



## Volunteer Mentor Handbook

### SVPACT Aims:

- To provide one to one mentoring of students, by volunteers in ACT schools;
- To add value and purpose to the lives of participating mentors;
- To enhance community involvement in schools.

*"It takes a village to raise a child"*

Major Sponsor:  Teachers Mutual Bank  
We put you first

## Welcome SVPACT Volunteer Mentors

You have taken the first step towards making a significant impact on the excellent education programs in the ACT. Volunteer mentors provide enrichment opportunities that enhance the education experience for students, while supporting teachers and staff.

As a former teacher, I know that teachers can always use another pair of hands. The School Volunteer Program ACT (SVPACT) gives students that one to one experience that teachers cannot always provide.

I know that in every community there are people doing extraordinary things. They not only give their dedication, inspiration and hard work, they give their time, which is so valuable to all of us.

Volunteers use a variety of mentoring activities, including reading, general literacy, projects, Meccano building, crafts and games to build a rapport with their students

With guidance from teachers, you will support what the students are learning in the classroom.

This handbook will help you make the smooth transition into volunteering in ACT schools, providing you with an overview of SVPACT, and the variety of opportunities that you may wish to pursue.

I congratulate you on your role in this worthwhile and rewarding program. SVPACT continues to make a tremendous difference, not only to individual students, but also to the wider community.

President

SVPACT Inc  
September 2015

## Quick Facts

The School Volunteer Program ACT Inc. is an association incorporated in the ACT, which recognises the unique place of volunteers in schools. School volunteers are mentors, confidantes and communicators.

The School Volunteer Program ACT (SVPACT) currently has more than 120 mentors, volunteering in over 30 ACT schools.

All SVPACT mentors hold a Working with Vulnerable People card, and two references are obtained for each mentor prior to commencement.

SVPACT mentors include people from all walks of life including; former teachers, engineers, economists, tradesmen, homemakers, lawyers, bureaucrats, and business managers.

## Awards

Since SVPACT commenced over 10 years ago, the Program, the Committee, and individual mentors have received community recognition, through several Children's Week awards for excellence.

In 2015, the School Volunteer Program ACT was named the ***Volunteer Team of the Year***, in the category Education, Science and Technology.

## About the School Volunteer Program ACT

SVPACT is based on the successful Western Australian program, and was first introduced by the Rotary Club of Canberra Weston Creek, in 1997.

This program was subsequently combined with a trial activity at Charnwood Primary School, and the "STYLE" program to cover the whole of the ACT.

SVPACT was formally launched by the Governor General, Major General Michael Jeffery, at North Ainslie Primary School, in October 2005. General Jeffery is now the Patron of SVPACT.

All SVPACT mentors and Committee Members contribute their services on a voluntary basis.

SVPACT works in partnership with the ACT Education and Training Directorate, and is supported by Teachers Mutual Bank (major financial supporter), the ACT branch of the Australian Teachers Union, Rotary, and other community organisations.

Individual mentors work one to one with students, under the guidance of teachers, and within their line of sight.

It is expected that schools will seek parents' approval for their child to participate in the program.

## Getting Started

As a first step, prospective mentors need to obtain a Working with Vulnerable People (WWVP) card from the ACT Office of Regulatory services.

1. Having obtained a WWVP card (which is free for volunteers) you, as a prospective mentor, should complete an SVPACT Application form and forward it to: SVPACT Inc., PO Box 3699 Weston Creek ACT 2611 (both the WWVP and SVPACT application forms can be downloaded from the SVPACT website ([www.svpact.org.au](http://www.svpact.org.au))).
2. A Committee Member will contact you to arrange a meeting to discuss your responsibilities as an SVPACT mentor, and inform you of the basics of one to one school mentoring.
3. You will be provided with an SVPACT name badge, and be expected to attend the next biannual training and orientation seminar for new mentors.
4. The SVPACT Committee Member will forward summary details of your expertise and experience to your preferred school, and arrange an appointment to meet the Principal and/or SVPACT School Coordinator (SSC). At this meeting, your preferred day and time of the week will be arranged, together with your start date.
5. Initially mentors spend one hour each week with the student. However this may increase, once you have become accustomed to the environment, and the student begins benefiting from the mentoring process.
6. Usually the mentor works one to one with a student, however in some situations, you may be involved in small group mentoring.

Mentors work with their students under the general supervision of the classroom teacher, who will monitor the activities undertaken.

- The school provides all books, writing materials and other learning resources as required.
- The mentor and student may work in the library, in a corridor, in the classroom, or a designated space as determined by the teacher. The mentor and the student will be in line of sight of a staff member at all times.
- Individual students are selected through a process organised by the school. The criteria may vary according to the individual needs of students. Some students may be very able and just need extra challenges to engage their interest. Others may have a learning disability, poor self-esteem, lack of a mature role model, a temporary family setback, or poor school attendance or social integration.
- Schools have the responsibility of keeping parents informed about their child's involvement in the program.
- Mentors do not work with students outside the school premises or outside school hours.

## Mentoring using Meccano

Mentoring through Meccano building is a significant part of SVPACT.

Participating mentors work in teams of four or more, and meet together at the school to work one to one with students, (but in a group environment).

The involvement of an individual student is generally for a 10 week period, which matches the time usually taken to complete a model.

This activity has proved very successful in enhancing the self esteem and confidence of participating students.

## Mentor qualifications and skills

No formal qualifications are required to become a SVPACT mentor.

Training is arranged by the Committee through bi-annual orientation seminars for new mentors, and Literacy and Maths Workshops.

Volunteer mentors are men and women who:

- reach across generations;
- patiently encourage children and young people to do their best;
- want to offer a listening ear; and

need to be flexible and adaptable to the student – teacher environment.

## Three key skills required to be a successful SVPACT mentor:

1. **PATIENCE** – it is important to be prepared to progress slowly and steadily, and be able to cope with possible lapses by the student.
2. **EMPATHY** – having an unbiased, friendly outlook towards young people is vital. Mentors need to accept that children are sometimes embarrassed, tentative or can be overly assertive – just as some adults are.
3. **LIFE EXPERIENCE** – mentors who can share their life experiences, challenges and skills with students, impart their wisdom, and an ability to provide a positive role model, are best suited to the SVPACT program.

SVPACT wishes to recruit volunteer mentors who display the qualities of social justice, integrity and appropriate behaviour towards students, teachers and other school staff.

Are you:

- wanting to be involved in fun, friendly and free training workshops accompanied by morning/afternoon tea?
- genuinely interested in helping children and young people?

- flexible and able to cooperate with students, teachers and staff, and willing to learn from them?
- able to commit to a volunteering activity for one hour per week, during school terms?

**IF YOU ANSWERED YES - THEN SVPACT IS FOR YOU!**

## **SVPACT in schools**

Participating schools are expected to nominate a staff member as the SVPACT School Coordinator (Coordinator). Each Coordinator will ensure that space, equipment, activities and students are ready at the designated times when mentors arrive.

If a student is absent, or on excursion, the Coordinator will make every effort to advise the mentor that the session will be cancelled. Similarly, the mentor will advise the Coordinator if he/she cannot attend at the scheduled time.

The '*Mentor contact details & class arrangements*' form ([Appendix 2](#)) is provided to the Classroom Teacher, to facilitate contact when the student is not available at the appointed time.

A professional approach and respect ensures that students, as well as mentors, gain the maximum benefit from the partnership.

If you need more information in order to perform your volunteering activity with your student, just ask your Coordinator.

It is advisable to establish an effective communication channel with the Coordinator and/or Classroom Teacher.

Some schools maintain a "Communication Book" in which mentors and the Coordinator/Classroom Teacher can exchange comments on the progress of the mentoring activity, tasks undertaken and other matters of mutual interest or concern. This method is particularly useful in those circumstances when direct discussion is not practical.

## **Issues or student concerns**

All teachers and staff in schools have a mandatory responsibility to report to relevant authorities, any concerns they may have in relation to student welfare and wellbeing.

Mentors who have concerns about their student are advised to discuss their concerns with the Coordinator or Classroom Teacher.

## **Confidentiality**

In accordance with the ACT Education and Training Directorate's '**Working with Children and Young People - Code of Conduct for Volunteers**' you must "*...observe confidentiality in respect to all information gained through your participation as a volunteer.*"

The complete Code of Conduct can be viewed at [Appendix 1](#).

When you first visit the school where you will be a mentor, you will be asked to complete a

'Working With Children and Young People Nomination' (this form can be downloaded from the SVPACT website).

In terms of what you learn about your student, confidentiality between you and the SVPACT School Coordinator is paramount. For example, a casual comment outside of the school may be misinterpreted and be devastating for a student, his/her family and SVPACT.

If you have questions or concerns, please discuss with either your SVPACT School Coordinator, or a member of the SVPACT Committee.

## **Administration**

- **Insurance**
- The SVPACT provides public liability and personal accident insurance cover for all volunteer mentors.
- **Sign on/off**
- All visitors to schools are required to sign on and off on the Visitor's Attendance Book located in the front office of the school.
- **Working with Vulnerable People Card**
- All mentors are required to produce their WWVP cards when requested by school staff.

## **SVPACT Committee**

The SVPACT Committee aims to support its mentors according to best management practice.

Working in partnership with school staff, SVPACT mentors make an important contribution to the school community.

SVPACT Committee Members are available to answer queries or assist in the implementation of the SVPACT mentoring service.

The Committee consists of current and former principals, retired teachers, current mentors, and volunteers with many years experience in community groups.

The Committee organises regular training and networking opportunities for SVPACT mentors.

**We welcome your ideas and feedback on all aspects of the program.**

## **Checklist**

Some considerations prior to meeting with your SVPACT School Coordinator:

- School sign-in procedures;
- Relevant school contact details;
- Plan of the school showing the layout of the school and parking;
- School evacuation procedures and safety rules;
- Relevant school policies ;
- What are your mentoring duties?;

- What to do if you are unavailable?; and
- What to do if the student is absent?

## Mentoring – making a difference

Be yourself! Accept that students in the program you mentor may have backgrounds, vocabulary, manners and values that are different from yours.

By being yourself, by caring, by showing up and giving your time to mentor a student one to one you are making a difference!

Six features of effective mentoring relationships:

1. Have realistic goals and expectations;
2. Be positive;
3. Have fun together;
4. Listen;
5. Give your student choice and voice in deciding on activities; and
6. Respect the trust your student places in you.

In accordance with the ACT Education and Training Directorate’s requirements, mentors are required to sign the Attendance Register on arrival and departure from the school and wear their identifying SVPACT badge while at the school.

Check with your SVPACT School Coordinator for the school’s requirements.

Mentors are required to adhere to the ACT Education and Training Directorate’s **Code of Conduct for Volunteers**, a copy of which can be found at [Appendix 1](#) of this handbook.

## Thanks

Always remember that you are appreciated!

Sometimes we get caught up in the day to day operations of SVPACT and may forget to say thank you. You are certainly appreciated and we value the time that you give.

## Questions to consider

To help you with your school placement, please consider the following questions:

- Would you prefer to work with early childhood schools (Preschool to Year 2); upper primary schools (Years 3-6); secondary schools (Years 7-10); or colleges (Years 11-12)?
- What days, and times would you prefer?
- How much time do you want to commit to mentoring?
- What are you looking for in your mentoring experience?
- Which suburbs would you like to work in, and would you consider working outside those areas?

## **SVPACT Contact Details**

Mal Ferguson

Phone: 0405 732 837

Email: [secretary@svpact.org.au](mailto:secretary@svpact.org.au)

Web: [www.svpact.org.au](http://www.svpact.org.au)

## **Working with Children & Young People Code of Conduct for Volunteers and Visitors**

Volunteers and visitors provide a range of services and support to schools. This may include interaction with individuals and small groups of students in a range of different activities.

**To assist schools in providing a safe environment and a positive educational climate, volunteers and visitors are asked to comply with this Code of Conduct.**

**This Code of Conduct has been formulated to clarify the type of conduct that is expected of volunteers and visitors participating in programs and activities supporting students in ACT public schools.**

- Observe similar standards of behaviour and ethical conduct to those required of staff. For example, you are expected to act within the law, be honest and fair, respect other people (including students), and work to the best standard of your ability.
- Appreciate that teachers have a special duty of care for students that cannot be delegated or transferred to others. Appreciate also that the principal is the spokesperson for the school.
- Appreciate that students have rights and aspirations. Treat students with dignity and respect.
- Observe confidentiality in respect of all information gained through your participation as a volunteer or visitor. All information held by schools should be handled with care. Some information is especially sensitive.
- Sensitive and/or personal information requires additional caution in the way it is treated. For example, volunteers and visitors should not discuss nor disclose personal information about students, staff or students' parents or carers.
- Accept and follow directions from the principal/supervisor and seek guidance through clarification where you may be uncertain of tasks or requirements. You may need to familiarise yourself with the Directorate's policies and guidelines on particular issues.
- Observe safe work practices, which avoid unnecessary risks, apply reasonable instructions given by supervisors, and report to the supervising staff and school administration any hazard or hazardous practice in the workplace.
- Report any problems as they arise to your supervisor/contact person, including incidents, injury or property damage.

## Mentor contact details & class arrangements

<b>Mentor name:</b>	
<b>Phone:</b>	<b>Email:</b>
<p><i>Contact details are optional for privacy reasons, as this information will be on “display” in the classroom. However, please note your School Co-ordinator, or Principal, or front office will need these details should contact be necessary.</i></p>	
<b>Student:</b>	<b>Year:</b>
<b>Day:</b>	<b>Time:</b>
<b>Teacher:</b>	
<b>Mentoring location:</b>	
<p>Wherever possible, please let me know if the program will not run (e.g. school camp, excursion or student absence).</p> <p>Perhaps have another student as back up, or some general tasks for me should I arrive and the student is unavailable.</p>	

*(Mentor to complete this form and hand to Classroom Teacher)*



P O Box 3699  
Weston Creek ACT 2611  
Tel. 0405732837  
secretary@svpact.org.au  
  
www.svpact.org.au

*“Mentors Caring for Young People”*

**CONFIDENTIAL APPLICATION**

**I wish to be a student mentor under the School Volunteer Program ACT Inc.**

**My preferred school is:** .....

**Surname:** ..... **Given Name:** .....

**Preferred name for badge: Mr/Mrs/Miss/Ms/Other** .....

**Address:** .....

..... **Postcode:** .....

**How long have you been at this address?** .....

**Previous address if less than two years:** .....

**Telephone:** ..... **Mobile:** ..... **Birth date:** ...../...../.....

**Email address:** .....

**Emergency contact name and telephone number:**.....

**Working with Vulnerable People Registration:** No..... **Exp. Date**.....

**Background: Interests / Hobbies / Skills / Experience:**

.....

.....

..... (Attach addendum sheet if required)

**I wish to be a member of SVPACT Incorporated. (To vote at General Meetings):** Yes / No

***I declare that the information in this mentor application is correct, to the best of my knowledge.***

**Applicant’s Signature:** ..... **Date:**.....

**Please complete referee details and declaration on Page 2.**

**Referee details :** Please provide contact details of TWO people, of good standing, who have known you for more than 2 years (other than family members).

Name: .....

Telephone – Office Hours: ..... Mobile.....

Position/Relationship to you:  
.....

Name:.....

Telephone - Office Hours: .....Mobile.....

Position/Relationship to you:.....

**CONFIDENTIALITY**

**Please read and complete and sign.**

I,.....(full name) ,  
understand that as a volunteer working with SVPACT Inc at a school, I have the responsibility to respect and maintain the confidential nature of activities within the school. Where necessary, I will pass on issues of concern to the School Volunteer Program Coordinator at the school or the School Principal.

I agree to keep any information relating to students, parents, teachers and the school management system confidential.

I agree to comply with the Australian Privacy Principles of the *Privacy Act 1988* as amended, and the confidentiality provisions of the ACT Education and Training Directorate *Code of Conduct* for persons working in schools.

**Signed:** .....

**Date:** .....

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PLEASE NOTE:

**PRIVACY ACT:**

Personal data you have provided will be treated as confidential, in line with the Australian Privacy Principles of the *Privacy Act 1988* as amended.

**Please send completed application to SVPACT Inc. PO Box 3699, Weston Creek ACT 2611**

# **Working with Vulnerable People - Information for Volunteers and Visitors in Schools**

## **The purpose of this guide**

This guide provides information to people who provide or wish to volunteer services to schools, or who visit schools to provide educational, commercial or other services.

The rules for volunteers and visitors have been changed by the introduction in the ACT of the *Working with Vulnerable People (Background Checking) Act 2011*. This requires people to undergo a background (criminal history) check and become registered with the Office of Regulatory Services (ORS) before they are allowed to work with children unless they are able to claim an exemption from this requirement. Compliance is required by 7 November 2013.

The guide sets out a range of scenarios where volunteers and visitors are clearly required to be registered; others where their work either does not fall under the Act or the particular circumstances of their work are covered by an exemption in the Act; and there are other scenarios again where the need for registration is less clear, and the volunteer or visitor may be able to reverse this need by varying the location of their work or perhaps by scheduling their time differently, thus bringing themselves under one of the exemption provisions. These scenarios are outlined below.

## **What it means for school volunteers and visitors (including parents)**

There will be no change for parents collecting or delivering children, or attending school events such as sports days, assemblies or concerts.

The Education and Training Directorate already has in place policies and procedures to protect children and young people. These include the need for volunteers and visitors in certain circumstances to undertake criminal history checks. The Working with Vulnerable People Act replaces current checks where contact with children is sufficiently frequent to require registration. This increases the level of protection as the Act's criminal history checks are more comprehensive than current checks. The Directorate's policies will continue to apply until 7 November 2013 after which they will be aligned with the Act.

Volunteers and visitors can continue to support schools in a number of ways without the need to be registered under the Act.

## **The benefits of volunteers and visitors**

ACT public schools provide a framework for students to learn in a safe and positive educational environment.

The ACT Education and Training Directorate recognises the valuable contribution made by parents and members of the community, on a voluntary basis, and in a diversity of roles, in supporting students and schools. Benefits include increased understanding and communication between the school and parents and the community, and providing schools with a broader resource base from which to draw.

School visitors generally provide their services, including volunteer services, through an employer or a sponsoring body such as a community organisation, or they may be self-employed. Visitors' services or activities must have a clear educational purpose, and should add value and relevance to student learning, and complement the whole school program.

## **Strengthening protection for vulnerable people**

The aim of the Act is to reduce the rate of harm (including sexual, physical, emotional or financial harm, or neglect) to vulnerable people and children in the ACT.

From 7 November 2013, people (both paid and unpaid) who work or have contact with children while taking part in certain 'regulated activities' or services must be registered with the Office of Regulatory Services (ORS). ORS will conduct a background check and risk assessment before considering issuing a registration card for a maximum period of three years.

The ACT is the first state or territory in Australia to legislate to protect vulnerable adults as well as children. Regulated services and activities involving contact with children must be compliant with the Act by 7 November 2013. These include child education services, childcare services, child accommodation, counselling and support services for children and commercial services for children.

People working only with vulnerable *adults* will not be required to register until after November 2013.

Further details can be found on the *Working with Vulnerable People (WWVP)* page of the ORS website at [www.ors.act.gov.au](http://www.ors.act.gov.au).

## **Key aspects of the Act**

The Act now requires a person over the age of 16 years, including a volunteer or visitor, who has contact with children in certain situations to be registered with ORS unless exempted under the Act.

All Education and Training Directorate school-based staff have been identified as requiring registration. Some staff who are not school-based have also been identified for registration.

After 7 November 2013, it will become an offence for an employee, volunteer or visitor to have contact with children whilst 'engaging in a regulated activity' (explained below) without carrying a valid registration card.

Refer to [www.ors.act.gov.au/resources/attachments/Compliance\\_Complaints\\_-\\_Fact\\_Sheet.pdf](http://www.ors.act.gov.au/resources/attachments/Compliance_Complaints_-_Fact_Sheet.pdf) for further information.

***PLEASE NOTE: There is no fee for volunteers to apply for registration.***

## What captures a volunteer or visitor under the Working with Vulnerable People Act?

The Working with Vulnerable People Act states that a person is 'engaged in a **regulated activity**' if they have **contact** with a vulnerable person and an **exemption** does not apply. These terms are explained below.

**Regulated activities** include:

- Child education services
- Childcare services
- Child accommodation
- Counselling and support services for children
- Commercial services for children

A volunteer or visitor working in any of the above areas is required to be registered by 7 November 2013 unless an exemption applies.

**Contact** is defined as:

contact that would reasonably be expected AND

is not incidental AND is either:

physical contact OR

oral communication OR

written communication OR

making a decision that affects the vulnerable person.

For further detail see references in *Key References in the Act* at the end of this guide.

**Exemptions.** The most relevant exemptions are as follows:

- Being under 16 years old
- Engaging in the activity for not more than 3 days in any 4-week period or 7 days in any 12-month period (the 'frequency test' or frequency exemption)

### NOTES

1. this exemption does NOT extend to overnight camps for children
2. a "day" is all or part of a day

- Being engaged in the activity in the same capacity as a student.
- Where the visitor is a school student on a work experience placement or doing practical training.

## **Circumstances in which registration *is not* required for volunteers or visitors**

### **No registration is required for volunteer or visitor activities in circumstances where:**

- a regulated activity such as a child education service is not being provided, or
- there is no contact with children, or
- contact would not reasonably be expected and is incidental, or
- contact is limited in frequency (up to 3 days per month or 7 days per year), or
- contact is limited to
  - telephone contact, or
  - working with a record of the child

### ***Examples***

- People under 16 years of age
- People delivering and collecting children from school
- People attending (but not organising or assisting in) school sports days, carnivals, concerts, music events, assemblies etc
- Adults participating as School Board members
- The person is a close relative of a child taking part in the activity AND a close relative of each child is present or is expected to be present (example: playgroups)
- Canteen volunteers not exceeding the frequency test
- A school student on a work experience placement or doing practical training
- Students undertaking Australian School-Based Apprenticeships (ASBAs)
- School-based activities which take place at times when students (other than family or close relatives) are not expected to be present, and their presence is incidental. These might include:
  - fundraising
  - working bees
  - making library bags, typing children's stories
  - writing submissions on behalf of the school
  - providing administrative support to teachers or to the school
- Persons who visit in the capacity of police officers or lawyers, and psychologists, counsellors or nurses who are registered health professionals

***Volunteers and visitors should contact principals if they need clarification about activities at a particular school***

## Circumstances where registration *is* required for volunteers and visitors

Activities which are expected to require a person to be registered include:

- Billeting

### NOTES

Adults accepting a billeted student into their home would be expected to have contact with the child. Billeting hosts must be registered with ORS no matter how short the stay. Volunteer billeting hosts can expect to register at no cost. Education and Training Directorate policies on *Excursions* also apply.

- Before/after-school care
- Commercial services for children, eg school photographer
- Overnight camp for children (no exemptions)
- Overseas excursions (Education and Training Directorate policies on Overseas Excursions also apply)
- Religious education

### NOTES

Religious education is a service provided specifically for, or mainly used by, children. Examples include a Sunday School or counselling provided by a minister of religion. In a school, it is considered part of a **child education service**. No exemptions are relevant for religious education, so ORS registration is mandatory by 7 November 2013 for volunteers or visitors providing a religious education service in a school.

- School Chaplain or Student Support Worker
- School Canteens where the frequency of attendance exceeds the frequency test

### NOTES

Canteen workers include employees and regular volunteers (including parents). Contact with children can reasonably be expected during the normal course of a canteen worker's activities and is not incidental to those activities.

***Volunteers and visitors should contact principals if they need clarification about activities at a particular school***

## **Circumstances where registration may be required for volunteers and visitors**

### **Activities which *may* require registration - considerations**

There are some activities and services which do not readily fall into the category “Requires registration” or the category “Does not require registration”. Such activities will need to be carefully assessed.

The Education and Training Directorate appreciates the strong commitment of many volunteers and visitors over the school year and notes that contact between volunteers or visitors and students will in many instances exceed the limits prescribed by the frequency test (3 days in any 4-week period or 7 days in any 12-month period). This will often be the principal factor in determining whether registration is required. Some volunteers and visitors may wish to (and be able to) limit the number of days they work with children. Others may not.

A volunteer or visitor will need to consider whether:

- the activity takes place during school hours and/or on the school campus and/or is an education service (*e.g.* is part of an activity which falls under the school curriculum or is sponsored by, or comes under the auspices of the school); and
- the activity involves ‘contact’, *i.e.* takes place in the presence of school children (see full definition under heading *Key References in the Act*); and
- the frequency limit is exceeded (as above); and
- any exemptions apply.

### **Activities which *may* require registration include:**

- People organising or assisting in school carnivals, concerts, music events (eisteddfods, band extravaganzas) or assemblies
- Canteen workers (see previous references to the frequency test)
- Classroom support, *e.g.* art, craft, music, maths, literacy and numeracy, reading, preparation of resources
- Computer support
- Clubs – for example: chess, science
- Dance tutors
- Excursions including transport (policies on excursions may also apply)
- Library support
- Mentoring programs (mentors)
- Music tutors
- Outdoor adventures activities (the Outdoor Adventure Activities Policy and Procedures may also apply)
- Reading tutors
- Sports coaching
- Sports events – for example: judges/officials (time keeping/recording)

***Volunteers and visitors should contact principals if they need clarification about activities at a particular school***

## Can I register even if the Act doesn't require me to do so?

Not all volunteers and visitors who provide services to schools are engaging in regulated activities. Some of those who do engage in regulated activities may be covered by one of the exemptions outlined. People in these categories are not required to apply for registration with the Office of Regulatory Services, but may choose to do so.

Registration is free for volunteers. Registration for visitors who are engaged in the capacity of employees and who are not providing volunteer services is not free.

## What if my registration card has not yet been issued?

As long as a volunteer (or visitor) has applied for a registration card with the Office of Regulatory Services including providing a named employer (this can be a school), and a decision has not yet been made about their application, the employer (i.e. the school) can allow the volunteer (or visitor) to engage with children provided they are supervised at all times by a person who is registered under the Act. This permission ceases to apply if the application is withdrawn or the person is given a negative notice.

### PLEASE NOTE

***The Education and Training Directorate provides the above information in order to assist volunteers and visitors who work with or in the presence of children to understand whether their activities in ACT public schools requires them to register with the Office of Regulatory Services. It is NOT intended as legal advice. Volunteers and other visitors seeking further information or clarification about the requirements and implications of the Working with Vulnerable People Act are asked to contact the Office of Regulatory Services on 6207 3000, by email [ors@act.gov.au](mailto:ors@act.gov.au) or by accessing their website: [www.ors.act.gov.au](http://www.ors.act.gov.au).***

## Key References in the Act

### 'Contact'

Under section 10 of the *Working With Vulnerable People (Background Checking Act) 2011* **Contact** is defined as that which:

- (a) Would reasonably be expected as a normal part of engaging in the activity; and
- (b) Is not incidental to engaging in the activity; and
- (c) Is 1 or more of the following:
  - (i) Physical contact, including engaging in the activity at the same place as the vulnerable person;
  - (ii) Oral communication, whether face-to-face or by telephone;
  - (iii) Written communication, including –
    - (A) Electronic communication; or
    - (B) Dealing with a record relating to a vulnerable person
  - (iv) Making a decision that affects a vulnerable person.

### Exemptions

Exemptions are set out under section 12 (2) and includes the following particularly relevant to schools. (The full text of section 12 can be viewed at <http://www.legislation.act.gov.au/a/2011-44/default.asp>:

### When is a person required to be registered?

- (1) *A person is required to be registered to engage in a regulated activity.*
- (2) *However, a person is not required to be registered to engage in a regulated activity if the person is—*
  - (a) under 16 years old; or*
  - (b) engaged in the activity (other than an overnight camp for children) for not more than—*
    - (i) 3 days in any 4-week period; and*
    - (ii) 7 days in any 12-month period; or ...*
  - (d) a close relative of each vulnerable person taking part in the activity with whom the person has contact; or*
  - (e) engaged in the activity as a volunteer and—*
    - (i) is a close relative of a vulnerable person taking part, or who normally takes part, in the activity; and*
    - (ii) a close relative of each vulnerable person taking part in the activity is engaged, or expected to be engaged, in the activity; or .....*
  - (f) engaged in the activity in the same capacity as a vulnerable person; or*
  - (g) engaged in the activity as a school student on a work experience placement or doing practical training; or ...*
  - (i) engaged in the activity as-*
    - (i) as a police officer, including a police officer (however described) of another jurisdiction; or*
    - (ii) an AFP appointee within the meaning of the [Australian Federal Police Act 1979](#) (Cwlth);*  
*or*
    - iii) a registered health professional under the [Health Professionals Act 2004](#) or a health practitioner; or*
    - (v) a lawyer; or ...*
  - (j) engaged in the activity for a Commonwealth or Territory government agency and the only contact the person has with a vulnerable person is providing a service to the vulnerable person at a public counter or shopfront, or by telephone; or*

(k) engaged in the activity and the only contact the person has with a vulnerable person is providing information to, or receiving information from, the vulnerable person by telephone; or

(l) engaged in the activity and the only contact the person has with a vulnerable person is working with a record of the vulnerable person; or

(m) engaged in the activity for a declared state of emergency; or

**Note** A state of emergency may be declared under the [Emergencies Act 2004](#), s 156.

.....

**day** includes part of a day.

**school** means a high school or secondary college.

There are also a number of other exemptions which apply to people who engage with vulnerable people but are not relevant to the majority of volunteers who are involved in child education services, childcare services, child accommodation, commercial services for children and counselling and support services for children.

### Transition arrangements

Section 15 of the Working with Vulnerable People Act addresses when an unregistered person may be engaged in a regulated activity:

- (1) This section applies to an unregistered person if—
    - (a) the person has applied for registration under section 17; and
    - (b) the commissioner has not—
      - (i) registered the person under section 41; or
      - (ii) given the person a negative notice under section 40; and
    - (c) the person has not withdrawn the application.
  - (2) The person may engage in a regulated activity for which the person is required to be registered if—
    - (a) the person is eligible; and
    - (b) the person included a named employer for the activity on the person's application for registration; and

*Note* **Named employer**—see s 18 (1) (d) (i)

    - (c) the named employer has agreed to engage the person in the activity; and
    - (d) a registered person is present at all times while the unregistered person is engaged in the activity.
- Note* An unregistered person who is engaging in a regulated activity under this section commits an offence under s 13 if the person continues to engage in the activity after—
  - (a) the person's application for registration is withdrawn (see s 20); or
  - (b) the person is given a negative notice (see s 40).
- (3) To remove any doubt, nothing in this section prevents an employer refusing to engage an unregistered person in a regulated activity.
  - (4) In this section:

**eligible**—a person is **eligible** if—

    - (a) the person has not previously been given a negative notice under this Act or a corresponding law; and
    - (b) the person has not had a previous registration suspended or cancelled; and
    - (c) the person's most recent registration (if any) was not conditional.

**The Working with Vulnerable People (Background Checking Act) 2011 is available at [www.legislation.act.gov.au/a/2011-44/default.asp](http://www.legislation.act.gov.au/a/2011-44/default.asp).**



**OFFICE USE ONLY**

Application Number

**GENERAL INFORMATION**

**Cost of application**

Working with Vulnerable People Registration application fee: \$71.00 for paid employees or FREE for volunteers

**Please note that if you are in paid employment in a regulated activity and also volunteer, you are required to pay the fee**

**Lodge in person**

- Complete and sign (pages 6 & 7) application for registration.
- Proof of identity documents ready (see **Proof of Identity Requirements** below).
- Payment ready, if applicable.
- Attend shopfront to submit (see **Locations** below).

**Belconnen Canberra Connect\***

Swanson Plaza,  
Swanson Court  
Belconnen ACT 2616

**Tuggeranong Canberra Connect\***

Homeworld Shopping Centre  
Scollay Street  
Tuggeranong ACT 2900

**Dickson Canberra Connect\***

Level Ground Floor,  
Dickson Motor Registry  
13 - 15 Challis Street  
Dickson ACT 2602

**Woden Canberra Connect\***

Level Ground Floor, Woden Library  
Corner of Furzer and Corinna Street  
Woden ACT 2606

**Fyshwick ORS Shopfront**

Level Ground Floor,  
255 Canberra Avenue  
Fyshwick ACT 2609

**Lodge by post**

- Complete and sign (pages 6 & 7) application for registration.
- Obtain certified copies of all proof of identity documents (see **Proof of Identity Requirements** and **Authorised Persons**).
- Provide an 'Australian Passport Photo Card' from Australia Post or Two recent identical colour 'Passport Standard' photographs. One of the photographs must be endorsed by an authorised person with the words "this is a true photo of (insert applicant's name)" (see **Authorised Persons**, Page 9).
- Payment enclosed, if applicable.
- Post application to "**Office of Regulatory Services, GPO BOX 158, Canberra ACT 2601.**"

**For assistance contact ORS on:** \* Canberra Connect staff cannot provide assistance to complete applications

Telephone: **(02) 6207 3000** (9:00am to 4:30pm Monday to Friday)

Website address: [www.ors.act.gov.au](http://www.ors.act.gov.au)

Email: [wwvp@act.gov.au](mailto:wwvp@act.gov.au)

**PROOF OF IDENTITY REQUIREMENTS**—Provide at least 3 forms of identification, including at least 1 form of Primary identification  
If you cannot meet the identity requirements, please contact ORS on (02) 6207 3000 for assistance.

**Primary Proof of Identity**

- A Photographic Driver Licence issued in Australia (current or expired up to 2 years).
- Full Australian Birth Certificate (not a Commemorative Certificate or an extract). If the certificate is not in the name currently used appropriate linking documentation will be required.
- Australian Passport (current or expired up to 2 years).
- Overseas Passport (expired by up to 2 years if accompanied by a current Australian Visa).
- Australian Citizenship Certificate or Naturalisation Certificate.
- Department of Immigration and Citizenship travel document (valid up to 5 years after issue).
- Department of Immigration and Citizenship Certificate of Evidence of Resident Status.
- ACT Police Officer Photo-identity card.
- Australian Proof of Age Card (includes NSW Photo Card) with appropriate security features, showing date of issue by an Authority (current or expired up to 2 years).

**Secondary Proof of Identity**

- Current Medicare Card.
- Current Credit Card or Account Card, with signature and embossed name from a Bank, Building Society or Credit Union.
- Current Student Identity Document (with photo and / or signature) issued by an Educational Institution.
- Current Centrelink or Department of Veterans Affairs Concession Card.
- Australian-issued Security Guard / Crowd Controller Licence (with photo).
- ACT Working with Vulnerable People Registration Card (current or expired up to 2 years).
- Australian-issued Firearm Licence (with photo).
- Current Consular photograph identity card issued by Department of Foreign Affairs and Trade.
- Current State, Territory, or Federal Government employee photo-identity card.
- Australian Defence Force Photo-identity card (excluding civilians).
- ACT Services Access Card issued by the ACT Government (for Asylum seekers).



### PURPOSE OF APPLICATION

This form is used to apply for registration under the *Working with Vulnerable People (Background Checking) Act 2011* (the Act). Unless statutory obligations allow otherwise, the information provided on this form will not be used without the applicant's prior consent for any purpose other than as authorised in the Act.

Where there is an acceptable level of risk in a person's background, i.e. no relevant criminal history, non-conviction information, or other information that indicate an unacceptable risk to vulnerable people, the applicant will be issued with a general registration for a period of no more than three years.

The applicant can provide any documentation they believe will support their application. In some situations, the applicant may also be asked by ORS to provide further information. If the outcome of the risk assessment indicates that conditions are necessary to reduce the risk, or that their risk is unacceptable, the applicant will be informed in writing and given an opportunity to request reconsideration before it is finalised. The applicant may also withdraw their application at any time before a decision is made.

General registration is the default registration. Conditional or role-based registrations will be assessed on a case-by-case basis based on risks identified during the risk assessment. The Office of Regulatory Services (ORS) (ABN 98 636 852 025) will contact the applicant to progress conditional or role-based registration should this be required.

### TYPES OF REGISTRATION

Anyone who intends to engage in a regulated activity must be registered in order to undertake the role. There are three types of registration:

1. **General Registration** – Registered persons may work or volunteer with children and vulnerable adults for the duration of their registration and may move between employers or volunteer positions without being rechecked.
2. **Conditional Registration** – If the risk assessment process identifies a specific risk in the applicant's background, the Commissioner for Fair Trading (the Commissioner) may issue a restricted registration with conditions to mitigate identified risks (e.g. *The person may only engage in a regulated activity for disadvantaged adults*). Conditional registration is transferrable between employers or positions.
3. **Role-based Registration** – A role-based registration recognises applicants may have a criminal history and/or other experiences in their life that may prevent them from obtaining a general registration. With the support of the applicant's employer (or potential employer) the Commissioner may be able to issue role-based registration which will allow them to work or volunteer in a specific role where they are engaged in a regulated activity.

### NATIONAL POLICE HISTORY CHECK

A national police history check is a compulsory requirement of the assessment of the applicant's suitability to obtain a registration under the Act.

Applicants should note that the existence of a criminal record does not mean that they will be automatically assessed as being unsuitable, however, sufficient information on the circumstances of the offence is necessary. Each case will be assessed according to the 'Risk Assessment Guidelines' which can be found at [www.legislation.act.gov.au/a/2011-44/li.asp](http://www.legislation.act.gov.au/a/2011-44/li.asp).

Information extracted from this form will be forwarded to the CrimTrac Agency (an Agency of the Commonwealth of Australia Government) and other Australian police agencies for the purpose of a criminal history check. By signing this form the applicant is consenting to these agencies accessing their records to obtain and disclose police history information that relates to the applicant to the ORS and, where express consent is given, to the applicable employer/entity named on this form.

Police history information may include outstanding charges, and criminal convictions/findings of guilt recorded against the applicant that may be disclosed according to the laws of the relevant jurisdiction and, in the absence of any laws governing the release of that information, according to the relevant jurisdiction's information release policy.

Spent convictions information may be collected in accordance with the Act. Each State and Territory's spent conviction information can be found at pages 10-12.

It is also a requirement of the Act that, prior to a decision being made, that if there is any change in the applicants criminal history, the applicant must tell the Commissioner within 10 days.

### HUMAN RIGHTS

Section 40B of the *Human Rights Act 2004* requires public authorities to act compatibly with human rights and to give proper consideration to relevant human rights in decision making. The *Discrimination Act 1991* also imposes obligations on decision makers to avoid unlawful discrimination in areas of public life.

### PRIVACY INFORMATION

The Act authorises the Commissioner to collect the information required in this form. The Commissioner prevents any unreasonable intrusion into a person's privacy in accordance with the *Privacy Act 1988* (C'wlth). The Commissioner may provide identifiable information to law enforcement organisations and authorised organisations that have legal authority to request information under prescribed circumstances. The Privacy Act can be located at: [www.austlii.edu.au](http://www.austlii.edu.au).





**PERMANENT RESIDENTIAL ADDRESS** - Over the last 5 years (If more room is required, list on separate sheet, sign and submit the sheet with this application for registration). Additional sheet included? Yes  No

Current Address	No./Street	<input type="text"/>																									
	Suburb	<input type="text"/>																		State / Territory						<input type="text"/>	
	Post Code	<input type="text"/>			Country <u>if not</u> Australia												<input type="text"/>										
	Period of Residence	(if actual dates are unavailable, provide details of year) <input type="text"/> / <input type="text"/> / <input type="text"/> to <b>CURRENT</b>																									

Previous Address 1	No./Street	<input type="text"/>																									
	Suburb	<input type="text"/>																		State / Territory						<input type="text"/>	
	Post Code	<input type="text"/>			Country <u>if not</u> Australia												<input type="text"/>										
	Period of Residence	(if actual dates are unavailable, provide details of year) <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>																									

Previous Address 2	No./Street	<input type="text"/>																									
	Suburb	<input type="text"/>																		State / Territory						<input type="text"/>	
	Post Code	<input type="text"/>			Country <u>if not</u> Australia												<input type="text"/>										
	Period of Residence	(if actual dates are unavailable, provide details of year) <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>																									

Previous Address 3	No./Street	<input type="text"/>																									
	Suburb	<input type="text"/>																		State / Territory						<input type="text"/>	
	Post Code	<input type="text"/>			Country <u>if not</u> Australia												<input type="text"/>										
	Period of Residence	(if actual dates are unavailable, provide details of year) <input type="text"/> / <input type="text"/> / <input type="text"/> to <input type="text"/> / <input type="text"/> / <input type="text"/>																									

**POSTAL ADDRESS** - If same as current permanent residential address, select 'Yes'

The registration card will be posted to the postal address.  
This address will be used for all correspondence where 'Post' has been selected as 'preferred method of correspondence'

No./Street	<input type="text"/>																									
Suburb	<input type="text"/>																		State / Territory						<input type="text"/>	
Post Code	<input type="text"/>			Country <u>if not</u> Australia												<input type="text"/>										

**CORRESPONDENCE**

What is your preferred method of receiving correspondence?  Post  Email (provide email on page 3)

**NOTIFICATION**

How would you like to be notified when your registration is complete?  SMS  Email



**REGULATED ACTIVITY EMPLOYER / ORGANISATION** - If known (including for volunteers). If more room is required, list on separate sheet, sign and submit the sheet with this application. Additional sheet included? Yes  No

EMPLOYER / ORGANISATION

Name

No./Street

Suburb

State / Territory  Post Code

Applicant's Position / Role

Contact Person

Contact's Phone Number (W)  (M)

Contact's Email Address

**DATA COLLECTION** - The following information is for statistical purposes only and is not compulsory to complete. This information will be de-identified and will not affect your application.

**Are you of Aboriginal or Torres Strait Islander origin?**

No  Yes, Aboriginal  Yes, Torres Strait Islander  Yes, both Aboriginal and Torres Strait Islander

**Are you from a culturally or linguistically diverse background?**

No  Yes, if yes, please specify

**How do you intend to use the card?** (please tick all that apply)

Full-Time employment  Part-Time employment  Casual employment  Volunteer

**What regulated activity do you intend to engage in?** (please tick all that apply)

<input type="checkbox"/> Teaching	<input type="checkbox"/> Religious Organisations
<input type="checkbox"/> Child Protection Services	<input type="checkbox"/> Coaching and Tuition
<input type="checkbox"/> Justice Facilities for Children	<input type="checkbox"/> Vocational and Educational Training
<input type="checkbox"/> Childcare Services	<input type="checkbox"/> Clubs, Associations and Movements
<input type="checkbox"/> Child Education Services	<input type="checkbox"/> Migrants, Refugees and Asylum Seekers
<input type="checkbox"/> Child Accommodation Services	<input type="checkbox"/> Housing and Accommodation
<input type="checkbox"/> Counselling and Support Services for Children	<input type="checkbox"/> Prevention of Crime
<input type="checkbox"/> Commercial Services for Children	<input type="checkbox"/> Emergency Services Personnel
<input type="checkbox"/> Homeless People	<input type="checkbox"/> Transport
<input type="checkbox"/> Victims of Crime	<input type="checkbox"/> Mental Health
<input type="checkbox"/> Community Services	<input type="checkbox"/> Justice Facilities
<input type="checkbox"/> Disability Services	<input type="checkbox"/> Services for Addictions
<input type="checkbox"/> Respite Care Services	<input type="checkbox"/> Other, please specify: _____

**Are you an ACT Government employee?**

NO  YES, if yes which directorate?

<input type="checkbox"/> Chief Minister and Cabinet Directorate	<input type="checkbox"/> Health Directorate
<input type="checkbox"/> Community Services Directorate	<input type="checkbox"/> Justice and Community Safety Directorate
<input type="checkbox"/> Economic Development Directorate	<input type="checkbox"/> Territory and Municipal Services Directorate
<input type="checkbox"/> Education and Training Directorate	<input type="checkbox"/> Treasury Directorate
<input type="checkbox"/> Environment and Sustainable Development Directorate	



**DECLARATION**

I,  :  
Given Names (Current) Last Name (Current)

- 1. have been convicted or found guilty of an offence, in Australia or another country; Yes No
- 2. am the subject of a charge(s) for an offence(s) still pending before a court, in Australia or another country; Yes No
- 3. have been convicted of, had a finding of guilt or a pecuniary penalty imposed, had an order made against me, or been issued with a reprimand or direction in relation to a "relevant offence"<sup>1</sup> before a court, tribunal, board or similar, in Australia or another country; Yes No
- 4. have charges pending against me in relation to a "relevant offence" before a court, tribunal, board or similar, in Australia or another country; Yes No
- 5. have been refused a *Working with Vulnerable People (Background Checking) Act 2011* registration in the ACT in the last 3 years; Yes No
- 6. have had a working with vulnerable people registration, however described, refused, suspended, cancelled or revoked, in a State or Territory; Yes No
- 7. am, or have previously been, registered as a 'Health Professional' or 'Health Practitioner'<sup>2</sup> in Australia; Yes No
- 8. have been the subject of an investigation by the ACT child protection agency of an allegation about abuse or neglect of a child or young person in the ACT; Yes No
- 9. have been the subject of an investigation of an allegation about abuse or neglect of a child or young person by a child protection agency in any other State or Territory (if yes, please name which State/Territory in 'Further Information'); Yes No

**Note:** If you have answered **Yes** to any of the above questions, you are requested to provide further information about the matter on **page 8**. If the offence or finding of guilt referred to in **question 1** occurred less than five (5) years ago the Commissioner will consider further information about the offence in accordance with the Risk Assessment Guidelines.

'Part B—Circumstances of an offence' can be used to provide this information. However, you may elect to provide this information in person to an ORS officer if you are not comfortable completing Part B.

- I have completed Part B OR
- I request an ORS officer contact me on (phone)  to arrange a time to provide the required information.

- 10. am the applicant named in this form. All information in this form, and identification documents provided for this application, are true and correct;
- 11. acknowledge that the provision of false or misleading information is a serious offence and may result in a decision to refuse my application. I am also aware that it is an offence under the *Working with Vulnerable People (Background Checking) Act 2011* to fail to disclose a charge, conviction, or finding of guilt for a "relevant offence";
- 12. have fully completed the form, and the personal information in this application relates to me, contains my full name and all names previously used by me, and is correct;
- 11. acknowledge that personal information that I provide in this form will be disclosed to the Office of Regulatory Services (ORS) (ABN 98 636 852 025) (including contractors or related bodies corporate located in Australia or overseas) for administrative purposes;
- 12. have read the information relating to spent convictions on pages 8—10 and understand that Spent Convictions legislation (however described) in the Commonwealth and other States and Territories protects "spent convictions" from disclosure. However, I also understand that the *Working with Vulnerable People (Background Checking) Act 2011* allows for spent conviction information to be considered in assessing an application for registration;
- 13. understand that the ORS, an Accredited Agency, is collecting information in this form to provide to the CrimTrac Agency (an Agency of the Commonwealth of Australia) and the Australian Police Agencies for the purpose of conducting a criminal history check;
- 14. acknowledge that any information provided by me on this form relates specifically to the identified 'Registration Type'<sup>3</sup>. I acknowledge that any information provided by the Australian Police Agencies or the CrimTrac Agency, relates specifically to the identified 'Registration Type';
- 15. acknowledge that information obtained for the purpose of deciding this application under the Act could include, and is not limited to, details of convictions and pending or non-conviction charges, or information on the circumstances relating to offences committed or allegedly committed by me, regardless of when and where the offence or alleged offence occurred. I understand that information may include protection orders or disciplinary proceedings if relevant to the assessment;
- 16. acknowledge that it is usual practice for an applicant's personal information to be disclosed to Australian police agencies for them to use for their respective law enforcement purposes including the investigation of any outstanding criminal offences.

<sup>1</sup>—ORS has produced a guide to the types of offences that are generally within a "Relevant Offence" category. Go to [www.ors.act.gov.au](http://www.ors.act.gov.au) to check. Traffic offences only include those which were heard in a Court, and a conviction recorded. Parking and speeding fines (i.e. Demerit points) are not criminal offences, but are non-conviction information.

<sup>2</sup>—the definition of a Health Practitioner is "someone who provides a health service while working in a regulated health profession." See the *Health Practitioner Regulation National Law* for further information on the regulated professions. Health Professionals are defined in the *Health Professionals Act 2004*.

<sup>3</sup>—the registration type has been identified on page 3 of this application form.

**Applicant's Signature** \_\_\_\_\_

**Date**  /  /



**CONSENT**

I,  :  
Given Names (Current) Last Name (Current)

1. consent to the Commissioner, or delegate, checking my criminal history, non-conviction information and any other information that may be relevant to deciding this application;
2. consent to the ORS obtaining information from any police agency, court, prosecuting authority, other authorised agency or corresponding law authority for the purposes of assessing my eligibility to obtain a Working with Vulnerable People Check;
3. consent to the CrimTrac Agency disclosing personal information about me to Australian police agencies;
4. consent to the Australian police agencies disclosing to the CrimTrac Agency, from their records, details of convictions and outstanding charges, including findings of guilt or the acceptance of a plea of guilty by a court, that can be disclosed in accordance with the laws of the Commonwealth, States and Territories and, in the absence of any laws governing the disclosure of this information, disclosing in accordance with the policies of the police service concerned;
5. consent to the courts, a prosecuting authority, other authorised agency or corresponding law authority to disclose any information about my criminal history (including spent convictions and non-conviction information), for the purposes of assessing my eligibility to obtain a Working with Vulnerable People registration;
6. consent to the CrimTrac Agency providing the information disclosed by the Australian police agencies to the ORS in accordance with the laws of the Commonwealth;
7. consent to the Commissioner, or delegate, seeking information from any entity in relation to this application under section 33 of the Act;
8. consent to the Commissioner, or delegate, where applicable contacting the named employer in relation to the status of this application or subsequent registration;
9. consent to the Commissioner, or delegate, seeking information or advice from any entity while a registration remains current, in accordance with section 53 of the Act, and acknowledge that I will be informed in writing if a revised risk assessment is to be conducted;
10. acknowledge that where the Commissioner seeks information from an entity not listed in (2) above, the ORS will request my consent; and
11. consent to the Commissioner making limited details of my registration available through a validation process.

**Applicant's Signature** \_\_\_\_\_ **Date**  /  /

**Parent / Guardian Consent—If you're under 18 years of age a parent / guardian must provide their consent**

**Parent / Guardian Last Name**

**Parent / Guardian Given Names**

**Parent / Guardian Signature** \_\_\_\_\_ **Date**  /  /



**Further Information** - Attach more pages if further space is required.

Additional page attached?  Yes  No

Use this section to provide further information about the matter/s you selected 'Yes' for on Page 6.

[Large empty rectangular area for providing further information.]

**OFFICE USE ONLY**

**Registration Type Granted**

**Registration Number**

**Date Registration Granted**

**Approving Officer**



**PAYMENT DETAILS** - Complete payment details only for postal applications AND if you are NOT a volunteer

<b>Card Type</b>	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard
<b>Cardholder Name</b>	<input type="text"/>	
<b>Card Holder Signature</b>	<input type="text"/>	<b>Amount</b> \$ <input type="text"/>
<b>Card Number</b>	<input type="text"/>	<b>Expiry Date</b> <input type="text"/> / <input type="text"/>

**PLEASE NOTE:** Payments may be made by cheque, money order or credit card if lodged by post, or also by cash or EFTPOS if lodged in person. Applications paid by personal cheque will be held for 7-10 working days for the cheque to clear.

**AUTHORISED PERSONS** - Only required if you intend to POST your application (Proof of identity and photograph need to be certified)

- |  |  |
|--|--|
| <p>(1) a person who is currently licensed or registered under a law to practice in one of the following occupations:</p> <ul style="list-style-type: none"> <li>• Nurse</li> <li>• Optometrist</li> <li>• Patent attorney</li> <li>• Pharmacist</li> <li>• Physiotherapist</li> <li>• Psychologist</li> <li>• Trade marks attorney</li> <li>• Veterinary surgeon</li> <li>• Chiropractor</li> <li>• Dentist</li> <li>• Legal practitioner</li> <li>• Medical practitioner</li> </ul> <p>(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</p> <p>(3) a person who is in the following list:</p> <ul style="list-style-type: none"> <li>• Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public</li> <li>• Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the <i>Consular Fees Act 1955</i>)</li> <li>• Bailiff</li> <li>• Bank officer with 5 or more continuous years of service</li> <li>• Building society officer with 5 or more years of continuous service</li> <li>• Chief executive officer of a Commonwealth court</li> <li>• Clerk of a court</li> <li>• Commissioner for Affidavits</li> <li>• Commissioner for Declarations</li> <li>• Credit union officer with 5 or more years of continuous service</li> <li>• Employee of the Australian Trade Commission who is: <ul style="list-style-type: none"> <li>a. in a country or place outside Australia; and</li> <li>b. authorised under paragraph 3 (d) of the <i>Consular Fees Act 1955</i>; and</li> <li>c. exercising his or her function in that place</li> </ul> </li> <li>• Employee of the Commonwealth who is: <ul style="list-style-type: none"> <li>a. in a country or place outside Australia; and</li> <li>b. authorised under paragraph 3 (c) of the <i>Consular Fees Act 1955</i>; and</li> <li>c. exercising his or her function in that place</li> </ul> </li> <li>• Fellow of the National Tax Accountants' Association</li> <li>• Finance company officer with 5 or more years of continuous service</li> <li>• Holder of a statutory office not specified in another item in this list</li> <li>• Judge of a court</li> <li>• Justice of the Peace</li> <li>• Magistrate</li> <li>• Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the <i>Marriage Act 1961</i></li> <li>• Master of a court</li> </ul> | <ul style="list-style-type: none"> <li>• Member of Chartered Secretaries Australia</li> <li>• Member of Engineers Australia, other than at the grade of student</li> <li>• Member of the Association of Taxation and Management Accountants</li> <li>• Member of the Australasian Institute of Mining and Metallurgy</li> <li>• Member of the Australian Defence Force who is: <ul style="list-style-type: none"> <li>a. an officer; or</li> <li>b. a non-commissioned officer within the meaning of the <i>Defence Force Discipline Act 1982</i> with 5 or more years of continuous service; or</li> <li>c. a warrant officer within the meaning of that Act</li> </ul> </li> <li>• Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants</li> <li>• Member of: <ul style="list-style-type: none"> <li>a. the Parliament of the Commonwealth; or</li> <li>b. the Parliament of a State; or</li> <li>c. a Territory legislature; or</li> <li>d. a local government authority of a State or Territory</li> </ul> </li> <li>• Minister of religion registered under Subdivision A of Division 1 of Part IV of the <i>Marriage Act 1961</i></li> <li>• Notary public</li> <li>• 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</li> <li>• Permanent employee of: <ul style="list-style-type: none"> <li>a. the Commonwealth or a Commonwealth authority; or</li> <li>b. a State or Territory or a State or Territory authority; or</li> <li>c. a local government authority; with 5 or more years of continuous service who is not specified in another item in this list</li> </ul> </li> <li>• Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made</li> <li>• Police officer</li> <li>• Registrar, or Deputy Registrar, of a court</li> <li>• Senior Executive Service employee of: <ul style="list-style-type: none"> <li>a. the Commonwealth or a Commonwealth authority; or</li> <li>b. a State or Territory or a State or Territory authority</li> </ul> </li> <li>• Sheriff</li> <li>• Sheriff's officer</li> <li>• Teacher employed on a full-time basis at a school or tertiary education institution</li> </ul> |
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**SPENT CONVICTIONS SCHEMES**

The following information is provided as general guidance and is not exhaustive.

The aim of spent convictions legislation<sup>1</sup> is to prevent discrimination on the basis of certain previous convictions. Spent convictions legislation limits the use and disclosure of older, less serious convictions and findings of guilt. Spent convictions of specific offences will be released where the check is required for certain purposes regardless of how old the convictions are.

Each Australian police agency will apply the relevant Spent Convictions legislation/information release policy prior to disclosure.

If further information or clarification is required please contact the individual police agencies directly for further information about their release policies and any legislation that affects them.

The Act allows for spent convictions to be considered during the risk assessment process.

**Commonwealth**

Part VIIC of the *Crimes Act 1914* (Cth) deals with aspects of the collection, use and disclosure of old conviction information. The main element of this law is a “Spent Convictions Scheme”. The aim of the Scheme is to prevent discrimination on the basis of certain previous convictions, once a waiting period (usually 10 years) has passed and provided the individual has not re-offended during this period. The Scheme also covers situations where an individual has had a conviction “quashed” or has been “pardoned”.

A “spent conviction” is a conviction of a Commonwealth, Territory, State or foreign offence that satisfies all of the following conditions:

- it is 10 years since the date of the conviction (or 5 years for juvenile offenders); AND
- the individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months; AND
- the individual has not re-offended during the 10 years (5 years for juvenile offenders) waiting period; AND
- a statutory or prescribed exclusion does not apply. (A full list of exclusions is available from the Office of the Australian Information Commissioner).

The law affects Commonwealth authorities in the following ways:

- a person with a conviction protected by Part VIIC does not have to disclose that conviction to any person, including a Commonwealth authority, unless an exclusion applies;
- Commonwealth authorities are prohibited from accessing, disclosing or taking into account spent convictions of Commonwealth offences.

Part VIIC and *Crimes Regulations 1990* provide for “statutory” or “regulatory” exclusions that will prevent certain Commonwealth convictions from being spent in certain circumstances.

<sup>1</sup>— Applicable Spent Convictions legislation, as amended from time to time.

**Australian Capital Territory**

Generally, under the *Spent Convictions Act 2000* (ACT), a conviction becomes spent automatically at the completion of the prescribed (crime-free) period.

This period is:

- 10 years for convictions recorded as an adult; or
- 5 years for convictions recorded as a juvenile.

The period begins to run from the date a sentence of imprisonment is completed, or, where no sentence of imprisonment is imposed, from the date of conviction. A person must not be subject to a control order or convicted of an offence punishable by imprisonment during this period. If a person is convicted of an offence, which was committed in the crime-free period, but the conviction is not incurred until after the crime-free period, the spent conviction may be revived and will not become spent again until the offender has achieved the relevant crime-free period in respect of the later offence.

However, certain convictions cannot become spent. These include:

- a conviction for which a sentence of imprisonment of longer than 6 months has been imposed;
- a conviction for a sexual offence;
- a conviction of a corporation;
- a conviction prescribed under the regulations

The effect of conviction becoming spent is that:

- the convicted person is not required to disclose any information concerning the spent conviction;
- any question concerning criminal history is taken only to apply to unspent convictions;
- references in Acts or statutory instruments to convictions or character or fitness does not include spent convictions, and it is an offence to disclose information regarding spent convictions;
- it is unlawful for a person who has access to a person’s criminal record held by a public authority to disclose a spent conviction;
- it is unlawful for a person to fraudulently or dishonestly obtains information about a spent conviction from records kept by a public authority.

**Northern Territory**

Under the *Criminal Records (Spent Convictions) Act 1992* (NT), a conviction becomes spent automatically (in the case of an adult or juvenile offender convicted in a Juvenile Court) and by application to the Police Commissioner (in the case of a juvenile convicted in an adult court) upon completion of the prescribed period. The prescribed period is:

- 10 years for offences committed while an adult; and
- 5 years for offences committed as a juvenile

The period starts on completion of any sentence of imprisonment. A subsequent traffic conviction is only taken into account for prior traffic offences (except more serious traffic offences which cause injury or death). Once a conviction becomes spent:



**SPENT CONVICTIONS SCHEMES (Cont)**

**Northern Territory Continued...**

- a person is not required to disclose the existence of the conviction;
- questions relating to convictions and a person’s criminal record will be taken only to apply to unspent convictions;
- it is unlawful for another person to disclose the existence of a spent conviction except as authorised by the Act;
- spent convictions are not to be taken account in making decisions about the convicted person’s character or fitness.

**Western Australia**

Under the provisions of Section 7(1) of the *Spent Convictions Act 1988* (WA) only “lesser convictions” can be spent by Western Australia Police, after a time period of 10 years plus any term of imprisonment that may have been imposed. A lesser conviction is one for which imprisonment of 12 months or less, or a fine of less than \$15,000 was imposed.

All other convictions, such as “serious convictions” applicable under Section 6 of the Act can only be spent by applying to the District Court. At the time of sentencing, the Court may make a “spent conviction order” under the Sentencing Act 1995 (WA) that the conviction is a spent conviction for the purposes of the Spent Convictions Act 1988 (WA).

**Queensland**

Under the *Criminal Law (Rehabilitation of Offenders) Act 1986* (Qld) a conviction automatically becomes spent upon completion of the prescribed (rehabilitation) period. This period is:

- 10 years for indictable offences where the offender was an adult at the time of conviction; and
- 5 years for other (summary offences or where the offender was a juvenile).

Where a person is convicted of a subsequent offence (an offence other than a simple or regulatory offence) during the rehabilitation period, the period runs from the date of the subsequent conviction.

Convictions where the offender is sentenced to more than 30 months imprisonment (whether or not that sentence is suspended) are excluded from the regime.

Once the rehabilitation period has expired, it is lawful for a person to deny (including under oath) that the person has been convicted of the offence, and the conviction must be disregarded for occupational licensing purposes (subject to certain exceptions, see below). It is unlawful for any person to disclose the conviction unless:

- the convicted person consents;
- the Minister has granted a permit authorising disclosure (where there is a legitimate and sufficient purpose for disclosing);
- the disclosure is subject to an exemption.

**Victoria Police**

For the purposes of employment, voluntary work or occupational licensing/registration, police may restrict the release of a person’s police record according to the Victoria Police “Information Release Policy”. If you have a police record the “Information Release Policy” may take into account the age of the police record and the purpose for which the information is being released. If 10 years have elapsed since you were last found guilty of an offence, police will, in most instances, advise that you have no disclosable court outcomes. However, a record over 10 years may be released if:

- it includes a term of imprisonment longer than 30 months;
- it includes a serious, violent or sexual offence and the check is for the purpose of working with children, elderly people or disabled people;
- it is in the interests of crime prevention or public safety.

Findings of guilt without conviction and good behaviour bonds may be released. Recent charges or outstanding matters under investigation that have not yet gone to court may also be released.

**South Australia**

Release of information on a National Police Check is governed by the South Australian *Spent Convictions Act 2009* (SA). It is an offence to release information regarding the convictions of a person if those convictions are deemed to be ‘spent’ under the Act.

A spent conviction is one that cannot be disclosed or taken into consideration for any purpose. Eligible convictions become spent following a 10 year conviction and proven offence-free period for adults, and a 5 year conviction and proven offence-free period for juveniles.

The Act defines a conviction as:

- a formal finding of guilt by a Court;
- a finding by a Court that an offence has been proved.

Certain convictions can never be spent. These include but are not limited to:

- convictions of sex offences;
- convictions where a sentence is imposed of more than 12 months imprisonment for an adult, or 24 months imprisonment for a juvenile.

Schedule 1 of the Act sets out a number of exceptions to the rule where spent convictions can be released. Some examples of this include:

- the care of children;
- the care of vulnerable people (including the aged and persons with a disability, illness or impairment);
- activities associated with statutory character tests for licensing.

Interstate offences are released in accordance with that State or Territory’s spent conviction / rehabilitation legislation and policy. Intelligence-type information is not released.



**SPENT CONVICTIONS SCHEMES (Cont)**

**New South Wales**

In New South Wales the *Criminal Records Act 1991* (NSW) governs the effect of a person’s conviction for a relatively minor offence if the person completes a period of crime-free behaviour, and makes provision with respect to quashed convictions and pardons.

A “quashed” conviction is a conviction that has been set aside by the Court. A “pardon” means a free and absolute pardon that has been granted to a person because he/she was wrongly convicted of a Commonwealth, Territory, State or foreign offence.

In relation to NSW convictions, a conviction generally becomes a “spent conviction” if a person has had a 10 year crime-free period from the date of the conviction. However, certain convictions may not become spent. These include:

- where a prison sentence of more than 6 months has been imposed (periodic or home detention is not considered a prison sentence);
- convictions against companies and other corporate bodies;
- sexual offences pursuant to the *Criminal Records Act 1991*; and
- convictions prescribed by the Regulations

**Tasmania**

Under the *Annulled Convictions Act 2003* (Tas) a conviction is annulled upon completion of the prescribed period of good behaviour. This period is:

- 10 years where the offender was an adult at the time of conviction; or
- 5 years where the offender was a juvenile at the time of conviction.

**Tasmania Continued...**

A person is taken to be of good behaviour for the required period if, during that period, he or she is not convicted of an offence punishable by a term of imprisonment. If the person is so convicted, the qualifying period (for the original offence) starts to run from the date of the subsequent conviction. A subsequent traffic conviction is only taken into account for prior traffic offences (except more serious traffic offences which cause injury or death). Only “minor” convictions can become annulled. A minor conviction is a conviction other than one for which a sentence of imprisonment of more than 6 months is imposed, a conviction for a sexual offence or a prescribed conviction. A minor conviction is also annulled if the offence ceases to be an offence.

Once an offence is annulled the convicted person is not required to disclose any information concerning the spent conviction. Any question concerning criminal history is taken only to apply to unspent convictions, and references in Acts or statutory instruments to convictions or character or fitness do not include spent convictions. An annulled conviction or the non-disclosure of the annulled conviction is not grounds for refusing the person any appointment, post, status or privilege or revoking any appointment, post, status or privilege.

- a person is not required to disclose the existence of the conviction;
- questions relating to convictions and a person’s criminal record will be taken only to apply to unspent convictions;
- It is unlawful for another person to disclose the existence of a spent conviction except as authorised by the Act;
- spent convictions are not to be taken account in making decisions about the convicted person’s character or fitness.