



CFC CHURCHES POLICY	SCREENING POLICY
POLICY AREA	Governance
VERSION	CFC.GOV.2.2 (formerly CFC Churches Criminal History Assessment Policy)
EFFECTIVE DATE	12 December 2022
NEXT REVIEW	June 2023

## 1. STATEMENT

CFC Churches is committed to upholding high safety standards for the wellbeing of all people who attend, work at, or access services of our church. Employees and volunteers will be screened to endeavour to ensure that only the most suitable people are given and retain paid and volunteer positions at CFC Churches. CFC Churches screening information will be securely managed.

## 2. POLICY

The following documents / training are required to work/volunteer with children at CFC Churches. As per legislative requirements, CFC Churches will check the Working With Children Check (WWCC), or equivalent clearance requirement in relevant State/Territory, in the S.A DHS Screening Portal Unit (or equivalent screening agency in Australian State/Territory) to ensure that a person is “not prohibited” from working with children. Each local church will also check that the date on the WWCC or relevant clearance is accurate - *Child Safety (Prohibited Persons) Safety Act 2017* (1) (b).

### SCREENING POLICY REQUIREMENTS

#### CFC Churches employees must hold a current:

- SA Department of Human Services Working with Children Check (WWCC) or the equivalent State / Territory clearance
- Safe Environments Certificate in SA (or equivalent training required in other Australian States/Territories.)

#### Volunteers 14 years and older working with children must hold a current:

- SA Department of Human Services (WWCC) or the equivalent State / Territory clearance (or Teachers Registration)
- Safe Environments Certificate or equivalent or child safe training.

Note: in South Australia you don't need a WWCC to work with children if you are a sworn SA or Australian Federal police officer or are under the age of 14. WWCC's are valid for five years, continuously monitored and free for volunteers.

#### Volunteers not working with children

CFC Churches encourage all volunteers not working with children to hold a current WWCC or the equivalent State / Territory clearance, along with a Safe Environments certificate or have child safe training, though it is not mandatory.

## **PERSONS CONDUCTING PROGRAMS IN BUILDINGS OWNED BY CFC CHURCHES**

All people who come onsite to run programs related to children are required to present a current WWCC (or equivalent for their State/Territory) if they are not coming in under the annexe of an agency that would also require appropriate clearances.

## **ASSESSING A NATIONAL POLICE CHECK FOR NON-CHILD RELATED WORK**

There may be circumstances where CFC Churches request a National Police Certificate (also called a Police Record Check) for non-child related work (e.g., finances). A National Police Certificate provides a summary of offender history. The following process will be used by CFC Churches to assess a National Police Certificate:

If a certificate shows that an individual has a criminal history, the information will be assessed by a panel of Leadership Team Members and/ Board representatives. In all cases, the individual will be allowed to provide further information on their criminal history and contextual factors. Criminal history must be considered in context, based on relevance and the potential risk of harm.

CFC Churches reserves the right to refuse people with specific accusations/offences from attending church activities.

In SA, it is an offence to work or volunteer with children without a current, valid working with children check or if a person is “prohibited from working with children”. The ability for anyone who is “prohibited from working with children” to attend CFC Churches church services, functions and events must be reviewed by the CFC Churches Board of Directors according to *CRC Churches Known Offenders and Person of Concern Guidelines*. The *CFC Churches Child Safe Policy* details child specific requirements.

The procedure to assess an individual’s criminal history report will be as follows:

- If an individual’s criminal history report lists any of the following offences, they will be considered unsuitable for either a paid or unpaid position:
  - Murder
  - Sexual assault
  - Any violence in relation to a child
  - Any offence relating to child pornography
  - Any offence involving child prostitution
  - Any child offence of harm/risk of harm including criminal neglect
  
- If an individual’s criminal history report lists any of the following offences, there will be a presumption that there is a presenting risk of harm, but further assessment is necessary before a decision to exclude a person can be made. These offences include, but are not limited to:
  - Assaults resulting in imprisonment
  - Offences relating to cruelty to animals
  - Other violent offences or assaults
  - Dishonesty offences
  - Serious drug related matters and offences
  - Serious traffic offences

CFC Churches will not automatically preclude a person for a paid or unpaid position because of these offences, or other offences not listed in this part, but will conduct an assessment of risk and suitability to undertake the function of the position as outlined below. In all cases, CFC Churches will abide by Federal and State / Territory legislation in Australia.

## **RISK AND SUITABILITY FOR A NON-CHILD RELATED POSITION**

CFC Churches will consider the contextual factors of the conviction and the situational facts of the position to determine the likely risk of harm. We will err on the side of caution when making an assessment, always placing the best interests of those in our care first.

### **Contextual Factors**

The contextual factors refer to the context within which the offences have been committed. We will consider the following factors:

- What is the nature, gravity and circumstances (where known) of the offence/s or charge/s?
- What is the significance of the type of offences or charges in relation to the duties a person is, or may be undertaking?
- How long is it since the offence (or an alleged offence) occurred?
- What is the severity of any penalty imposed by the court, e.g. did the court elect not to record a conviction where the person entered into and successfully completed a conditional order such as bond or probation? Did the individual successfully complete the order?
- Was the offence committed as a juvenile or adult?
- What was the age of any victim, and the age difference between the person and any victim?
- Is there is a pattern of offending?
- Were there cultural factors that may be relevant to the offending?
- What were the individual's circumstances at the time of the offences compared to the current circumstances? Have the applicant's circumstances changed?
- What were the findings of any assessment reports following attendance at treatment or intervention programs? What were the findings of evidence of rehabilitation?
- What is the individual's attitude to the offending behaviour?
- What is the possibility of an incident occurring if the person is employed, volunteers or continues in a role?

### **Situational Factors**

The situational factors refer to the circumstances in which a prescribed function of the position the person is applying for is carried out. We will consider the following factors:

- Relevance – an organisation should only have regard to criminal history information that may indicate that the person presents a potential risk of harm.
- Proportionality – whether excluding a person from engagement is an outcome proportional to the nature and circumstances of the conviction.
- Consequences – what would be the impact of a prospective incident if the person commences or continues duties?

## REFERENCES

- <https://screening.sa.gov.au>
- South Australia Department for Child Protection
- *Child Safety (Prohibited Persons) Act 2016*
- *Children and Young People (Safety) Act 2017*
- *CFC Churches Child Safe Policy (November 2022)*
- *CRC Churches Known Offenders and Persons of Concern Guidelines (March 2021)*
- <https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check>

VERSION	EFFECTIVE DATE	FULL OR PARTIAL REVIEW	APPROVED
1	14.12.21	Full	CFC Churches Board
2	12.12.22	Partial	CFC Churches Board

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## AGREEMENT

I have read and understood the Criminal History Assessment Policy and agree to abide by the conditions.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_