



Australian Government

Department of Health and Ageing

OFFICE OF AGED CARE QUALITY AND COMPLIANCE

Police Certificate Guidelines

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Police Certificate Guidelines

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1 INTRODUCTION

These Guidelines have been developed to assist approved providers with the management of police check requirements under the *Accountability Principles 1998* (the Accountability Principles) made pursuant to the *Aged Care Act 1997* (the Act).

Police check requirements were implemented in 2007 and strengthened in 2009 as part of the Australian Government's ongoing commitment to protect the health safety and wellbeing of vulnerable aged care recipients.

Police checks are intended to complement robust recruitment practices and are part of an approved provider's responsibility to ensure all [staff](#) and [volunteers](#)¹ are suitable to provide care to the aged.

¹ For more information please see 4.3 Definition of a staff member; and 4.7 Definition of a volunteer

2 LEGISLATIVE REQUIREMENTS

The Act provides a legislative framework for Commonwealth funded aged care services. The Aged Care Principles are a set of 22 principles that provide specific details about what is required or permitted under the Act.

Approved providers have a responsibility under the Act to familiarise themselves with these provisions, along with any state or territory specific legislation. All Commonwealth legislation is available on the Commonwealth Law website: www.comlaw.gov.au.

- Part 4 of the *Accountability Principles 1998* sets out the police check requirements.
- Sections 19.5A and 19.5B of the *Records Principles 1997*, describe the types of records that need to be kept by approved providers to meet the legislative requirements, and the duty to keep records in accordance with the *Privacy Act 1988*.
- Schedule 2 of the *Quality of Care Principles 1997* (the Accreditation Standards) sets out the requirement for approved providers to have systems in place to identify and ensure compliance with all relevant legislation. This includes state and territory specific legislation.
- Schedule 1 of the *Community Visitors Grant Principles 1997*, sets out the requirements for Community Visitors Scheme (CVS) auspices.

3 POLICE CERTIFICATES

3.1 *Police certificates and police checks*

A police certificate is a report of a person's criminal history; a police check is the process of checking a person's criminal history. The two terms are often used interchangeably in aged care.

3.2 *Police certificate requirements*

A police certificate that satisfies requirements under the Act is a nation wide assessment of a person's criminal history (also called a "National Criminal History Record Check" or a "National Police Certificate") prepared by the Australian Federal Police, a state or territory police service, or a CrimTrac accredited agency.

For more information about assessing police certificates, including the different types, please see 5. [Assessing a Police Certificate](#).

3.3 *CrimTrac certificates*

Police certificates or reports prepared by CrimTrac accredited agencies are considered by the Department as being prepared on behalf of the police services and therefore meet the requirements under the Act. More information about CrimTrac is available at: www.crimtrac.gov.au.

3.4 *Statutory declarations*

Statutory declarations are generally only required in addition to police checks in two instances:

- for essential new [staff](#) and [volunteers](#)² who have applied for, but not yet received, a police certificate; and
- for any staff or volunteers who have been a citizen or permanent resident of a country other than Australia after the age of 16.

In these two instances, a staff member or volunteer can sign a statutory declaration stating that they have never, in Australia or another country, been convicted of murder or sexual assault, or convicted of, and sentenced to imprisonment for, any other form of assault.

Statutory declarations relating to police certificate requirements must be made on the form prescribed under the *Commonwealth Statutory Declarations Act 1959* (the Declarations Act), as the police certificate requirements are in connection with a law of the Commonwealth. Anyone who makes a false statement in a statutory declaration is guilty of an offence under the Declarations Act.

A statutory declaration template is provided at [Appendix 2](#). More information about statutory declarations is available at: www.ag.gov.au/statdec.

² For more information please see 4.3 Definition of a staff member; and 4.7 Definition of a volunteer

4 STAFF, VOLUNTEERS AND CONTRACTORS

4.1 Staff and volunteers

Police certificates, not more than three years old, must be held by:

- all staff members who are reasonably likely to have access to care recipients, whether supervised or unsupervised; and
- volunteers who have unsupervised access to care recipients.

4.2 Approved provider key personnel

Key personnel of approved providers are also required to undergo police checks. Obtaining police checks for key personnel is a separate process and has different assessment criteria than for aged care staff and volunteers. For more information about police check requirements for key personnel, please visit www.health.gov.au or email: key.personnel@health.gov.au.

4.3 Definition of a staff member

A staff member is defined in section 1.18 of the Accountability Principles as a person who:

- a) has turned 16 years of age; and
- b) is employed, hired, retained or contracted by the approved provider (whether directly or through an employment or recruitment agency) to provide care or other services under the control of the approved provider; and
- c) has, or is reasonably likely to have, access to care recipients.

Examples of staff members include:

- key personnel of the approved provider;
- employees and contractors of the approved provider who provide care to recipients (this includes all staff employed, hired, retained or contracted to provide services under the control of the approved provider whether in the residential aged care setting, a community setting or in the care recipient's own home);
- allied health professionals contracted by the approved provider to provide care to recipients;
- kitchen, cleaning, laundry, garden and office personnel employed by the approved provider either directly or through a contract agency; and
- consultants, trainers and advisors for accreditation support or systems improvement who are under the control of the approved provider.

4.4 Definition of non-staff members

Under section 1.18 of the Accountability Principles, individuals who are not considered staff members include:

- visiting medical practitioners, pharmacists and other allied health professionals who have been requested by, or on behalf of, a care recipient but are not contracted by the approved provider; and

- trades people who perform work otherwise than under the control of the approved provider (that is, independent contractors). For example, plumbers, electricians or delivery people who are utilised on an 'ad hoc' basis.

4.5 Contractors

Where an approved provider has a contract with an agency that provides staff, the individuals may be considered staff members under the Act, including where suppliers sub-contract work to others. The contract between the agency and the approved provider should state that any staff provided that are considered staff members under the Act must have a current police certificate, that does not preclude them from working in aged care.

For more information about assessing police certificate requirements for contractors, please see: 5. [Assessing a police certificate](#).

4.6 Independent contractors

Police check requirements are not intended to extend to people engaged on an ad hoc basis. Trades people engaged to provide a service at a date and time determined by the person providing the service generally do not require police checks. The policy intention is to allow for reasonable judgments to be made.

Approved providers have an overarching responsibility to protect the health, safety and wellbeing of care recipients, and independent contractors should be subject to appropriate supervision.

Approved providers can use the following indicators as a guide to establish whether a person is an independent contractor:

- the service provider has an ABN;
- the service provider advertises his or her services;
- the service provider has clients other than the approved provider;
- the approved provider does not determine the working hours and wages of the service provider;
- the approved provider does not make superannuation payments on behalf of the service provider; and
- the approved provider does not pay the service provider holiday pay or sick leave.

The difference between a contractor and an independent contractor is generally decided on the basis of the degree of control that is exercised over the person's work. A precise determination of whether a contractor is under the control of an approved provider can be difficult, and whether someone is a staff member or an independent contractor is a matter that might ultimately be determined by the courts. A Contractor Decision Tool is available at: www.business.gov.au to assist employers to determine whether an individual is a staff member or an independent contractor.

4.7 Definition of a volunteer

Under section 1.18 of the Accountability Principles a volunteer is defined as a person who:

- a) is not a staff member; and
- b) offers his or her services to the approved provider; and
- c) provides care or other services on the invitation of the approved provider and not solely on the express or implied invitation of a care recipient; and
- d) has, or is reasonably likely to have, unsupervised access to care recipients; and
- e) has turned 16 years of age or, if the person is a full-time student, has turned 18 years of age.

Examples of persons who are not volunteers under this meaning include:

- persons volunteering who are under the age of 16 (except where they are a full-time student, then under the age of 18);
- persons who are expressly or impliedly invited into the aged care service by a care recipient (for example, family and friends of the care recipient); and
- volunteers who only have supervised access to residents (for example, persons who volunteer in an aged care service to read to care recipients, but are not alone with any one care recipient).

4.8 New staff

While approved providers should aim to ensure all new staff members and volunteers have obtained a police certificate before they start work, the legislation does provide arrangements for commencing work prior to receipt of a police certificate in exceptional circumstances.

Section 1.22 of the Accountability Principles enables a person to start work prior to obtaining a police certificate and pending an assessment of any criminal conviction identified in the certificate if:

- the care or other service to be provided by the person is essential; and
- an application for a police certificate has been made before the date on which the person first becomes a staff member or volunteer; and
- until the police certificate is obtained, the person will be subject to appropriate supervision during periods when the person has access to care recipients; and
- the person makes a statutory declaration stating that they have never been:
 - a) convicted of murder or sexual assault; or
 - b) convicted of, and sentenced to imprisonment for, any other form of assault.

In such cases, the approved provider must have policies and procedures in place to demonstrate:

- that an application for a police certificate has been made;
- the care and other service to be provided is essential;
- the way in which the person would be appropriately supervised; and
- how supervision will occur in a range of working conditions, e.g. during night shifts and holiday periods when supervisory staff numbers may be limited.

4.9 Staff and volunteers who have resided overseas

Staff members and volunteers who have been citizens or permanent residents of a country other than Australia since turning 16 years of age must make a statutory declaration before starting work in any aged care service, stating that they have never:

- a) been convicted of murder or sexual assault; or
- b) been convicted of, and sentenced to imprisonment for, any other form of assault.

This statutory declaration is in addition to a current national police certificate, as this reports only those convictions recorded in Australian jurisdictions.

4.10 Community Visitors Scheme (CVS) volunteers

CVS volunteers are required to undergo a police check and these are undertaken and assessed by the CVS auspices prior to a volunteer commencing with the program. Community Visitors will provide approved providers with a 'Letter of Introduction' confirming the date of expiry of their police check. Provided that the letter is current, the home is not required to view the original police certificate.

5 ASSESSING A POLICE CERTIFICATE

5.1 *Police certificate format*

Police certificates may have different formats, including printed certificates or electronic reports. Every police certificate or report must record:

- the person's full name and date of birth;
- the date of issue; and
- a reference number or similar.

An approved provider must be satisfied that a certificate is genuine and has been prepared by an Australian Police service or a CrimTrac accredited agency.

The Department does not provide advice on whether a police certificate meets the requirements under the Act. It is up to the approved provider to be satisfied that a certificate meets the requirements, and enables them to assess a person's criminal history. Any police certificate decision should be documented by the approved provider. For more information on record keeping, and the sighting and storing of police certificates, please see 6. [Police Check Administration](#).

5.2 *Purpose of a police certificate*

A police certificate that best satisfies requirements under the Act is one obtained for the purposes of aged care. However, a national criminal history record check undertaken for another purpose will generally also satisfy the requirements. It is best practice to specify the purpose of the police check to the police service or CrimTrac agency issuing the certificate.

5.3 *Police certificate disclosure*

A police certificate discloses whether a person:

- has been convicted of an offence;
- has been charged with and found guilty of an offence but discharged without conviction; or
- is the subject of any criminal charge still pending before a Court.

The information on the certificate is drawn from all Australian jurisdictions and is subject to relevant state and territory spent conviction schemes. For more information about spent convictions, please see 5.8 [Spent convictions](#).

5.4 *Assessing precluding offences*

The offences that preclude a person under the Act from working in aged care are:

- a conviction for murder or sexual assault; or
- a conviction of, and sentence to imprisonment for, any other form of assault.

Any person with a conviction for a precluding offence must not be employed, contracted, hired, retained, or accepted as an unsupervised volunteer in an aged care service subsidised by the Commonwealth.

The precluding offence definitions are deliberately broad to account for the effect different jurisdictional law has on the accepted terminology for a type of offence. Murder and all forms of sexual assault are considered suitably serious to warrant absolute preclusion from employment; and the reference to being sentenced to imprisonment for any other form of assault is intended to preclude only the more serious forms of physical assault.

5.5 Assessing other offences

Approved providers should ensure they have policies and procedures in place to assess police certificates that record convictions for offences not considered precluding under the Act. An approved provider's decision regarding the employment of a person with any recorded convictions must be rigorous, defensible and transparent.

For more information please see: 5.7 [Refusing or terminating employment on the basis of a criminal record](#)

The following considerations are intended as a guide only to assist approved providers in assessing a person's police certificate for their suitability to be either a [staff member](#) or [volunteer](#)³ in an aged care service:

Access: the degree of access to care recipients, their belongings, and their information. Considerations include whether the individual will work alone or as part of a team, the level and quality of direct supervision, the location of the work, i.e. residential, community or home based settings.

Relevance: the type of conviction in relation to the duties a person is, or may be undertaking. An approved provider should only have regard to any criminal record information indicating that the person is unable to perform the inherent requirements of the particular job.

Proportionality: whether excluding a person from employment is proportional to the type of conviction.

Timing: when the conviction occurred.

Employment history: whether an individual has been employed since the conviction and the outcome of referee checks with any such employers.

Individual's information: the findings of any assessment reports following attendance at treatment or intervention programs, or other references; and the individual's attitude to the offending behaviour.

³ For more information please see 4.3 Definition of a staff member; and 4.7 Definition of a volunteer

Pattern: whether the conviction represents an isolated incident or a pattern of criminality.

Likelihood: the probability of an incident occurring if the person continues with, or is employed for, particular duties.

Consequences: the impact of a prospective incident if the person continues, or commences, particular duties.

Treatment strategies: procedures that will assist in reducing the likelihood of an incident occurring including, for example, modification of duties.

5.6 Committing an offence during the three year police certificate expiry period

Approved providers must take reasonable measures to require each of their staff members and volunteers to notify them if they are convicted of a precluding offence in the three year period between obtaining and renewing their police check. If a staff member or volunteer has been convicted of a precluding offence they must not be allowed to continue as a staff member or volunteer.

5.7 Refusing or terminating employment on the basis of a criminal record

Approved providers are legally bound under the Act not to allow a person to become, or continue as, a staff member or volunteer if their police certificate records a precluding offence. If in any doubt, approved providers should seek legal advice regarding the refusal or termination of a person's employment on the basis of their criminal record.

Under the *Fair Work Act 2009* there are provisions relating to unfair dismissal and unlawful termination by employers. More information about the *Fair Work Act 2009* is available at: www.fwa.gov.au. In addition, under the *Human Rights and Equal Opportunity Act 1986*, the Australian Human Rights Commission has the power to inquire into discrimination in employment on the ground of criminal record.

If a person feels they have been discriminated against based on their criminal record in an employment decision of an approved provider, they may make a complaint to the Australian Human Rights Commission. Further information on discrimination on the basis of criminal record is available at: www.humanrights.gov.au.

5.8 Spent convictions

Convictions that are considered "spent" under state, territory and Commonwealth legislation will not be disclosed on a police certificate unless the purpose for the application (for example, working with children) is exempt from the relevant spent conviction scheme.

Spent conviction legislation varies from jurisdiction to jurisdiction. In some circumstances or jurisdictions certain offences cannot be spent.

6 POLICE CHECK ADMINISTRATION

6.1 Record keeping responsibilities

Approved providers must keep records that can demonstrate that:

- there is a police certificate, which is not more than three years old, for each [staff member](#) or [volunteer](#)⁴;
- an application has been made for a police certificate where a new staff member or volunteer does not have a police certificate; or
- a statutory declaration has been provided by any staff member or volunteer who has not yet obtained a police certificate or was a citizen or permanent resident of a country other than Australia.

How an approved provider demonstrates their compliance with record keeping requirements is a decision for their organisation to make, based on their circumstances. The collection, use, storage and disclosure of personal information about staff members and volunteers must be in accordance with the *Privacy Act 1988* (Commonwealth). State and territory privacy laws can also impact on the handling of personal information such as a police certificate. Further information about privacy is available at: www.privacy.gov.au.

The Department recommends that approved providers keep a register of their staff and volunteers' police check information, including police certificate reference numbers and expiry dates. A register template is provided at [Appendix 2](#).

6.2 Sighting and storing police certificates

When individuals undertake to obtain their own police certificate, or employment agencies hold police certificates, approved providers should sight an original or a certified copy of the police certificate and the information and reference number should be recorded on file.

If it is impossible to assess a person's police certificate for any reason, the individual may be required to obtain a new police certificate in order for the approved provider to meet their responsibilities under the Act.

6.3 Cost of police certificates for staff and volunteers

Approved providers have a responsibility to ensure all staff members and volunteers undergo police checks. However, the payment of the cost of obtaining a police certificate is a matter for negotiation between the provider and the individual.

Individuals may be able to claim the cost of the police certificate as a work-related expense for tax purposes. Further advice on this issue is available from the Australian Taxation Office through their website at: www.ato.gov.au.

⁴ For more information please see 4.3 Definition of a staff member; and 4.7 Definition of a volunteer

Volunteers may be eligible to obtain a police certificate at a reduced cost whether the certificate is requested by an individual or by an approved provider on behalf of a volunteer. This should be confirmed with the agency issuing the police certificate.

6.4 *Obtaining certificates on behalf of staff or volunteers*

A person may provide a police certificate to the approved provider or give consent for the approved provider to obtain a police certificate on their behalf. For example in Queensland only Government agencies with legislative authority can obtain police certificates on behalf of individuals.

Approved providers can obtain consent forms from the relevant police services or a CrimTrac accredited agency. In some jurisdictions, parental consent may be required to request a police certificate for an individual under the age of 18 years.

6.5 *Police certificate expiry*

Police certificates for all staff and volunteers must remain current and need to be renewed every three years, before they expire. If a police certificate expires while a staff member is on leave, the new certificate must be obtained before the staff member can resume working at the service. Approved providers should note that the application or renewal process can take longer than eight weeks.

6.6 *Documenting decisions*

Any decision taken by an approved provider should be documented in a way that can demonstrate to an auditor the date the decision was made, the reasons for the decision, and the people involved in the decision, i.e. the approved provider, the individual, a legal representative, board members etc.

6.7 *Monitoring compliance with police check requirements*

The Aged Care Standards and Accreditation Agency, as part of its normal audit process in relation to the Accreditation Standards, will monitor compliance with the police certificate requirements in residential aged care services. The Department also monitors compliance through its responsibility to ensure approved providers meet their responsibilities under the Act.

Approved providers must have policies and procedures in place to demonstrate suitable management and monitoring of the police certificate requirements for all staff members and volunteers. This includes, for example:

- three-year police check renewal procedures;
- appropriate storage, security and access requirements for information recorded on a police certificate; and
- evidence of an approved provider's decisions in respect of all individuals, or where staff are contracted through another agency, evidence of contractual arrangements with the agency that demonstrates the police certificate requirements.

For more information please see: 6.1 [Record keeping responsibilities](#).

7 FURTHER INFORMATION

7.1 *By phone*

For information on aged care call: 1800 200 422.

7.2 *In writing*

For written advice on police check requirements, please email the police.checks@health.gov.au; or write to:

Police Checks MDP 452
Department of Health and Ageing
GPO Box 9848
Canberra ACT 2601

7.3 *Online*

Information about police check requirements can be found on the Department of Health and Ageing's website at:

<http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-quality-factsheet-policechecks-guidelines.htm>

8 APPENDICES

8.1 APPENDIX 1 - POLICE SERVICE CONTACT DETAILS

Australian Federal Police (for ACT)	Phone: (02) 6202 3333 http://www.afp.gov.au/what-we-do/police-checks/national-police-checks.aspx
New South Wales Police Service	Phone: (02) 8835 7888 http://www.police.nsw.gov.au/about_us/structure/specialist_operations/forensic_services/criminal_records_section
Victoria Police	Phone: 1300 881 596 http://www.police.vic.gov.au/content.asp?Document_ID=274
Queensland Police Service	Phone: (07) 3364 6705 http://www.police.qld.gov.au/services/purchase/polcert.htm
Western Australia Police Service	Phone: (08) 9268 7645 http://www.police.wa.gov.au/ABOUTUS/OurServices/ClearanceCertificates/tabid/1202/Default.aspx
South Australia Police	Phone: (08) 8204 2455 http://www.sapolice.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp
Tasmania Police	Phone (03) 6230 2928 http://www.police.tas.gov.au/services-online/police-history-record-checks/
Northern Territory	Phone: 1800 723 368 http://www.nt.gov.au/pfes/index.cfm?fuseaction=page&p=87&m=20&sm=37

8.2 APPENDIX 2 - STATUTORY DECLARATION TEMPLATE

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

¹ Insert the name, address and occupation of person making the declaration

¹ I,
² make the following declaration under the *Statutory Declarations Act 1959*:

² Set out matter declared to in numbered paragraphs

I declare that (place a tick or cross in applicable box):

- since turning 16 years of age, I have been a citizen or permanent resident of a country/countries other than Australia.
- since turning 16 years of age, I have never been a citizen or permanent resident of a country/countries other than Australia

I declare that I have never been convicted of murder or sexual assault; or convicted of, and sentenced to imprisonment for, any other form of assault.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

³ Signature of person making the declaration

³

⁴ Place

⁵ Day

⁶ Month and year

Declared at ⁴ on ⁵ of ⁶

⁷ Signature of person before whom the declaration is made (see over)

Before me, ⁷

⁸ Full name, qualification and address of person before whom the declaration is made (in printed letters)

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1959 — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the Statutory Declarations Act 1959 may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trademarks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular

Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service
Employee of the Australian Trade Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the Consular Fees Act 1955; and

(c) exercising his or her function in that place
Employee of

the Commonwealth who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (c) of the Consular Fees Act 1955; and

(c) exercising his or her function in that place
Fellow of the National Tax Accountants' Association Finance
company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

(a) an officer; or

(b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more
years of continuous service; or

(c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising
Accountants or the National Institute of Accountants

Member of:

(a) the Parliament of the Commonwealth; or

(b) the Parliament of a State; or

(c) a Territory legislature; or

(d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is
employed in an office supplying postal services to the public

Permanent employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority; or

(c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is
made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority
Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution

8.3 APPENDIX 3 - INDIVIDUAL ASSESSMENT FORM

Name of person	
Description of position the person occupies or will occupy	
The person provided, or gave approval for the approved provider to obtain, an original or certificate copy report of his/her police certificate	Yes. Evidence recorded.
	No. A person who does not provide, or give consent for an approved provider to obtain his/her police certificate, is precluded from employment in an aged care service.
Date police certificate requested	
Date police certificate received	
The police certificate disclosed no convictions	
The police certificate disclosed a conviction requiring further assessment	Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.
The police certificate disclosed a conviction of murder or sexual assault; or a conviction of, and sentence to imprisonment for, any other form of assault	The individual is precluded from employment.

Name of assessor: _____

Position/Title: _____

Signature: _____

Date: _____

8.4 APPENDIX 4 - POLICE CERTIFICATE REGISTER

Name	Date of birth	Position	Police certificate reference no.	Date of issue	Date of expiry



Australian Government
Department of Health and Ageing

POLICE CHECK FACT SHEET

Staff members and volunteers

All staff members and volunteers at Commonwealth funded aged care services are required to undergo a police check. The definitions of staff member and volunteer are set out under section 1.18 of the *Accountability Principles 1998*.

Independent contractors

Trades people or allied health professionals engaged to work at an aged care service on an ad-hoc or one-off basis generally do not require police checks.

Police certificates

A police certificate that satisfies requirements under the *Aged Care Act 1997* (the Act) is a nation-wide assessment of a person's criminal history, prepared by the Australian Federal Police, a state or territory police service, or a CrimTrac accredited agency.

Precluding offences

The precluding offences under the Act are a conviction for murder or sexual assault, or a conviction of, and a sentence to imprisonment for, any other form of assault.

Police certificate renewals

Police certificates must be renewed every three years, before they expire. An approved provider must be able to demonstrate that for every applicable staff member and volunteer there is a current police certificate that does not record a precluding offence.

Further information	
By phone	1800 200 422
In writing	Email police.checks@health.gov.au
	Police Checks MDP 452 Department of Health and Ageing GPO Box 9848 Canberra ACT 2601
Online	http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-quality-factsheet-policechecks-guidelines.htm