

## Appendix 3



### APPLICANT DECLARATION AND CONSENT

This form applies to (1) contractors and self employed persons (where contact is regular/extended and presence more than fleeting/transient); (2) volunteers providing intimate personal care services to children with disabilities (where personal care is core duty and involves direct intimate contact with children); (3) volunteers providing mentoring to disadvantaged children (where mentoring involves developing family-like relations and regular and ongoing meetings with children); (4) other miscellaneous employment (such as paid band/music tutors, paid choreographers or paid sports coaches etc)

**Note:** Contractors and volunteers other than those identified above are required to complete the *Declaration* form (Appendix 4)

**All fields must be completed. Please use block letters.**

Family name: \_\_\_\_\_

First name: \_\_\_\_\_ Other given name(s): \_\_\_\_\_

Previous names/aliases- First name(s) and Family name(s): \_\_\_\_\_

Date of birth: \_\_\_\_\_ (DD/MM/YYYY) Gender: (Please tick)  Male  Female

Place of birth: Town: \_\_\_\_\_ State: \_\_\_\_\_ Country: \_\_\_\_\_

Residential Address: Street: \_\_\_\_\_

Suburb/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Contact telephone number: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

**If you use one of these documents to verify your identity, please fill in these details:**

Driver's licence: Issuing Agency \_\_\_\_\_ Number \_\_\_\_\_

Firearms licence: Issuing Agency \_\_\_\_\_ Number \_\_\_\_\_

Passport: Type \_\_\_\_\_ Issuing Country \_\_\_\_\_ Number \_\_\_\_\_

Title of child-related employment applied for (specify its child-related nature eg 'child care assistant', not 'assistant'): \_\_\_\_\_

**Type of employment of engagement (Please tick):**

- contractor or self employed person (regular/extended contact and presence more than fleeting/transient)
- volunteer providing intimate personal care to children with disabilities (personal care is core duty and involves direct intimate contact)
- volunteer providing mentoring to disadvantaged children (involves developing family-like relations and regular and ongoing meetings with children)
- other miscellaneous employment (eg. paid band/music tutor, paid choreographers, paid sports coaches etc)

**It is an offence for a prohibited person to apply for, attempt to obtain, undertake or remain in child-related employment, or to sign this declaration.**

**A prohibited person is a person who is convicted of the following (whether in NSW or elsewhere):**

- murder of a child;
- serious sex offence, including carnal knowledge;
- child-related personal violence offence (an offence committed by an adult involving intentionally wounding or causing grievous bodily harm to a child);
- indecency offences punishable by imprisonment of 12 months or more;
- kidnapping (unless the offender is or has been the child's parent or carer);
- offences connected with child prostitution;
- possession, distribution or publication of child pornography; or
- attempt, conspiracy or incitement to commit the above offences.

A prohibited person includes a Registrable person under the [Child Protection \(Offenders Registration\) Act 2000](#).

## Appendix 3

**A conviction includes a finding that the charge for an offence is proven, or that a person is guilty of an offence, even though the court does not proceed to a conviction.**

Details of these offences can be found online at <http://kids.nsw.gov.au/> [[Guidelines/FactSheet 1](#)]

### DECLARATION

I am the applicant named in this form. All information in this form, and identification documents provided for this application, are true and correct. I understand that if I have provided false or misleading information it may result in a decision not to employ me, or, if already employed, may lead to my dismissal.

I have not omitted any names or aliases that I use or used in the past.

I have read and understood the contents of this form and the relevant information at <http://kids.nsw.gov.au/> [[Guidelines/FactSheet 1](#)]. I declare that I am not a prohibited person under the [Commission for Children and Young People Act 1998](#) and I understand that it is an offence for a prohibited person to seek child-related employment.

I am aware that if considered for child-related employment, several checks will be undertaken to ascertain my suitability, including:

**1. National criminal record check for charges and/or convictions (including spent convictions) for:**

- any sexual offence (including but not limited to, sexual assault, acts of indecency, child pornography, child prostitution and carnal knowledge);
- any child-related personal violence offence;
- any assault, ill treatment or neglect of, or psychological harm to, a child and any registrable offence;
- an offence punishable by imprisonment for 12 months or more

I understand that this check includes convictions or charges that may have not been heard or finalised by a court; or are proven but have not led to a conviction; or have been dismissed, withdrawn or discharged by a court.

**2. Check for relevant Apprehended Violence Orders taken out by a police officer or other public official for the protection of a child or children; and**

**3. Check for relevant employment proceedings notified to the Commission for Children and Young People under the [Commission for Children and Young People Act 1998](#).**

### CONSENT

I consent to these checks being conducted and consent to the Commission for Children and Young People or an Approved Screening Agency obtaining any relevant record identified by these checks and any additional information relating to that record from sources such as courts, police, prosecutors and past employers to enable a full and informed risk estimate. I consent to these sources disclosing information relating to that record to the Commission for Children and Young People or Approved Screening Agency or as otherwise required by law.

**I acknowledge that:**

- the information obtained during the Working with Children Check, including this consent, may be collected and used by and/or disclosed to the Commission for Children and Young People or an Approved Screening Agency for the purposes of the Working with Children Check;
- the Commission for Children and Young People and Approved Screening Agencies may share the information obtained during the Working with Children Check for the purposes of the Working with Children Check;
- the outcome of a risk estimate will be provided to my prospective employer or their employer-related body;
- my relevant records under the [Commission for Children and Young People Act 1998](#) will not be released to my current or prospective employers;
- any information obtained as part of this process may be used by Australian Police Services for law enforcement purposes, including the investigation of any outstanding criminal offences; and
- the information provided may be referred to the Commission for Children and Young People and/or to NSW Police for law enforcement purposes and for monitoring and auditing compliance with the procedures and standards for the Working with Children Check in accordance with Section 36 (1)(f) of the [Commission for Children and Young People Act 1998](#).

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

EEO Data (optional -for statistical purposes only)

- Are you an Aboriginal or Torres Strait Islander?
- Are you from a racial, ethnic or ethno-religious group which is a minority in Australian Society?
- Are you a person with a disability?