



Policy Number HR009

## COMPLIANCE POLICY

### (REPLACING WORKING WITH CHILDREN AND POLICE CHECKS)

#### Purpose

Ormond College is committed to providing a workplace that is safe and supportive for everyone. Our community is made up of several groups including our team members, students, residents, volunteers (including student volunteers), fellows, visitors (such as guest speakers), and contractors (including agency staff).

The College is committed to providing a child safe environment, accordingly, this policy is informed by and aligned with the Victoria Child Safe Standards. Additionally, this policy is also informed by the College's Values - Respect, Community, Learning, Diversity, Heritage, Integrity.

This policy outlines the legal obligations and other mandatory requirements including, but not limited to, police record checks, working with children checks, and health checks.

#### Scope

This policy applies to all team members of Ormond College and to other members of our community, including, but not limited to, Council Members, volunteers, agency staff and contractors (external providers of services to the College, such as cleaning, maintenance and advisory services) while they are on-site and/or representing the College externally.

Those in scope while engaged in College activities, have the responsibility to uphold the College's Values and to actively participate in improving standards of compliance.

The requirements set out in this policy are mandatory, unless stated otherwise.

### 1 Definitions

For the purposes of this Compliance Policy, the following terms are used and defined as:

Term	Definition
Candidate	An external person who applies for a vacancy with the College.
Compliance	Compliance across the College means adhering to the legal and regulatory requirements and/or to policies, standards and codes set by the College. These includes the principles of good governance and accepted society and ethical standards. This adherence ensures proactive mitigation of potential reputational damage and/or financial loss to the College.
Compliance Failure	Compliance failure means an act or an omission whereby the College and/or an individual does not meet its compliance obligations, including processes or behavioural obligations.



Ergonomic Assessment	An ergonomic assessment evaluates a team member's working environment to optimise it for safety, comfort, efficiency and wellbeing. The requirements of each assessment will be determined on an individual basis.
Employment Medical Assessment	A Pre-Employment Medical Assessment provides general health information used to support the health, wellbeing and safety of future team members. The assessment will vary based on the inherent requirements of the position.
	An Independent Medical Examination (IME) provides general health information that is used to support the health, wellbeing and safety of existing team members during their employment. The assessment will also vary based on the requirements of the inherent requirements of the position.
Police Check	A Police Check is a criminal history or criminal background check for all team members joining the College, and renewed every five years. Checks are conducted on an individual's name, from records across Australia and/or internationally for candidates who may join the College directly from living overseas. National Police Checks will be paid for by the College, whereas International Police Checks will be paid by the individual and are normally a condition of obtaining a working Visa.
Psychometric Assessment	A Psychometric Assessment consider the personality, skills and capabilities, and developmental areas of individuals. Assessments will vary depending on the position applied for within the College.
Right-to-Work in Australia	A Right-to-Work Check is one that validates the work rights of an individual to work in Australia. A Right-to-Work check is carried out for all candidates ensuring they are legally entitled to work in Australia. Additional checks will be conducted for a team member on a Visa with an expiry date as a condition of their employment.
Working With Children Check [WWC]	The Working with Children Check [WWC] is a minimum checking standard set by the Working with Children Act 2005 for those who work with children, either on a paid or voluntary basis. It is intended to protect children from physical and sexual harm by checking a person's criminal history for serious sexual, violence or drug offences, as well as disciplinary findings of professional agencies such as the Victorian Institute of Teaching (VIT). WWC Check aligns to the Victoria Child Safe Standards. WWC checks are valid for five (5) years; however, they can be withdrawn during this period.



## 2 Privacy and Confidentiality

All information gathered as part of this policy will be kept confidential and retained in line with the Colleges Privacy Policy [COL001].

Information collected in relation to compliance checks will be retained by People and Capability [HR] and will become part of the employee's record.

## 3 Compliance Framework

The College's Compliance Framework is a set of requirements for each member of our College community. These requirements enable the College to meet its regulatory obligations and ensure risk is proactively mitigated. The Compliance Framework is made up of Phase One: Pre-employment, and Phase Two: Ongoing Employment.

### 3.1 Phase One: Pre-Employment

The components in Phase One are used by the College as part of the hiring processes – also refer the Recruitment and Selection Policy [HR001]. Each component contributes to the hiring decision, providing insights into how the College can support future employees. The assessment or check is done in partnership with the individual candidate and the hiring manager. They are supported by People and Capability [HR] and third-party specialists engaged by the College. As indicated, Psychological Assessments and Pre-Employment Medical requirements will vary depending on the position applied for within the College. Factors such as the scope, complexity and level of responsibility etc., of the position will also be considered when determining the applicable assessment.

Pre-Employment components include, but are not limited to the following:

- Police Checks
- Working with Children Checks
- Psychometric Assessments
- Pre-Employment Medical
- Right-to-Work in Australia Check

#### 3.1.1 Phase Two: Ongoing

The components in Phase Two form part of a team members obligations as part of their employment with the College. Some components support the College's wellbeing initiatives, others form part of the College's regulatory compliance. They are also supported by People and Capability [HR] and third-party specialists engaged by the College.

Ongoing components include, but not limited, to the following:

- Working with Children Checks
- Police Checks
- Independent Medical Assessment (IME)
- Ergonomic Assessment



- Training

### 3.1.2 Working with Children [WWC] | Exceptions Only

While there are various exceptions to the requirement for individuals to hold a valid WWC the main exception related to the College would be Registered Teachers who have permission to teach from the Victorian Institute of Teaching (VIT) under Part 2.6 of the Education and Training Reform Act 2006 are exempt from requiring a WWC Check.

Any other exemptions will be considered on a case-by-case basis.

## 4 Responsibilities

### 4.1 All Team Members are responsible for:

- Ensuring the obligations set out in this policy are understood and met.
- Notifying People and Capability of any offences, pending charges, restrictions, suspension, and/or withdrawal of eligibility to any of the pre-employment or ongoing employment checks.
- Seeking guidance from their direct line manager and/or People and Capability [HR] as required.
- Fully participating in the mandatory components of this policy including with dealing with third-party specialists engaged by the College.
- Providing the required documentation in a timely manner to People and Capability [HR] and/or their direct line manager as required.

### 4.2 People and Capability [HR] are responsible for:

- The day-to-day management and coordination of this policy includes processing, monitoring, record keeping, and providing advice as needed.
- Ensuring adherence to strong privacy protocols, including those of third-party specialists engaged by the College.

### 4.3 Managers [Executive, SMT, People Leaders]

- All people leaders are responsible for ensuring they communicate the requirements of this policy to prospective and existing team members and respond to queries as needed.
- The hiring manager is also responsible for ensuring that the preferred candidate/s provide the required information to People and Capability [HR] and/or third-party specialists engaged by the College in a timely manner.

### Related Template, Forms and Policies

- Staff Health and Wellbeing Policy
- Privacy Policy
- Recruitment and Selection Policy