



Obligations of Authorised Officers for Criminal History Checks

Authorised Officer Background Check

All Authorised Officers must undergo a NZ MOJ Criminal History Check before they can use the *fit2work* system. This check can be conducted by *fit2work* on sign up if required and your organisation will be invoiced accordingly. If the authorised officer has conducted a NZ MOJ Criminal History Check through an external organisation (result date within a 12-month period) they will need to provide a copy of this to *fit2work* before gaining access to the system.

Consent Form

All applicants must provide digital consent by signing the Digi-sign consent box for the MOJ check (other checks may utilise consent forms or the standard *fit2work* authorisation and consent form). Each check for an applicant is considered as a new check, as such, separate consent must be obtained for every check submitted through *fit2work*. All consent forms can be found in the 'Documents' Tab within *fit2work*.

Before you can begin to screen applicants in *fit2work*, the applicant must be made aware that you or your organisation are going to access their personal information and provide consent for a check to be conducted on their behalf.

Disclosure

If requested, the applicant must be provided with a copy of their result in accordance with The Privacy Act (1993). The Authorised Officer must not disclose any Criminal History Information to any third party (external to the organization) other than the applicant themselves. To provide a third party with an applicant's Criminal History Report, you will need consent from the applicant. As with all Criminal History Checks the check is only valid on the day it is processed. Every check with a 'Match Found' result must be forwarded to applicants in order to allow them to dispute the result should they disagree with the outcome.

Account Details: Sharing Information

The Authorised Officer will not at any time pass on or share the details of their unique user log in information with another person. They will also ensure that they do not leave the computer unattended while they are logged into the *fit2work* system.

Authorised Officer Termination

The Authorised Officer must inform *fit2work* if they leave their organisation. An Authorised Officer Termination form which can be found in the Documents tab on the *fit2work* system must be completed and emailed back to support@*fit2work*.com.au in order for the authorised officer's account to be deactivated.

Retention of Information

Applicant consent forms and any physical documentation including ID copies and Disclosable Court Outcome (Match Found) results can be retained for a maximum period of 12 months. After this time the documents must be destroyed by your organisation unless there is an overriding legislative requirement to retain this information.

If your organisation needs to retain a copy of the applicant's documents due to a legislative requirement, please email support@fit2work.com.au detailing the Act/ Legislation and relevant sections/ clauses which detail this requirement.

You may retain ID and other documents if they have been collected for a purpose other than *fit2work* to conduct a NZ MOJ Criminal History Check or other background checks.

Destruction of Police History Information

fit2work will automatically destroy all consent data retained on the *fit2work* website, including ID and related documents 12 months from the date of submission.

Providing Information to Third Parties

Can the applicant be provided with a copy of the check result?

If the applicant requests a copy of their check from your organisation you are required to provide a copy to them.

Every check with a 'Match Found' result must be forwarded to applicants to allow them to dispute the result should they disagree with the outcome.

When you create a MOJ check application on the *fit2work* site, there is also a section where you can select the option for Forward Result to Applicant. This is found in the completion method step in the check process.

Completion Method

The applicant has completed a hand-written consent form.

I would like to invite the applicant to complete the consent form online.

YES Forward Result to Applicant

Email Address *

Can applicants provide their checks to a third party?

Yes, they can, if the applicant would like to provide a copy to another employer, they can provide their check result to that third party.

Can we (the organisation) provide a copy of the applicants result to a third party?

If the applicant has provided you a written authorisation form/consent allowing you to forward their police check result to a third party, you can do this. It is advised that you obtain written consent from the applicant to authorise the disclosure which can be done by your organisation creating a separate consent form e.g. company letterhead to obtain consent. Without a permission from the applicant you are not allowed to provide any details regarding your applicant's check details including the check reference number to any third parties.

Disclosable Outcomes

In the event that a check returns a Match Found result, the Authorised Officer (AO) will need to share this result with the applicant. The applicant may dispute this result if they wish. In this situation, please contact *fit2work* directly on 0800 300 322 or support@fit2work.com.au.

fit2work Annual Audit Procedure

fit2work will conduct an annual audit of all clients which is aimed at reducing risk exposure to all parties. It also helps to promote a culture of continuous improvement.

What is being checked?

- That contractual terms and conditions are understood and being adhered to.
- Your compliance with laws relating to privacy.
- The protection of information, such as the presence and effectiveness of internal controls for storage and handling.
- The efficiency of the process and/or the accuracy of information.

Do you have to participate?

Yes, as part of the contract with *fit2work*, all clients must participate. Non-participation may result in termination of service. For further information, please refer to the contract entered into between Mercury Group of Companies PTY LTD (T/a *fit2work*) and your organisation or feel free to contact us on 0800 300 322.

What does this involve for you?

fit2work will advise your organisation prior to the audit being released about how the process will take place and what this will involve for your organisation. Any questions about the Annual Audit should be emailed to: audit@fit2work.com.au.