



## EMPLOYMENT SCREENING PROCEDURE - PRESCRIBED POSITIONS

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### 1. OVERVIEW

The University is committed to providing a safe environment for the protection and wellbeing of children and vulnerable people. Children and young people are frequent, welcome users of University spaces and resources. This group includes a cohort of young undergraduate students and the University activities that interact with children, [young people](#), and [vulnerable people](#) in research, teaching, engagement activities, school work experience programs, and outreach programs.

This procedure assists the University in meeting its obligations to protect children, [young people](#), and [vulnerable people](#). The procedure establishes the responsibilities of and provides guidance for staff and titleholders. The procedures detail the employment screening requirements and procedure for existing and future staff and titleholders who are required to work with children.

This procedure complies with the requirements of the [Children and Young People Safety Act 2017 \(SA\)](#) and the [Child Safety \(Prohibited Persons\) Act 2016 \(SA\)](#). The procedure should be read in conjunction with the [Safe Environments for Children and other Vulnerable People Policy](#), [Recruitment Policy](#), [Recruitment Procedure](#), the Titleholder – Conferral of [Honorary Titles Procedure](#), and the [University of Adelaide Enterprise Agreement 2023-2025 \(as amended\)](#).

### 2. SCOPE AND APPLICATION

A prescribed position is a paid or non-paid role in which a person works, or is likely to work with children, or any other position described by the *Child Safety (Prohibited Persons) Regulations 2019* in accordance with Section 5(1) of the *Child Safety (Prohibited Persons) Act 2016*.

This procedure applies to all academic and professional staff, and titleholders. It establishes the employment screening requirements for compliance with the *Child Safety (Prohibited Persons) Act 2016 (SA)* (the Act), including:

- Identification of [prescribed positions](#) which require a working with children check (WWCC) in accordance with the Safe Environments for Children and other Vulnerable People Policy

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including any position holder who leads a business unit where one or more staff members occupy a prescribed position.

- Prescribing the process to obtain a [WWCC](#) for staff and titleholders who work or will work with children or young people (under 18 years), and the leaders of any business unit where one or more staff members occupy a prescribed position.
- Establishing a process for recording, maintaining, and monitoring WWCCs and Department of Human Services (DHS) child-related employment obligations.
- Ensuring that staff are permitted to work with children only when their working with children check has been verified to confirm that they are **not prohibited** from working with children.

This procedure does not apply to volunteers, contractors, or students. Volunteers, contractors, and students who work or will work with children or young people (under 18 years) must contact the program coordinator (volunteers or students) or their supervisor (contractors) for advice and information on obtaining a WWCC prior to commencing their engagement with the University.

Staff who live and work in South Australia must obtain a South Australian WWCC. Interstate or overseas WWCC are not accepted in South Australia. Staff members living and working in a state other than South Australia or overseas are required to comply with the relevant local legislation or screening requirements as a condition of their employment.

Child-related work does not include tertiary education services so there is no statutory requirement for staff or titleholders delivering an approved undergraduate program to young people under 18 to have a WWCC.

### 3. PRINCIPLES

- A position will be a [prescribed position](#) and will require a WWCC if required to work with young people (under 18 years) on more than seven (7) days in a calendar year unless otherwise exempt.
- As per section 6(3) of the [Child Safety \(Prohibited Persons\) Act 2016](#), the business unit leader who is responsible for staff and/or titleholders who occupy prescribed positions will also be in a prescribed position and will require a WWCC.
- The leader of a business unit will generally be defined as a position identified at Level 2 of the [Management Organisational Structure \(MOS\)](#) as updated by Planning & Analytics. Any exceptions to this will be identified by the Quality & Compliance Lead and approved by the Director, HR Services.
- Where a position is [prescribed](#) the University will clearly articulate the WWCC requirements when advertising the position and in any recruitment and selection process.
- Staff and titleholders are not permitted to commence work in a [prescribed position](#) unless the University has verified the status of their WWCC, or the WWCC is pending and an exemption has been approved under *Regulation 27 of the Child Safety (Prohibited Persons) Amendment Regulations 2022*.
- Working With Children Checks are current for a period of five (5) years from date of issue and should be renewed at least three (3) months prior to expiry.
- The University will reimburse the costs of new and renewal WWCCs for prescribed position holders in accordance with the University's [Reimbursement Procedure](#).
- The University cannot and will not allow a prohibited person to work with children.

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## 4. PROCEDURE

### 4.1. Working with Children Checks - University responsibilities

The University of Adelaide is registered with the DHS Screening Unit to facilitate information sharing on the status of WWCCs.

The University's Human Resources (HR) branch will:

- Register the University's interest in [prescribed position holders](#) and/or on notification of their [unique identifier number](#)
- Verify staff and titleholder WWCCs through the Screening Unit administered by the Department of Human Services
- Maintain a record of all [prescribed positions](#), the staff/titleholders who occupy those positions, their WWCC, and expiry details.

If the prescribed position holder's WWCC status changes during the course of their employment the University will take appropriate action as required by legislation and policy.

The University is obligated to notify the DHS Screening Unit if it becomes aware of *certain information* about a person currently holding a WWCC as soon as practicable.

The HR branch will issue reminders to prescribed position holders and their supervisors to obtain a new WWCC three (3) months prior to expiry of their current WWCC.

It is a joint responsibility of the prescribed position holder and their supervisor to monitor the frequency of engagement with children and young people (under 18 years), and to arrange to obtain a WWCC as and when required. Financial penalties apply for staff, titleholders, and the University, if non-compliant.

Should a staff member assume higher or other duties which require them to work with children for more than seven (7) days in a calendar year, the local area must notify the incumbent and HR immediately that the position must be classified as a [prescribed position](#). The incumbent will be required to provide their [unique identifier number](#) issued by the Screening Unit or make an application for a WWCC, and must not be allowed to work with children until the WWCC has been verified by the HR branch, unless the WWCC is pending and an exemption has been approved under *Regulation 27 of the Child Safety (Prohibited Persons) Amendment Regulations 2022*.

The University is required to provide the Screening Unit with a contact name, address, telephone number, and email address for the workplace, and the name and contact details of the person who verified the WWCC. Financial penalties may apply for non-compliance.

The University will deregister interest as soon as practicable if a candidate for a prescribed position does not commence employment or the staff member or titleholder leaves the University.

### Recruitment of continuing and fixed term positions including secondment and higher duties

#### 4.2. Identify [prescribed positions](#)

Prior to commencement of any recruiting activity the hiring manager will conduct a [risk assessment](#) to:

- Identify if any new position is required to work with children or other vulnerable people.
- Consider whether by assuming higher duties a staff member will be required to work with children.
- Identify if the requirements of an existing position have changed such that the person in that role will be required to work with children.

If the position is required to work with children, the hiring manager must indicate this in the Recruitment and Appointment Justification e-form so that the position can be flagged as a [prescribed position](#) in the HR system and in the University's online recruitment system.

The job advertisement and position description will list the position as prescribed. Candidates will be required to consent to undertake a WWCC prior to appointment and provide their full name, address, date of birth, and [unique identifier number](#) as prescribed by the Act.

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### 4.3. Screening process

It is the responsibility of the hiring manager or delegate to remind preferred candidates that employment in the role is conditional upon verification of a valid WWCC.

The preferred candidate will be required to produce a current WWCC and/or provide their [unique identifier number](#) and other prescribed details to the hiring manager or HR contact.

If the candidate does not have a current clearance, they will need to [apply](#) for a WWCC and provide their [unique identifier number](#) prior to an offer being made.

For staff who are new to the University the hiring manager or delegate will, on receipt of the WWCC, record the [unique identifier number](#) in the HR system and submit for verification by the HR branch.

Staff who already work at the University will need to enter their WWCC information in Staff Services Online (SSO), which will then be verified by the HR branch prior to issuing a new contract of employment.

For staff being seconded into or performing higher or other duties of a prescribed position the hiring manager will need to record the [unique identifier number](#) on the secondment or higher duties form and this will then be verified by the HR branch.

### 4.4. WWCC verification

The HR branch will register an interest in the individual using their [unique identifier number](#) and verify that either:

- their WWCC is current, and that they are approved to work with children; or
- their WWCC is pending and the applicant has a prior WWCC that shows they are not prohibited from working with children.

## Casual Staff Recruitment

### 4.5. Identifying and initiating appointment to [prescribed positions](#)

Prior to recruiting casual staff or engaging current casual staff on a new casual contract, the hiring manager or delegate will identify if the casual position is required to work with children which may require a [risk assessment](#) to be conducted.

If the position is required to work with children, the hiring manager or delegate will notify the preferred candidate(s) that employment is conditional on them providing a valid WWCC.

The hiring manager or delegate will identify the position as prescribed when requesting the casual contract be issued.

The HR branch will verify the WWCC prior to issuing the contract.

It is the responsibility of the hiring manager to ensure the candidate does not commence working in the [prescribed position](#) until their WWCC has been verified and a contract of employment has been issued, accepted, and onboarding completed. Financial penalties may apply to individuals who breach this requirement.

### 4.6. New staff member responsibilities

Following acceptance of the employment contract, the new staff member will be required to complete onboarding which includes uploading details of their current WWCC and their [unique identifier number](#) via the online onboarding form. The new staff member will not be able to commence working in the prescribed position until this is completed and verified.

### 4.7. Verification

The HR branch will register an interest in the staff member and validate their WWCC. If the WWCC is verified, the details of the WWCC including the expiry date and the [unique identifier number](#) will be recorded on the HR systems.

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#### 4.8. Prohibited from working with children or no [unique identifier number](#) provided

The HR branch will notify the hiring manager via email that either:

- the WWCC has been conducted and the applicant is prohibited from working with children; or
- the WWCC process was not completed and the candidate cannot commence working in the position.

On receipt of the email from the HR branch, the hiring manager will notify the candidate that their application for the position is withdrawn as they have not successfully fulfilled the mandatory requirements of the prescribed position.

### Titleholder recruitment

#### 4.9. Titleholders who are required to work with children

The titleholder applicant will complete a [title e-form](#). On receipt of the [title e-form](#), the Head of School will review the duties of the proposed title to identify if the proposed duties are likely to involve working with children.

If the titleholder will work with children, the Head of School must notify the HR branch so that the applicant's WWCC status can be verified. Upon receipt of this notification, HR will contact the titleholder to notify them that evidence of a WWCC is required and request their WWCC including the unique identifier number and other [prescribed information](#).

If the WWCC is pending and an exemption has been granted under *Regulation 27 of the Child Safety (Prohibited Persons) Amendment Regulations 2022*, the title may be conferred subject to all other requirements being met.

#### 4.10. Titleholder verification

On receipt of evidence of the WWCC, the HR branch will register an interest in the individual and verify their WWCC. If the WWCC is verified, the details of the WWCC including the expiry date will be recorded in the HR systems.

#### 4.11. If a prospective titleholder is prohibited from working with children

On receipt of the result, the HR branch will notify the supervisor that the WWCC has been conducted and the applicant is a [person prohibited](#) from working with children. The matter will be referred to the Faculty Executive Director for consideration.

#### 4.12. Titleholder applicants who fail to provide a [unique identifier number](#)

If the prospective titleholder does not provide the HR branch with their [unique identifier number](#) and other [prescribed information](#) within a reasonable timeframe, HR will refer the matter to the Faculty Executive Director for consideration.

### All prescribed positions

#### 4.13. WWCC renewals

It is a responsibility of all prescribed position holders to ensure their WWCC is renewed prior to expiry. The HR branch maintains a record of all WWCCs and will report monthly on all checks that are due to expire within the following three (3) months.

A reminder will be emailed to staff including casuals and titleholders to notify them to obtain a new WWCC, and monthly reminders will be emailed until a WWCC [unique identifier number](#) is provided, or until the date of expiry of the current WWCC.

If the HR branch is not provided with a [unique identifier number](#) for verification by the expiry of the current WWCC, the prescribed position holder and their supervisor will be notified. The prescribed position holder will not be permitted to work with children unless the WWCC is pending and an

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exemption has been granted under *Regulation 27 of the Child Safety (Prohibited Persons) Amendment Regulations 2022*.

If in the absence of a valid WWCC the prescribed position holder is unable to fulfil the requirements of their position, the matter will be referred to Workplace Relations for review for staff members or the Faculty Executive Director for titleholders for consideration.

#### 4.14. Prohibited from Working with Children

If during the course of their employment or title the University is advised that the WWCC status of a prescribed position holder is changed to a [prohibited person](#) the HR branch will notify the prescribed position holder's supervisor and the prescribed position holder will be prohibited from working with children and may not be able to perform the duties of their position.

The [prescribed position holder](#) may be subject to disciplinary action. Staff members will be referred to [Workplace Relations](#) and titleholders will be referred to the Faculty Executive Director for consideration.

#### 4.15. Appeal of a decision to issue a prohibition notice

[Prescribed position holders](#) who believe they have been wrongly identified as a prohibited person can make a request directly to DHS for a review of the decision to issue a prohibition notice.

During the period of the review the staff member or titleholder **must not** work with children and may not be able to perform the duties of their position.

The [prescribed position holder](#) may be subject to disciplinary action. Staff members will be referred to Workplace Relations and titleholders will be referred to the Faculty Executive Director for consideration.

#### 4.16. Disciplinary action

[Prescribed position holders](#) who are [prohibited](#) from working with children and/or who do not meet the requirements of a prescribed position and/or do not comply with this procedure are engaging in conduct that may constitute serious misconduct. [Prescribed position holders](#) may be subject to disciplinary action up-to and including dismissal under clause 8.2 of the [University of Adelaide Enterprise Agreement \(as amended\) for staff members](#) or termination of their title under the [Titleholder – Conferral of Honorary Titles Procedure](#) for titleholders.

#### 4.17. Training and reporting responsibilities of [prescribed position](#) holders

In accordance with the Safe Environments for Children and Vulnerable People Policy, staff and titleholders who occupy [prescribed positions](#) and those who are directly supervising persons in those positions are obligated to undertake any training as prescribed by the University, provide evidence of successful completion of the training to the University, and report children at risk of harm via the Child Abuse **Report Line (CARL) on 13 14 78**.

Staff who are concerned for the welfare of students should report the matter to the University via the [Safer Campus Community website](#) or call 8313 1200.

#### 4.18. Training records

The University's HR branch will maintain a record of training completed.

## 5. DEFINITIONS

### Appeal of prohibition notice

A request made directly to the Department of Human Services to review a decision made by the DHS Screening Unit to issue a prohibition notice.

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### Certain information

An employer must inform the Screening Unit if it becomes aware of any *accessible information* in relation to a person working in a prescribed position as set out in section 19 of the Act.

### Exemption – WWCC Pending

Under Regulation 27 of the Child Safety (Prohibited Persons) Amendment Regulations 2022, an exemption may apply to allow a staff member or titleholder to work with children where the WWCC is pending, where a person:

- a) To whom an application for a working with children check has been made in accordance with the Act, but that working with children check has not yet been conducted; and
- b) Is not a prohibited person; and
- c) Is not presumed to pose an unacceptable risk to children under section 26A of the Act.

It is a condition of an exemption that the person is, while working with children pursuant to the exemption, supervised by a prescribed supervisor.

An exemption under Regulation 27 will expire on the day that the application is completed and a determination made under 26(5) of the Act as to whether the person to whom the application relates is, or is not, to be prohibited from working with children.

### Not Prohibited

The Screening Unit determines the person **does not** pose an unacceptable risk to children and **is not** prohibited from working with children. Working with children checks are valid for a period of five (5) years, but the Department of Human Services continually monitor persons who are not prohibited from working with children, which may lead to re-assessment and possible prohibition of a person.

### Prescribed Information

Information required by the University and Screening Unit for the purpose of verifying the WWCC.

### Prescribed Position

A prescribed position is one where a person works or is likely to work with children such that it is reasonably foreseeable that in the course of fulfilling the duties of the position, the person will work with children for more than a total of seven (7) days in any calendar year period.

Anyone who may occasionally work directly with children and it is likely that the work may be for more than seven (7) days in total in a 12 month calendar period must be checked before they commence employment or commence engaging in activities involving children. This calculation cannot be made on a *pro rata* basis and must include any partial days where activities occur. This may include staff and titleholders who will be regularly involved in outreach activities with primary or secondary school students or the regular supervision of secondary students participating in a program of work experience.

### Prescribed Position Holder

A staff member or titleholder who occupies a position that is defined as prescribed.

### Prohibited Person

Any person who the Screening Unit determines, in accordance with the Act, the regulations and guidelines, that the person poses an unacceptable risk to children and that the person is prohibited from working with children. The Screening Unit will issue a prohibition notice to the person which prohibits them from engaging in child-related work.

### Reasonable Timeframe

For the purposes of this procedure, a reasonable timeframe for the return of required documentation is usually ten (10) working days unless there is a valid and unavoidable reason for the delay.

### Register Interest

To verify working with children checks (WWCCs), the University will register an interest in the staff member or titleholder, which will require the name, address, date of birth and unique identifier of the staff member or titleholder. This process links the person with the University and enables the University to verify WWCCs. Should a staff member or titleholder become a prohibited person, the University will be notified by the DHS Screening Unit.

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### Unique Identifier Number

Also known as a screening reference number, a unique identifier number is provided to every person who applies for a WWCC. A unique identifier number must be provided to your employer if your position is a prescribed position or involves working with children.

### Verification

The University is required to verify through the DHS database that anyone who works with children has a valid working with children check and is not prohibited from working with children.

### Vulnerable People

For the purpose of this procedure, the definition of *vulnerable people* is adopted from the [Indigenous Student Assistance Grants Guidelines 2017](#) to refer to individuals over 18 who may not be able to protect themselves from harm or exploitation by reason of age, illness, trauma or disability.

### Working with Children

Being engaged in an activity with a child where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes paid work, volunteering, and other unpaid work.

### Working with Children Check (WWCC)

An official assessment provided by the Screening Unit of the Department of Human Services SA under the [Child Safety \(Prohibited Persons\) Act 2016 \(SA\)](#). A WWCC is not a determination of a person's suitability for a position involving work with children. It is an assessment of prescribed risk assessment information held on various state and national databases and provides a point in time assessment of past behaviour in order to predict future risk to the safety and wellbeing of children.

The Screening Unit will either issue a clearance or advise that the person is a [prohibited person](#) and cannot be employed in a position that involves working with children or other vulnerable people.

The Department of Human Services monitors the status of all persons who have current WWCCs and may re-assess, and where appropriate change their status to "prohibited person". The University will be advised of any such changes.

### Young People

Under South Australian law a child means a person under 18 years of age. A cohort of this group aged 12 to 17 years are referred to in the legislation as young people.

## 6. RELATED DOCUMENTS AND POLICIES

[Behaviour and Conduct Policy](#)

[Code of Conduct](#)

[Recruitment Policy](#)

[Recruitment Procedure](#)

[Safe Environments for Children and Vulnerable People Policy](#)

[University of Adelaide Enterprise Agreement](#)

## 7. WEB LINKS

[Child Safety \(Prohibited Persons\) Act 2016 \(SA\)](#)

[Regulation 27 of the Child Safety \(Prohibited Persons\) Amendment Regulations 2022](#)

[Department of Human Services \(DHS\)](#)

[Legal and Risk website](#)

[Recruitment website](#)

[Volunteers website](#)

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