

## 1 Background

Council contracts with CrimCheck Ltd for the provision of Police Checks via an online National Police Record checking service (CrimTrac Agency).

This procedure is designed for a limited number of Council employees authorised to conduct police checks using the online CrimCheck portal (known as Designated Administrative Officers – DAOs).

These procedures are to be read in conjunction with Council's Police Check Policy available on [The Source > Corporate Policies, Procedures and Codes](#).

## 2 Accounts

The following departments have at least one designated DAO who can carry out online police checks.

1. Organisational Development
2. Community Care
3. Community Arts, Culture and Libraries
4. Community Wellbeing
5. Regulatory Services
6. Customer Services

Organisational Development is responsible for administering the CrimCheck contract and account management.

## 3 Protection of Information

DAOs will be required to sign a confidentiality agreement [A2641744], agree to undergoing a police check themselves and will be trained by CrimCheck.

Personal information must be managed in accordance with [Council's Police Check Policy](#) and [Privacy and Personal Information Policy](#).

Passwords are never to be shared and DAO's must not allow another person to access their CrimCheck account. Failure to observe this requirement may result in action being taken in accordance with Council's disciplinary processes.

DAO's must also ensure:

- Only authorised users and personnel have access to the information
- Information is only used for its intended purpose
- Criminal History Information is not retained
- The information is not disclosed to agencies or third parties
- Council does not provide copies of Police Checks to the applicant even upon request

## 4 Payment

Council pays for all police checks regardless if the applicant is a new employee or it is a renewal.

## 5 Document retention and destruction

### 5.1 If using the online portal

The application form is completed online, within CrimCheck, by the applicant. It should not be printed however if for some reason it is, every printed copy must be securely destroyed. No copy is to be retained in any form, i.e. hard-copy, email or saved on any device or computer.

The applicant can choose to upload their proof of identity documents directly into CrimCheck or may send copies to the DAO via email.

- If the identification documents are uploaded directly into CrimCheck, no further action is required. These documents are not to be printed by the DAO. If for some reason an identity document/s is printed from within the portal, it must not be retained in any form.
- If the identification documents are emailed to the DAO, the DAO must securely destroy the identification documents immediately once the person's identity is verified.

### 5.2 If not using the online portal

If the police check is not able to be completed using the online portal, the DAO will need to complete a manual application process.

The applicant is required to complete, sign and return CrimCheck's "**Application and Informed Consent**" Form [A1791909].

In situations where the applicant cannot meet the identity requirements, CrimCheck's "**Verification of Applicant Identity by an Authorised Referee**" form may be an option. This form is located in Objective [A5032068] but it is recommended the DAO discuss the matter with CrimCheck prior to completing the form.

Once the applicant's identity has been established, the DAO must securely destroy all proof of identity information collected.

Once the result of the police check is known, the application form must be sent to Records requesting that the application form be saved on the relevant Objective file and destroyed no later than 365 days from the date the police check was conducted.

## 6 Results

### 6.1 If a CLEAR result is returned

1. The DAO completes the online "Evidence of Police Check – Workflow Request" form which is available on The Source.
2. The DAO completes the necessary fields on the form
3. When the DAO submits the form, it is sent automatically to the Manager for approval.

4. Once the Manager approves the form, it is saved automatically in Objective on the employee's personnel file in Objective (or a holding folder which is managed by Organisational Development if the person is not yet an employee of Council).

## **6.2 If the result is NOT CLEAR:**

1. The DAO hands a printed copy of the Results of the Police Check to the Manager and advises the Manager to contact Organisational Development (OD). Results must not be emailed.
2. OD and the Manager review the matter considering all relevant and appropriate factors and in accordance with Council's Police Check Policy.
3. A confidential report is prepared by the Manager and OD to record discussions, the decision that has been reached and the rationale for the decision [Objective Template A2454125]. Only the minimum information required to make a decision is to be included.
4. Any documentation created during these discussions is to be given to OD to save in Objective folders accessible by OD staff only.
5. The online Evidence of Police Check/CrimCheck form is completed. See 5.2 above.

## **7 Police check register**

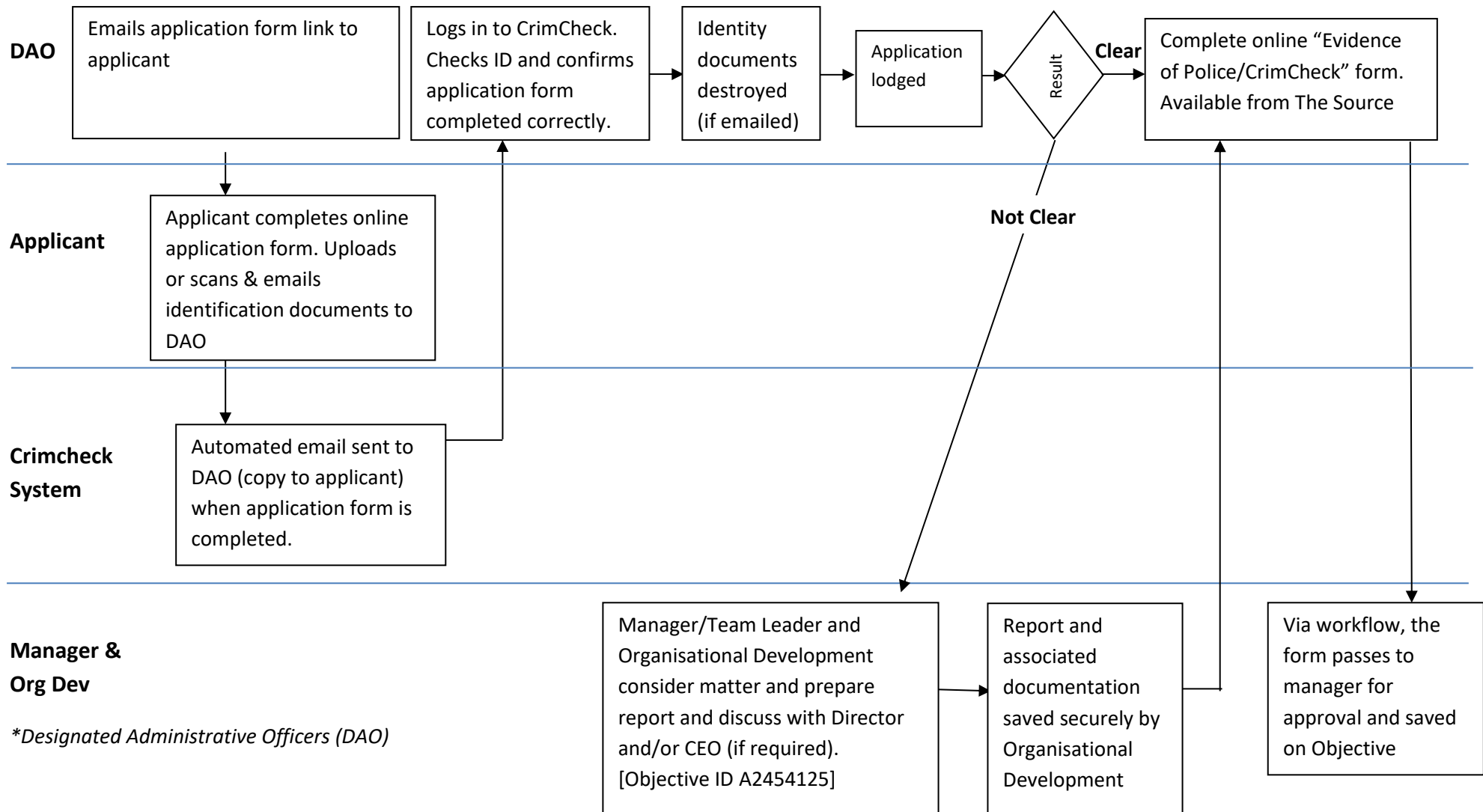
The DAO is responsible for maintaining a record/register of the dates when Police Checks were conducted and when a renewal is required.

The most effective way to do this is to enter dates as an accreditation using PULSE. This allows real-time reporting and monitoring.

## **8 Further Information / Change of Details**

- Madeleine Pullar - Organisational Development – 8571 5136
- CrimCheck – 9955 0300 – PO Box 252, Blackburn 3130 – [support@CrimCheck.org.au](mailto:support@CrimCheck.org.au) – [www.CrimCheck.org.au](http://www.CrimCheck.org.au)
- User Manual and Fact Sheets as updated from time to time and available from the CrimCheck portal

## Summary of process



## ATTACHMENT 1



Ph: 03 9955 0300

Fax: 03 9955 0330

P.O. Box 252, Blackburn VIC 3130

support@crimcheck.org.au

[www.crimcheck.org.au](http://www.crimcheck.org.au)

### Minimum proof of identity documents

There are three categories of identity documents and a list of the documents acceptable under each category (tabled further below).

You must request the following identity documents from the applicant to meet the minimum proof of identity document requirements:

- one commencement of identity document
- one primary use in the community document
- two secondary use in the community documents.

An identity document must only be used once – and applicants must supply all four required documents from the three mandatory categories.

The combination of the identity documents collected must contain the applicant's:

- full name
- date of birth
- photograph

If a photograph is not provided on the identity documents presented, a passport-style photograph certified by a person listed in Schedule 2 of the Statutory Declarations Regulations 1993 (Cth) can be accepted in addition to the four required documents.

Applicants are only required to provide identity documents for their primary name. They are not required to provide identity documents for previously known names.

**Note:** If an applicant provides identity documents using a former name, such as a maiden name, they must provide evidence of the name change in addition to the four identify documents

### Commencement of identity documents

- (a) full Australian birth certificate (not an extract or birth card)
- (b) current Australian passport (not expired)
- (c) Australian visa current at time of entry to Australia as a resident or tourist
- (d) ImmiCard issued by Department of Home Affairs (previously the Department of Immigration and Border Protection) that enables the cardholder to prove their visa and/or migration status and enroll in services
- (e) certificate of identity issued by Department of Foreign Affairs and Trade (DFAT) to refugees and non-Australian citizens for entry to Australia
- (f) document of identity issued by DFAT to Australian citizens or persons who have the nationality of a Commonwealth country for travel purposes
- (g) certificate of evidence of resident status.

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### Primary use in the community documents

- (a) current Australian drivers licence, learner permit or provisional licence issued by a state or territory, showing a signature and/or photo and the same name as claimed
- (b) Australian marriage certificate issued by a state or territory (church or celebrant-issued certificates are not accepted)
- (c) current passport issued by a country other than Australia with a valid entry stamp or visa
- (d) current proof of age or photo identity card issued by an Australian Government agency in the name of the applicant, with a signature and photo
- (e) current shooters or firearms licence showing a signature and photo (not minor or junior permit or licence)
- (f) for persons under 18 years of age with no other Primary Use in Community Documents, a current student identification card with a signature or photo.

### Secondary use in the community documents

- (a) certificate of identity issued by DFAT
- (b) document of identity issued by DFAT
- (c) convention travel document secondary (United Nations) issued by DFAT
- (d) foreign government issued documents (for example, drivers licence)
- (e) Medicare card
- (f) enrolment with the Australian Electoral Commission
- (g) security guard or crowd control photo licence
- (h) evidence of right to an Australian government benefit (Centrelink or Veterans' Affairs)
- (i) consular photo identity card issued by DFAT
- (j) photo identity card issued to an officer by a police force
- (k) photo identity card issued by the Australian Defence Force
- (l) photo identity card issued by the Australian Government or a state or territory government
- (m) Aviation Security Identification Card
- (n) Maritime Security Identification card
- (o) credit reference check
- (p) Australian tertiary student photo identity document
- (q) Australian secondary student photo identity document
- (r) certified academic transcript from an Australian university
- (s) trusted referees report
- (t) bank card
- (u) credit card.

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### Special provisions for applicants unable to meet the minimum proof of identity requirements

Most applicants can meet the minimum proof of identity documents. The ACIC recognises that some applicants may need to renew or obtain relevant documentation to verify their identity prior to submitting a police check. However, in some cases, applicants may find it difficult to provide or get the necessary evidence to identify themselves in line with minimum requirements.

In these cases, we have an exceptional circumstances approach, which allows you to use special provisions to verify the identity.

Reasons for exceptional circumstances may include applicants:

- whose birth was not registered
- who are homeless
- who are undocumented, or recent arrivals to Australia
- who live in remote areas
- who are transgender or intersex
- who are affected by natural disasters
- with limited access to identity documents for reasons associated with how they were raised, their ability to participate in society, or due to their age.
- who are foreign nationals and reside outside of Australia

Our model *Application and informed consent form* advises applicants to contact you if they cannot meet minimum proof of identity requirements. In these cases, you must:

1. understand the applicant's circumstance and verify that their claim is legitimate and
2. use the special provisions to obtain appropriate documentation to verify the applicant's identity.

### Appropriate use of special provisions

Verifying an applicant's eligibility for special provisions is essential for achieving the highest level of assurance in confirming an applicant's identity.

You must be satisfied as to the applicant's identity and confirm linkage – even when using special provisions. We expect you will assess each application for special provisions on a case by case basis, and will keep a record of that consideration and the reasons to support or deny the application, there will be check boxes available within the CrimCheck system to enable rudimentary recording of your decision.

On receipt of a request from an applicant seeking access to special provisions, we expect you will:

#### Seek to understand

You should communicate with the applicant to understand the circumstance as to why they cannot meet the minimum proof of identity documents. The applicant may require help in understanding the types of documents they need to provide.

You may wish to use qualifying questions like:

- What is the reason the applicant cannot provide the required documents?

## POLICE CHECK PROCEDURE (CrimCheck)

- What level of difficulty would the applicant have in obtaining or accessing the documents?

### **Verify the circumstance is legitimate**

You should verify that the reason provided by the applicant is legitimate before offering access to special provisions.

As an example, the Department of Home Affairs keeps a list of natural disasters that might assist accredited bodies in assessing claims relating to circumstances of natural disasters.

### **Seek evidence**

Seek as much evidence as is available from the applicant to support the identity that is being claimed. This can be done by asking the applicant to provide:

- as much identity documentation as practically possible
- evidence to support why the required documentation cannot be provided (see table below)

At a minimum the applicant must provide an identity document that also operates as a photographic identity document or a photograph certified by a person listed in Schedule 2 of the *Statutory Declarations Regulations 1993 (Cth)*

### **Verify documents provided**

Verify the identity documentation as much as is reasonable given the documents presented

### **Link the identity to the applicant**

Link the identity documentation or circumstance evidence to the applicant

### **Keep thorough records**

Make a record of your consideration, verification and linkage exercise to support your decision-making process.

*Note:* If you are unsure about the use or applicability of special provisions, please contact the CrimCheck Team on 03 9955 0300 to discuss.

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### Evidence to support special provisions

The applicant needs to provide you with evidence to prove that they cannot provide identity documents. Some reasons for this, and accompanying suggestions for the types of evidence you might ask for, are tabled below.

#### Special Provisions

| Reason                                                                                                                                     | Suggested Evidence                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| persons whose birth was not registered                                                                                                     | <ul style="list-style-type: none"> <li>statutory declaration outlining their circumstance and reason for not having the required minimum identity documents</li> </ul>                                                                                                                                                                                                       |
| people who are homeless                                                                                                                    | <ul style="list-style-type: none"> <li>statutory declaration outlining their circumstance and reason for not having the required minimum identity documents</li> </ul>                                                                                                                                                                                                       |
| undocumented arrivals to Australia                                                                                                         | <ul style="list-style-type: none"> <li>referee report from a person of reputable character. For more information about authorised referees see <a href="#">Verification of applicant identity by an authorised referee form</a></li> </ul>                                                                                                                                   |
| people living in remote areas                                                                                                              | <ul style="list-style-type: none"> <li>extract from the Australian Statistical Geography Standard that demonstrates a remote area meets the agreed government standards</li> </ul>                                                                                                                                                                                           |
| people who are transgender or intersex                                                                                                     | <ul style="list-style-type: none"> <li>statement from a registered medical practitioner or a registered psychologist which specifies a change in gender</li> </ul>                                                                                                                                                                                                           |
| people affected by natural disasters                                                                                                       | <ul style="list-style-type: none"> <li>emergency services report or insurance documentation relating to the claimed natural disaster</li> </ul>                                                                                                                                                                                                                              |
| people with limited access to identity documents for reasons associated with how they were raised, such as in institutional or foster care | <ul style="list-style-type: none"> <li>referee report from a person of reputable character. For more information about authorised referees see <a href="#">Verification of applicant identity by an authorised referee form</a>; or</li> <li>statutory declaration outlining their circumstance and reason for not having the required minimum identity documents</li> </ul> |
| people with limited participation in society                                                                                               | <ul style="list-style-type: none"> <li>referee report from a person of reputable character. For more information about authorised referees see <a href="#">Verification of applicant identity by an authorised referee form</a>; or</li> </ul>                                                                                                                               |

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|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                         | <ul style="list-style-type: none"> <li>statutory declaration outlining their circumstance and reason for not having the required minimum identity documents</li> </ul>                                                                                                                                                                                                       |
| young people yet to establish a social footprint or evidence of community participation | <ul style="list-style-type: none"> <li>referee report from a person of reputable character. For more information about authorised referees see <a href="#">Verification of applicant identity by an authorised referee form</a>; or</li> <li>statutory declaration outlining their circumstance and reason for not having the required minimum identity documents</li> </ul> |
| foreign nationals and people residing outside of Australia.                             | <ul style="list-style-type: none"> <li>referee report from a person of reputable character. For more information about authorised referees see <a href="#">Verification of applicant identity by an authorised referee form</a></li> </ul>                                                                                                                                   |

Verification of the applicant's claimed identity with a parent, legal guardian or authorised agent

Access to this special provision is restricted to applicants who:

- are under 18 years of age
- have a disability requiring part or full-time care from an authorised agent
- were raised in foster care or similar arrangements.

To meet the requirements of this special provision, the applicant must provide:

- one identity document containing a photograph. If they cannot, they must submit a passport-style photograph certified by a person listed in Schedule 2 of the Statutory Declarations Regulations 1993 (Cth).
- Parent, legal guardian or authorised agent must:
  - confirm their own identity by meeting the minimum proof of identity documents and
  - provide a documentary link between the applicant and the parent or legal guardian, such as the child's birth certificate or
  - provide a documentary link between the applicant and their authorised agent, such as a signed power of attorney.

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