

## **Criminal record checks - the Working with Children Check, the National Police Check for Volunteers, the National Police Certificate and the State Traffic Certificate**

Criminal record checks are one strategy organisations can use as part of the process of determining whether someone is suited to work in a specific role, whether it is a voluntary or paid position. People often ask why one check cannot be used as a substitute for another, and this information explains the differences.

### **The four types of checks**

There are four main checks available in Western Australia which have different target groups and different features. These are:

- The Working with Children Check
- The National Police Check for Volunteers
- The National Police Certificate
- The State Traffic Certificate.

The following pages summarise all the checks' basic features and how they are tailored to provide appropriate screening for individual situations. This information should assist people in deciding which check/s they need to undertake themselves, or for their workers/volunteers.

## Working with Children Check (WWCC)

The *Working with Children (Criminal Record Checking) Act 2004* makes it compulsory for certain people in child-related work – including the self employed, paid employees and volunteers – to apply for a Working with Children Check (WWCC). Unlike the other checks, this rigorous check is specifically designed to consider ALL convictions and charges and to assess whether these records indicate a child may be harmed in the course of child-related work. General character is not assessed.

The individual must apply for the check themselves and will be issued with a Working with Children Card (the Assessment Notice) if they are assessed as eligible. A Negative Notice will be issued if a person's criminal record indicates a child may be at risk of being harmed. A copy of both of these types of notices is provided to the identified employer or volunteer agency and to the applicant.

The Card is valid for three years for all types of paid and voluntary child-related work unless there is a new offence that requires re-assessment.

Some roles that involve contact with children are not classified as child-related work. In these cases, or where employees or volunteers are exempt from the WWCC and criminal record screening is required to assess their risk, the National Police Certificate or National Police Check for Volunteers is recommended.

This information is a very brief overview only and more details are available on [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

<b>Purpose</b>	<ul style="list-style-type: none"> <li>• For screening people in child-related work to determine whether they have charges or convictions that indicate a child may be harmed.</li> <li>• To ensure a consistent high standard of criminal record checking for people in child-related work, including volunteers.</li> </ul>
<b>Target</b>	<ul style="list-style-type: none"> <li>• Compulsory for certain people in child-related work that involves contact with children as part of the usual duties of that work.</li> <li>• Individuals must stop child-related work immediately if issued with an Interim Negative Notice or Negative Notice.</li> </ul> <p><b>See Fact sheet 1: What is “child-related work” at <a href="http://www.checkwwc.wa.gov.au">www.checkwwc.wa.gov.au</a></b></p>
<b>Exemptions</b>	<ul style="list-style-type: none"> <li>• Volunteers aged under 18 including students on placements</li> <li>• Parents volunteering with their children’s activities, except for overnight camps</li> <li>• Short term visitors to WA.</li> <li>• Other groups as identified on the website.</li> </ul> <p><b>See Fact sheet 5: Child-related work and exemptions at <a href="http://www.checkwwc.wa.gov.au">www.checkwwc.wa.gov.au</a></b></p>
<b>Key features</b>	<ul style="list-style-type: none"> <li>• Assessment is undertaken of the full criminal record and the information related to any charges.</li> <li>• Penalties apply if a person works in - or an employer permits a person to work in – child related work without a current application for a WWCC.</li> <li>• Penalties apply if a person works in breach of a Negative Notice</li> <li>• There are other obligations including reporting new offences or charges.</li> </ul>
<b>Fee</b>	<p>\$10 for volunteers or \$50 for paid persons. This pays for a WWCC Card valid for 3 years if there are no new offences of relevance.</p>

## National Police Check for Volunteers (NPCV)

This program enables eligible organisations to have a National Police Check undertaken for their volunteers at a reduced fee of \$11.00, compared to the \$53 it costs for a National Police Certificate. No certificate or card is provided and each individual check is not able to be used by more than one volunteer group.

On application by the volunteer group, the WA Police provides a response confirming whether each volunteer has any criminal or traffic court outcomes and/or pending charges using a code system. For court outcomes and/or pending charges, any offences will also be identified as "serious" or "minor" as per the code. This program will not reveal any other information regarding the record and/or pending charges.

The information provided will show that the volunteer has:

- no disclosable criminal or traffic record; or
- they have 'minor' or 'serious' criminal convictions; and/or
- traffic convictions, and/or
- a Fines Enforcement Registry unpaid fine resulting in a driver's licence suspension.

(Traffic convictions are not separated into serious or minor categories.)

The NPCV is recommended as part of the assessment as to the volunteer's general character. However, if the volunteering role falls under the legislated definition of "child-related work", a Working with Children Check is needed.

There may be a few situations where some volunteers must have both a NPCV and a WWCC– eg a person doing child-related volunteer work who also has a significant role in handling money or working with vulnerable adults.

<b>Purpose</b>	<ul style="list-style-type: none"> <li>• A NPCV assesses criminal history that may impact on a volunteer's suitability to perform activities such as managing finances, driving vehicles or working with adult clients.</li> </ul>
<b>Target</b>	<ul style="list-style-type: none"> <li>• Any organisation involving volunteers, including State and Commonwealth government and private sector organisations</li> <li>• For people volunteering in situations which do not require a WWCC card.</li> </ul>
<b>Exclusions</b>	<ul style="list-style-type: none"> <li>• Not available for paid staff.</li> <li>• Only for volunteer work which provides a community service and not as part of an obligated work placement (e.g. student placements, "Work for the Dole" etc are ineligible and should get a National Police Certificate if needed instead)</li> </ul>
<b>Application process</b>	<ul style="list-style-type: none"> <li>• Individuals cannot apply, their organisation must do it for them, but only with their permission.</li> <li>• Organisations need to register for the program by downloading an Information Package from the website <a href="http://www.communities.wa.gov.au">www.communities.wa.gov.au</a></li> </ul>
<b>Key features</b>	<ul style="list-style-type: none"> <li>• Advises the organisation if there are serious or minor criminal convictions/charges, traffic convictions, or a Fines Suspension.</li> <li>• Does not provide a certificate or card. and is not portable between different organisations.</li> <li>• Is not 'live' – ie any new charges will not be notified so it is current only on the day it is issued.</li> <li>• It confirms the existence of a record but not the details of the actual conviction.</li> </ul> <p>(For volunteers who do have a criminal record, their organisation can ask them to obtain a full National Police Certificate which lists the details of discloseable court outcomes and pending charges for \$53.25)</p>

<b>Fee</b>	<ul style="list-style-type: none"><li>• \$11 for each volunteer</li><li>• A National Police Check for Volunteers will be provided free of charge when evidence of an existing application for a Working with Children Check is provided.</li><li>• The free of charge second check applies only to the NPCV check, not to the WWCC.</li></ul>
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## National Police Certificate (NPC)

This provides a check of a person's criminal history as an adult. It is recommended for a range of employment or volunteering roles as part of a general assessment of history and character. A certificate is issued directly to the individual applicant which may be able to be used for different jobs, volunteer roles, or in self-employment.

The certificate lists all disclosable convictions, pending charges and traffic offences a person has but does not assess their seriousness. 'Spent', juvenile convictions and non convictions are not included. The NPC is printed on secure paper and posted directly to applicants.

The record on the certificate is not 'live' as new charges are not notified so that it is current only close to the date it is issued – ie if the person then offended, the existing certificate would not reveal this. The NPC cannot be used for child-related work where a Working with Children Check is required.\*

\*see Working with Children Check section.

<b>Purpose</b>	To provide a criminal record check which organisations may use as one of their risk management strategies.
<b>Target</b>	<ul style="list-style-type: none"> <li>• Employees and volunteers where required by their organisation/employer, and self employed people.</li> <li>• Volunteers whose NPCV indicates a criminal record that needs further assessment.</li> <li>• Compulsory for certain industries, eg aged care, many public servants.</li> </ul>
<b>Application process</b>	<ul style="list-style-type: none"> <li>• Forms are available at Australia Post or an online form is also available at the WA Police website <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a></li> <li>• The online form can be completed and printed before being lodged at an Australia Post outlet.</li> <li>• 100 points of ID are required.</li> </ul>
<b>Key features</b>	<ul style="list-style-type: none"> <li>• Provides a certificate which is transferable between different roles and organisations. It is not 'live' and new charges are not notified so that it is current only close to the date it is issued.</li> <li>• Lists an individual's disclosable offences and pending charges but not most juvenile offences, traffic or spent convictions.</li> <li>• No assessment is undertaken of the seriousness of the offences.</li> </ul>
<b>Fee</b>	\$53.25.

### State Traffic Certificate

In WA, a State Traffic Certificate is also available when only a person's driving offences need to be checked.

<b>Purpose</b>	<ul style="list-style-type: none"><li>• A State Traffic Certificate is a certificate issued upon application by an individual who only requires a record of traffic charges.</li><li>• Further information is available on the application form at <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a></li></ul>
<b>Application process</b>	<ul style="list-style-type: none"><li>• Applications must be made in person at any Police Station in WA.</li><li>• ID must be provided.</li></ul>
<b>Key features</b>	<ul style="list-style-type: none"><li>• Lists an individual's disclosable traffic offences in Western Australia only.</li><li>• Due to a number of factors, it is not currently possible to issue a "National Traffic Certificate".</li></ul>
<b>Cost</b>	\$19.20