

Criminal Convictions Suitability Criteria

Persons applying for employment or placement with the Department of Education and Training or students enrolled in tertiary institutions wishing to undertake practice teaching in Government and co-operating non-government schools are required to give their consent to a criminal record check. Where checks indicate a criminal conviction, these applications for employment, placement or practice teaching will be assessed against established criteria, to determine suitability.

The assessment of suitability will be conducted by a Screening Committee (SC) of Department officers established for this purpose.

The criteria against which applications will be assessed are as follows.

The following convictions will almost certainly lead to a **REFUSAL** to undertake employment, placement or practice teaching regardless of when the offence(s) was committed.

- **Convictions of a violent or sexual nature**
- **Convictions for dealing or trafficking in illegal drugs**

The following convictions will usually be regarded as sufficiently serious to warrant exclusion from employment, placement or practice teaching.

- **A conviction which results in a gaol sentence will usually be regarded as sufficiently serious to warrant exclusion from employment, placement or practice teaching.**
- **A conviction for an offence which would normally result in dismissal if committed by a person employed in the Department will also usually be regarded as sufficiently serious to warrant exclusion.**

If an offence is not so serious as to warrant automatic exclusion the committee will review the conviction(s) against the following criteria.

- **The nature and seriousness of the offence.**
- **Relevance of the offence to employment or placement in a school.**
- **The age of the applicant when the offence was committed.**
- **The recency of the offence; the number of years since the last offence.**
- **Any mitigating circumstances.**

Applicants with criminal convictions may submit character references in support of their application.

The applicant will be advised in writing of the outcome of the Screening Committee's decision. Applicants will also be advised of their appeal rights if they have been deemed as unsuitable.

If an applicant has been deemed as unsuitable because of a sexual offence against a student or child their names will be recorded by the Department on a *not to be employed list* and the information will be made available to other education authorities on request.