

Aged Care Sector Employment Screening

What is it?

Aged care sector employment screening is an assessment of an individual's criminal conviction history to determine if they pose a risk of harm to people in an aged care setting.

When is it required?

This type of screening is required before a person is engaged for employment or volunteering activities with Commonwealth-funded aged care services.

Screening is required by organisations funded by the Commonwealth for the provision of aged care services, to ensure that a person providing those services has not committed a precluding offence.

Aged care sector employment screening may be required by 'approved aged care service providers' when engaging people to work or volunteer in roles such as:

- key personnel of the approved provider;
- employees and contractors of the approved provider; all staff employed, hired, retained or contracted to provide services under the control of the approved provider whether in a 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 care 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.

Aged care sector screening is mandated by law in specific circumstances. Whether or not aged care



sector screening is required depends on the type of workplace and the nature of the work or volunteer role in each case, ie the tasks involved, and the level of supervision.

Precluding offences are:

- a conviction for murder or sexual assault;
- a conviction 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.

Other offences in a person's criminal history record are included in the assessment process in this type of screening by the DCSI Screening Unit.

Approved aged care sector service providers have a responsibility under the Act to familiarise themselves with its provisions, along with any state or territory specific legislation.

Relevant legislation

The *Aged Care Act 1997 (the Act)* provides a legislative framework for Commonwealth-funded aged care services.

The Aged Care Accountability Principles (2014) provide specific details about what is required or permitted under the Act.

Commonwealth legislation is available on the Australian Government's Federal Register of Legislation: www.comlaw.gov.au.

Organisations providing aged care services may conduct their own screening as set out in the *Aged Care Accountability Principles 2014*.

Statutory Declaration required (for citizens/residents of a country other than Australia)

The Principles require an approved provider to be satisfied that a person, who at any time after turning 16, has been a citizen or permanent resident of a country other than Australia, has made a statutory declaration stating that they have never been convicted of murder or sexual assault, or convicted of an sentenced to imprisonment for any other form of assault.

The DCSI aged care sector employment screening does not satisfy this particular requirement of the Principles. Therefore the organisation should take the necessary steps to ensure this requirement is met.

What's the difference between screening and obtaining a National Police Certificate?

An aged care employment screening by the DCSI Screening Unit involves a risk assessment, whereas there is no risk assessment when you obtain a police certificate (also called a police check). With aged care sector screening, the individual's criminal conviction history is assessed specifically on their risk of causing harm to people receiving aged care sector services in a workplace or volunteer environment.

What is involved?

Screening should be considered only a part of the recruitment process. The final decision-making responsibility about whether to engage an employee or volunteer rests with the employing organisation.

Screening applications are completed and submitted online. Applicants are required to meet the requirements of an identity check. The organisation commences the application and the applicant completes the application.

Screening assessments are conducted in accordance with the principles of natural justice and procedural fairness. If information received indicates that an applicant may pose a risk of harm to people in an aged care setting, the DCSI Screening Unit will contact the applicant to discuss the matter before finalising the assessment. Applicants have access to a review process in the event they do not agree with a screening outcome. Further information is available on the Screening Unit website.

How long does screening take?

The time taken to finalise a screening assessment depends on the relevance, complexity, and amount of information that requires assessment. If there is no criminal conviction history to assess, screening should be completed within 30 business days. If the DCSI Screening Unit obtains information that requires further assessment, additional time may be required. In some cases it may take more than 8 weeks to finalise.

What does it cost?

Refer to the DCSI website for the current fees.

How often is screening required?

An aged care sector clearance is valid for three years and is portable between organisations within South Australia.

Contact the Screening Unit:

Email: DCSIScreeningUnit@sa.gov.au

Website: www.dcsi.screening.sa.gov.au