable person or client;
- Building a rapport with a vulnerable person or client as an integral and ordinary part of the performance of those duties; or
- Having contact with multiple vulnerable people or clients.

Risk-assessed role is any role which is:

- A key personnel role, e.g. CEO;
- A role for which normal duties include the direct delivery of specified supports or specified services to a vulnerable person or client; or
- A role for which the normal duties are likely to require more than incidental contact with a vulnerable person or client.

Worker is any staff member, volunteer or contractor working directly in or for the organisation.

Procedures

Identifying which roles and jobs need a check

The Senior Manager - Specialist Services and/or the HR Advisor is responsible for assessing each role in the organisation to determine which roles are risk-assessed roles, in accordance with the definition of a risk-assessed role outlined in this policy.

Ensuring all workers in risk-assessed roles have an appropriate check

The HR Advisor is responsible for obtaining evidence of each worker's relevant checks, if they work in a risk-assessed role, and recording it in the worker screening register on Access4u YNA Online or the Office Staff Clearances Register in the O Drive.

Relevant documents proving worker checks include a copy of:

- Proof of identity;
- Proof of screening check with relevant state department;
- If applicable, a certificate or other proof of registration with appropriate regulatory body, in line with relevant legislative requirements

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Engaging someone to work before they have a Check

Workers may be engaged in a risk-assessed role before receiving approval from the relevant government body, provided they have applied and are likely to receive approval.

HR Advisor is responsible for ensuring that the worker is eligible to work, this includes checking that:

- The person has not received an interim bar;
- The relevant agency has received the application, and Access4u has a record of the application number;
- The person was not excluded, or had a previous check revoked; and
- There are no additional circumstances which would prevent the person from working.

Access4u will ensure that each worker who does not yet have a check but is eligible to be engaged in a risk-assessed role, will be supervised by another worker who does have a current check. All workers engaging in risk-assessed roles prior to receiving a clearance check must be supervised by a worker who has a current clearance from relevant state and territory bodies.

Engaging contractors

Access4u ensures that all subcontractors are engaged with an appropriate contract as defined by the National Disability Insurance Scheme (Practice Standards-Worker Screening) Rules 2018, which includes:

- A list of the risk-assessed roles carried out by the contracting organisation;
- An agreement that all subcontractors engaged in risk-assessed roles have current checks, or have applied for a check and can be reasonably expected to receive approval;
- An agreement that the subcontractor must cooperate with any reasonable request from Access4u to provide information about the status of its workers' screening checks;
- An agreement that the subcontractor must cooperate with any reasonable request from Access4u to provide information in relation to any complaint, or reportable incident which occurs in connection to service delivery.

Exemptions

Access4u allows secondary school students on formal work experience to work without a check, provided they are supervised by a worker with an appropriate check.

In a case where the secondary student cannot be supervised by an appropriately checked worker, the student will be assigned to other duties not involving more than incidental contact with a vulnerable person or client with disability.

Record keeping

The Senior Manager – Specialist Services is responsible for maintaining and updating Access4u's register of all workers who engage in risk-assessed roles, which can be found on the O Drive.

The register includes:

- Title or Identifier for role
- Risk-assessed role definition applying to the role
- Description of the role
- Date of risk assessment
- Name and title of risk assessor

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Staff individual records are kept on the O Drive containing:

- The name, date of birth and address of the worker;
- The risk-assessed roles in which the worker engages;
- The exemption status of the worker, if applicable;
- The start and end date of any exemptions, if applicable;
- The name of the worker's supervisor during their exemption period, if applicable;
- The worker's application number or check number;
- The worker's check outcome expiry date, this includes clearance and exclusion;
- Whether the worker's clearance is subject to a decision which may not allow the worker to engage in a risk assessed role; and
- The nature of any decision related to a decision which may not allow the worker to engage in a risk assessed role.

Access4u will keep any record relating to:

- An interim bar;
- A suspension;
- An exclusion; or
- Action taken by Access4u in relation to any of the above.