



## South Australian Protective Security Framework

# PERSEC 1

## RECRUITING EMPLOYEES





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# PERSEC1: RECRUITING EMPLOYEES

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## PURPOSE

1. This policy assists South Australian Government agencies to recruit eligible and suitable employees by undertaking appropriate and consistent pre-employment screening and vetting processes for all employees.
2. Consistency in recruitment processes ensures a high-level of assurance that employees are fit to occupy their roles and undertake the responsibilities of their positions, including the protection of government information and resources.

## CORE REQUIREMENT 10

***Ensure the suitability of all new employees***

## SUPPORTING REQUIREMENTS

3. To ensure the suitability of all new employees, agencies<sup>1</sup> **must**:
  - I. ensure all pre-employment checks are conducted in accordance with the South Australian Information Privacy Principles (IPPS) Instruction
  - II. undertake all mandatory pre-employment screening checks, including:
    - a. Pre-Employment Declaration consistent with the minimum standard issues by the Commissioner for Public Sector Employment
    - b. identity and eligibility checks
    - c. reference checks
    - d. Nationally Coordinated Criminal History Check (NCCHC) or other appropriate background screening where required for the role
  - III. any other checks that assist in determining an applicant's suitability to hold the position and access South Australian Government information and resources
  - IV. identify and record all positions requiring a security clearance and the level of clearance required
  - V. ensure people occupying identified positions hold valid security clearances issued by the Australian Government Security Vetting Agency (AGSVA), or another authorised vetting agency

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<sup>1</sup> This policy applies to all South Australian public sector agencies (as defined in section 3(1) of the [Public Sector Act 2009](#)) and to any other person or organisation that is generally subject to the direction of a Minister of the Crown; all of which are referred to in this policy as "Agencies".

## GUIDANCE

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### PRIVACY

4. Agencies **must** ensure all pre-employment screening checks are conducted in line with the [South Australian Information Privacy Principles \(IPPS\) Instruction \(PC012\)](#).<sup>2</sup>
5. Agencies **must** obtain informed consent from all prospective employees to collect, use and disclose personal information (including sensitive information) for the purposes of reviewing their eligibility and suitability for employment. This **must** be completed in order for a prospective employee to progress for further consideration.
6. Agencies **may** also request applicants complete a statutory declaration confirming the information they provide is truthful and complete.

### PRE-EMPLOYMENT SCREENING

7. Agencies have a responsibility to identify and manage any personnel security risks associated with each role within their agency. These risks **must** be addressed when recruiting people into new or existing positions, including any identified positions of trust or requirement for the employee to hold a security clearance.<sup>3</sup>
8. Pre-employment screening is the main method agencies can use to reduce their personnel security risks, safeguard their information, and maintain the continuous delivery of government services.
9. All agencies **must** undertake pre-employment screening which achieves the minimum standards of the [Premier's Direction: Recruitment](#)<sup>4</sup> and **must** have regard to apply the [Guideline of the Commissioner for Public Sector Employment: Recruitment](#).
10. The following outlines the pre-employment screening checks all agencies **must** undertake for all employees.

### PRE-EMPLOYMENT DECLARATION

11. Agencies **must** obtain a completed Pre-Employment Declaration<sup>5</sup> from each applicant which is consistent with the [Pre-Employment Declaration](#) form issued by the Commissioner of Public Sector Employment.
12. Agencies **may** expand this Declaration in order to meet any specific agency requirements and **may** be recreated within agency online recruitment systems. The information contained in the Declaration is designed to assist the assessment of the applicant to undertake the functions of the role and their suitability for employment in the South Australian Public Sector.

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<sup>2</sup> Under Schedule: Clause 2 (3), the IPPS does not apply to the following agencies: Independent Commissioner Against Corruption, Motor Accident Commission (formerly State Government Insurance Corporation), Compulsory Third Party Regulator, Office for Public Integrity, South Australian Asset Management Corporation, WorkCover Corporation of South Australia, Judicial Conduct Commissioner.

<sup>3</sup> Where a security clearance is required, agencies **must** list this in the role/duty statement under 'essential qualifications'.

<sup>4</sup> With the exception of Courts Administration Authority, the Legal Services Commission, the Independent Commissioner Against Corruption and Office for Public Integrity.

<sup>5</sup> The Pre-Employment Declaration includes a privacy statement outlining how personal information will be collected, used and disclosed, consistent with PC012.



## IDENTITY AND ELIGIBILITY CHECKS

13. An identity check establishes confidence that an individual is who they say they are. Agencies **must** verify a person's identity using the Document Verification Service (DVS)<sup>6</sup> for Australian issued primary identification documents<sup>7</sup>.
14. Access to the DVS can be arranged via the Department of the Premier and Cabinet (DPC) as an [Across Government Service](#). It is **recommended** that agencies sight the original identity document.
15. An eligibility check ensures that an individual is eligible to work in Australia by establishing either the individual's Australian citizenship, or valid work visa.<sup>8</sup> The DVS can verify both visas and ImmiCards for non-Australian citizens.<sup>9</sup>
16. It is **recommended** that agencies undertake identity checks to at least **Level of Assurance 3** of the [National Identity Proofing Guidelines](#) which includes verifying:
  - a. the uniqueness of the identity in the intended context<sup>10</sup>
  - b. the legitimacy of the claimed identity
  - c. the operation of the identity in the community over time
  - d. the linkage between the identity and person claiming the identity
  - e. the identity not being used fraudulently

## REFERENCE CHECKS

17. Reference checks help agencies to determine a person's quality, integrity and suitability by verifying past performance in employment, including conduct and behaviour. Checks **must** obtain information from someone who has direct knowledge of the applicant's experience.
18. Referee checks **should** cover a period of at least the previous 3 months. Where appropriate, information relating to the following **may** be sought:
  - a. any substantiated complaints about the person's behaviour
  - b. information about any action, investigation or inquiry concerning the person's character, competence or conduct
  - c. any security related factors that might reflect on the person's integrity and reliability

## NATIONALLY COORDINATED CRIMINAL HISTORY CHECKS

19. Nationally Coordinated Criminal History Checks (NCCHC) also known as a criminal history check, involve processing a person's identity to determine any matches to previous criminal convictions. Undertaking a criminal history check enables

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<sup>6</sup> The [DVS](#) checks whether the personal information on an identity document matches the original record, making it harder for people to use fake identity documents.

<sup>7</sup> See [Primary Identification Documents](#) for more information

<sup>8</sup> See [Migration Act 1958 \(Cth\)](#)

<sup>9</sup> Agencies **may** also register for [Visa Entitlement Verification Online](#) (VEVO) to check visa details and conditions.

<sup>10</sup> This ensures that individuals can be distinguished from one another (e.g. people with the same name) and that the service is being provided to the correct individual.



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agencies to assess the person's criminal history, where applicable, against the requirements of the role being undertaken or applied for.

20. There are many Australian Criminal Intelligence Commission approved entities that can undertake national police checks, including [South Australia Police](#) and the [Australian Federal Police](#), on a fee-for-service basis.
21. It is **strongly recommended** that agencies require applicants to provide a copy of a valid NCCHC as part of their pre-employment screening processes and is a **requirement** for identified positions of trust.

## INTERNATIONAL CRIMINAL HISTORY CHECK

22. All preferred candidates who have recently resided overseas **may** require an international criminal history check before a formal offer of employment can be made, as relevant to the role being undertaken or applied for.
23. The criminal history records should be obtained from their country of origin and from any other country in which they have lived for one (1) year or more in the last ten (10) years. This is in addition to any clearance that may be required for immigration purposes. There are a number of approved entities that can undertake international criminal history checks on behalf of agencies on a fee-for-service basis.

## LEGISLATED SCREENING CHECKS

24. Some employees **may** require additional screening checks as mandated by legislation in South Australia. These checks are:
  - a. child-related employment and working with children checks
  - b. disability services employment
  - c. aged-care sector employment
25. Agencies **must** determine if any positions of employment are subject to any of these checks and ensure these screening requirements are met prior to any offer of employment. The [Department of Human Services Screening Unit](#) undertakes each of the above checks on a fee-for-service basis.

## POSITIONS OF TRUST

26. Positions of trust are roles which carry additional risk to agencies, such as those that require staff to hold higher than average, or ongoing, levels of access to agency assets and resources. Agencies **must** consider the level of risk a role presents to agency information and systems during recruitment to the role.
27. Recruiting people into an identified position of trust may require additional screening or other pre-employment measures according to the specific duties that the role is required to perform. Such duties may include:
  - a. sensitive or priority negotiations or policy work
  - b. responsibility for controlling access to valuable or attractive assets (including information)



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- c. working in remote, dangerous or sensitive locations
  - d. being required to liaise or share information with foreign officials
28. Agencies **must** identify and record all positions of trust. It is **recommended** that agencies maintain a register which identifies:
- a. which additional screening checks are required for the identified position
  - b. when the requirement for additional screening checks will be reassessed<sup>11</sup>
29. Identifying a position of trust is a matter determined by the responsible agency, any whole-of-government security policies, and (if relevant) the regulatory body of the relevant profession.

## VERIFYING SUITABILITY

30. In addition to the mandatory checks outlined above, agencies **may** use any or all of the following screening checks to assist in determining a person's suitability to occupy the role and have access to South Australian Government information and resources.
31. **Table 1** outlines additional pre-employment screening checks which **may** be considered.

*Table 1 - Suggested pre-employment screening checks*

Screening Check	Rationale
<b>Employment history check</b>	<p>This check <b>should</b> identify unexplained gaps or anomalies in a person's employment.</p> <p>A person <b>may not</b> disclose periods of employment if they have been terminated or anticipate an adverse referee report. A history of short periods of employment <b>may</b> also indicate poor reliability.</p> <p>Employment history information <b>should</b> be sought from human resources areas of former employers, where available. Where not available, referee checks or other previous employers <b>may</b> provide corroborating advice.</p> <p>It is <b>recommended</b> that employment history checks for new employees cover a period of at least 5 years.</p>
<b>Residential history check</b>	<p>A residential history check helps substantiate a person's identity in the community (see <a href="#">Identity and eligibility checks</a>). Supporting evidence of a person's current permanent residential address should be sought.</p> <p>It is <b>recommended</b> that residential history checks for new employees cover a period of at least 5 years. Where applicable, agencies <b>should</b> consider whether a person's explanation of any periods of residency that cannot be substantiated is reasonable.</p> <p>Some other screening checks <b>may</b> require residential history checks be undertaken. It is <b>recommended</b> agencies identify which checks may already be undertaken to reduce any duplication.</p>

<sup>11</sup>At minimum the required additional screening checks should be assessed every time the position becomes vacant and before it is advertised. Refer to [PERSEC2: Maintaining employee suitability](#) for guidance surrounding ongoing security assessment of positions.



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<b>Credit history check</b>	<p>Credit history checks assist to determine any concerns about a person’s finances, including financial defaults.</p> <p>Credit history checks can be obtained from an accredited financial check organisation on a fee-for-service basis.</p>
<b>Qualification check</b>	<p>Qualification checks verify a person’s qualifications with the issuing authority. Agencies <b>may</b> undertake qualifications checks with the issuing authorities, including universities, technical colleges or schools, as well as any professional associations or memberships that are required.</p>
<b>Conflict-of-interest declarations</b>	<p>Conflict-of-interest declarations identify conflicts, both real and perceived, between a person’s employment and their private, professional or business interests that could improperly influence the performance of their official duties, including the ability to protect South Australian Government information and resources.</p> <p>Conflicts-of-interest could pertain to, but are not limited to, financial arrangements, secondary or additional employment and/or professional and private associations.</p> <p>Under the <a href="#">Code of Ethics for the South Australian Public Sector</a>, all employees are required to disclose to their Chief Executive or agency head in writing any actual or potential conflict-of-interest. It is <b>recommended</b> that all agencies implement a conflict-of-interest policy which guides employees on what could be, or perceived to be, a conflict-of-interest, and when and how to report a conflict, consistent with the <a href="#">Public Sector (Honest and Accountability Act) 1995</a>.</p>
<b>Digital footprint checks</b>	<p>Digital footprint checks include conducting an open internet search on a person, as well as identifying and reviewing their publicly accessible social media.</p> <p>A digital footprint check can provide insight into a person’s life, interactions and personal views which may assist to identify issues of security concern and/or provide greater assurance that a person has provided a full and truthful account of themselves relevant to their integrity.</p> <p>The PSPF provides guidance for establishing a digital footprint check framework under Annex E of <a href="#">Eligibility and suitability of personnel</a>.</p>
<b>Entity specific checks</b>	<p>Agencies <b>may</b> implement additional checks to those listed above in line with the individual requirements and function of the agency where the personnel security risks identified are not mitigated by the mandatory and recommended pre-employment screening checks listed above, giving consideration to any potential legislative restrictions or requirements.</p>
<b>Other legislated screening requirements</b>	<p>There are types of employment in South Australia which are subject to specific screening requirements, as mandated by legislation. These checks are:</p> <ul style="list-style-type: none"> <li>• child-related employment and working with children checks</li> <li>• disability services employment</li> <li>• aged-care sector employment</li> </ul> <p>Agencies <b>must</b> identify all positions subject to these legislative requirements and ensure the appropriate screening requirements are met <b>prior</b> to any offer of employment. The <a href="#">Department of Human Services Screening Unit</a> undertakes each of the above checks on a fee-for-service basis.</p>

## SECURITY CLEARANCES

### IDENTIFYING POSITIONS REQUIRING SECURITY CLEARANCES

32. From time to time, there may be a need to share highly sensitive, or even security classified information of relevance to security with other agencies or entities. In



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such cases, the accountable authority is **responsible for** ensuring they have employees who hold the appropriate level of clearance to assess security classified information, including themselves. Such positions are referred to as Designated Security Assessed positions (DSAPs).

33. It is **strongly recommended** that the accountable authority of each agency obtain a security clearance to at least the level of Negative Vetting 1 (NV1). Any employees who might also be involved in a workflow involving security classified information (including handling of documents, system administration, access privileges etc.) **must** also obtain a security clearance to the same level as the accountable authority.
34. It is also **strongly recommended** that all agency security personnel (ASE, ASAs, ITSAs, etc) also obtain security clearances to a level deemed appropriate by the accountable authority.
35. Some employees in an agency may require a security clearance to access particular information or assets relevant to their position. Depending on the agency's physical and information security risk profile, this may include access to specific information, physical locations within an agency, and/or specific information and communication technology (ICT) systems.
36. **Table 2** indicates the level of security clearance required for each security classification.

*Table 2 - Security clearance level required for each security classification*

Classification	Security Clearance Level
<b>OFFICIAL: Sensitive</b>	Not required. Effective pre-employment screening is a sufficient security control
<b>PROTECTED</b>	Baseline (BV)
<b>SECRET</b>	Negative Vetting Level 1 (NV1)
<b>TOP SECRET</b>	Negative Vetting Level 2 (NV2)
<b>TOP SECRET (codeword)</b>	Positive Vetting <sup>12</sup> (PV)

37. Agencies **may** also identify positions for which a security clearance is required, in addition to pre-employment screening and entity specific checks, to provide a higher level of assurance about an individual's integrity. This **may** be appropriate for positions where:
  - a. the position will have access to aggregations of information or assets

<sup>12</sup> State and Territory personnel require Commonwealth Government sponsorship to obtain a PV security clearance.



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- b. the nature of the role requires greater assurance about the person's integrity (e.g. fraud mitigation or anti-corruption measure)
38. Agencies **must** identify and record any Designated Security Assessed positions, and what level of clearance is required. It is **recommended** that agencies maintain a register which identifies:
- a. positions that require ongoing access to security classified information (PROTECTED or above)
  - b. positions that require a higher-level of assurance of a person's suitability than can be obtained through pre-employment and entity-specific screening checks
  - c. when the requirement for a security clearance will be reassessed<sup>13</sup>
39. All Negative Vetting 1 level security clearances and above are subject to an AGSVA security assessment. Authorised vetting agencies **may** request an AGSVA security assessment for Baseline security clearances if there are any concerns that may impact the national interest.

## SECURITY CLEARANCE EXEMPTIONS

40. Some Australian office holders are not required to hold a security clearance to access security classified information while exercising the duties of the office. The list can be found in PSPF policy [Access to information](#). The exemptions referenced above **do not** apply to employees of named office holders.

## SECURITY CLEARANCE SPONSORSHIP

41. All security clearances **must** be sponsored by an appropriate agency. In South Australia, all security clearances are sponsored by DPC.<sup>14</sup>
42. The accountable authority/Agency Security Executive (ASE) of an agency **must** provide authorisation to DPC to commence a security clearance application. For information on how to apply for a security clearance see [Security Clearances](#) or email [SASecurityClearances@sa.gov.au](mailto:SASecurityClearances@sa.gov.au).

## SECURITY CLEARANCE ELIGIBILITY

43. It is a requirement that to be eligible for an Australian Government security clearance, the individual **must** be an Australian citizen and have a checkable background.<sup>15</sup>
44. The citizenship or checkable background requirements **may** be waived where the accountable authority of an agency can demonstrate there is an exceptional business requirement and has conducted an appropriate risk assessment. The vetting agency **may** still deny a security clearance if there are significant concerns

<sup>13</sup> At least every time the position becomes vacant and before it is advertised.

<sup>14</sup> South Australia Police (SAPOL) is an authorised vetting agency and clearance sponsor of SAPOL employees.

<sup>15</sup> A checkable background is where the vetting agency can complete the minimum checks and inquiries for the required period of time and is able to provide adequate assurances about the individual's life or background for level of security clearance required.



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about the individual's suitability that cannot be mitigated, including concerns relating to the eligibility condition that was waived.

45. The risk assessment for eligibility waivers **must** be based upon a specific position, individual and agency. Security clearances granted where a waiver has been issued **cannot** be transferred to a new position or agency.
46. Details regarding exceptional business requirements and risk assessments can be found under PSPF policy [Eligibility and suitability of personnel](#).

### RECOGNISING EXISTING SECURITY CLEARANCE

47. If an individual holds, or has previously held, a valid security clearance issued by an authorised vetting agency<sup>16</sup> sponsorship of that clearance **may** be transferred to a new agency. Agencies **should** identify if a prospective employee has or has ever held a security clearance prior to seeking a new one.
48. Further details about recognition of existing security clearances can be found under Commonwealth PSPF policy [Eligibility and suitability of personnel](#).

### AUTHORISED VETTING AGENCIES

49. South Australian agencies **must** use AGSVA to conduct vetting, or where authorised, conduct security vetting in a manner consistent with the **personnel security vetting standards** as outlined under PSPF policy [Eligibility and suitability of personnel](#).
50. State and territory governments may request AGSVA to conduct security vetting up to and including Negative Vetting 2. AGSVA will only issue security clearances where the vetting assessment is sponsored by an appropriate government authority.
51. South Australian agencies **must** obtain informed consent from the clearance subject to collect, use and disclose their personal information for the purpose of assessing and managing their eligibility and suitability to hold a security clearance. These practices **must** be consistent with all privacy requirements of this policy.

### MINIMUM PERSONNEL SECURITY CHECKS FOR A SECURITY CLEARANCE

52. PSPF policy [Eligibility and suitability of personnel](#) outlines the minimum security checks required, and any additional checks that **may** be required, for each level of security clearance.

### CONDITIONAL SECURITY CLEARANCES

53. If information of security concern is identified during the vetting process, but which is not sufficient to deny a clearance, those risks **may** be managed by applying conditions to a clearance. The accountable authority of the sponsoring agency and

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<sup>16</sup> This includes a security clearance issued by a state or territory government in accordance with the Memorandum of Understanding for the Protection of National Security Information between the Commonwealth, states and territories, where the personal security file is transferred to an authorised vetting agency.



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the clearance holder **must** agree to manage any conditions imposed. Non-compliance with any conditions in such circumstances **may** result in a review.

### SHARING INFORMATION OF SECURITY CONCERN

54. If any information of security concern is identified during the vetting process, the sponsoring agency will be notified of any vulnerabilities or risk factors and mitigations that **may** have been applied to assist in understanding and managing any risks relating to the clearance holder's ongoing access to South Australian Government resources.

### ADDITIONAL INFORMATION

55. Further information, including requirements for authorised vetting agencies can be found under the annexes of PSPF policy [Eligibility and suitability of personnel](#).

### VOLUNTEERS

56. Volunteers are people performing functions in an agency on a voluntary basis, and all agencies are **required to** implement a consistent approach to the management and support of volunteers.
57. Under the [Guideline of the Commissioner for Public Sector Employment Volunteers](#), it is **recommended** that agencies ensure they implement screening processes that identify any persons who may be unsuitable to act as volunteers, including any checks as mandated by legislation (see [Legislated screening checks](#)). Agencies **should** develop volunteering policies specific to their needs and update them regularly, consistent with the policies of the South Australian Protective Security Framework and the Volunteer Guideline.

### DOCUMENT CONTROL

Approved by: Chief Executive, Department of the Premier and Cabinet	Date of first approval: 20 April 2020
Revision number: 2.0	Date of review: 26 October 2022
Next review date: December 2024	Contact person: sapsf@sa.gov.au

### CHANGE LOG

Version	Date	Changes
1.0	20/04/2020	- First issue of policy
1.1	21/08/2020	- Definition of 'personnel' updated
2.0	30/11/2022	- Definition of 'position of trust' added



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Version	Date	Changes
		<ul style="list-style-type: none"><li>- Position of Trust section added</li></ul>
2.1	/ /2024	<ul style="list-style-type: none"><li>- Minor formatting updates</li><li>- National Police Checks replaced by Nationally Coordinated Criminal History Check (NCCHC)</li><li>- 'International Criminal History Check' section added (requiring agencies to conduct screening checks for preferred candidates who have recently lived overseas)</li><li>- Positions of Trust section updated (requiring agencies to consider the level of risk a position may pose and identify and record any additional screening checks for identified positions of trust)</li><li>- Designated Security Assessed Positions created (for persons requiring security clearances)</li><li>- ASIO security assessment replaced by AGSVA</li></ul>





**For more information:**

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