



Client Privacy & Security Policy & Procedures

Star Residential Care Pty Ltd highly values its clients' privacy and security.

Employees may have access to Star Residential care providers' and/or their clients' (hereinafter referred to as "client") confidential information; data; property; keys to premises; or any other related property/information in the performance of their duties. Star Residential care must ensure that effective controls are consistently applied to the recruitment process to achieve the highest level of security measures for its client. As we believe a culture of continuous improvement is the best way to be a market leader in a service industry we are committed to working with our clients and employees in maintaining, and continually improving this system. All stakeholders are invited and expected to share in this commitment, therefore, any suggestions that may assist us to achieve our aims are welcomed. We have allocated sufficient resources to ensure that security remains at the heart of our business.

Employees must not:

- Disclose or use any part of any client's confidential information during or after their employment; or

- Authorise or be involved in the improper use or disclosure of confidential information during or after their employment.

'Confidential information' includes any information in any form relating to Star Residential care clients and related bodies, which is not in the public domain.

Employees must act in good faith towards Star Residential care clients and must prevent (or if impractical, report) the unauthorised disclosure of any confidential information. Failure to comply with this policy may result in performance improvement proceedings including dismissal and legal action against the employee.

Star Residential care requires that employees undergo pre-employment checks for positions involving access to client's premises and/or regular contact with minors. These pre-employment checks are conducted in recognition of Star Residential care's duty of care to its clients, resources and minors when attending client locations. This procedure is designed to complement Star Residential care's recruitment, selection, supervision and training practices. For the purposes of this procedure, pre-employment checks include a Police Records Check.

Pre-employment Check – Police Records Check:

Identifies and releases information about a person's past criminal record up until the day it is issued. It is up to each client (in the absence of any legislation applicable to their industry/profession) to determine how often they require a new check (if any) to be issued. Some professions or industries do have either direct legislation or licensing requirements which require a police check be conducted at certain intervals. The best source of information in regard to this is the professional or industry governing body which relates to the area of practice.

The following is a step-by-step procedure for obtaining a Police Records Check:

Step 1: Identify when a Police Records Check is required

A Police Records Check is a mandatory requirement for all supervisory and cleaning positions. A Police Records Check must be conducted **prior** to any offer of employment or promotion to a specified position being made.

Step 2: Ensure the requirement to undergo a Police Records Check is included in the position description and understood by the employee

The Human Resources Manager must ensure that the requirement to undergo a Police Records Check is included in the position description and interview process and is fully understood by the employee. A signed statutory declaration by the employee stating that he/she has no criminal

record in the state of Victoria or any other Australian State must also be held in his/her personnel file.

Step 3: Application process

The Human Resources Manager must notify the Compliance Manager of the potential candidate. The Compliance Manager will then advise the candidate to complete and sign a Victorian Police Check form and produce 100 points of identification. The original documents are checked and verified by the Compliance Manager who will scan and email the relevant paperwork to Mercury t/a Fit2work, an accredited agency of CrimTrac, the Commonwealth body that incorporates all information from the state and territory police of Australia.

Step 4: Compliance Manager to assess the certificate

Fit2work will forward the Police Records Check to Star Residential care. Only Star Residential care authorised personnel (Managing Director, Human Resources Manager, Compliance Manager) are permitted to view the Report). The Compliance Manager will assess the Police Records Check and may consult as appropriate with other authorized parties to facilitate the assessment of the Report.

Step 5: Outcome of a Police Records Check

Satisfactory outcome

The Compliance Manager must ensure that the candidate receives a satisfactory Police Records Check (no findings of guilt, outstanding charge or other matters) before the candidate commences in the specified position.

Delay in process

Fit2work will process and return the Police Check within one (1) to ten (10) days of receipt of the application. The processing time can vary as information may be required from other jurisdictions. If this is the case, the staff member's start date may be deferred until the Police Records Check is returned and, if required, a relieving staff member (who holds a current *satisfactory* Police Check) may substitute the employee until such time as his or her clear Police Check is received.

Unsatisfactory outcome

When a Police Records Check lists a finding of guilt, outstanding charge or other matters, the Compliance Manager will consult with the Managing Director who will determine the candidate's suitability for the position based on:

- the client's instructions and policies;
- direct legislation applicable to the client's industry/profession.

The following criteria also applies:

- the relevance of the criminal offence in relation to the position;

- the nature of the offence and the relationship of the offence to the particular position for which the person is being considered;
- the length of time since the offence took place;
- whether the person was convicted or found guilty and placed on a bond;
- whether there is evidence of an extended police record;
- the number of offences committed which may establish a pattern of behavior which renders the candidate unsuitable;
- whether the offence was committed as an adult or a juvenile;
- the severity of punishment imposed;
- whether the offence is still a crime, that is, has the offence now been decriminalized;
- whether there are other factors that may be relevant for consideration eg: cultural factors or mitigating or extenuating circumstances ie: provocation, peer group pressure at the time of the offence and the circumstances in which the offence was committed or the effect of alcohol; and/or;
- the person's general character since the offence was committed.

Any decision made for or against a candidate on the basis of a Police Records Check or Statutory Declaration (if applicable) must be supported by reasons and fully documented.

Step 6: Decision not to appoint due to the outcome of a Police Records Check

Where there is a decision not to appoint due to the outcome of a Police Records Check the following actions will be undertaken:

- the Human Resources Manager or Managing Director must inform the candidate of the decision and its rationale; and
- The Human Resources Manager or Managing Director may provide an opportunity for the candidate to discuss the results.

Pre-employment Check – WWCC:

For the purposes of this procedure, a Working with Children Check ("WWCC") is only required from Star Residential care staff at the direct request of "Service Provider". This request should be in writing to the Compliance Manager.

The Working with Children Act 2005 requires that people who work in certain child-related work apply for, and pass, a WWCC. A WWCC considers any offences and makes an assessment of the level of risk an individual poses to children's safety. A WWCC is valid for five (5) years (unless revoked).

The following is a step-by-step procedure for obtaining a WWCC.

Step 1: Identify when a WWCC required

A WWCC is required for positions that meet all of the following criteria:

- involves contact or the potential contact with children on a regular (everyday) basis;
- involves direct contact with children under eighteen (18) years of age and this contact is not directly supervised by an authorized person, and
- where legislated by the industry or profession governing the work site operations.

The Department of Justice can provide further clarification on which positions require the check. A Department representative may be contacted on 1300 652 879.

Step 2: Ensure the requirement to undergo a WWCC is included in the position description and understood by the employee

The Human Resources Manager must ensure that the requirement to undergo a WWCC is included in the position description and interview process and is fully understood by the employee. The candidate can be referred to the Department of Justice for more information.

Step 3: Application process

Applications for WWCCs must be made by the candidate directly. Applications for WWCC's are administered by the Department of Justice (<https://online.justice.vic.gov.au/wwccu/onlineapplication.doj>).

The candidate must:

- complete the online WWCC application form (a *Help Sheet* can be obtained from the Compliance Manager or by making an appointment to see the Compliance Manager who can personally assist the candidate);
- list Star Residential care as the specified employer in the Organisation Details of the Application;
- print the online receipt and take it together with 100 points of proof of identification and a passport sized photograph of him/herself to an Australia Post outlet in Victoria;
- pay the appropriate fee.

If the candidate passes the check, he or she will be sent a WWCC card two (2) to three (3) weeks later. Star Residential care will be directly notified by the Department of Justice of the issuance of the candidates WWCC card, a copy of which will be held securely on file.

Step 4: Compliance Manager to assess the WWCC card

The Compliance Manager will:

- check the card's validity from the Department of Justice – Check Status website;
- record its validation and details in the WWCC database;

- Ensure monitoring processes are in place to check that the required staff members hold a valid WWCC card at all times.

Step 5: Outcome of a WWCC

Positive assessment notice

The Compliance Manager must ensure that the candidate has passed the WWCC prior to commencement of attendance at a child-related work site.

Delay in process

Where the WWCC has not been completed prior to the commencement of employment as a result of a delay of up to four weeks from the date the application was submitted to the Department of Justice, the prospective staff member may commence duties provided that:

- an application has been submitted and a unique Application Receipt Number has been supplied to Star Residential care's Compliance Manager;
- not at any time been given a "Negative Notice" under the Working with Children Act 2005;
- has not been the subject of reporting/and or supervision arrangements under the relevant sex offenders legislation;
- commencement of employment is not contentious with current legislation to the client's industry/profession; and
- only if the client agrees to the above conditions in line with its organizational policies.

The Compliance Manager must confirm that the prospective staff member has applied for the WWCC by sighting the unique Receipt Number and require that the WWCC card be sighted as soon as possible. In addition to this, the cleaner's site supervisor must monitor the activities of the staff member until the check is completed.

Interim Negative Notice or Negative Notice for candidates

If the candidate does not pass the check they will be given an Interim Negative Notice. The Department of Justice will send a copy of the Interim Negative Notice to Star Residential care, (the letter enclosing a copy of the Interim Negative Notice will not include information about the candidate's criminal history or about disciplinary findings). Star Residential care must immediately suspend all work activity at the child-related work site until the Interim Negative Notice has been revoked. The applicant may make a submission to the Department of Justice to explain why they believe they should pass. If this submission is not successful the applicant will be issued with a Negative Notice. This means they have failed the WWCC and are not permitted to work at any child-related site.

Interim Negative Notice or Negative Notice for existing staff

Existing staff who commence duties at a child-related work site, who make application for a WWCC and receive an Interim Negative Notice must inform the Managing Director or Human Resources Manager prior to their next working shift and in writing within seven (7) working days. They will not be permitted to engage in their duties at a child-related work site while their application is being decided. Employees who receive a Negative Notice will not be permitted to work at a site where minors are regularly present.

All staff members in a position requiring a WWCC card has a responsibility to inform the Managing Director or Human Resources Manager if there have been any relevant changes in circumstances, for example, if he or she has been charged or found guilty of a new relevant offence. The staff member must also apply for a new WWCC prior to the previous card's expiry.

This policy will be reviewed bi-annually by senior management to ensure continued effectiveness and improvement.

Mark Barrowclough

MARK BARROWCLOUGH
Managing Director