

**CONSENT FOR THE VICTORIAN INSTITUTE OF
TEACHING TO OBTAIN A NATIONAL CRIMINAL
HISTORY RECORD CHECK ON BEHALF OF A
REGISTERED TEACHER**

*In order for the Institute to undertake a National
Criminal History Record Check on your behalf,
you must complete this consent form and supply
the appropriate documentation.*

*It is most important that you read the information
provided on these pages before completing the form.*

OUTCOME OF THE NATIONAL CRIMINAL HISTORY RECORD CHECK

Once the Institute has completed the National Criminal History Record Check (NCHRC) on your behalf and the outcome is satisfactory, you will be sent a letter on Institute letterhead advising that a NCHRC was undertaken on your behalf and the outcome was satisfactory. The Institute will also send you an amended registration card, which will include the letters 'CRC' and the date the check was undertaken, to indicate a satisfactory NCHRC has been completed.

Section 54 of the *Victorian Institute of Teaching Act 2001* (the Act), requires a teacher to notify the Institute within 30 days if committed for trial or convicted or found guilty of a sexual or other indictable offence.

AN INDICTABLE OFFENCE

If your NCHRC shows that you have been convicted or found guilty of an indictable offence, the Institute must conduct an inquiry into your fitness to teach.

An indictable offence is an offence that carries a maximum term of imprisonment of five years or more, or where a fine of \$60,000 or more can be imposed. Offences under the *Crimes Act 1958* (Vic) and the *Wrongs Act 1958* (Vic) are indictable offences unless categorised as summary offences. Examples of indictable offences are – culpable driving, theft, intentionally causing serious injury, stalking and assault.

A SEXUAL OFFENCE

If your NCHRC shows that you have been convicted or found guilty of a sexual offence in Victoria or elsewhere at any time, your registration as a teacher will be cancelled automatically.

A sexual offence is defined in section 3 of the *Victorian Institute of Teaching Act 2001* (the Act) as:

- Certain nominated offences under the *Crimes Act 1958* (Vic) against minors (under 18 years),
- Attempting to commit any of the above offences, and
- Any offence committed in Victoria or elsewhere where elements of that offence consist of, or include, elements in the offence referred to above.

The Institute will take action in relation to sexual offences and other indictable offences only.

SPENT CONVICTIONS

COMMONWEALTH

Part VIIC of the *Crimes Act 1914* (Cth) deals with aspects of the collection, use and disclosure of old conviction information and sets up a "Spent Convictions Scheme". The aim of the Scheme is to prevent discrimination on the basis of old minor convictions, once a waiting period has passed and provided the individual has not re-offended during this period. The law also covers situations where an individual has had a conviction "quashed" or has been "pardoned". A "quashed" conviction is a conviction that has been set aside by the Court. A "pardon" means a free and absolute pardon that has been granted to a person because he/she was wrongly convicted of a Commonwealth, Territory, State or foreign offence.

A "spent conviction" is a conviction for a Commonwealth or Territory offence that satisfies all of the following conditions:

- It is 10 years since the date of the conviction (or 5 years for juvenile offenders); AND
- The individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months; AND
- The individual has not re-offended during the 10 years (5 years for juvenile offenders) waiting period; AND
- A statutory or prescribed exclusion (list available from the Privacy Commissioner) does not apply.

SPENT CONVICTIONS *continued*

VICTORIA

In Victoria, the Spent Convictions Scheme of Victoria operates. A “spent conviction” for a Victorian offence means the same as a spent conviction for a Commonwealth or Territory offence. That is, for an adult, a spent conviction is a conviction (or finding of guilt) recorded more than 10 years ago that resulted in a prison sentence of 30 months or less. For a juvenile, a spent conviction is a conviction (or finding of guilt) recorded more than five years ago that resulted in a prison sentence of 30 months or less.

The Spent Convictions Scheme of Victoria does not apply to teachers convicted (or found guilty) of an offence in Victoria. This means that all convictions (or findings of guilt) will be revealed by the NCHRC, no matter when they occurred.

PAYMENT DETAILS

The cost of the Institute undertaking a NCHRC on your behalf is \$22. You may pay by cheque or credit card. Payment details are provided on the back of this form.

The Institute will not process the NCHRC if payment is not included with your consent form.

PROTECTING YOUR PRIVACY

The Institute is subject to the *Information Privacy Act 2000* (IP Act) and the information obtained by the Institute is subject to the Information Privacy Principles. The purpose of the IP Act is to establish a regime for the responsible collection and handling of personal information in the Victorian public sector. The Institute complies with the Information Privacy Principles of the IP Act. A summary of the principles is provided on the back of this form. Information received through the NCHRC processes will be stored in secure personal files.

FORWARDING YOUR CONSENT FORM TO THE INSTITUTE

Please mail your original signed consent form with payment to:

Victorian Institute of Teaching
PO Box 531, Collins Street West 8007

Please do not submit your application by fax.

Please do not separate these pages. Once complete, please return the entire form.

PERSONAL DETAILS

VIT Registration Number

Surname or Family name

First or given names

All previous names (including original family name)
 Note: You must provide evidence of this as per Category 3

Mr/Mrs/Ms/Miss	Sex	M-Male	F-Female	Date of birth	/	/
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Residential address

Place of birth	Town	State	Country
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PROOF OF IDENTITY

Before the Institute can undertake a NCHRC on your behalf, the Institute must verify your identity. A person’s identity can be verified by providing certain documents to the Institute. You must send **certified copies** of the documents to the Institute or you may attend the Institute in person with the original and a photocopy of your documents.

You must provide a combination of the following documents to verify your identity. You will need to supply one document from Category 1 and one document from Category 2. Please note that if you have changed your name, you are required to provide evidence of **all** changes of name as per Category 3. If you cannot obtain the documents listed in Category 3, please submit a statutory declaration explaining your change of name.

CATEGORY 1

- Birth certificate
- Current passport
- Citizenship Certificate

Note: Please ensure that evidence of all changes of name are provided as per Category 3.

CATEGORY 2

- An identity card containing your photograph or signature issued:
 - As a driver’s licence
 - To a public employee
 - By the Commonwealth, a State or Territory as evidence of your entitlement to a financial benefit
 - To a student by a tertiary institution
- A reference by a registered teacher verifying your name and address.

CATEGORY 3

- Marriage certificate
- Change of name via Deed Poll
- Decree Nisi

A list of persons who can certify documents is available on the Institute’s website at www.vit.vic.edu.au/pdfs/authorised_witnesses.pdf

Please do not separate these pages. Once complete, please return the entire form.

CONSENT

All applicants must complete the form below

I _____ hereby:
Applicant's name

1 consent to:

- the Institute forwarding details provided by me in this form to CrimTrac and/or to Australian police services or other relevant law enforcement agencies; and a National Criminal History Record Check being conducted to obtain details of any conviction or finding of guilt in relation to an offence recorded against my name at any time and any criminal charge involving me pending before a Court;
- CrimTrac making enquiries to Australian police services and those Australian police services extracting from their records details of criminal records relating to me pending before a Court, and/or details of convictions or findings of guilt which have been recorded against me, and forwarding relevant information to CrimTrac;
- CrimTrac providing the relevant information to the Institute;

2 acknowledge that:

- I have read the information attached to this form and understand that teachers have been excluded from the Spent Convictions Scheme of Victoria;
- any information obtained as part of the process may be used by Australian police services for law enforcement purposes, including the investigation of any outstanding criminal offences;
- any information provided by the Australian police services as a result of the National Criminal History Record Check may result in an inquiry being conducted by the Institute into my fitness to teach or my registration being automatically cancelled;

3 agree to inform the Victorian Institute of Teaching of any pending charges, as required by section 54 of the Act;

4 certify that the personal information I have provided is correct to the best of my knowledge.

Applicant's signature _____ Date _____

Note: The information you provide in this form, and which the police provide to this Institute on receipt of the form, will be used only for the purpose stated above unless statutory obligations require otherwise.

Do not fax the completed form. Please provide the Institute with an original signature.

HOW TO PAY

CHEQUE DETAILS

Cheque no: _____

Cheque amount: _____

Bank: _____

Branch: _____

Account name: _____

CREDIT CARD DETAILS

Visa Mastercard Bankcard

Card no: _____

Expiry date: _____

Cardholder name: _____

Signature: _____

INFORMATION PRIVACY PRINCIPLES

Ten Information Privacy Principles (IPPs) are the practical core of the Information Privacy Act. With limited exceptions, all Victorian government agencies, statutory bodies and local councils must comply with the IPPs.

THIS IS A SHORT SUMMARY OF THE IPPS

IPP 1 Collection: Collect only personal information that is necessary for performance or functions. Advise individuals that they can gain access to personal information.

IPP 2 Use and disclosure: Use and disclose personal information only for the primary purpose for which it was collected or a secondary purpose the person would reasonably expect. Use for secondary purposes should have the consent of the person.

IPP 3 Data quality: Make sure personal information is accurate, complete and up to date.

IPP 4 Data security: Take reasonable steps to protect personal information from misuse, loss, unauthorised access, modification or disclosure.

IPP 5 Openness: Document clearly expresses policies on management of personal information and provides the policies to anyone who asks.

IPP 6 Access and correction: Individuals have a right to seek access to their personal information and make corrections. Access and correction will be handled mostly under the Victorian *Freedom of Information Act*.

IPP 7 Unique identifiers: A unique identifier is usually a number assigned to an individual in order to identify the person for the purposes of an organisation's operations. Tax File Numbers and Driver's Licence Numbers are examples. Unique identifiers can facilitate data matching. Data matching can diminish privacy. IPP 7 limits the adoption and sharing of unique identifiers.

IPP 8 Anonymity: Give individuals the option of not identifying themselves when entering transactions with organisations, if that would be lawful and feasible.

IPP 9 Transborder data flows: Basically, if your personal information travels, your privacy protection should travel with it. Transfer of personal information outside Victoria is restricted. Personal information may be transferred only if the recipient protects privacy under standards similar to Victoria's IPPs.

IPP 10 Sensitive information: The law restricts collection of sensitive information like an individual's racial or ethnic origin, political views, religious beliefs, sexual preferences, membership of groups or criminal record.

The full text of the IPPs can be found in Schedule 1 of the *Information Privacy Act 2000 (Vic)*. See www.dms.dpc.vic.gov.au