

Employment Screening Policy and Procedure

Version 2

Document information

Title: Employment Screening Policy and Procedure				
Version: Version 2				
Approved date: 17 September 2025				
Approver: Chief Executive				
Owner: Director People & Culture				
Contact: Manager Workforce Management				
Publishing: This document can be published on the intranet and internet				
Review: Every 4 years				
Next Review: September 2029				
Related Documents and Forms:	<ul style="list-style-type: none"> • Government Sector Employment Act 2013 • Child Protection (Working with Children) Act 2012 • Child Protection (Working with Children) Regulation 2013 			
Related Internal Policies/Procedures:	<ul style="list-style-type: none"> • Office of Sport's Code of Ethics and Conduct • Office of Sport's <i>Mandatory Reporting (Child Protection) Policy</i> – to meet the requirements under the Children and Young Persons (Care and Protection) Act 1998 • Office of Sport's Conflict of Interest Policy and Procedure 			
Related External Policies or Links:	<ul style="list-style-type: none"> • Public Service Commission's Recruitment and Selection Guide • Public Service Commission's Employment Portal • Office of the Children's Guardian WWCC Fact Sheets and Resources including the Phase In Schedule at Annex A of the <i>Information For Employers</i> guide, outlining timing for completing WWCC for existing employees within defined industry groups • ICAC's Strengthening Employment Screening Practices in the NSW Public Sector, February 2018 			
Version	Amendments**	Prepared by title, unit	Date	Record No.
V1	Initial release	H Kidston, HR	April 2015	CDOC15/1956
V1.1	Updated	Manager Workforce Management	July 2022	D22/160502
V2	Review and Update	Manager Workforce Relations	September 2025	D26/3262

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Policy

1 Purpose Statement

The Office of Sport (Office) is committed to ensuring due diligence, equity and fairness in its selection, screening and appointment processes for existing and prospective workers.

2 Scope

Applies to all prospective and existing workers (including ongoing, temporary and casual workers) within the Office of Sport. It also applies to contingent labour.

3 Requirements

- This policy sets out the requirements for effective screening for pre-employment, as well as for existing staff.
- The requirement for honest and full disclosure during the employment screening process is a condition of initial and ongoing employment at the Office.
- Section 54 of the *Government Sector Employment Act 2013* (GSEA) contains a non-exhaustive list of conditions of engagement that employees may be subject to. Requirements relating to these conditions are set out in the *Government Sector Employment (General) Rules 2014* (GSE Rules). Those requirements that are relevant to pre-employment screening include:
 - Probation periods ([GSE rule 5](#))
 - Citizenship or residency ([GSE rule 6](#))
 - Formal qualifications ([GSE rule 7](#))
 - Security and other clearances ([GSE rule 8](#))
 - Health assessment ([GSE rule 9](#)).
- There are also other requirements in other legislation that apply to employment in certain roles, some of which are covered below.

4 Governing principles

- This policy sets out the requirements for effective screening for pre-employment as well as existing staff screening as identified in section 7 of the Employment Screening Procedure.
- This policy supports relevant provisions in the *Government Sector Employment Act 2013*, the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*.
- Additional screening may be undertaken where a declaration is made detailing a conflict of interest.
- The requirement for honest and full disclosure during the employment screening process is a condition of initial and ongoing employment at the Office. All staff or candidates required to undertake checks completed by an external body, such as a National Criminal Record Check (NCRC), bankruptcy check or academic record check must provide their consent for the check to be undertaken. Any person refusing to provide consent could be precluded from employment or (if a current employee) may face action under the Office's Managing Misconduct Policy and Procedure.
- Before engagement of new staff, all relevant procedures and checks outlined in this policy and procedure must be completed in full and with a satisfactory outcome.

5 Roles and Responsibilities

5.1 Chief Executive

The Chief Executive has ultimate ownership of this policy including the authority to make decisions that fall outside of this policy.

5.2 People & Culture

People & Culture are to ensure the provision of instruction, information and training is available as necessary to support effective implementation of this policy.

5.3 Managers

Managers are responsible for ensuring they meet the requirements of this policy and procedure and in particular, section 8 of the Employment Screening Procedure.

5.4 Hiring Managers and Panel Members

- Are responsible for ensuring due diligence in reviewing the veracity of candidate documents reviewed as part of the shortlisting process and to be familiar with role responsibilities and advertisement.
- Ensure accurate and timely response to candidate enquiries.
- Ensure panel members are at the appropriate level and experience for the role being recruited.

- Ensure shortlisting is conducted appropriately and that all suitable candidates are selected for interview and that any potential or actual conflict of interest of panel members is identified by panel members.
- Utilise, where appropriate pre-screening tools such as video interviewing, psychometric testing, telephone screening, situational judgement scenarios or questions.
- Ensure interview questions accurately reflect the capability level of the role being recruited and that other essential requirements, experience or skills are accurately assessed.
- Ensure requirements under the GSE Act are met.
- Ensuring robust referee checks are completed, including any potential conflict of interest is explored and questions are appropriate for the role.
- Finalising the selection report and ensuring objective analysis of candidate's evidence and that reasons for recommendations are clear.
- Must declare any conflicts of interest in accordance with the Office's *Conflict of Interest Policy and Procedure*.

5.5 Candidates and Staff

- Are required to comply with the requirements of this policy and inform Human Resources should their personal circumstances change.
- Are required to complete a NCRC through the *Fit to Work* portal.
- Who are, or will be, paid employees or self-employed who require a WWCC under this policy, must pay the necessary fee for the check.
- Must complete the *Declaration and Consent Form for misconduct screening/conflict of interest* (refer Appendix B) prior to commencement of employment.

6 Breaches

- Where there is evidence of employment application fraud, whether during or after appointment, this may be grounds for misconduct proceedings, dismissal, referral to the Independent Commission Against Corruption (ICAC) and/or referral to external agencies.
- Breaches of this policy and/or procedure may result in misconduct proceedings.
- Breaches that are reasonably suspected to amount to corrupt conduct may be reported to the ICAC and/or the police.
- Staff must [report](#) any reasonably suspected breaches of this policy and/or procedure.

Procedure

7 Screening

7.1 Types of screening checks

The Office utilises a number of different screening methods including, but not limited to:

7.1.1 Identity (ID) check

Identity checks are undertaken by, or on behalf of, the Office to prevent identify fraud.

7.1.2 Right to work verification

Candidates must be eligible to work in Australia for the period of their employment.

7.1.3 Address verification

Address verification is undertaken by, or on behalf of, the Office.

7.1.4 Employment verification

Employment verification checks are undertaken by, or on behalf of, the Office. Employment history checks help to validate information provided by candidates about their previous work experience. This may include verifying the organisation where they worked, their job title, seniority and salary, period of employment, accomplishments, any evidence of misconduct or disciplinary action, etc.

7.1.5 Reference checks

Reference checks must be completed for candidates who are recommended for appointment. As a minimum, two referees must be contacted (as provided by the candidate) for the structured referee checks:

- One referee must be the candidate's current supervisor, unless acceptable reasons are provided for not nominating that person.
- If the candidate is not working, the candidate's most recent supervisor must be nominated as the referee. If the candidate has never been employed, the candidate may provide contact details of persons who are able to provide reliable character references.
- Unless there are exceptional circumstances (such as this is the candidate's first job or previous work experience was in a family business), referees with a familial or personal relationship with an applicant should not be accepted. Conflict of Interest declarations should be scrutinised prior to checking references to ensure conflicts are managed.

The Office may make enquiries to verify the legitimacy of references and referees provided.

7.1.6 Service and conduct checks

All candidates must provide informed consent for the Office of Sport (or its provider) to

undertake pre-employment screening checks (see Appendix for copy of the consent form).

- **Prior service in the NSW Government Sector**

A service and conduct check must be made for any candidates that have previously worked in the NSW Government Sector. Where there has been a break in service, a service and conduct check must be made of at least one of the other Government agencies previously worked for, regardless of the lapse in time.

- **Prior employment with the Office of Sport**

A service and conduct check must be made for any candidates that have previously worked with the Office of Sport notwithstanding that there is broken service. In circumstances where such a service and conduct check reveals the candidate has an adverse employment record, procedural fairness must be afforded to the candidate if they proceed to be the preferred candidate.

In this circumstance, the candidate must be made aware in writing that their adverse employment record will be considered by the Panel as part of the assessment process of merit-based employment and they should be invited to make a submission within a specific timeframe for consideration of the Panel.

7.1.7 Criminal Records Check

National Criminal Records Check (NCRC)

All candidates **for paid employment or engagement must meet the Office of Sport's NCRC** requirements (this is additional to the WWCC requirements which staff must also meet if they are engaged in child-related work).

Requirements

- New staff are required to undertake a NCRC including proof of identity that meets the 100-point check as outlined in the form. The Office of Sport will provide an email link to *Fit to Work*, a NSW Government approved provider, for new staff to complete their NCRC. Contracted organisations (and their staff) may choose to obtain the NCRC directly with an accredited agency and provide evidence of the outcome to the Office of Sport.
- Where the NCRC is conducted and relevant records are received, the person's suitability for employment or engagement will be assessed by the HR Workforce Management Team in accordance with the guidelines below.
- Existing staff moving from one role or engagement to another role within the Office of Sport are not required to undertake a new NCRC provided they have previously undertaken the NCRC with the Office of Sport.
- Previous staff who return to employment or engagement in the Office of Sport are not required to undertake a new NCRC provided that the person has previously undertaken the NCRC with the Office of Sport, in the last 12 months.
- Notwithstanding the above, existing and previous staff may, at the relevant manager's or director's discretion, be required to undertake a new NCRC in

appropriate circumstances (for example, in relation to sensitive roles or projects).

Cost of NCRC

The Office of Sport will undertake and fund the NCRC for ongoing, temporary and casual employees, and contingent labour.

Contracted organisations (and their staff) – The Contracted organisation will be responsible for meeting the cost of the NCRC.

National Criminal Records Check – Guidelines to assess relevant records

These guidelines apply where relevant records are found following the conduct of the National Criminal Records Check (NCRC).

Ensuring procedural fairness in the assessment of criminal records

In cases where criminal records checks reveal information, candidates will be:

- advised of the information revealed during the conduct of such a check; and
- be provided with an opportunity to respond to this information.

Relevant considerations for the assessment of information revealed by criminal records checks may include, but is not limited to:

- The nature of the charge(s) and/or offence(s);
- The total number of charge/s and/or offence/s;
- The severity of the penalty or penalties imposed by the court;
- The age at which the offence/s was/were committed;
- The period which has elapsed since the offence/s was/were committed;
- If the offence is recent and under supervision by the Probation and Parole Service, comment from Corrective Services NSW;
- Any mitigating or extenuating circumstances;
- Information provided by courts and other agencies;
- Evidence about general character and lifestyle, including changes which may be reasonably have seen to contribute to the matter raised;
- Referee comments;
- Employment record and employers' reports including relevant experience in a similar role for which the candidate is being considered; and
- The job that the candidate would be undertaking including supervisory arrangements and workplace organisation.

Assessment of information

Information provided by a candidate or prospective staff is factored into the decision-making process prior to determining suitability for employment.

The relevant Office of Sport Division Head (or delegate) makes a preliminary

assessment of the criminal record information against each of those factors. An application may be progressed without further consideration in cases where it is considered the matter was not of a serious nature, was not recurring, does not relate to an intrinsic nature of the role involved and/or occurred a significant time ago.

Candidates are required to provide documentation which would support any claim that the criminal record information does not pertain to him or her.

On occasion, criminal record information is made available in relation to people who are already employed on a casual basis. A separate decision is made on a case-by-case basis about those candidates' status. It may be appropriate for a person yet to face court proceedings in relation to an offence to be allowed to continue in that casual capacity, depending upon the intrinsic requirements of the role and the relevance of an offence.

In this case, ongoing appointments are not confirmed until all court proceedings are finalised and until all criminal record information is considered.

Check reveals criminal record

Where the candidate has a criminal record, he or she may provide a written submission to the Director People and Culture or request an opportunity to discuss the record at a personal interview or in a telephone discussion with the Director People and Culture. These requests should be considered in terms of the obligation to afford procedural fairness and to offer a reasonable opportunity to provide information.

Potential Discrimination issues

As an employer, the Office of Sport must ensure that discrimination on the basis of a criminal record is demonstrably avoided. The Office of Sport may refuse to employ a person if the person's criminal record means that he or she is unable to perform the 'inherent requirements' of the job.

Where relevant, the decision maker should also be mindful of **cultural factors** that may impact on a criminal record. For instance, historically, there is evidence that Aboriginal people are over-represented in the criminal justice system. This correlates with a range of socio-economic factors such as lower levels of education, higher rates of ill health, housing problems and lower employment rates.

Considerations when assessing criminal record for Aboriginal people

The assessment of relevant records for Aboriginal people should consider the context of the offence and examine carefully any mitigating or extenuating factors to ensure that decisions reflect appropriate social justice perspectives and provides an opportunity for the candidate to make verbal or written submissions to support their application for employment or appointment.

Once a decision has been made, the relevant Office of Sport Group/ Branch Head (or delegate) will notify the candidate in writing as soon as possible.

- **International Criminal Records Check (NCRC)**

An international criminal history check may be performed where the Office determines

it is necessary to do so.

7.1.8 Declaration and Consent Form for misconduct screening/conflicts of interest

Prior to commencing, all candidates are required to complete a *Declaration and Consent Form for misconduct screening/conflicts of interest* (refer Appendix B) identifying relationships that may create a conflict of interest or be a threat to professional independence and providing consent for misconduct screening.

7.1.9 Working with children check

This section (7.1.9) must be read in conjunction with the Office of Sport's *Working with Children Check Policy and Procedure*.

Checking Process

People who are seeking to be employed or engaged in child-related work within the Office of Sport (or who are moving from non-child related to child-related work within the Office of Sport) are required to have WWCC Clearance – this applies to all workers engaged or employed by the Office of Sport whose work will ordinarily involve direct contact with children (i.e. physical or face to face contact) for extended periods. All nominated staff in Sport and Recreation Centres, programs and Venues are deemed as child-related and require a WWCC Clearance.

The person is required to apply to the NSW Office of the Childrens Guardian for a WWCC Clearance number. For information on how to apply for a WWCC Clearance, visit [Service NSW](#).

Recruitment Checking Process

Where a person is required to have a WWCC Clearance number and has provided that number to the Office of Sport, Workforce Management **must verify** with the NSW Children's Guardian that the person's clearance is still valid and current. In relation to the verification process:

- where the person's WWCC Clearance number has been verified as "**cleared**", the person can commence in child-related work (subject to other conditions of employment or engagement);
- where the person has been "**barred**" or is subject to an "**interim bar**", the person cannot be employed or engaged in child-related work, or be placed on any employment, engagement list or talent pool.
- where the person **cannot be found** on the NSW Children's Guardian database, the relevant Workforce Management area is to investigate the issue. This may occur, for example, if the details forwarded to the NSW Office of the Children's Guardian (such as name, date of birth and WWCC Clearance number) were incorrect.
- Where a person moves from a child-related role to another child-related role in the Office of Sport, it is not necessary to **re-verify** the person's WWCC Clearance with the NSW Office of the Children's Guardian.

The only exception is that where a person holds a **volunteer clearance** (for unpaid child-

related work) and they are moving to paid child-related work, the person must apply for a **paid clearance** with the NSW Office of the Children's Guardian.

The NSW Office of the Children's Guardian will notify the Office of Sport in writing if, at any time following the initial verification by the Office of Sport:

- the person's WWCC clearance has subsequently been cancelled (i.e. the person is now "barred"); or
- the person becomes subject to an "interim bar".

Should either of the above occur, the person is to be removed from child-related work immediately. In addition, the matter is to be referred to the Director People and Culture immediately.

WWCC and the Recruitment Process

Structured referee checks/questions which relate specifically to working with children activities are to be undertaken by the relevant selection panel as part of the recruitment process for all recommended candidates for paid child-related employment, and those placed on a talent pool.

Structured referee checks/questions can be conducted as part of the assessment requirements under the GSE Act and the *Government Sector Employment Rules 2014*.

As a minimum, two referees must be contacted (as provided by the candidate) for the structured referee checks:

- One referee must be the candidate's current supervisor, unless acceptable reasons are provided for not nominating that person.
- If the candidate is not working, the candidate's most recent supervisor must be nominated as the referee. If the candidate has never been employed, the candidate may provide contact details of persons who are able to provide reliable character references.

Referees should be asked information on the candidate's good character and suitability for working with, or in the presence of children. An example of a question is: "Can you comment on the candidate's suitability to work with children"?

Working with Children Check Definitions

In accordance with the *Child Protection (Working with Children) Act 2012* (WWCC Act) and the *Child Protection (Working with Children) Regulation 2013* (WWCC Regulation), a worker is regarded as being in child-related work where the work involves **direct contact with children**. In relation to this:

- "**Worker**" means any person aged 18 years or over who is employed or engaged in any of the capacities identified in the Act.
- "**Child**" or "**Children**" means persons under the age of 18 years.
- "**Direct contact**" means physical contact or face to face contact.

- **“Child-related work”** means any work in an area prescribed as child-related work in the WWCC Act and WWCC Regulation. This includes but is not limited to work in the following areas:
 - **clubs or other bodies providing services for children** – work in clubs, associations, movements, societies or other bodies (including bodies of a cultural, recreational or sporting nature) that involve providing programs or services primarily for children;
 - **entertainment for children** – work at sporting, cultural or other entertainment venues used primarily by children and entertainment services for children;
 - **residential services** – work at refuges used by children, long term home stays for children, boarding houses or other residential services for children and overnight camps for children;
 - **transport services for children** – work in providing transport services especially for children, including bus services and taxi services for children.

7.1.10 Open source probity check

Open source probity checks involve uncovering information about candidates by scanning publicly available online data. In circumstances where a candidate proceeds to be the preferred candidate and an open source probity check reveals adverse information, procedural fairness should be afforded to the candidate.

In this circumstance, the preferred candidate must be made aware in writing that the adverse information from the open source probity check will be considered by the Panel as part of the assessment process of merit-based employment and they should be invited to make a submission within a specific timeframe for consideration of the Panel.

7.1.11 Qualifications/education/credentials check

For some roles, an individual may be engaged subject to the condition that they hold a formal qualification or other credential. This check ensures there is documentary evidence of the completion of the qualification from an accredited institution.

7.1.12 Pre-employment health assessment

A health assessment may be required to be undertaken where a candidate’s fitness to perform the duties of a role to for which they are applying for is a condition of employment. Refer to [GSE rule 9\(3\)](#) for further information.

7.1.13 Additional checks

Additional checks may include, but are not limited to, bankruptcy, financial responsibility checks, academic transcripts, security and other clearances, membership of professional association/s, etc.

7.1.14 Identified and targeted roles – Aboriginal and Torres Strait Islanders

Some roles within the public sector may be reserved for Aboriginal and Torres Strait

Islander people only (identified roles). An 'identified' role is where having a particular requirement is a genuine requirement to occupy that role. For other roles, it is not essential to be Aboriginal or Torres Strait Islander, however, it is desired (targeted roles).

For roles for which being Aboriginal or Torres Strait Islander is essential or desired, the job advertisement and role description should reflect this. Confirmation of Aboriginal or Torres Strait Islander heritage is required for these roles. An Aboriginal Person is described in the *Aboriginal Land Rights Act 1983* as a person who:

- (a) is a member of the Aboriginal race of Australia, and
- (b) identifies as an Aboriginal person, and
- (c) is accepted by the Aboriginal community as an Aboriginal person.

During an interview for an identified or targeted role, the Office of Sport must be satisfied the applicant has confirmed their Aboriginality either by providing documentary evidence or by assessment through the interview panel, or both. Physical appearance or where the applicant lives are not relevant factors in determining Aboriginality.

Examples of written documentation include:

- a document demonstrating membership of their Local Aboriginal Land Council
- a certificate or documentation confirming Aboriginality from a recognised Aboriginal organisation with a common seal
- references from at least two Aboriginal community representatives with a signed declaration in the following terms:
 - I am a person of Aboriginal descent.
 - I identify as an Aboriginal person
 - I am accepted by the Aboriginal community as an Aboriginal person
 - I declare that this information is true and correct at the time of submission
- a statutory declaration if the applicant has no other formal documentary evidence. However, the applicant may need to provide additional supporting documents if the evidence in the declaration is not strong enough.

If an applicant cannot provide any of the above written documentation, the Office of Sport consider providing the applicant with an opportunity during the interview to confirm their Aboriginality. The hiring manager should record how Aboriginality was confirmed.

7.1.15 Using Rule 26 of the Government Sector Employment Rules 2014

Rule 26 allows government sector agencies to modify their recruitment and selection process to facilitate the employment of 'eligible' people from disadvantaged groups such as persons with a disability, persons under 25 years of age, etc.

7.2 Pre-employment Screening

Pre-employment screening will be conducted in accordance with relevant legislation and this policy and procedure, with the informed consent of the individual. The screening checks identified in Appendix 1 will be undertaken to verify the identity, integrity and credentials of all new appointments.

In addition, prior to commencing, all staff are required to submit a conflict of interest declaration. In completing the declaration, candidates and staff are required to identify and evaluate circumstances and relationships that may create a conflict of interest or threat to professional independence.

7.3 Post-employment Screening/Existing staff screening

At the Office's discretion, existing staff could be required to undertake a National Criminal Records Check (NCRC), an updated NCRC or specific checks. This can include staff promoted to a different role.

Post-employment screening may also be undertaken when:

- The role is identified as inherently risky and ongoing checks need to be conducted
- The roles requires ongoing evidence that relevant qualifications and licenses have not lapsed
- A person is promoted or moved to a different role
- A person has the same role but is given new or different responsibilities
- A contractor becomes an employee

8 Due diligence and vacant roles

As and when a role becomes vacant, managers are required to review the relevant role description and undertake an analysis of the role including examining the purpose, responsibilities and scope of a role in supporting business objectives.

The role analysis will inform changes to the role description including the capabilities, knowledge, experience and other requirements needed to perform the role.

Prior to advertising, the revised role description must be endorsed by Workforce Management and approved by the relevant Delegate.

9 Employment Application Fraud

Under section 8(2A) of the *Independent Commission Against Corruption Act 1988*, fraudulently obtaining or retaining employment or appointment as a public official can constitute corrupt conduct. Examples include candidates claiming degrees and qualifications that had never been awarded, falsifying work histories or work achievements, concealing a history of criminal or disciplinary activity and using false or misleading referees.

Measures which the Office of Sport undertake comprise the following:

- Assigning responsibilities for employment screening to a specific role in the People & Culture team to improve the consistency of employment screening checks
- Screening non-permanent workers such as contingent hires
- Provide advice to hiring managers on the appropriate level of experience, skill and qualifications required for roles advertised.
- At the application stage, Office of Sport utilises the below disclaimer to deter application fraud:

I confirm that all information provided in this employment application (including but not limited to employment history, skills and qualifications) is true, correct and complete. I understand that omitting or giving false or misleading information may exclude me from further consideration for employment and may jeopardise my on-going employment if discovered at a later date. (Write "YES" to confirm)

Appendix A: Minimum checks to be undertaken

Level	Employment Screening Checks	
1	Has access to information	<p>All staff receive the following checks:</p> <ul style="list-style-type: none"> • Identity (ID) check • Right to work verification (where required) • Address verification • Employment verification • Employment reference • Service and conduct checks (where applicable) • National Criminal Record Check (NCRC) • Declaration and Consent Form for misconduct screening/conflicts of interest
2	Has client engagement or identified as requiring WWCC	<p>Roles that have client engagement or identified as requiring Child Safe clearance receive the following checks:</p> <ul style="list-style-type: none"> • Level 1 checks • Working with children check • Pre-employment health check
3	Has managerial responsibilities	<p>Roles with managerial responsibilities and those identified in this category receive the following checks:</p> <ul style="list-style-type: none"> • Level 1 checks • Level 2 check, if required • Open source probity check • Qualifications/education/credentials check • Additional checks as identified- based on a risk assessment of the role
4	Has overarching responsibilities	<p>Executive roles and those identified in this category receive the following checks:</p> <ul style="list-style-type: none"> • Level 1, 2 and 3 checks • Contact additional referees • Bankruptcy check • Additional Checks as identified- based on a risk assessment of the role

Note: Additional screening checks may be undertaken by, or on behalf of the Office of Sport.

Appendix B: Declaration and Consent Form for misconduct screening/ conflicts of interest

Information for Applicants

Office of Sport and NSW government sector employees must adhere to standards of conduct and behaviour that exemplify the Public Sector Values prescribed in the *Government Sector Employment Act 2013*. Public servants occupy positions of trust in the community and are accountable for their actions. As such, all candidates for any non-executive or executive role with the Office of Sport are subject to appropriate integrity checks.

This Declaration and Consent Form (*this Form*) must be completed as part of the recruitment process for Office of Sport roles.

Misconduct is defined in section 69 of the *Government Sector Employment Act 2013* as:

Misconduct extends to the following —

- (a) a contravention of this Act or an instrument made under this Act,
- (b) taking action that constitutes a detrimental action offence,
- (c) taking detrimental action against another person in circumstances where —
 - (i) the person taking the detrimental action suspects, believes or is aware, when taking the action, that any person has made, may have made, may make or proposes to make a disclosure about alleged misconduct by an employee of a government sector agency, and
 - (ii) the suspicion, belief or awareness, whether correct or incorrect, is a contributing factor to the taking of the detrimental action,
- (d) a conviction or finding of guilt for a serious offence.

The subject matter of any misconduct by an employee may relate to an incident or conduct that happened while the employee was not on duty or before his or her employment.

Serious offence means an offence punishable by imprisonment for life or for 12 months or more (including an offence committed outside New South Wales that would be an offence so punishable if committed in New South Wales).

The binding *Code of Ethics and Conduct* applicable at the Office of Sport can be found at the Office of Sport's intranet.

The Office of Sport will protect personal information collected in the course of undertaking employment related checks by restricting its distribution to individuals who

require it to make or participate in making an employment decision, and ensuring proper record management procedures are adhered to. The Office of Sport will comply with relevant privacy legislation requirements. You will be able to gain access to any relevant personal information that the Office of Sport collects about you throughout the recruitment process.

A preferred applicant with a conduct history (criminal or misconduct) will not necessarily be precluded from employment. The relevance of any information collected will be assessed strictly in relation to the requirements of the position applied for.

The Office of Sport will determine the relevance of any conduct to the position applied for, taking the following into account:

- the age of the applicant at the time of the conduct
- the nature and seriousness of the conduct
- the relevance of the conduct to the particular position applied for
- the risk to the Office of Sport and the NSW community
- the period of time that has elapsed since the conduct took place
- the type and severity of any penalty imposed
- whether there is a pattern of behaviour
- any evidence of rehabilitation including subsequent work experience
- any additional information provided by the applicant, including references from persons who are aware of the conduct history.

The Office of Sport will conduct any relevant and required checks about applicants in accordance with its Employment Screening Policy. Such checks may include but are not limited to:

- Identity (evidence of name/change of name, date of birth, address)
- National and/or international police checks
- Right to work (including visa, separation package and redeployment status)
- Address verification
- Employment verification
- Declarable associations to individuals known or suspected to be involved in unlawful activity
- Disciplinary history (including misconduct, open investigations and findings)
- Working with children
- Qualifications
- Pre-employment health check
- Professional registration or licence
- Contacting references to obtain referee statements
- Service and conduct checks

Declaration

I,
[full name]

of
[address]

I sincerely declare that:

Correct/ True	Incorrect/ False	Do not know/ cannot answer due to legal reasons
------------------	---------------------	--

Conduct

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 1. I have not had my employment terminated by any previous employer due to misconduct in employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. I am not the subject of any open investigation into misconduct in employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. I have not ceased employment while being the subject of a misconduct investigation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. All information I have provided in and with my present application for employment is complete, true and correct. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Conflict of Interest

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 6. I do not have a personal or familial or other relationship with any of the referees I have provided in and with my present application for employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. I do not have a personal, familial or other relationship with any Office of Sport staff member – If there is such a relationship, please provide details:

..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

I declare this information to be true.

Declared at: on
[place] [date]

.....
[signature of declarant]

Consent Form

I, _____

[full name]

of _____

[address]

consent to the following:

1. I consent to the Office of Sport gathering information and conducting relevant and required checks about me in accordance with the Office of Sport's Employment Screening Policy and Procedure and the information I have provided in my present application for employment and throughout the recruitment process.
2. I consent to the Office of Sport contacting my current and previous employer(s) to substantiate my employment history, including regarding past conduct and performance.
3. Should I be successful in this application I consent to the information provided in my present application for employment to be used during my employment for employment related purposes.

Full name of person providing this consent: _____

Signature of person providing this consent: _____