
WITHOUT PREJUDICE – THIS CLAUSE IS NOT FINAL & MAY BE SUBJECT TO CHANGE

PLEASE NOTE: THIS CLAUSE OR SUBCLAUSE SHOULD NOT BE READ IN ISOLATION, & MUST BE READ IN CONJUCTION WITH THE ENTIRE CLAUSE AND/OR AGREEMENT

XX Police Checks (tabled 10/7/2012)

XX.1 A new or existing staff member will only be required to undergo a criminal record check by the University where there are legitimate reasons directly related to the nature of the employee’s work.

XX.2 A staff member is only required to notify the University of any changes in their criminal history where these changes are directly related to their employment.

XX.3 Where an existing member of staff is required to have a criminal record check for legitimate reasons related to their work by the University the staff member will have the option of either providing the University with the relevant clearance or having the University undertake the police clearance. In both circumstances the University will bear the cost.

XX.4 Where an individual is required to provide a criminal record check as part of a job application process and they are successful in obtaining the position or any other position at the University they apply for, the University will reimburse the successful applicant for all costs associated with the criminal record check upon their commencement of employment with the University.

XX.5 Only the following staff will have access to
   i) Director, Human Resources
   ii) Director, Professional Standards and Conduct Unit
   iii) Director, Legal and Compliance Services.

XX.6 The following will constitute misconduct:
   i) Accessing a person’s criminal history information without their authorisation;
   ii) Disclosing a person’s criminal history information without their authorisation;

XX.7 A criminal conviction or outstanding charge will not preclude a person from employment with the University or restrict the duties they perform in their position, except where this will present a real and legitimate hindrance to the individual performing the duties of the position.

XX.8 A criminal record check includes a National Police Certificate, National Criminal History Check, Police Check and Criminal History Check.

XX.9 The University will not attempt to access a spent conviction of a staff member or a potential staff member, and where the University becomes aware of a spent conviction of a staff member or potential staff member no record of the spent conviction will be kept, and the spent conviction will not be considered when making a determination on the employment or duties of staff member or potential staff member.