ACT BRANCH

APPLICATION KIT

FOR APPOINTMENT AS ADULT MEMBER

Scouts ACT Outline of the Adult Membership and Training Process

Phase	Activity	Notes
1. Application for Adult Membership	a. Application Form b. WWVP card c. PED d. Adult Review & Development Plan (except Rovers)	• 1a to 1d are required by the Branch Office before any adult may be recorded on Extranet. • Rovers are not required to provide 1d.
	e. Referee reports (Leader) f. Training Plan (Leader)	• 1e and 1f are also required by the Branch Office, for those applying for a Leader appointment.
2. E-Learning	• E-learning letter • Training Records Workshop • E-learning commenced	• On receipt by the Office of 1a to 1d, Branch Office sends out letter outlining the training program. • Training records workshop includes advice on how to access and undertake e-learning.
3. Appointment as a Member	• Appointments Committee • Branch Executive Committee • Certificate of Adult Membership	• On receipt of 1a to 1d (plus 1e and 1f for Leader applicants), the Appointments Committee meet and consider application and make recommendation to BEC. • BEC consider recommendations and approve (as appropriate) application for membership. • Certificate is presented by Group Leader or Scouting Manager.
4. Basic Wood Badge training	• E-learning completed • Scouting Skills Day course • Basic Sectional Techniques course • Submission of Assessment Record Book/evidence • Assessment of evidence	• All e-learning must be completed before BST course. • Assessment of evidence is undertaken by Training Team. • ARB/evidence must be retained by Branch for 6 months after assessment.
5. Appointment as a Leader	• Group recommendation • Appointments Committee • Branch Executive Committee • Certificate of Adult Leadership • Certificate III	• Appointments Committee meet to ensure that all pre-appointment requirements are completed and make recommendation to BEC. • BEC considers recommendations and approves application for appointment. • CoAL is presented by Group Leader or Scouting Manager. • Certificate III is awarded if applicable.
6. Advanced Wood Badge training	• E-learning undertaken • Advanced Core Module course • Advanced Sectional Techniques course • Completion of project • Commissioner's evaluation • Submission of Assessment Record Book/evidence • Assessment of evidence • Wood Badge and Certificate IV	• E-learning may be completed at any time. • Assessment of evidence is undertaken by Training Team. • ARB/evidence must be retained by Branch for 6 months after assessment. • Wood Badge and Certificate IV is approved by Assistant Chief Commissioner, Adult Training & Development. • Wood Badge and Certificate IV are presented.

Scouts Australia – ACT Branch

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GARRAN ACT 2605

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Fax: 02 6260 5089
mail: actscouts@actscouts.asn.au
Internet: http://www.act.scouts.asn.au
ABN 95 108 207 854

Be Prepared...
for new adventure!

Office Use Only: Membership No:

APPLICATION FOR APPOINTMENT AS AN ADULT MEMBER

An Adult Member includes all adults over the age of 18 seeking membership of Scouts ACT.

Please tick appropriate box:

Adult Leader	Rover Scout	Scout Fellowship	Honorary Commissioner	Life Member	Adult Helper	Group Support Committee	Adult Supporter	Other

APPOINTMENT SOUGHT

GROUP, CREW, FORMATION etc:	SECTION:	POSITION:

DETAILS OF APPLICANT

TITLE:	SURNAME:	GIVEN NAMES:

HOME ADDRESS:	POST CODE:	TELEPHONE:	E-MAIL:

POSTAL ADDRESS:	POST CODE:

OCCUPATION:	TELEPHONE:	MOBILE:	M/F:	D.O.B:

PREVIOUS SERVICE IN SCOUTING OR GUIDING OR SERVICE IN SIMILAR ORGANISATIONS AND/OR COMMUNITY ACTIVITIES: Please include details (Branch, Group, and Section) of any previously held Adult membership or appointments and youth membership, including all dates. If insufficient space, please attach second sheet.

WORKING WITH VULNERABLE PEOPLE CARD

A photocopy of both sides of the ACT Government "Working with Vulnerable People" (WWVP) card MUST be provided before an Applicant can be accepted and registered as an Adult Member. WWVP cards are available through ACT Government Shopfronts.

I heard about Scouting from (please specify) _____

REFEREES

Applicants are required to nominate two referees to whom enquiries as to suitability as a Member can be made. Applicants should be known to their referees for more than two years. Referees may not be relatives or members of the Group or Team in which the appointment is being sought. Interstate transfer applications should include a referee report from their previous District/Region Commissioner and from their Group Leader or equivalent. Referee reports must be provided before an Applicant can be accepted and registered as an Adult Member.

Referee reports are optional for Rover Scouts, Adult Helpers, Group Support Committee members and Adult Supporters.

NAME:	ADDRESS:	POSTCODE:	TELEPHONE:
NAME:	**ADDRESS:**	**POSTCODE:**	**TELEPHONE:**

CONDITIONS FOR ACCEPTANCE OF ADULT MEMBERS

PART A - Release and indemnity:

I am aware that the Association is not responsible for any injuries or damage to property which may occur in circumstances where the Association has not been negligent. I am aware that it is also a condition of joining the Association and participating in its activities that I release and indemnify the Association in respect to any injury or damage in any circumstances where the Association is not indemnified by a policy of insurance.

In consideration of being permitted to:

(a) join the Association;
(b) participate in activities organised by or for the Association; and/or
(c) use the equipment and facilities provided by or for the Association;

I hereby:

(a) for myself, my heirs and assigns release and forever discharge; and
(b) agree to be liable for and to indemnify;

the Association, its officers, leaders, employees, agents and contractors, whether voluntary or paid workers (the "beneficiaries"), jointly and severally from and against any loss, damage or liability and all actions, suits: claims, costs and demands arising out of or concerning any accident, illness, injury, death, loss or damage to persons or property which occurs to me or to any other person:

- during or as a result of my participation in any activity or function connected with the Association;
- when travelling to or from any such activity.

This release and indemnity does not extend to any loss, damage, liability, action, suit claim, cost or demand to the extent that the beneficiaries may claim indemnity under any insurance policy held by the Association, and the relevant insurer has agreed or been ordered to provide indemnity.

PART B - Authority to obtain necessary medical treatment

I authorise the beneficiaries to obtain any medical assistance which in the opinion of the beneficiary I require, including hospital accommodation, in the event that I suffer any accident or illness and am unable to consent to such treatment on my own behalf.

In the event that medical expenses are incurred which the beneficiaries cannot claim under any policy of insurance, I agree to pay for those expenses.

PART C – Application

I hereby apply for appointment as an Adult Member in the Scout Association.

I agree to abide by all policies and rules now in force or which may be issued by The Scout Association of Australia, or the Australian Capital Territory Branch of the Association, and to return my Certificate of Adult Leadership, if issued, and any other Scout property when I cease to perform the functions for which the Certificate of Adult Leadership is issued, or when called upon to do so by competent authority. I acknowledge that only an Adult Leader who has been authorised through the issue of Certificate of Adult Leadership may take charge of a Section or any part of a Section or of Youth Members.

I authorise the Association to make any inquiries about my character, background and suitability for appointment as an Adult Member.

I acknowledge that I have read and understood and that I agree to the terms of the:

- Code of Conduct;
- Mutual Agreement;
- Responsibility of Adults in the Scout Movement; and the
- Release, indemnity and authority to obtain necessary medical treatment.

which form part of this application.

I agree that any photographic image taken of me at a Scouting activity may be used in any electronic or hard copy Scouting publication.

I further acknowledge that I will do my best to live by the Scout Promise and Law.

I understand that the e-mail address that I have provided will be connected to ScoutsIT for the purpose of internal Scouting communication.

_____ _____

Signature of applicant Date

Recommended by the applicable Scouting Manager (Group Leader, Crew Leader, Commissioner etc) and a Representative of the Group Support Committee (as applicable).

_____ _____ Date: _____.

AIM

The Aim of the Scout Association of Australia is to encourage the physical, intellectual, emotional, social and spiritual development of young people so that they may take a constructive place in society as responsible citizens, and as members of their local, national and international communities.

THE SCOUT PROMISE

On my honour
I promise that 1 will do my best
To do my duty to my God: and
To (the Queen of) Australia
To help other people, and
To live by the Scout Law

THE SCOUT LAW

A Scout is trustworthy
A Scout is loyal
A Scout is helpful
A Scout is friendly
A Scout is cheerful
A Scout is considerate
A Scout is thrifty
A Scout is courageous
A Scout is respectful
A Scout cares for the environment

PRINCIPLES

The Principles of Scouting, as defined by the Founder, are that *Scouts* should serve their God, act in consideration of the needs of others and develop and use their abilities to the betterment of themselves and their families, and the community in which they live. The three Principles are represented by a code of conduct which characterises all members of the Movement, and are referred to as "Duty to God", "Duty to others" and "Duty to self"'.

METHOD

The Scout Association of Australia achieves its Aim through a system of progressive self education, known as the Scout Method, the principal elements of which are:

- Voluntary membership of a uniformed group which, guided by adults, and is increasingly self-governing in its successive age groups.
- Commitment to a code of living as expressed in the Promise and Law, the meaning of which is expanded as the member grows towards maturity.
- The provision of a wide range of attractive, constructive and challenging activities, including opportunities for adventure and exploration both indoors and outdoors.
- The provision of opportunities for leadership and responsibility.
- Learning by doing.
- Encouragement of activity in small groups.
- An award scheme which encourages participation in its full range of activities and provides recognition of individual achievements.

CODE OF CONDUCT FOR ADULTS

This Code of Conduct is expected of all adults, uniformed and non-uniformed, who work within the Scout Association, recognising that at all times they should act responsibly and exercise a "duty of care" to Youth Members.

1. Adults in Scouting respect the dignity of themselves and others.
2. Adults in Scouting demonstrate a high degree of individual responsibility, recognising that at all times their words and actions are an example to other members of the Movement.
3. Adults in Scouting act at all times in accordance with Scouting principles, thereby setting a suitable example for all.
4. Adults in Scouting do not use the Movement to promote their own beliefs, behaviours or practices where these are not compatible with Scouting Principles.
5. Adults in Scouting act with consideration and good judgement in all interpersonal relationships, both inside and outside Scouting.
6. Adults in Scouting respect everyone's right to personal privacy at all times. They take special care where sleeping, changing of clothing, bathing and ablutions is associated with any Scouting activity.
7. Adults in Scouting avoid unaccompanied and unobserved activities with Youth Members wherever possible. Remember, "in sight - out of hearing".
8. Adults in Scouting, for their own protection, should avoid potentially compromising situations by ensuring, where reasonably possible, that at least two adults are in attendance whilst supervising and/or accompanying Youth Members. It is recognised that in certain circumstances, it may be necessary for a Leader or adult, whilst acting responsibly and exercising their "duty of care", to be alone with a Youth Member.
9. Adults in Scouting are committed to providing, to the best of their ability, a safe environment for youth members participating in the Scout program, their parents or guardians and visitors. That safe environment must be in accordance with Scouts Australia's policy of zero tolerance toward bullying, physical or sexual abuse of any kind. Adults in Scouting recognise that abuse can take many forms and can be perpetrated through various mediums, including through technology and will be alert to abuse in all of its manifestations.
10. Adults in Scouting must report any conduct seen or heard that does not comply with this Code of Conduct. Specifically, Adults in Scouting must report promptly any allegations of child abuse of youth members in their care. Where mandatory reporting is required, incident reports must be made to the police or designated State/Territory Authority in accordance with State or Territory Law and the nominated Scouting person should be advised. In all other cases the incident must be reported to the nominated Scouting person.

In addition, Rover Scouts acknowledge:

1. A Rover Youth Helper places precedence on the Crew and Rovers before the section they are working in.

MUTUAL AGREEMENT FOR AN ADULT LEADER

As an Adult Leader and volunteer there are some things you have a right to expect from the Scout Association and its leaders. You have the right to:

- a personal interview and placement in suitable position, with consideration given to your personal preferences and abilities;
- training necessary to undertake the position and to add to your knowledge and skills;
- clearly defined lines of responsibility and communication, with sound guidance and direction from someone experienced and well informed about the Scout Movement;
- information in advance about the organisation, its policies, objectives, programs, and new developments;
- receive meaningful recognition for your service and contribution;
- be included in planning and evaluating the program in which you are involved;
- be offered a variety of leadership roles and experiences where practical;
- be heard by a person in authority if you have any queries, complaints or suggestions; and
- receive feedback on your performance.

In turn, the Scout Association expects that you will:

- accept the Scout Promise and the Scout Law, the aims, principles, methods, Code of Conduct and any other rules and policies of the Association;
- accept a duty of care for the welfare, safety, health and happiness of young people while they are your responsibility;
- allow Youth Members in your care to take responsibility for their own program according to their age and ability;
- treat Youth Members with respect and assist in their personal development as individuals;
- recognise the importance of and encourage the spiritual development of Youth Members;
- strive to have open and honest relationships with other adult Leader and Youth Members;
- seek and accept honest feedback on performance;
- serve as a goodwill ambassador for the Association in the community at large;
- accept that the Association may sometimes have to reassign duties or even ask volunteers to leave, and that the final decision in such matters rests with the Association;
- discuss any queries, complaints or suggestions with the appropriate person in authority, so that these matters can be dealt with quickly and effectively;
- adhere to the Association's policies in regard to drugs, smoking and alcohol and ensure that your duty of care to Youth Members is met in these areas;
- be prepared to meet the challenges of helping young people deal with issues such as sex education, child abuse and substance abuse and other relevant community concerns;
- undertake the training necessary for the position sought and complete training to Wood Badge level and continue to keep up-to-date with specialist training courses, refresher courses and program review courses.

RESPONSIBILITY OF ADULTS IN THE SCOUT MOVEMENT

This is primarily for Adult Leaders; however it is relevant to all Adult Members.

The primary responsibility of adults in the Scout Movement is the welfare and progress of Youth Members. The single most important function of the appointment process is to ensure as far as possible that unsuitable adults are not given authority or control over children and young persons.

Our program and our ethic requires us to provide an environment in which children and young people feel valued and secure and can grow as individuals, developing a sense of self worth, personal integrity and increasing competence through the acquisition of skills and achievements. Any adult behaviour which is not supportive of this developmental process is inappropriate.

We have a duty of care to keep Youth Members safe and protect them from physical and emotional harm. In adventurous activities this duty is exercised through sensible risk management and in our program activities this duty is exercised through a respectful, caring, empathetic and friendly relationship with young people. In the selection and evaluation of Adult Leaders their personal standards, character and ability to develop this relationship is much more important than any technical or practical skills or experience.

An Adult Leader's peers and supervisor have a duty to ensure that our code of conduct is complied with. In any situation of doubt the Youth Member's safety and protection must be the deciding factor. No suspect situation may be allowed to continue in deference to the adult's "rights".

Punishment

Adult Leaders do not have any right or authority to punish Youth Members. We do not stand in place of parents. Any physical blow or force is assault and is a criminal offence as is any physical restraint, confinement, or interference with a Youth Member's clothing.

Discipline should be maintained through positive reinforcement (rewarding good behaviour). It should be the bad behaviour which is criticised not the person. Sanctions can be by loss of privilege or exclusion for a short time from some enjoyable activity. Penalties should be avoided.

Touching

There can be good touching and bad touching just as there is good and bad language. A handshake is always acceptable, a hug often is, and a cuddle is usually unacceptable. Touch which gives offence or causes unease is not acceptable. A mature well balanced adult will have no difficulty in determining what is acceptable; young Leaders may need some guidance.

Relationships

The Scout Association affirms a duty to its Youth Members for their welfare and development. Adult Leaders accept a responsibility to the Association to care for Youth Members and deliver the program. Adult Leaders do enjoy Scouting and they do benefit from the training and experience it brings, but they stand on the other side of a dividing line where on one side Youth Members are entitled to benefits and protection and on the other, adults are part of the delivery process. The correct relationship between an Adult Leader and a Youth Member is that of instructor, guide, dispassionate friend and protector, very much like a teacher/pupil relationship. It is a position of integrity, trust and maturity. Circumstances do arise where there is little age difference between a young Adult Leader and a senior Youth Member and a quite natural amorous relationship can develop. In such a circumstance the Adult Leader concerned should withdraw from the Section because the proper adult to youth relationship cannot be maintained.

Language

The Scouting ethic requires that we do not use bad language in our association with any members. There is nothing "adult" about frightening a Cub by swearing at him/her or trying to be "one of the boys" by using foul expletives with Venturers or Rovers. Language should be acceptable to the reasonable onlooker and appropriate to the development of good citizenship.

Cultural

Scouting is a world wide, multicultural movement. We welcome people to membership irrespective of race, culture, creed or wealth. Youth Members are strongly influenced by the behaviour of Adult Leaders. We need to be sensitive to the traditions and beliefs of various cultures and avoid words or actions which "put down" any culture or peoples.

Harassment

Harassment is ongoing niggling, disparagement or belittling of individuals and, for instance, includes a group of Youth Members excluding one from an activity or game. At its least extreme it breaks down the positive and protective environment we seek to develop and at its worst it is emotionally harmful. It is contrary to our objective of individual growth and development.

General Conduct - Adult Leaders should not:

- Sleep in the same tent or confined quarters as Youth Members.
- Show favouritism for particular Youth Members.
- Invite one Youth Member alone to your home.
- Have private talks with individual Youth Members away from the presence of other Scouts or adults.
- Go on a hike or activity with one Youth Member alone.
- Demonstrate first aid on a Youth Member.
- Assist Youth Members with personal hygiene or dressing except where health or disability requires it and then only in the presence of another adult.

General Duty

Each Adult Leader's responsibility goes beyond the confines of his or her specific appointment or their own Youth Members. Situations of inappropriate adult conduct or abuse can only be terminated by the intervention of another adult.

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ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

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 Email: 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).

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

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 indentified 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.

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.

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

OFFICE USE ONLY

Application Number

Please use **BLACK** or BLUE ink only and print within the boxes using BLOCK LETTERS.

Use CROSSES in boxes marked with an ☒

PURPOSE OF REGISTRATION - Please select which type/s of employment you are seeking to obtain a registration for

Type of Employment: ☐ Employee ☐ Self-employed ☐ Volunteer

If you selected 'Employee' are you applying for this registration to commence new employment? ☐ Yes ☐ No

REGISTRATION TYPE

I am applying for a:

☐ **General** registration to work with both children and disadvantaged adults;

☐ **Conditional** registration to work with children only; or

☐ **Conditional** registration to work with disadvantaged adults only.

If you select 'Conditional—disadvantaged adults' you will not be eligible for general registration (specifically, to engage with children) due to a different criminal history checking process.

INTERSTATE EQUIVALENT REGISTRATION - If applicable (current Working with Children Check, or equivalent, in another State or Territory). If more room is required, list on separate sheet, sign and submit the sheet with this application for registration. Additional sheet included? Yes ☐ No ☐

Card Number

Expiry Date / / **Issuing State**

PERSONAL INFORMATION—Use BLOCK LETTERS

Last Name

Given Names

Sex ☐ Male ☐ Female ☐ Other

PREVIOUS NAMES including Alias (A), name change by Marriage (M) or previous name, change by Change of Name / Deed Poll (P) If more room is required, list on separate sheet, sign and submit the sheet with this application for registration. Additional sheet included? Yes ☐ No ☐

Last Name

Given Names

Reason for Change: ☐ (A) Alias / Repute or Usage ☐ (M) Marriage ☐ (P) Change of Name / Deed Poll

EVIDENCE REQUIRED FOR PREVIOUS NAME CHANGES - Examples: Marriage or Change of Name Certificate issued by a State or Territory Registry of Births, Deaths and Marriages and Divorce papers issued by the Family Court. These documents must be originals or certified true copies and DO NOT count towards the Proof of Identity Requirements.

BIRTH DETAILS

Date of birth / / **State/Territory**

Suburb/Town

Country if not Australia

APPLICANT CONTACT DETAILS

Home Phone **Work Phone**

Mobile Phone

Email Address

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

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

Suburb State / Territory

Post Code Country if not Australia

Period of Residence (if actual dates are unavailable, provide details of year) / / to ***CURRENT***

Previous Address 1

No./Street

Suburb State / Territory

Post Code Country if not Australia

Period of Residence (if actual dates are unavailable, provide details of year) / / to / /

Previous Address 2

No./Street

Suburb State / Territory

Post Code Country if not Australia

Period of Residence (if actual dates are unavailable, provide details of year) / / to / /

Previous Address 3

No./Street

Suburb State / Territory

Post Code Country if not Australia

Period of Residence (if actual dates are unavailable, provide details of year) / / to / /

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

Suburb State / Territory

Post Code Country if not Australia

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

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WORKING WITH VULNERABLE PEOPLE

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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)

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

Are you an ACT Government employee? ☐ NO ☐ YES, if yes which directorate?

☐ Chief Minister and Cabinet Directorate
☐ Community Services Directorate
☐ Economic Development Directorate
☐ Education and Training Directorate
☐ Environment and Sustainable Development Directorate
☐ Health Directorate
☐ Justice and Community Safety Directorate
☐ Territory and Municipal Services Directorate
☐ Treasury Directorate

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE
APPLICATION FOR REGISTRATION
Working with Vulnerable People (Background Checking) Act 2011

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"[1] 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'[2] 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'[3]. 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.

[1]—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 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.

[2]—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*.

[3]—the registration type has been identified on page 3 of this application form.

Applicant's Signature _____ **Date** ☐☐/☐☐/☐☐☐☐

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

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.

OFFICE USE ONLY

Registration Type Granted			
Registration Number			
Date Registration Granted		**Approving Officer**	

ACT Government
Justice and Community Safety

WORKING WITH VULNERABLE PEOPLE

APPLICATION FOR REGISTRATION

Working with Vulnerable People (Background Checking) Act 2011

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

Card Type	☐Visa ☐MasterCard		
Cardholder Name			
Card Holder Signature		**Amount**	$
Card Number		**Expiry Date**	/

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)

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

- Nurse
- Optometrist
- Patent attorney
- Pharmacist
- Physiotherapist
- Psychologist
- Trade marks attorney
- Veterinary surgeon
- Chiropractor
- Dentist
- Legal practitioner
- Medical practitioner

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

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

- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
- Bailiff
- Bank officer with 5 or more continuous years of service
- Building society officer with 5 or more years of continuous service
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Employee of the Australian Trade Commission who is:
  a. in a country or place outside Australia; and
  b. authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
  c. exercising his or her function in that place
- Employee of the Commonwealth who is:
  a. in a country or place outside Australia; and
  b. authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
  c. exercising his or her function in that place
- Fellow of the National Tax Accountants' Association
- Finance company officer with 5 or more years of continuous service
- Holder of a statutory office not specified in another item in this list
- Judge of a court
- Justice of the Peace
- Magistrate
- Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*
- Master of a court
- Member of Chartered Secretaries Australia
- Member of Engineers Australia, other than at the grade of student
- Member of the Association of Taxation and Management Accountants
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Australian Defence Force who is:
  a. an officer; or
  b. a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
  c. a warrant officer within the meaning of that Act
- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
- Member of:
  a. the Parliament of the Commonwealth; or
  b. the Parliament of a State; or
  c. a Territory legislature; or
  d. a local government authority of a State or Territory
- Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*
- Notary public
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
- Permanent employee of:
  a. the Commonwealth or a Commonwealth authority; or
  b. a State or Territory or a State or Territory authority; or
  c. a local government authority;
  with 5 or more years of continuous service who is not specified in another item in this list
- Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- Police officer
- Registrar, or Deputy Registrar, of a court
- Senior Executive Service employee of:
  a. the Commonwealth or a Commonwealth authority; or
  b. a State or Territory or a State or Territory authority
- Sheriff
- Sheriff's officer
- Teacher employed on a full-time basis at a school or tertiary education institution

SPENT CONVICTIONS SCHEMES

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

The aim of spent convictions legislation[1] 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.

[1] — 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.

SCOUTS AUSTRALIA (ACT)

PROHIBITED EMPLOYMENT DECLARATION

A requirement of the NSW Government under the
Child Protection (Prohibited Employment) Act 1998

With the exception of cases where an order from the Industrial Relations Commission or the Administrative Decisions Tribunal declares that the Act does not apply to a particular person, the Child Protection (Prohibited Employment) Act 1998 makes it an offence for a person convicted of a serious sex offence (a prohibited person) to apply for, undertake or remain in, child-related employment whether paid or unpaid (this includes volunteers, who for the purposes of the Act are classed as unpaid employees).

Section 5 of the Child Protection (Prohibited Employment) Act 1998 defines a serious sex offence as an offence involving sexual activity or acts of indecency that was committed in NSW and that was punishable by penal servitude or imprisonment for 12 months or more, or, an offence involving sexual activity or acts of indecency that was committed elsewhere and that would have been an offence punishable by penal servitude or imprisonment for 12 months or more if it had been committed in NSW.

Child-related employment means any employment that primarily involves direct contact with children where that contact is not directly supervised. Section 1 of the Child Protection (Prohibited Employment) Act 1998 specifies that child-related employment is employment (including volunteers):

- **in clubs, associations or movements (including those of a cultural, recreational or sporting nature) having a significant child membership**
- **at overnight camps for children**
- involving the provision of child protection services
- in pre-schools, kindergartens and child care centres (including residential child care centres)
- in schools or other educational institutions (not including universities)
- in detention centres (within the meaning of the Children (Detention Centres) Act 1987)
- in refuges used by children
- in any religious organisation
- in wards of public or private hospitals in which children are patients
- in any entertainment venues where the clientele is primarily children
- as a babysitter or childminder that is arranged by a commercial agency
- involving fostering or other childcare
- involving regular provision of taxi services for the transport of children with a disability
- involving the private tuition of children
- involving the direct provision of health services
- involving the provision of counselling or other support services for children
- on school buses

Under this Act:

- it is an offence for a prohibited person to **apply for, undertake** or **remain** in child-related employment
- employers **must** ask existing employees, both paid and unpaid, and preferred applicants for employment to declare whether they are a prohibited person or not.
- all child-related employees **must** inform their employers if they are a "prohibited person" (someone who has been convicted of a serious sex offence) or remove themselves from child-related employment
- penalties are imposed for non-compliance.

I am aware that I am ineligible to apply for, undertake or remain in child-related employment, either paid and unpaid, if I have been convicted of a "serious sex offence" as defined in the Child Protection (Prohibited Employment) Act 1998. I have read and understood the above information in relation to the Child Protection (Prohibited Employment) Act 1998 and understand my responsibilities and obligations under this Act.

I declare that I am not a person prohibited by the Act from seeking, undertaking, or remaining in child related employment.

Full name: _____ Membership number: _____
(block letters) (current Scouting Members)

Signature: _____ Date: _____

Seek legal advice if you are unsure of your status as a prohibited person

2.5 – REVIEW AND DEVELOPMENT OF LEADER APPOINTMENTS

Background

1. The World, National and ACT Branch policies call for a review of all Adult Leader appointments in Scouting. The review is to be undertaken to ensure that the needs of: the individual Leader, the Team the Leader is a part of, and ultimately that of the Branch, are being met. Every three years the Leader's current appointment is to be reviewed with the aim to renew, retire or reassign the Leader's appointment..

2. In accordance with National Policy & Rules, Policy 5.1 (Personnel Management – Review and Evaluation), a review of the Leader's position in the team is to take place three years after a Leader's appointment and then every successive third year (triennial).

3. It is appropriate that part of the Scouting ethos is that all Leaders are provided with support and guidance to assist in their ongoing development. The Scouts ACT Adult Review and Development Plan (AR&DP) is a practical application of the Movement's commitment to all Adult Leaders in providing role and personal support as they develop as a Leader. It ensures that all Leaders have an opportunity to talk to their Scouting Manager, about their role and what they see as some achievable goals for the next three years.

4. Therefore the AR&DP should form part of an ongoing dialog between the Leader and their Scouting Manager (i.e. Group Leader or Commissioner). An AR&DP may be undertaken more frequently, should the need arise.

Purpose

5. The AR&DP focuses on both the Scout leadership role and a plan for the Leader's personal development as an adult in scouting. By looking at both aspects, it has direct benefits in helping the Leader to assist young people to develop physically, spiritually, emotionally, intellectually and socially. This directly contributes to the Team and Branch performance in delivering the Scout program.

6. The AR&DP should be considered an adjunct to assist the Scouting Manager's ongoing management and development of their team.

7. The AR&DP should form the basis of any recommendation for change in a Leader's appointment status.

Guidance

8. The attached Guidelines for development of the AR&DP may be amended by the Chief Commissioner as necessary.

AUTHORITY

9. This policy statement was approved by the Branch Executive Committee on 26 November 1997 and amended on 26 July 2000, 22 February 2012 and 24 May 2013.

2.5 – GUIDELINES FOR ADULT REVIEW AND DEVELOPMENT PLAN

Background

1. These Guidelines for the development of the Adult Review and Development Plan (AR&DP) are to be read in conjunction with Policy 2.5 (Review and Development of Leader Appointments).

2. These Guidelines may be amended by the Chief Commissioner as appropriate.

How this form is used

3. The AR&DP is a formal record of the triennial review which gives the individual Leader a chance to highlight the positive outcomes and flag areas of concern; to highlight their evolving view of their membership of Scouts ACT and to highlight goals, training needs, personal development aspirations or requirements, and any other factor that impacts on the Leader's ability to be part of a team delivering the Scouting Program to our youth members.

4. This form records the discussions between the Leader and their Scouting Manager. It records the Leader's views and provides structure for their meeting. Should there be a development issue that the Leader is unhappy with or that is not being dealt with at the Team level, the form provides the basis for further/ongoing discussions at the next management level. A copy of the form should be retained by the Leader. The distribution of the completed AR&DP is shown in paragraph 12.

How to complete the form

5. Enter your name and section details
   Also please take the time to review the information on your Branch Extranet extract (to be provided by your Scouting Manager). Check the details and mark up your copy of the extranet printout with any information that has changed or needs to be added and is not currently recorded. Are the contact details correct? Are you still in the appointment shown? Any changes need to be passed through the Scouting Manager back to Branch for updating. Insert the dates for the three year Plan.

6. Self-Review
   Put a tick ✓ as appropriate in the category where you rate yourself as a Leader in each area.

7. Progress and Achievement Review
   Complete the boxes: "What have you achieved in your role?"; "What do you believe you still need to do?"; "What personal development did you complete in the past 3 years (eg Scouting and non-Scouting development/courses/training)?; "Comment on your satisfaction with your current role including the support you have received". As an indicator of personal development, which Elective Modules or additional training did you complete during the year? It doesn't have to be just Scout courses (Certified copies of qualifications, awards, etc, should be provided to make sure you are appropriately recognised).

8. Plan for the Future
   What are you going to achieve in the next 3 years? What are your achievable Goals and how can Scouts help?

9. Personal Action Plan
   This is your chance to indicate to Scouts ACT any area of endeavour that you may be interested in. If you need further information, your Scout Manager will assist in getting that information. What are your training needs/aspirations for the next 3 years: e.g. a specialist course, advanced Wood Badge training, first aid, adventurous activity training etc?

Your Scouting Manager can use this information to identify where Scouts ACT may not be meeting Leaders' requirements for information dissemination, training and evolving leadership support needs.

10. Scouting Manager's comments and recommendation–
After you have discussed the AR&DP and your Scouting Manager has added their comments to the form, you should indicate your acceptance or not, of the Scouting Manager's comments and sign and date the form. The Scouting Manager will likewise sign the AR&DP and send it to the appropriate Region Commissioner or Assistant Commissioner along with the amended Extranet extract if required.

If there is a dispute the Scouting Manager will refer the matter to the appropriate authority under either Policy 2.6 (Conflict Resolution) or 2.14 (Grievances).

Confidentiality

11. This report will be treated in a confidential manner.

12. The AR&DP will have a very limited distribution (you, your Scouting Manager, the appropriate Region Commissioner or Assistant Chief Commissioner, Chief Commissioner and Appointments Committee) in accordance with the Scouts ACT Privacy Policy. It will be placed on your personal file and retained in locked containers at the Branch Office.

Adult Review and Development Plan

Member's Name:	**Appointment:**
Contact Phone:	**Section:**
Scouting Manager:	**Formation:**
Records Check: I have reviewed my Extranet printout and there **are/ are not** amendments indicated on attached sheet.	

Purpose of Plan

Review of Appointment	Change or new appointment	Change in Duties

Plan Period: From _____ to _____

Parts 1 & 2 (only) are optional for all new Members

1. Self review – Place a ☑ where you rate yourself

Development area	Excellent	Very Good	Good	Fair	Scout manager assessment
Personal Example (Duty to God, Promise & Law, Uniform	☐	☐	☐	☐	☐
Team Work (working with Team members in your Formation and other Scouting Teams)	☐	☐	☐	☐	☐
Leadership (eg working with others, style, delegation to youth members etc)	☐	☐	☐	☐	☐
Relationships (eg with other leaders, parents, community, youth members etc)	☐	☐	☐	☐	☐
Personal Development (eg development of knowledge skills associated with role)	☐	☐	☐	☐	☐
Organisational skills (eg activities have *you* arranged: camps, outings, special program nights)	☐	☐	☐	☐	☐

2. Progress and Achievement Review

What have you achieved in your role?
What do you believe you still need to do?
What personal development did you complete in the past 3 years (Scouting and non Scouting)?
Comment on your satisfaction with your current role including the support you have received.

3. Plan for the Future

What are you going to achieve in your role in the next 12 months?

Goal 1
Goal 2
Goal 3

4. Personal Action Plan

What is it you would like to do for your own personal development and how can the Movement assist you to meet these needs?

I would like to do (including if change of role is requested):

The Movement can assist me by:

5. Scouting Manager's comments and recommendation (Renewal, Reassignment or Retirement):

If Re assignment or Retirement is recommended, detailed justification is required.

Member's comments if AR&DP is not accepted

Signature of Member:

Signature of Scouting Manager:

Date AR&DP completed:

Signature of Region Commissioner or Assistant Chief Commissioner as appropriate:

Appointments Committee use only	**Date received**
Closure – AR&DP placed on Member's personal file	

Scouts Australia – ACT Branch

89 Kitchener Street
GARRAN ACT 2605

Phone: 02 6282 5211
Fax: 02 6260 5089
Email: actscouts@actscouts.asn.au
Internet: http://www.act.scouts.asn.au

Be Prepared...
for new adventure!

Application for Adult Membership - Referee Report

Applicant's Name:

This Referee Report must be completed personally by the Referee who shall not be a relative or a member of the Applicant's Scout Group or Team.

1. Relationship to Applicant (e.g. friend, mentor work colleague etc):		
2. How long have you known the Applicant (2 year minimum is mandatory):		
3. Is the Applicant able to positively relate to other adults? **If No why:**	**Yes**	**No**
4. Is the Applicant able to positively relate to young people under the age of 18? **If No why:**	**Yes**	**No**
5. Is the Applicant able to work as a member of a small team? **If No why:**	**Yes**	**No**
6. If you have children, would you be prepared to leave them in the sole care of the Applicant? **If No why:**	**Yes**	**No**
7. Do you know of any reason why the Applicant would not be a suitable Leader? **If Yes, why:**	**Yes**	**No**
8. Briefly comment on the Applicant's overall character:		

Referee's signature Phone Number	Print Name	Date

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ABN 95 108 207 854

Be Prepared...
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Training Plan

Applicant:	Section:
Group:	Position:

Agreed Dates for:

e-learning training, including Basic Core and Basic Sectional Techniques theory, to be completed by .....

Scouting Skills Day, held at Camp Cottermouth .....

Basic Sectional Techniques, held at Camp Cottermouth .....

Assessment Manual, for Appointment as an Adult Leader, will be completed by .....

The applicant's Personal Leader Adviser (PLA) is normally the Group Leader or will be:

Name: ..... **Meeting Night:** .....

Group: ..... **Phone No:** .....

I understand the training requirements that I will need to undertake. I will submit Training Application forms for the Scouting Skills Day and Basic Sectional Techniques - Practical, and will complete training as agreed to in this Training Plan.

....
Applicant's Signature Date

I agree with the Training Plan and will ensure that the applicant is supported to achieve these training outcomes. I have contacted the applicant's PLA and the PLA's GL and they have agreed to undertake this role.

....
Group Leader's Signature Date

I agree with the Training Plan and will ensure that the applicant is supported to achieve these outcomes.

....
Commissioner's Signature Date

Scouts Australia - ACT Branch

The Scout Association of Australia
Australian Capital Territory Branch
Incorporated

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Scouts Australia Institute of Training
TRAINING COURSE APPLICATION

Name of Course:

Date/s of Course:

Section (please circle one): **Joey Scout – Cub Scout – Scout – Venturer Scout – Rover – Leader of Adults - Other**

Name:	**Membership Number:**
Address:	
Telephone (H):	**Mobile:**
Date of Birth:	**Email:**

Scout Group:

Special needs: (Dietary, disability access, medical or other)

I confirm that I have completed the prerequisites for this training course. For example, to attend Scouting Skills Day, I have completed the online Intro to Basic Leadership Training and the Basic Scout Safe module; to attend Basic Sectional Techniques, I have completed 8 Basic Core modules and the section specific e-learning modules AND I have completed In-Service training. **Applicant's Signature:** **Date:**

Group (or other relevant) approval for attendance and confirmation of completion of prerequisites: **Print name of approver:**_____ **Signature:** **Appointment held:**_____ **Date:** **(approving this application authorises the course fee to be charged against the Group Account)**

Payment Received: **Date:**

The GL (or other approving person) is to hand deliver, fax or e-mail this application to the Branch Office prior to the closing date for course applications.
Details on this application form will be handled in accordance with the Privacy Act 1998.