



# SERVICE STANDARD 2.1.8

## CRIMINAL HISTORY AND DISCIPLINARY RECORD CHECKS FOR NSW RFS VOLUNTEER MEMBERS

ITEM	DESCRIPTION
Version Number	1.3
SOPs	➤ SOP 2.1.8-1 Criminal History and Discipline Checks
Owner	Executive Director, Membership and Strategic Services
Contact	Director, Membership Services
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### 1 Purpose

- 1.1 The NSW Rural Fire Service (NSW RFS) values and encourages flexible membership and seeks to create a welcoming service that has a range of roles suitable for people of different ages, genders, cultures and situations.
- 1.2 Members of the NSW RFS occupy a position of trust within the community and to ensure this trust is preserved the Service requires applicants joining, or transferring to, a rural fire brigade to undergo a criminal history record check and/or Service disciplinary record check.
- 1.3 The NSW RFS engages the National Police Checking Service (NPCS) to undertake criminal history checks on individuals applying for membership of the Service.
- 1.4 NSW RFS disciplinary record checks are undertaken by the Membership Coordination Unit (MCU) located at Headquarters.
- 1.5 This Service Standard sets out the procedure to be followed for criminal history and disciplinary record checks for volunteer members of the NSW RFS.

### 2 Policy

- 2.1 Applicants seeking to join the NSW RFS are required to serve a probationary membership period in accordance with the brigade's Constitution.
- 2.2 Once the application has been validated by the District Manager and pending completion of the NPCS process, the probationary member may participate in limited activities as described in Service Standard 2.1.6 Joining the NSW RFS as a Volunteer Member.
- 2.3 MCU will advise the member and the district office once the NPCS process is complete.
- 2.4 If the NPCS result is clear, the member may progress to probationary membership with no limitations.

- 2.5 If the NPCS result is not clear, the Executive Director Membership and Strategic Services (EDMSS) shall make a determination as to whether the probationary (limited) member is a fit and proper person to be a member of the NSW RFS.
- 2.6 Applicants under the age of 16 years applying for junior membership are not required to undergo the National Police Checking Service process.
- 2.7 The Commissioner may, from time to time, identify specific:
- a. positions; or
  - b. functions
- and direct that a member who is appointed to such a position or directed to carry out such a function must first consent to the NSW RFS undertaking a NPCS criminal history check.
- 2.8 The fact that a NPCS check or service disciplinary record check discloses information that is adverse to the person will not automatically result in a determination that the person is not a fit and proper person to be a member of a brigade, occupy a particular position or undertake a particular function.

### **Former or transferring applicants**

- 2.9 If the applicant is an existing or former member of the NSW RFS and the application is for a brigade in a different rural fire district, the MCU will conduct a disciplinary record check in the previous rural fire district.

### **Charges pending conviction**

- 2.10 If:
- a. a member has been charged with a criminal offence; and
  - b. the offence is one which, if the member is convicted, may result in the member being removed from membership;
- the application will not proceed until such time as the charge or charges have been finally determined by the courts.

### **Convictions**

- 2.11 In the case of a conviction:
- a. for a comparatively minor offence; and
  - b. which has been followed by a substantial period of good behavior,
- the conviction may be disregarded.
- 2.12 In the case of a person who has been convicted of an offence involving:
- a. a "sexual offence" as defined in section 7(4) of the Criminal Records Act, 1991 (NSW) or a similar offence in another jurisdiction;
  - b. any dealings with or involving a person under the age of 18 years;
  - c. dishonesty, including theft or fraud;
  - d. assault or violence against a person;
  - e. the death or injury of another person;
  - f. the importation, manufacture, cultivation, sale, distribution or trafficking of drugs;
  - g. terrorism, however described;
  - h. arson or the setting of fires, however described; or
  - i. public mischief or the making of false alarms
- the Executive Director Membership and Strategic Services must be satisfied that the person is a fit and proper person to be a member of a brigade despite that conviction.

2.13 The procedure to be followed when conducting a NPCS or service disciplinary record check for volunteer membership is set out in SOP 2.1.8-1.

### 3 Related documents

- > [Rural Fires Act 1997](#)
- > [Rural Fires Regulation 2013](#)
- > [Criminal Records Act 1991](#)
- > [Service Standard 1.1.9 Child Related Activities](#)
- > [Service Standard 1.1.21 Stand Down/Removal from Membership and Notification of Criminal Charges and Convictions](#)
- > [Service Standard 2.1.6 Joining the NSW RFS as a Volunteer Member \(including Transfer Applications\)](#)

### 4 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
4 September 2007	1.0	Initial release
22 September 2010	1.1	<ul style="list-style-type: none"><li>&gt; Repealed and remade SS 2.1.8 v1.0</li><li>&gt; Add references to CrimTrac – clauses 2.1, 2.2, SOP 2.1.8-1 flowchart</li><li>&gt; Updated to reflect current practice and organisational alignment</li></ul>
4 August 2014	1.2	<ul style="list-style-type: none"><li>&gt; Repealed and remade SS 2.1.8 v1.1</li><li>&gt; Reviewed to reflect current practice and organisational alignment, including arrangements for probationary membership</li></ul>
20 November 2018	1.3	<ul style="list-style-type: none"><li>&gt; Repeals and remakes SS 2.1.8 v1.2</li></ul>

## SOP 2.1.8-1

# CRIMINAL HISTORY AND DISCIPLINARY RECORD CHECKS

## 1 Purpose

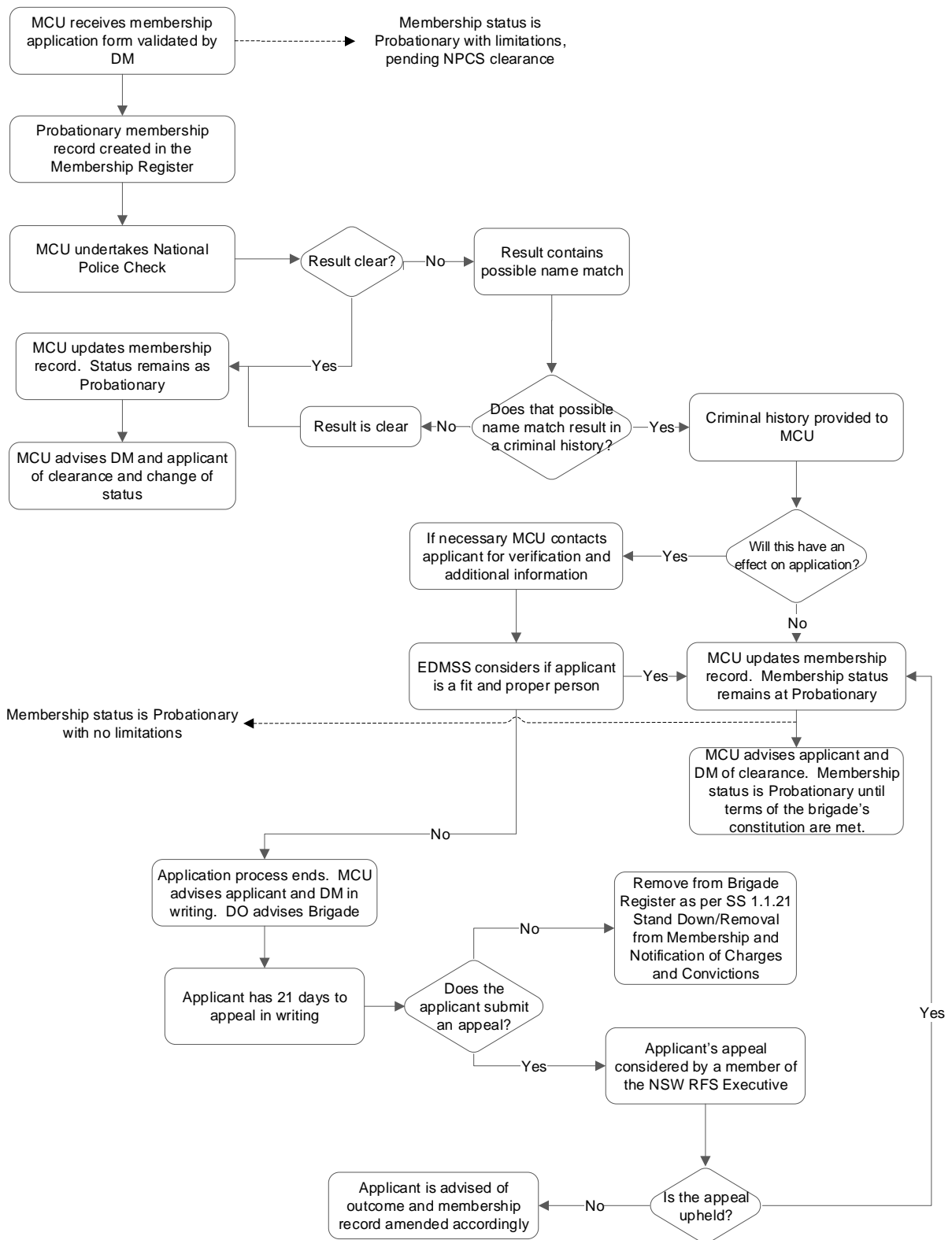
- 1.1 This Standard Operating Procedure (SOP) sets out the procedure to be followed for criminal history and disciplinary record checks for volunteer members of the NSW Rural Fire Service (NSW RFS).

## 2 Procedures

- 2.1 The flow chart below shows the process for the National Police Checking Service (NPCS) criminal history check.

## 3 Related forms

- [NSW RFS Volunteer Membership Application form](#)



DM - District Manager  
 EDMSS – Executive Director Membership and Strategic Services  
 DO - District Office  
 MCU - Membership Coordination Unit

If the applicant is an existing or former member of the NSW RFS and the application is for a brigade in a different district, MCU will undertake a disciplinary record check with the previous district