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ACCREDITATION PROCEDURES TO ACCESS NATIONAL CRIMINAL HISTORY RECORD CHECKING (NCHRC) SERVICES

January 2007

N.B. The contents of this Guide are correct at time of distribution and are subject to change without notice.

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Accreditation Procedures to Access NCHRC Services

Accreditation Criteria

1. The CrimTrac Agency delivers NCHRC services for and on behalf of Australian police jurisdictions to third-party agencies that meet the accreditation criteria. Third-party agencies are defined as Federal/State/Territory government agencies and non-government entities.

2. The fundamental accreditation criterion is that the provision of NCHRC services to an agency provides a community benefit. A community benefit is defined in terms of criminal history record checking as “contributing directly to a process that enhances the safety and security of the community at large and in particular children, the frail, the elderly and the disadvantaged”. NCHRC services will be available to accredited third-party (public and private sector) agencies, individuals and volunteers.

3. Where checks are mandated by legislation, (e.g. Working with Children Check) the community benefit is already established. In particular circumstances, responsibility for the conduct and frequency of checks by a specific jurisdiction may be regulated by legislation.

4. Where the check is not mandated by legislation, an agency must establish how a community benefit will be realised through access to NCHRC services. It is the purpose of the check and the type of employment to be undertaken by the subject of the check that are the key determinants – not the industry or business sector in which the agency operates.

5. Other accreditation criteria include:

- Minimum 500 or more checks conducted annually;
- Agreement by all police services to the provision of services;
- Establishment of a Memorandum of Understanding (MOU)/Contract;
- Informed consent by the subject of the check.

Accreditation Process

6. Access to NCHRC services delivered by CrimTrac involves the following steps (see Fig 1):

- Provision of initial accreditation information and advice by CrimTrac;
- Agreement of the local police service to the agency accessing NCHRC services;
- Lodgement of a formal submission to CrimTrac;
- Assessment of the submission by CrimTrac;
- Agreement by the remaining police services;
- Development of a suitable Informed Consent form;
- Establishment of a MOU/Contract with CrimTrac;

- Successful test of access mechanisms;
- Pre-commencement information session and informal on-site review by CrimTrac.

Provision of Information

7. Following initial contact from the agency, CrimTrac will provide an accreditation information kit. The kit includes accreditation procedures, guide to NCHRC services, a draft MOU/Contract and the NCHRC audit and review program document.

8. The draft MOU/Contract governing NCHRC services should be reviewed from the agency's perspective and few, if any, proposed additions or deletions will be envisaged.

Local Police Jurisdiction Agreement

9. Prior to lodging a submission to CrimTrac, the agency must obtain the formal agreement of the local police jurisdiction to the agency gaining access to NCHRC services through CrimTrac.

Lodgement of Submission to CrimTrac

10. The following details are to be included in a formal written submission to CrimTrac (see attached Submission form):

- Justification for requiring access to NCHRC services;
- Details of any legislative basis/ exemptions from spent convictions schemes;
- Internal audit and security controls to be employed within the agency;
- Expected number of checks per annum;
- A copy of the Informed Consent form to be used by the agency.

Assessment of Submission

11. CrimTrac will review the submission against the relevant guidelines and assess the suitability of the agency for the provision of NCHRC services.

Agreement of All Police Services

12. CrimTrac will seek the agreement of the remaining police services for the agency to access NCHRC services. If there is not unanimous agreement, the CEO of CrimTrac will refer the Submission to the Board of Management for decision.

Establishment of MOU/Contract

13. Refinement and preparation of the MOU/Contract can be undertaken in parallel with the other steps in the accreditation process. The MOU/Contract needs to be finalised prior to commencement of check processing.

Access tested

14. In the longer term, direct access to CrimTrac's External Agency Management System (EAMS) application will be made available to enable agencies to upload and download check data via a Virtual Private Network arrangement. Meanwhile, other means of connectivity for submission and reception of checks and results can be set up and tested in parallel with the rest of the accreditation process.

Pre-commencement information session and informal on-site review

15. Prior to commencement of processing, CrimTrac staff conducts an information session which all agency staff involved in the process are asked to attend. In addition, a physical on-site review of the agency's criminal history processing area is undertaken to ensure that all the necessary requirements are in place. This informal review will follow the structure of the audit process established in the NCHRC Audit and Review Program document.

The NCHRC Process

Overview

16. Details of the NCHRC process may be found in the *Guide to National Criminal History Record Checking Services* document. The NCHRC is a three-stage process which delivers one of two results – either Clear or Criminal History Exists.

17. The NCHRC process consists of the following key steps:

- Agency submits checks
- CrimTrac processes Names against a central index of names
- CrimTrac returns initial results to agency
- CrimTrac processes Single/Multiple referrals to police services
- CrimTrac returns final results to agency.

Further Information

18. Further information is available from:

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CRIMTRAC NCHRC APPLICATION PROCESS

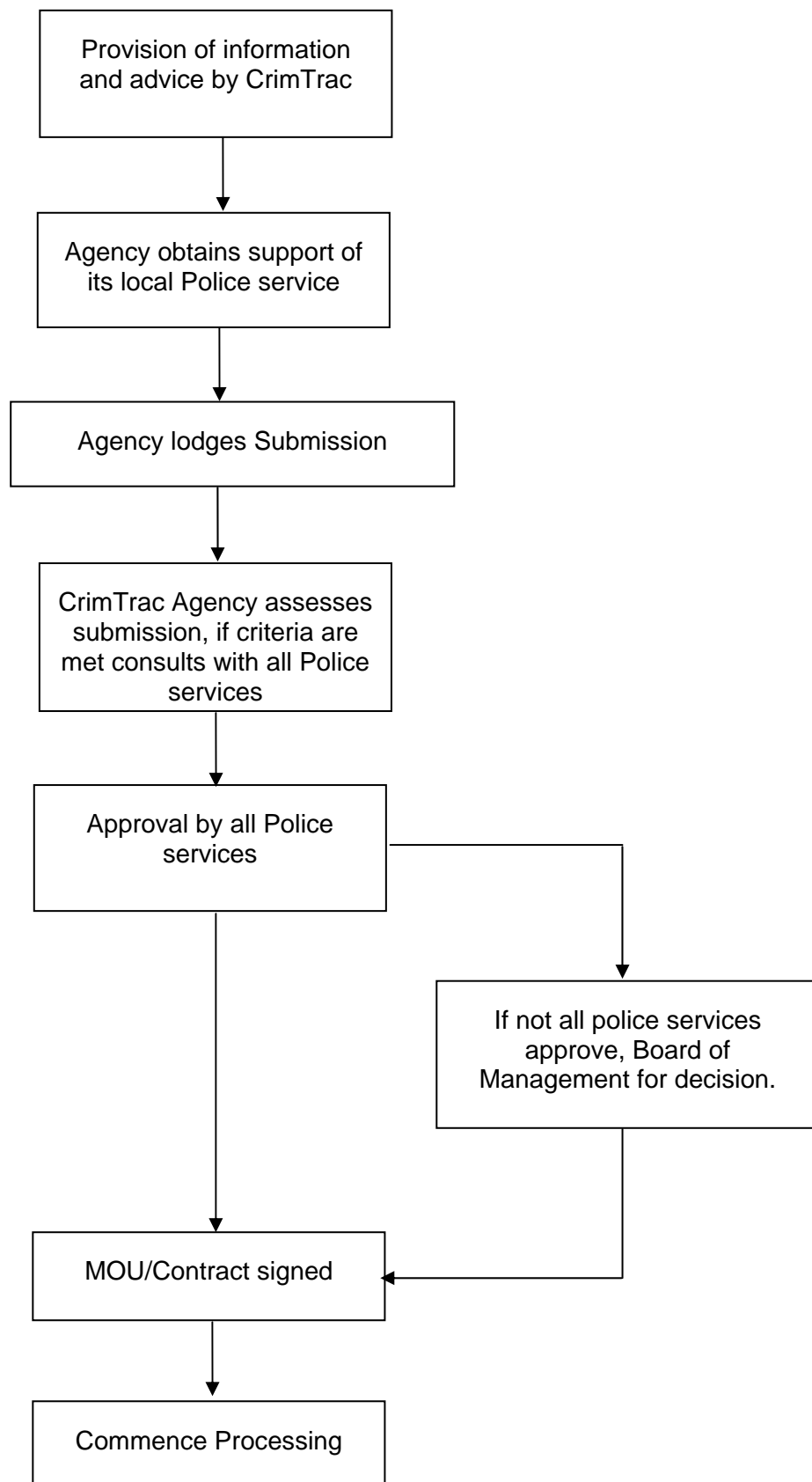


Fig 1



SUBMISSION TO THE CRIMTRAC AGENCY FOR NATIONAL CRIMINAL HISTORY RECORD CHECKING (NCHRC) SERVICES

Please complete all Sections

1. NAME OF ORGANISATION

2. NAME AND POSITION WITHIN ORGANISATION OF PERSON MAKING APPLICATION

3. MISSION OF ORGANISATION – You may attach a copy of your organisation’s Annual Report or other suitable documentation.

4. HOW WILL A “COMMUNITY BENEFIT” BE REALISED THROUGH ACCESS TO NCHRC SERVICES BY YOUR ORGANISATION?

E.g. In terms of criminal history record checking contributing directly to a process that enhances the safety and security of the community at large and in particular children, the frail, the elderly and the disadvantaged. Is checking mandated by legislation?

5. TO WHICH USE(S) WILL CRIMINAL HISTORY INFORMATION BE PUT? - E.g. pre-employment screening, probity checking, personnel security vetting, non-police law enforcement, national security (e.g. aviation/maritime security, money laundering etc).

6. IS THERE ANY LEGISLATION GRANTING YOUR ORGANISATION ACCESS TO CRIMINAL HISTORY INFORMATION?

E.g. Please identify Commonwealth/State/Territory legislation; access to “Spent Convictions”, if any.

7. IF YOUR ORGANISATION IS CURRENTLY CONDUCTING CRIMINAL HISTORY RECORD CHECKING THROUGH AN AUSTRALIAN POLICE SERVICE, INDICATE WHICH POLICE SERVICE

8. ATTACH LIST OF CLIENTS (INCLUDING INDUSTRY SECTOR) TO WHICH CRIMINAL HISTORY INFORMATION IS TO BE RELEASED

N.B. Details will be held Commercial-in-Confidence. Clients operating in specific industries/industry sectors may be required by legislation or in the national security interest to be serviced by the Australian Federal Police.

9. DOES YOUR ORGANISATION AND/OR ANY OF ITS CLIENTS CARRY ON A BUSINESS IN MULTIPLE AUSTRALIAN JURISDICTIONS?

10. WHAT INTERNAL AUDIT AND SECURITY CONTROLS ARE IN PLACE WITHIN YOUR ORGANISATION?

E.g. Code of Conduct; Protected Disclosures; Internal Control; Internal Audit; Fraud and Corruption Prevention; Ethics and Accountability.

11. APPROXIMATELY HOW MANY CHECKS DOES YOUR ORGANISATION EXPECT TO SUBMIT ANNUALLY?

12. ATTACH A COPY OF YOUR ORGANISATION'S INFORMED CONSENT FORM

E.g. EITHER Informed Consent form is attached OR Suitable Informed Consent form to be developed in consultation with CrimTrac Agency in due course.

13. ANY OTHER INFORMATION FOR CONSIDERATION
