National Criminal History Checks Policy and Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') is committed to providing a safe environment to protect its employees, students, visitors, assets and resources.

(2) A National Criminal History Check is different from a Working with Children Clearance notice or an Ochre Card, which is a separate requirement for members of the University community in accordance with the Working with Children Clearance Procedure.

Section 2 - Purpose

(3) The purpose of this policy and procedure is to set out the requirements for criminal history checks for University employees.

Section 3 - Scope

(4) This policy applies to all University employees under the Charles Darwin University and Union Enterprise Agreement 2025, senior contract holders, adjunct and honorary employees.

Section 4 - Policy

(5) All new employees will be required to undertake a Criminal History Check and obtain a National Police Clearance certificate as a condition of employment. Commencement in the position is contingent upon the satisfactory completion of these checks and, at a minimum, the submission of the application invoice to confirm lodgment.

(6) All current employees moving to another position within the University may be required to obtain a new Criminal History Check and obtain a National Police Clearance certificate.

(7) Current employees may be required to undertake a Criminal History Check and obtain a National Police Clearance certificate, including updated checks and certificates, in order to retain employment with the University, unless an exemption has been applied for and approved.

(8) Where an exemption from this requirement is considered appropriate, the Hiring Manager must submit a written request to the Director People and Culture (DPC) or their appointed delegate outlining the rationale for the exemption.

(9) The final decision as to whether a Criminal History Check and National Police Clearance are required rests with the Director People and Culture.

(10) A criminal record may preclude an applicant from employment with the University when the nature of the record prevents the applicant from meeting the inherent requirements of the position, is irreconcilable with the conduct

required of employees under the Charles Darwin University and Union Enterprise Agreement 2025, the Code of Conduct - Employees, other governance document or is otherwise harmful to the University's reputation.

(11) Refusal to obtain a Criminal History Check may preclude an employee from continuing their employment with the University.

Section 5 - Procedure

Requirement for a Criminal History Check

(12) To ensure the University is compliant with legislative and professional requirements:

a. Hiring Managers must ensure the requirement for a Criminal History Check is noted in the requisition for recruitment and in the Position Profile;
b. The Hiring Manager must notify applicant/s that a Criminal History Check is required during the recruitment and selection process; and
c. Successful applicants who are recommended for employment with the University must initiate a Criminal History Check and provide receipt of the application or the national police clearance certificate to People and Culture prior to commencing in their role.
d. The current Criminal History Check and National Police Clearance Certificate must be provided to People and Culture within three months of commencing employment unless undue delays in receiving a response are unavoidable. The Manager People Services should be notified if unavoidable delays occur.

Criminal History Check Application

(13) Prospective or existing employees can apply online or complete the Northern Territory Police Criminal History Check – Application C form, and submit it together with the relevant identification and payment by mail or in person at the following locations:

a. SAFE NT NT Police, PO Box 39764, Winnellie NT 0821
b. SAFE NT Darwin Ground Floor, 71 Smith Street, Darwin NT 0800
c. Territory Business Centres:
    i. The Green Well Building, 50 Bath Street, Alice Springs NT
    ii. Shop 1, Randazzo Building, 18 Katherine Terrace, Katherine NT
    iii. Barkly Business Hub, 63 Haddock Street, Tennant Creek NT.

(14) Applicants whose position is located in a State or Territory other than the NT should contact the applicable state-based entity responsible for administering Criminal History Checks in the state where their position will be primarily located.

(15) Applicants requesting a Criminal History Check must provide SAFE NT, or another accredited body, with the identification required as stated on the SAFE NT or accredited body's website. All documents must be originals or certified copies of originals. All documents must be current or valid. Expired documents will not be accepted as proof of identity.

(16) Applicants for a Criminal History Check are required to nominate for the original National Police Clearance Certificate to be sent directly to People Services via peopleservices@cdu.edu.au to ensure compliance with privacy,

confidentiality and records management legislation.

Name of employer organisation/licensing authority	Charles Darwin University
Postal address of organisation	Casuarina Campus, Brinkin, NT 0810
Daytime contact phone number	08 8946 6934
Name/Position title of organisation's representative	People Services Manager

Payment

(17) The cost of obtaining a Criminal History Check for Employment or Licensing Purposes in the Northern Territory is available from the SAFE NT or other accredited body's website. Applicants for a Criminal History Check are responsible for paying the application fee.

(18) The University does not reimburse Criminal History Check application fees.

Adverse Assessment

(19) The Director People and Culture, upon receipt of an adverse National Police Clearance Certificate, will:

a. if deemed reasonable, discuss the adverse National Police Clearance Certificate with the relevant Senior Executive Team member, considering how it may impact the inherent duties of the position; and/or
b. provide the current or prospective employee an opportunity to discuss the information contained in the National Police Clearance Certificate to inform any decision regarding the withdrawal of an offer of employment; and
c. the Director People and Culture will conduct the National Criminal History Check (NCHC) Risk Assessment Form. Based on the outcome and in accordance with the Northern Territory Anti-Discrimination Act 2004, the Director will provide a report to the Vice-Chancellor recommending whether or not the applicant is suitable for employment. The completed Risk Assessment Form will be retained indefinitely.

Records Management

(20) National Police Clearance Certificates will be stored securely by People and Culture in records management within Content Manager and managed in accordance with the University's Records and Information Management Policy and Procedure and the Privacy and Confidentiality Policy.

Section 6 - Non-Compliance

(21) Non-compliance with governance documents is considered a breach of the Code of Conduct – Staff or the Code of Conduct – Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct – Students.

(22) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees.

(23) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	5th November 2026
Review Date	5th November 2029
Approval Authority	Vice-Chancellor
Approval Date	4th November 2026
Expiry Date	Not Applicable
Responsible Executive	Fiona Coulson Vice-Chancellor
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture

Glossary Terms and Definitions

"University" - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.

"Governance document" - means policy or procedure published in the Governance Document Library. Policies and procedures are collectively called ‘governance documents’ and are often referred to as ‘policy’ or ‘University policy’.