

## Frequently asked questions (FAQs)

### Criminal Record Check requirements for students undertaking placements in NSW Health facilities

#### 1. Which students are required to get an Australian National Police Check?

All tertiary students 18 years and over are required to obtain an Australian Criminal Record Check also known as a National Police Check. Students from High School or TAFE completing work experience for their secondary school qualifications at a NSW Health organisation OR tertiary students under 18 years of age are not required to obtain a National Police Check.

#### 2. What is included on a National Police Check Certificate?

A National Police Check Certificate lists any disclosable court outcomes recorded by Australian Police jurisdictions against the applicant's name. Disclosable court outcomes include all findings of guilt (with or without a conviction) as well as current pending court matters released in accordance with the state and federal spent convictions legislation.

#### 3. Where can I get my National Police Check from and how long will it take to process?

Students can apply for a Check from an Australian State or Territory Police Force, an Australian Criminal Intelligence Commission accredited body or the Australian Federal Police. Please refer to the website of the relevant organisation for instructions on applying.

#### 4. What type and purpose of Police Check do I need to apply for?

The Police Check must state that it is a National or Australia wide check, it must include your full name and date of birth and the name on the Police Certificate must be the same name as on the Student's ID card (unless a marriage certificate or change of name certificate can be supplied).

National Police Checks for the purpose of Aged Care only will not be acceptable.

#### 5. How long is a National Police Check Certificate valid for?

In accordance with the current NSW Health Policy Directive on Employment Checks ([PD2019\\_003](#)), the National Police Check Certificate is valid for five years from the

date of issue. However, if a student's placement is in a Federally Subsidised Aged Care Facility, then students must ensure that their last police check was issued less than 3 years ago. And, if a student's placement is in a registered National Disability Insurance Scheme (NDIS) service, then until the 1 July 2019, they must ensure that they have had a National Police Check issued within the last 4 years.

Students must ensure that their Police Certificate is valid for the duration of the clinical placement. If the Police Certificate will expire before the end date of the placement, students will not be allowed to commence.

#### **6. I am an existing NSW Health employee. Do I need to obtain a National Police Check Certificate to undertake placements?**

No. Current NSW Health staff members are not required to obtain a National Police Certificate to attend Clinical Placements because NSW Health staff members have already been checked by NSW Health. NSW Health staff members need to email [HETI](#) their details including their StaffLink ID and scanned copies of their NSW Health employee ID and student ID from their 'Health' email address. HETI will then enter their Police Check information into ClinConnect. Note – agency staff currently engaged by NSW Health are not deemed existing staff members and therefore must provide a National Police Certificate.

#### **7. What police certificates do overseas students need?**

Overseas students are required to obtain an Australian National Police Check through an Australian Police Force or an [Australian Criminal Intelligence Commission Accredited body](#). Overseas students, in addition to obtaining an Australian Police Certificate, must also obtain [National](#) Police Certificates from their home country (including the country in which they currently reside if different) or any country that they have been residents of for more than six months since turning 18 years of age (translated into English).

If they are unable to obtain a National Police Certificate from any of these countries, then they must complete the Template [Statutory Declaration](#) before starting their first placement in NSW Health. (The Statutory Declaration must be completed after arrival in NSW.)

#### **8. As an overseas student, can I provide my International Criminal History Check report via Australian Health Practitioner Regulation Agency (AHPRA)?**

Yes. If students have obtained an International Criminal History Check through an AHPRA approved supplier as part of their application for registration in Australia, this may be used as part of the requirements for overseas students.

#### **9. Can I apply for a National Police Check Certificate whilst overseas?**

You will need to check with either the Australian Police Force or the Australian Criminal Intelligence Commission Accredited Body you are applying through.

## **10. When do I need to provide my police check to NSW Health**

You need to provide your police check to NSW Health at least seven days before your first clinical placement is due to commence. If this has not been completed, your placement will be cancelled. Furthermore, your police check must not expire before the end date of your placement as your placement will also be cancelled in this situation.

## **11. Am I required to have a Working with Children Check?**

No. Students undertaking clinical placements in NSW Health facilities are not required to have a Working with Children Check.

## **12. Is a Working with Children Check clearance acceptable instead of a National Police Check Certificate?**

No. A Working with Children Check clearance is not the same as a National Police Check Certificate. Students wishing to undertake placements in NSW Health agencies must have a National Police Check Certificate.

## **13. What happens if I lose my National Police Check Certificate?**

Contact the Australian Police Force or the Australian Criminal Intelligence Commission Accredited Body that provided the Certificate.

## **14. What if my personal details on the National Police Check Certificate are incorrect?**

Contact the Police Force or Australian Criminal Intelligence Commission Accredited Body that provided the Certificate as soon as possible.

Please note, NSW Health may not accept a Police Certificate if it has incorrect personal details. Your National Police Check Certificate must match your name as printed on your student ID card issued by your Tertiary Education Institution.

## **15. What happens if I change my name and the name on my police check doesn't match the name on my student ID card?**

You must ensure that the name on the National Police Check matches the name on your student ID card from your Tertiary Education Institution.

If the name on the National Police Check Certificate does not match the name as printed on your Student ID card, NSW Health will not accept it unless a marriage certificate or change of name certificate is also supplied.

## 16. What if my National Police Check Certificate shows criminal records that do not belong to me?

Contact the Australian Police Force or Australian Criminal Intelligence Commission accredited body that provided the Certificate.

## 17. How can I get my police check verified by NSW Health?

Contact your Education Provider to find out how you can have your police check verified by NSW Health.

## 18. Will I be able to undertake clinical placements if I have a criminal history?

Criminal history does not necessarily constitute a barrier to clinical placement.

You must **not**, however, commence clinical placements until your criminal history (as identified on your National Police Check Certificate or Overseas Police Certificate or as disclosed by you) has been assessed by NSW Health's Employment Screening and Review Unit (ESRU) and you been provided with a Clinical Placement Authority Clearance or a Conditional Letter.

To apply for an assessment with ESRU, you must complete an "[Application for authority to undertake clinical placements in NSW Health facilities](#)" and forward it to ESRU with other required documentation. Please refer to following link to complete the application <https://www.heti.nsw.gov.au/Placements-Scholarships-Grants/clinical-placements>

Each application is considered on its merits, and its relevance to undertaking clinical placements in NSW Health agencies. Mitigating factors include, but are not limited to, the length of time since the convictions, the nature of the convictions and penalties imposed, action taken since by the student and any references provided.

If the risks relating to the criminal history are not relevant or are sufficiently mitigated, ESRU will provide you with a Clinical Placement Authority Clearance or a Conditional Letter with authority to undertake clinical placements subject to certain conditions.

Note 1: There are certain offences that preclude a person from working / being employed in Australian Govt. funded Aged Care Facilities – please refer to the following [link](https://www.health.gov.au/resources/publications/police-certificate-guidelines-for-aged-care-providers) for more information <https://www.health.gov.au/resources/publications/police-certificate-guidelines-for-aged-care-providers>

Note 2: Also, certain offences bar a person from working / being employed in child related employment – please refer to the following link for more information on NSW Working with Children Check <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/applicant/application-process>

Note 3: Students with precluding and barring offences are, subject to a risk assessment and any conditions identified as necessary, able to undertake a clinical placement in NSW Health – see above.

### 19. If I have a minor offence on my National Police Check Certificate, do I still have to provide it to ESRU for assessment?

Yes. You must obtain a Clinical Placement Authority Clearance from ESRU to attend clinical placements.

NSW Health agencies will not accept National Police Check Certificates that have criminal records of any kind; you must obtain a Clinical Placement Authority Clearance letter from ESRU.

### 20. When do I need to apply for a risk assessment?

Applications for assessment should be submitted within three months of your first placement in NSW Public Health facilities to ensure that the most recent information is assessed. Assessments are reserved for students attending placements in NSW Public Health facilities only e.g. Westmead Public Hospital, not Westmead Private Hospital. As part of the application process, you must include evidence of your upcoming clinical placement in NSW Health.

### 21. What information do I need to provide to ESRU?

ESRU requires a completed [Application for authority to undertake clinical placements in NSW Health facilities](#) and:

- Certified copies of your National Police Check Certificate, and any Overseas Police Certificates or your Statutory Declaration relating to overseas matters;
- A certified copy of your Student ID; and
- Written references (as applicable) and any other supportive information that you feel may assist with the assessment process.
- The completed application form
- Evidence of your next placement in NSW Public Health facilities

Information can be provided to ESRU via the options below

- Student gets their National Police Certificate, Student ID and Additional Photo ID certified by an authorised witness (i.e. Justice of the Peace) and emails them using the email address given to them by their Education Provider - these **must** be in colour.
- Student gets their National Police Certificate and Student ID certified by an authorised witness (i.e. Justice of the Peace) and posts it to ESRU PO Box address on the form.

### 22. How long will it take ESRU to assess my application?

You should allow at least **15 working days**.

The time taken will depend on the type of offences recorded against your name and the sufficiency of the information you have provided. To minimise any delays, you should ensure that you have provided sufficient references and completed all the paperwork correctly.

If you are unsure what references you need to supply, or how many, contact ESRU on (02) 8848 5175 or by email at [HSNSW-esruenquiries@health.nsw.gov.au](mailto:HSNSW-esruenquiries@health.nsw.gov.au).

### **23. How do I get an urgent Clinical Placement Authority Clearance or Conditional Letter?**

Contact ESRU on (02) 8848 5175.

### **24. What happens if my Clinical Placement Authority Clearance or Conditional Letter is incorrect?**

Contact ESRU immediately on (02) 8848 5175. If the Clinical Placement Authority Clearance or Conditional Letter has incorrect personal details, it may not be acceptable for commencing placements, and your placement may be delayed.

### **25. If I have a Clinical Placement Authority Clearance or Conditional Letter do I still have to have my National Criminal Record Check Certificate verified by NSW Health?**

No, if you have criminal records on your Police Certificate that has been assessed by ESRU, you do not have to show your Police Certificate to the NSW Health agency verifying your documents. Students who were issued a Clinical Placement Authority Card or Conditional Letter before 1 February 2019 will need to have these documents verified by the Health agency. Students who are issued a Clinical Placement Authority or Conditional letter after 1 February 2019 will not have to have these documents verified by the Health agency as HETI will enter them into ClinConnect.

### **26. Do I need to show my Conditional Letter to my educational institution?**

Yes. Students are required to inform their educational institution that they have a conditional letter so that the educational institution knows where you are allowed or not allowed to attend a placement.

### **27. How long is a Clinical Placement Authority Clearance valid for?**

A Clinical Placement Authority is valid until the expiry date on the letter.

You must ensure that your National Police Check Certificate, Clinical Placement Authority or your Conditional Letter is valid for the duration of your clinical placement. If it is not valid for the duration of your placement, you may not be allowed to commence and your placement may be delayed.

## 28. What happens if I lose my Clinical Placement Authority Clearance or Conditional Letter?

Contact ESRU on (02) 8848 5175 or

[HSNSW-esruenquiries@health.nsw.gov.au](mailto:HSNSW-esruenquiries@health.nsw.gov.au)

## 29. What happens if I am charged with an offence after my National Police Check Certificate or Clinical Placement Authority Clearance or Conditional Letter?

If you are charged with or convicted of an offence, you must immediately contact ESRU on (02) 8848 5175 or by email [HSNSW-esruenquiries@health.nsw.gov.au](mailto:HSNSW-esruenquiries@health.nsw.gov.au) . You may not commence any clinical placements or continue in a clinical placement until you are advised by ESRU that it is okay to do so. You must provide to ESRU via post:

- a completed [Student Application for Clinical Placement Authority](#)
- certified copies of any Police Facts Sheets/Court Outcomes, or any other documentation relating to the charges or convictions
- a certified copy of your Student ID
- written references (as applicable) and any other supportive information that you feel may be necessary to assist with the assessment process.

ESRU will undertake an assessment of the charges or the convictions and will notify you of the outcome.

If the risks relating to the criminal history are not relevant or are sufficiently mitigated, ESRU will provide you with a Clinical Placement Authority Clearance or a Conditional Letter with authority to undertake or continue to undertake clinical placements subject to certain conditions.