

ORGANISATIONAL CAPABILITY - *Employment Screening Services*



KEY FUNCTIONS

Under the Commission for *Children and Young People Act 2000*, people working with children under 18 years of age in certain categories of employment as an employee, a volunteer or in a self-employed capacity, must undergo a criminal history check – the Working with Children Check.

The Employment Screening Services Unit conducts the Working with Children Check, which is an assessment of a person's suitability to work with children. The Commission screens people in the following categories of child related employment:

- residential facilities
- school boarding houses
- school employees other than teachers
- churches, clubs and associations involving children
- counselling and support services, and
- private teaching, coaching or tutoring.

If an applicant is suitable, a notice is issued to them in the form of a blue plastic suitability card, or 'blue card'.

At 30 June 2002, the Employment Screening Services Unit had a core staff of nine full-time employees and 20 temporary staff. Of these, 15 of the temporary staff were employed in May 2002 to assist with processing the estimated 100,000 applications expected after the introduction of volunteer screening on 1 May 2002.

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HIGHLIGHTS

Queensland became the first state in Australia to conduct criminal history checks on volunteers working with children following the introduction of employment screening for volunteers on 1 May 2002. This child protection initiative was launched by the Premier on 14 April 2002. An intensive advertising and media campaign conducted by the Communications Unit followed to promote the Working with Children Check.

In October 2001, the Employment Screening Services Unit also successfully implemented the screening of self-employed people who carry on child-related businesses.

During this financial year, Employment Screening Services established and refined the procedures and database required to process tens of thousands of applications for a ‘blue card’.

The Unit was also recognised for its work in implementing the Working with Children Check, taking out a joint award in the 2002 Department of the Premier and Cabinet Achievement Awards in the category of Innovation.

OUTCOMES AND ACHIEVEMENTS

From 1 July 2001 to 30 June 2002, 19,349 suitability cards were issued. Of these:

- 10,767 were issued to new paid employees

- 5,520 were issued to self-employed people carrying on certain child-related businesses
- 3,058 were issued to volunteers, and
- four were issued to current employees.

The breakdown of cards issued by category is:

- residential facilities – 602
- school boarding houses – 158
- school employees other than teachers – 8,140
- churches, clubs and associations involving children – 3,219
- counselling and support services – 2,557
- private teaching, coaching or tutoring – 4,673.

In 2001-2002, seven negative notices were issued and 117 applicants withdrew their applications. These people cannot work in child related employment without a ‘blue card’, reflecting the deterrent effect of employment screening. Of the 117 applicants who withdrew their applications, 41 decided not to proceed when the Commission sought further information about their criminal histories.

Two applicants appealed against the Commissioner’s decision to issue negative notices.

Hits on the Commission’s website rose from 217,453 for the twelve months to 30 June 2001, to 838,737 hits in

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the 2001–2002 financial year, with the majority on the Employment Screening pages.

In addition, the Employment Screening Services Unit sent out over 30,000 information kits to people and organisations requiring screening. At 30 June 2002, the Employment Screening Information Sheet was being translated into eight languages to ensure it is accessible to all Queenslanders.

In 2001–2002, the Employment Screening Services Unit actively promoted the working with Children Check throughout Queensland, with its officers making over 50 presentations at major conferences and seminars and to organisations whose members require screening.

for employment screening services following the launch of volunteer screening.

In addition, the Unit will continue to present information sessions at conferences, seminars and workshops and will take part in ongoing consultation with community organisations about the employment screening process.

The views of a range of stakeholders will be taken into account when the review of the employment screening provisions required under the *Commission for Children and Young People Act 2000* begins after May 2003.



OUTLOOK

The Employment Screening Services Unit will continue to refine its procedures and systems to enable continuous improvement in its standard of client service.

An additional nine temporary staff are expected to be employed in 2002–2003 to assist with the rise in demand

CASE STUDY

The success of the Commission's employment screening function can be demonstrated by a case in which a blue card was denied, and the decision upheld by the Children Services Tribunal.

The applicant was providing counselling and support services to young people when his employer applied to the Commission for a blue card on his behalf.

A criminal history check of the applicant showed he had a number of sexual and other criminal offences. As these were serious offences under the Act, the Commissioner was obliged to issue a negative notice unless satisfied that exceptional circumstances existed.

The applicant was invited to provide submissions about his suitability for child-related employment and information on his criminal history. After considering the submission, the Commission issued a negative notice, prohibiting the employee from working with children and young people.

The applicant then applied to the Children Services Tribunal for a review of the Commissioner's decision, calling evidence from his employer and other referees to establish the exceptional circumstances surrounding his case, entitling him to a blue card to work with children.

The Commission called evidence from a psychologist and submitted research on the risk of recidivism in the sexual

abuse of children and young people. The psychologist gave evidence that the opportunity to re-offend is a much stronger predictor of risk than personality factors. He noted that treatment programs recognise that offenders must not be placed in situations that provide opportunity, such as working with children, to avoid relapse.

It was also noted that most sexual offenders do not wish to hurt children, nor seek them out in a premeditated way. The likelihood of re-offending increases when situational and internal factors combine, such as contact with children, lack of supervision, an emotional relationship with the child, feeling sorry for the child or identifying with the child, shared vulnerability with the child and a wish to comfort.

The psychologist submitted that an emotional and physical connection can result, and if a person is not prepared, or has inadequate strategies to resist such urges, there is a risk of re-offending. He noted that physical and psychological maturity do not necessarily protect against risk.

This evidence contributed to the Tribunal's ability to weigh up the risk factors. It found that no exceptional circumstances existed warranting a review of the Commission's decision, and confirmed that a negative notice should be issued.