

Victoria Police Manual

General Category – Human Resource Management

Topic – Commencement of Employment

VPM Instruction

301–3 Employment security checks

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Update History

1. Policy

- All public service employee, contractors and consultants are required to undergo a security check before employment as they are required to have independent access to and/or use of Victoria Police facilities, and therefore have the potential to access confidential information.
- This policy provides the framework for security checks of these personnel. Any requirement for a different level of security check that is not covered by this policy must be dealt with on a case by case basis in accordance with the specific arrangements for the position.

2. References

- *Public Administration Act 2004*

3. Definitions

There are no specific definitions for this instruction. Refer to the general VPM Dictionary

4. Requirements

- Position advertisements or tender documents must contain a reference to the appointment being subject to a security check, including fingerprinting.
- The Department offering the position has responsibility for obtaining a security clearance for prospective personnel.
- Personnel may not commence duty until a security clearance has been completed and reviewed by the delegate. Current employees, who have not previously undergone a check, are required, for the purpose of their employment with Victoria Police, to undergo a full security check.
- Delegates have discretion to authorise or veto employment, subject to this policy, where an offence history or outstanding matter is revealed by the security check.
- Where it has been identified that the applicant is the holder of a current Private Agents Licence they may not commence duty until the licence has been rescinded.
- Employment may be refused on the grounds that the person may be a security risk, based on information revealed by the security check. The delegate may choose to discuss results with the

person before making a decision.

- Where personnel are to be reemployed by Victoria Police and a period of more than 12 months has elapsed since the last period of employment, a security check must be conducted. If a full security check has been conducted previously, a base level security check (see below) should be adequate to determine whether any offences have been committed by the employee since they last worked with Victoria Police. Where the results of a base level security check indicate a recent criminal record, obtain a full security check.

5. Conduct of checks

5.1 Type of checks

5.1.1 *Full security checks*

All new personnel must have a full security check before commencing. They are conducted by Records Services Division (RSD), Public Support Services Command. Full security checks consist of:

- a name search of the National Names Index
- a name search of LEAP and/or other jurisdictions where identified by the search of the National Names Index
- a search for pending charges
- comparison of the prospective employee's fingerprints with those kept on NAFIS register.

5.1.2 *Base level security checks*

- Base level security checks consist of:
 - a name search of the National Names Index
 - a name search of LEAP including a search for pending charges.
- Checks can be undertaken by RSD or the DIU. If the base level security check is conducted by a DIU and reveals listings, the check must be referred to RSD for a full security check. No offer of employment should be made.

5.2 Arranging checks

5.2.1 *Responsibilities*

- **Public service employees, contractors and consultants** – for advertised vacancies, the chairperson of the selection panel is responsible for arranging the checks as part of the interview process. In relation to other positions, the appropriate manager has responsibility for coordinating the security check. The manager must arrange for an appointment to be made with the person to complete the security check process. See 5.2.2 for details of the process and VPM 307-4.
- **Casual employees** – security checks are made in order to place a prospective employee on a register of casual staff. Prospective employees must be advised that fingerprints lodged will be subject to this policy. Once clearance is obtained, staff can remain on the register for up to three years and be utilised from time to time in accordance with policies and local staffing practices. Another security check must be conducted if casual register staff are recommended for an ongoing position, or registration is required to continue beyond the three year limit. However, where employment has been intermittent, and a gap of more than twelve months has elapsed since last working with Victoria Police, a base level security check must be conducted.

5.2.2 **Process**

- Obtain photo identification. Photocopy and sign as being a “true copy of the original”.
- Arrange completion of Consent to Check and Release National Police Record [Form 820B]. Compare details on form with identification documents.
- Arrange completion of Declaration of Solvency form.
- Give the applicant a Victoria Police Consent to Fingerprint Check form for completion for actioning if they are requested to complete the fingerprint process.
- Retain the Declaration of Solvency and a copy of the Form 820B.
- On completion of interviews arrange for security checks of the selected persons or those under serious consideration. Arrange with the applicant for fingerprints to be taken by RSD or at a 24 hour police station. The Consent to Fingerprint form and Form 820B should be lodged with the area taking the fingerprints and they will forward on to RSD for processing and return to the nominated person on the Form 820B.
- Obtain completion of the Prospective Employee Declaration form, for public service employees. This form must be completed by the applicant and sighted by the delegate prior to an offer of employment being made. The Chief Commissioner or delegate may terminate the employment of a public service employee where they are satisfied that the employee has, in connection with their application for employment, given false or misleading information.
- Ensure “Victoria Police – Public service” or “Contractor” is recorded in the LEAP - Master Name Index under “Other Interests”. Personnel Officer are to ensure that the CNI number is recorded on HR:M.

5.2.3 **Failure to give consent to security check**

An person who refuses or fails to complete and return the security check forms must be automatically precluded from consideration for appointment.

6. **Assessment of checks**

6.1 **Overview**

- Security checks include details of all Victorian court convictions, guilty verdicts or custodial sentences regardless of the age of the offence. Details of all Victorian outstanding charges or pending matters (charges that have not been heard at court) are also included but must not be regarded as findings of guilt.
- Where a police record with another Australian police force has been obtained, any relevant legislation (and/or release policy) affecting that police service applies before it is released.

6.2 **Criteria**

6.2.1 **Assessment of offence history**

An offence history does not necessarily preclude employment, and it is the responsibility of the delegate/manager to consider the offence history within the overall assessment of the person’s good character and reputation. The recruit prior offences policy (VPM 301-2) is the framework for consideration of an offence history, however in applying these standards the difference in community

expectations is recognised regarding the standard of conduct for sworn and public service employees of Victoria Police. The delegate responsible should take the following factors into account if any criminal history is found:

- nature of the offence
- an extended criminal history or accumulation of individual minor offences
- any mitigating or extenuating circumstances which might be revealed in relation to the offence[s] committed, i.e. provocation, effect of alcohol etc., which may or may not be favourable to the applicant
- length of time since the offence took place
- whether the offence was committed as a juvenile or an adult, i.e. what level of maturity influenced judgement at the time
- general character displayed since the offence was committed eg. steady employment record and favourable reports by past employers
- whether the offence is still a crime or has been decriminalised
- amount of time elapsed since the commission of the offence
- relevance of the type of crime to the nature of work if seeking employment in a sensitive work area i.e. crime of computer hacking, fraud, deception, falsifying documents - systems management; fraud, theft of monies – revenue collection; offences of dishonesty - criminal records.

6.2.2 Other matters to be assessed

- Victoria Police employees are prohibited from holding a Private Agents Licence. Where enquiries reveal the applicant is the holder of a current licence, they must be advised that their employment with Victoria Police is conditional of the licence being rescinded.
- Insolvency should be considered in the overall assessment of the applicant's suitability, and in relation to the nature of the job, for example if the job involves handling of money.
- Compliance with any court orders, dedication to reparation, general conduct and the duties of the position must be taken in account.
- Where enquiries reveal any outstanding warrants or court orders, current charges, pending criminal proceedings, or undischarged bankruptcy, actual completion of the offer of employment depends on the willingness of the work area to delay filling the position while such matters are finalised to the satisfaction of the delegate or manager.

6.2.3 Documenting assessments

Decisions, including rationale, must be fully documented, placed in a sealed envelope and forwarded to the Department personnel officer for filing.

6.3 Offers of employment or engagement

- A full security check must be completed before a written offer of employment is made. In exceptional circumstances, a written offer may be made after a base level security check has been completed. The decision to make a written offer of employment without a full security check is that of the delegate/manager and must be made after a risk assessment.
- If the delegate believes there are exceptional circumstances to warrant this action, a file note should be made to justify the decision. Authorisation must be made by a Level 2 (consultants/contractors) or Level 4 (public service employees) delegate at a minimum, as provided in the [personnel delegation manual](#).

- The written offer of employment or finalisation of contractual arrangements must be subject to the completion of a full security check

7. Confidentiality

7.1 Security check

This information provided on the Form 820B is confidential and must only be made available to persons involved in the selection process including delegates and personnel officers. Where the employment proceeds, the results will be kept in a sealed envelope on the employee's personal file or file relevant to the project/contract. These envelopes however will be able to be opened in the course of an official PSC investigation.

7.2 Fingerprints

Fingerprints will be retained on the NAFIS Register for the public service employee's/contractor's term with Victoria Police. It will therefore be accessible by any authorised internal or external investigative process. Fingerprints must be destroyed on written request of personnel when their employment or contract with Victoria Police ends.