

# MOTORCYCLING AUSTRALIA POLICY

**Title:** Recruitment & Screening Policy

---

**Last Review Date:** 11 August 2020

---

**Next Review Date:** August 2022

---

**Responsible Persons:** Motorcycling Australia Board

---

**Authority:** This Policy is made under clause 15 of the MA Constitution. It is binding on all MA Members and volunteers, and all employees of MA and its State Controlling Bodies, and is to be interpreted in accordance with the MA Constitution.

## 1. PURPOSE

1.1 These recruitment and screening requirements have been developed to provide a fair, consistent and comprehensive recruitment process across our sport. Our sport takes child protection seriously and understands the importance of recruiting staff and volunteers who are suitably qualified and committed to providing professional and enjoyable programs and services to all Members including CYP.

## 2. DEFINITIONS AND INTERPRETATION

2.1 **CYP** means children and young people being a person under the age of 18 years who engages in our Sport.

2.2 **MA** means Motorcycling Australia Ltd.

2.3 **Member** has the meaning given to it by the MA Constitution.

2.4 **Sport** means the sport or recreational activity of motorcycling.

2.5 **WWCC** means working with children or equivalent check.

2.6 Headings are for convenience only and do not affect interpretation and unless the context indicates a contrary intention.

2.7 "Includes" in any form is not a word of limitation.

2.8 A reference to "month" is to a calendar month.

2.9 A reference to "\$" or "dollar" is to Australian currency.

### 3. RESPONSIBILITIES

3.1 MA's Executive Management team is responsible for undertaking recruitment and ensuring that our organisation's recruitment and screening procedures are followed.

Position	Responsibility
CEO	<ul style="list-style-type: none"><li>• Implement policy and procedures across the organisation</li><li>• Ensure staff and volunteers have access to and understand this Policy and related procedures</li><li>• Ensure all managers/supervisors have access to support and advice to understand and implement policy and procedures</li><li>• Review and update this Policy and supporting resources</li></ul>
Managers/ Supervisors	<ul style="list-style-type: none"><li>• Provide training and advice in the application of policy and procedures Ensure policy and procedure is followed and implemented</li></ul>
Staff/Volunteers	<ul style="list-style-type: none"><li>• Compliance with policy and procedure.</li></ul>

### 4. KEY REQUIREMENTS

#### 4.1 Advertising

4.1.1 All available positions will be advertised and all advertisements contain the following statement, or where space is at a premium, an abbreviated form of the statement:

*"MA is committed to promoting the welfare of children and young people. MA requires all applicants who are to work with children and young people to undergo an extensive screening process prior to appointment, a process that may include, but is not limited to, comprehensive reference checks, an identity check, a 'working with children' or equivalent check and/or a 'national criminal history record' check."*

Abbreviated:

*"MA is committed to promoting the welfare of children and young people. All applicants must undergo an extensive screening process prior to appointment."*

#### 4.2 Commitment

MA's policy to promote the welfare of CYP is referenced for all applicants as part of the position description and application documentation, prior to interview.

#### 4.3 Face-to-face interview

4.3.1 All applicants for employment with direct contact with CYP must attend at least one face-to-face interview.

4.3.2 During face-to-face interviews MA examines at least the following issues relating to the applicant's suitability to work with CYP:

- (a) the applicant's professional experience, qualifications and competence
- (b) the applicant's beliefs and values in relation to the treatment of CYP
- (c) the applicant's general awareness, professional experience, qualifications and understanding of child protection issues

- (d) the applicant's reasons for leaving any previous positions involving work with CYP
- (e) any potential concerns our organisation may have with the applicant's resume or work history, such as gaps in their work history, frequent job changes, inability to nominate precise start or end dates for previous roles.

4.3.3 In undertaking an interview with any applicant for a staff or volunteer role MA:

- (a) highlights its commitment to promoting the welfare of CYP;
- (b) explains its screening requirements and their purpose;
- (c) refers to its Recruitment Interview Questions set out at in this Policy at clause 7.1;
- (d) documents an applicant's responses; and
- (e) adds that documentation to the successful applicant's staff or volunteer file.

#### 4.4 'Working with children' checks

4.4.1 The person responsible for recruiting a staff member or volunteer to a position requiring a WWCC must sight that WWCC and record relevant details in the successful applicant's staff or volunteer file.

4.4.2 Our organisation will not engage a person to a position requiring a WWCC who does not have a satisfactory WWCC in the relevant jurisdiction(s).

4.4.3 It is a serious breach of this policy if an individual, who has convictions that would make him/her ineligible to be granted a WWCC clearance, gains employment or is allowed to volunteer with CYP. It is also a serious breach if an individual continues in his/her employment, coaching or volunteer role with MA if they have been charged or convicted of a crime that would make him/her ineligible to be granted a WWCC clearance.

4.4.4 All staff and volunteers within MA are advised that they must report before their recruitment and during their employment, any criminal conviction or charge that indicates that they present a potential risk to the CYP to whom they help deliver service.

### 5. CRIMINAL HISTORY RECORD CHECKS

#### 5.1 National Criminal History Record Checks

5.1.1 Where, for whatever reason, a preferred candidate is unable to undertake a WWCC, that preferred candidate will be required to provide, subject to relevant jurisdictional legislation, a 'national criminal history record check' (also known as a 'police check').

5.1.2 Candidates will be advised that, unless their criminal history suggests that they may pose a risk to CYP, a criminal history does not automatically preclude them from obtaining work within our organisation. If information on their criminal history is relevant to our employment decision, we provide the applicant with an opportunity to respond to the contents of their police check.

- 5.1.3 In such cases, the person responsible for recruiting for the position shall document the matter and refer it to the CEO for assessment of the applicant's suitability in accordance with the requirements of the role for which they have applied.
- 5.1.4 The CEO shall provide a written decision with respect to employing, or not employing, the applicant. The decision to employ, or not employ, an applicant because of a criminal history check result, along with the rationale for that decision, must be communicated to the candidate.
- 5.1.5 No copy of the police check will be retained, and the original will be destroyed – in a secure manner – on completion of the selection process. MA does record, however, the date and certificate number of the police check in the successful candidate's staff or volunteer file.
- 5.1.6 Whenever possible no applicant is to be offered a position until after completion of their WWCC or police check.
- 5.1.7 Australia has three types of checks for child-related work:
- (a) Working with Children Checks (WWCC)
    - (i) WWCCs involve checking a person's criminal history and, in some jurisdictions, disciplinary information to determine their suitability to engage in child-related work. Successful applicants are granted a clearance, which they can use as evidence of their suitability to engage in child-related work for a specified period.
    - (ii) WWCCs are used in New South Wales, the Northern Territory, Queensland, Victoria and Western Australia.
  - (b) Working with Vulnerable People (WWVP)
    - (i) WWVPs are similar to WWCCs. WWVPs assess a person's suitability to work with vulnerable people in regulated activities. Children and disadvantaged adults (such as adults with a disability and adults who cannot communicate in English) are considered vulnerable people.
    - (ii) The Australian Capital Territory and Tasmania have implemented WWVP schemes.
  - (c) Criminal history assessments
    - (i) Under this type of check, organisations must ensure criminal history assessments are conducted before engaging people to work in particular positions. The onus is on the relevant jurisdictional legislation. organisation to ensure the assessments are undertaken, not the individual.
    - (ii) Criminal history checks are not monitored on an ongoing basis as they are in other jurisdictions; they are a point-in-time check only. Employers must ensure that assessments are conducted at least once every three years.
    - (iii) South Australia is the only jurisdiction utilising criminal history assessments for child-related work.

5.1.8 This table sets out the various schemes in place across Australia.

ACT	Working with vulnerable people	<a href="https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/kw/wwwvp">https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/kw/wwwvp</a>
NSW	Working with children checks	<a href="http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check">http://www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check</a>
NT	Working with children checks	<a href="http://www.workingwithchildren.nt.gov.au/">http://www.workingwithchildren.nt.gov.au/</a>
SA	Criminal history assessments	<a href="https://www.dcsi.sa.gov.au/services/screening/what-kind-of-screening-do-i-need">https://www.dcsi.sa.gov.au/services/screening/what-kind-of-screening-do-i-need</a>
QLD	Working with children checks	<a href="https://www.bluecard.qld.gov.au">https://www.bluecard.qld.gov.au</a>
TAS	Working with vulnerable people	<a href="http://www.justice.tas.gov.au/working_with_children">http://www.justice.tas.gov.au/working_with_children</a>
VIC	Working with children checks	<a href="http://www.workingwithchildren.vic.gov.au">http://www.workingwithchildren.vic.gov.au</a>
WA	Working with children checks	<a href="https://workingwithchildren.wa.gov.au/">https://workingwithchildren.wa.gov.au/</a>

## 5.2 International Criminal History Record Checks

5.2.1 Any applicant who has resided in an overseas country for 12 months or more in the last ten years should contact the relevant overseas police force to obtain a criminal or police record check. CrimTrac accredited agencies do not conduct international police checks.

5.2.2 Some countries will not release information regarding an individual for personal or third-party purposes. Where police records checks cannot be made, referee checks must be conducted with at least two individuals who personally knew the individual while they were residing in the other country.

5.2.3 The applicant must be informed that referees will be asked whether they have knowledge or information concerning the applicant, which would adversely affect the applicant from performing the job, including any relevant criminal offences. The credentials of persons acting as referees must be verified and can include previous employers, government officials and family members.

5.2.4 Overseas applicants should not commence employment until this process is satisfactorily completed and this decision should be signed off by the relevant MA manager.

## 5.3 Monitoring compliance with WWCC & Criminal History Checks

5.3.1 MA maintains procedures to ensure that all staff and volunteers undergo a periodic WWCC to confirm that they do not have criminal charges and/or convictions that would pose a particular risk if they work with CYP.

## 5.4 Identity check

5.4.1 If 'proof of identity' documents are not sighted as part of the WWCC or police process, the identity of each short-listed candidate for any staff or volunteer position may be confirmed by sighting original 'proof of identity' documents presented by the applicant. MA records the details of the successful candidate's 'proof of identity' to their staff or volunteer file.

5.4.2 CEO approval is required for any variation to these proof of identity requirements.

## 5.5 Undertaking reference checks

5.5.1 MA conducts a minimum of two reference checks for all shortlisted candidates as a means to gather additional information about the candidate's suitability to work in the role for which they have applied.

5.5.2 Preferred or shortlisted candidates should, in the first instance, be asked to provide contact details for two professional referees who can provide information relating to the applicant's suitability to work with CYP. Professional referees:

- (a) should include a representative of the candidate's current or most recent employer
- (b) must have had a direct managerial relationship with the candidate and so be capable of commenting knowledgeably in relation to the candidate, and ideally have been the candidate's supervisor or line manager.

5.5.3 Personal referees are not recommended. If however there is no option but to include a personal referee, then that referee must:

- (a) not be related to the candidate
- (b) have known the candidate for at least 12 months
- (c) be able to vouch for the candidate's reputation and character.

5.5.4 Referee checks must involve directly contacting the referee. Written character references are not sufficient unless also followed up and verified through direct contact.

5.5.5 Difficulty in contacting referees, such as those based overseas, or those who have left an organisation, is not justification for accepting lower standards of scrutiny.

5.5.6 A record of reference checks is to be filed in a successful candidate's staff or volunteer file.

## 5.6 Qualification and registration checks

5.6.1 MA checks the educational or vocational qualifications, or professional registration for all shortlisted candidates.

## 6. GUIDELINES FOR PARENT-VOLUNTEERS, EXTERNAL PROVIDERS AND MINORS

### 6.1 Parent-volunteers

6.1.1 MA emphasises to parent volunteers the importance of promoting the welfare of CYP.

6.1.2 MA informs prospective parent volunteers that, in the light of the above, MA's approach is to require parents to undergo a WWCC or police check. MA will recognise any WWCC legislation that specifically exempts 'parent volunteers' from undergoing checks.

### 6.2 External providers including contractors and consultants

6.2.1 Where MA uses the services of contract staff and volunteers for short periods it will comply with the WWCC requirements under the legislation that applies in those jurisdiction(s).

6.2.2 Where such checks are not undertaken, it is imperative that those working with MA are supported, supervised and monitored whilst they assist with delivering services in line with MA's commitment and promote the welfare of CYP.

6.2.3 Recruitment, screening and induction requirements for external providers are dependent on their level of interaction with CYP both in terms of the level of unsupervised contact they may have and the duration of contact. The matrix on the following page is a guide to recruitment, screening and induction requirements for external providers. It is critical that this matrix meets the specific jurisdictional legislation regarding WWCC requirements.

### 6.3 Risk Matrix for recruiting external providers

<b>Definitions</b>	
<b>Unsupervised</b>	Where contact with CYP is not directly supervised by another adult and hence they have responsibility for their care. This includes roles having responsibility for management of direct service contact staff and volunteers and management of personal records of CYP.
<b>Supervised</b>	Where contact with CYP is directly supervised by another adult and hence do not have primary responsibility for their care.
<b>Direct service contact</b>	Providing activities or services to CYP as a core part of the role.
<b>Secondary contact</b>	Performing ancillary or administrative functions in organisations that provide services for CYP and where CYP are present.
<b>No direct service or secondary contact</b>	Work is conducted in areas where CYP are not usually present; contact with CYP is incidental to the role and those CYP with whom they have incidental contact are supervised by other adults.
<b>Short term</b>	One-off, temporary, less than 2 weeks
<b>Ongoing intermittent</b>	Sessional or casual work usually of a few hours duration, on an infrequent basis
<b>Ongoing</b>	Long term, full-time or part-time
<b>Briefing on Child Welfare Policies</b>	An explanation (as it relates to the particular role) of MA's commitment to promoting the welfare of CYP, its expectations in relation to behaviour around CYP, and its child abuse reporting policy.

Frequency and duration of contact

Degree of unsupervised direct service contact	Nature of contact	Short-term	Ongoing intermittent	Ongoing
	Unsupervised, direct service contact	Example: Coach, event medical, team manager	Example: Coach,	Example: Coach,
	Supervised, direct service or secondary contact	Example: Volunteer event administration & key officials, rider acadfemy (e.g. OJC) personnel & parents, Come&Try	Example: Rider academy (e.g. OJC) personnel & parents	Example:
	Supervised, no direct service or secondary contact	Example: Volunteer event officials (e.g. flag marshals)	Example:	Example:

Risk Management Requirements	WWCC **	Interview with Child Welfare questions	Reference with Child Welfare questions	Briefing on Child Welfare Sport Commitment	Signed Code of Behaviour	Child Welfare Course (e.g. Play by the Rules)
Minimal	N	N	N	Y	N	N
Low	Y	N	N	Y	Y	N
Medium	Y	Y	Y	Y	Y	N
High	Y	Y	Y	Y	Y	Y

\*\*Depending on the WWCC legislation in the jurisdiction the staff, volunteer or contractor is working in.

6.4 Minors

6.4.1 MA has adopted a policy applying to minors who work with CYP, which requires MA to comply with any applicable WWCC legislation and undertakes such checks for all such minors . Where WWCC legislation specifically exempts minors from undergoing such checks, we require those minors to undergo a police check and be subject to more comprehensive:

- (a) screening during recruitment interviews and reference checks; and
- (b) on-the-job supervision.

6.5 Use of External Recruitment Agencies

6.5.1 When MA uses external recruitment agencies it requires that they undertake recruitment processes that meet these recruitment and screening requirements and that they provide records to MA that demonstrate their compliance with these requirements.

7. SUPPORTING RESOURCES

Play By the Rules: <https://www.playbytherules.net.au>

Australian Childhood Foundation

Sport Australia

Please amend this table to reflect relevant documents for your organisation

<b>Related Legislation</b>	<b>Principal Act</b>
Australian Capital Territory (Office for Children, Youth and Family Support, Department of Disability, Housing and Community Services) <a href="http://www.legislation.act.gov.au">www.legislation.act.gov.au</a>	Working with Vulnerable People (Background Checking) Act 2011 (ACT)
New South Wales (Department of Community Services) <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a>	Child Protection (Working with Children) Act 2012 (NSW)
Northern Territory (Children, Youth and Families, Department of Health and Families) <a href="http://www.nt.gov.au/dcm/legislation/current.html">http://www.nt.gov.au/dcm/legislation/current.html</a>	Care and Protection of Children Act 2007 (NT) (NOTE: Not all provisions are in force)
Queensland (Department of Communities) <a href="http://www.legislation.qld.gov.au/OQPChome.htm">www.legislation.qld.gov.au/OQPChome.htm</a>	Child Protection Act 1999 (Qld)
South Australia (Families SA; Department for Families and Communities) <a href="http://www.legislation.sa.gov.au/index.aspx">www.legislation.sa.gov.au/index.aspx</a>	Children's Protection Act 1993 (SA)
Tasmania (Child Protection Services, Department of Health and Human Services) <a href="http://www.thelaw.tas.gov.au/index.w3p">www.thelaw.tas.gov.au/index.w3p</a>	Children, Young Persons and their Families Act 1997 (Tas)
Victoria (Children Protection and Juvenile Justice Branch; Department of Human Services) <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>	Children, Youth and Families Act 2005 (Vic)
Western Australia (Department for Child Protection) <a href="http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html">http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html</a>	Children and Community Services Act 2004 (WA)

NOTE other state-specific legislation may be applicable to this policy including but not limited to family law, adoption and human rights legislation.

## 7.1 Recruitment Interview Questions

7.1.1 At a minimum the following questions must be asked as part of the interview process:

- (a) Can you please tell us about your beliefs and values in relation to working with children and young people?
- (b) Can you please tell us about your awareness and understanding of child protection?
- (c) Can you please tell us about your professional experience, competencies and qualifications in relation to working with children and young people?
- (d) Can you please tell us why you left your previous position?

7.1.2 Additional optional questions:

- (a) What do you find most rewarding about working with children and young people?
- (b) What do you find most challenging about working with children and young people?
- (c) How would you handle a child who is behaving in a manner that is disruptive in a group setting?

- (d) How do you think your peers, supervisors and referees would describe the way you work with children and young people?
- (e) Are there any children whom you would not wish to work with and, if so, why?
- (f) How would you deal with a child or young person who is acting aggressively?
- (g) Have you ever lost your temper working with children or young people? What was the trigger for this? What was the outcome?
- (h) How would you respond to a child or young person who disclosed they were being subjected to abuse?
- (i) A parent of a child attending your service wants someone from the organisation to care for their child out of hours. What would be your response to this request?
- (j) What would you do if you thought another staff member or volunteer was harming a child or young person?
- (k) What would you do if you thought a child or young person was being abused at home?
- (l) Can you tell us about children or young people you have found challenging to work with? What strategies do you use to handle challenging behaviour?
- (m) How would you handle a child who appears sad and refuses to participate in activities?
- (n) Have you ever had any disciplinary action taken against you in relation to your working with children and young people?