

Protective Services Group (PSG) Integrity Guidelines

Context

The *Queensland Public Sector Act 2022* and the Queensland Police Service's *Integrity Framework* emphasise the need for all members of the Service to have high standards of integrity i.e., honesty, trustworthiness, reliability, and tolerance. Members of the Service should also not be vulnerable to improper influence i.e., should not associate with people of poor character or reputation, and/or with people who may present an unacceptable risk to the Service. The Service requires external applicants seeking to be engaged as Senior Protective Services Officers (SPSOs) to meet high standards regarding their behaviour and conduct. The Service must have the confidence of the wider community to properly pursue its statutory functions, and systematic pre-engagement screening of applicants is an important mechanism for the maintenance and advancement of the organizational integrity of the Service. The *Police Service Administration Act* (PSAA) 1990, Part 5AA along with Schedule 1 to the Act, describes the assessment of suitability of external applicants seeking to be engaged by the Service including consideration of criminal, traffic and discipline history and associated intelligence. In addition, if an external applicant associates with people whose poor character or reputation may present an unacceptable risk to the Service this may affect suitability for engagement.

Application

These Guidelines apply to all persons seeking to be engaged as SPSOs by the Service.

General Assessment Factors

When determining suitability for an applicant, a range of factors will be considered with respect to offences or integrity matters including, but not limited to:

- Recency of offence, conduct or matter;
- Age of applicant at time of offence, conduct or matter;
- Gravity and circumstances surrounding offence, conduct or matter;
- Multiplicity of offences, conduct or matters;
- Involvement of alcohol, drugs or aggression, which indicate legally or socially unacceptable behaviour;
- Applicant's lifestyle, currently and since time of offence or integrity matter.

An application may be refused where integrity is subject to reasonable doubt or concern.

All exclusion periods listed below, commence from the date the matter was finalised at court or other justice program including diversion programs, date any infringements were finalised or the expiration of any order.

Individuals desirous of applying to become an SPSO Recruit are encouraged to read and understand the requirement of the PSG Integrity Guidelines prior to completing any recruiting assessments.

Further Information

For any questions or for more information please contact the Screening and Vetting Unit via: vettingrequests@police.qld.gov.au

Integrity Guidelines

In terms of 'exclusion period', please refer to the associated information below. ALL information in relation to your suitability will be considered and needs to be declared in your application, regardless of when it occurred. Failure to declare the information may be considered as an integrity matter, and may impact on the assessment of your suitability.

Offence/Integrity Matter	Explanation	Exclusion Period
Imprisonment sentence	An applicant who has been sentenced to any term of imprisonment including suspended sentences and youth detention.	Unsuitable
Indictable offences (serious offences)	An applicant with a finding of guilt for an offence such of break and enter, fraud, stealing, serious assaults, unlawful use of motor vehicle or other serious offences.	Up to Unsuitable
Drugs Misuse Act 1996 including drug diversion and self-disclosure of drug use/possession	An applicant with a finding of guilt for drug manufacture, drug trafficking.	Up to Unsuitable
	An applicant with a finding of guilt for any other offence preferred under the Drugs Misuse Act 1986.	Up to Unsuitable
	An applicant who has successfully completed a drug diversion program.	Up to 5 years
	An applicant who discloses drug use or possession that has not previously been dealt with by police may be considered on a case-by-case basis.	Up to 5 years

Summary offences Offences involving alcohol (drunk) and non TORUM infringements Domestic and Family Violence Orders Offences involving alcohol (drunk) and non TORUM infringements	An applicant with a finding of guilt for an offence against a police officer or other emergency service worker.	Up to Unsuitable
	An applicant with a finding of guilt for a summary offence/s involving assault, property damage, dishonesty.	Up to 5 years
	An applicant with a finding of guilt for fare evasion including rail evasions or like offences.	Up to 2 years
	An applicant named as the respondent in a current or previous Domestic and Family Violence Protection Order (including Interim orders).	Up to Unsuitable
	An applicant with a finding of guilt for contravening a Domestic and Family Violence Order.	Up to Unsuitable
	An applicant with a finding of guilt for any offence involving alcohol that is not a drink driving offence.	Up to Unsuitable
	An applicant's non TORUM infringement history include but are not limited to: <ul style="list-style-type: none"> • Drunk • Contravene requirement Consume liquor in a public place and other Liquor Act offences	Up to Unsuitable
False and misleading information	An applicant found or assessed to have deliberately supplied false, incomplete, or misleading information to be engaged by the Service.	Up to Unsuitable
Currently under investigation	An applicant who is currently under investigation for, charged with or awaiting criminal proceedings.	Up to Unsuitable.
Associations	An applicant who associates with people of poor character or reputation or who associates with	Up to Unsuitable

	people who may present an unacceptable risk to the Service.	
Drink driving and serious driving offences	An applicant with a finding of guilt for any driving offence involving a blood alcohol level of 0.15% or higher, including but not limited to: <ul style="list-style-type: none"> • Drug Impaired Driving • Failure to Supply Breath/Blood/Saliva/Urine • Dangerous Operation of a Motor Vehicle 	Up to Unsuitable
	An applicant with a finding of guilt for blood alcohol reading of less than 0.15%.	Up to Unsuitable
Disciplinary finding and/or action - current and former public sector employees	An applicant who is currently under investigation for a disciplinary action.	Up to Unsuitable
	An applicant who has had a serious disciplinary finding and/or action taken against them.	Up to Unsuitable
	An applicant who has had any other disciplinary finding and/or action taken against them.	Up to Unsuitable
Current or former members of LEA and the ADF	The complaints and discipline history of an applicant who is a current or former member of a Law Enforcement Agency (LEA) and/or the Australian Defence Force (ADF) will be assessed on a case-by-case basis.	Up to Unsuitable
Intelligence	These applications will include consideration of intelligence holdings from the Service and any other law enforcement agency.	Up to Unsuitable
Online digital footprint and/or social media presence	An applicant who has or who at any time had an online digital footprint and/or social media presence in any form whatsoever including (but not limited to) postings, comments or chat groups that do not comply or align with the Services values or Code of Conduct may not be suitable. This also includes membership of groups who espouse or promote views and ideals in conflict with the Services values or the Code of Conduct.	Up to Unsuitable

Positions where driving will be a significant duty		
Driving whilst licence suspended, cancelled, or disqualified	An applicant with a finding of guilt for driving whilst disqualified or driving on a cancelled licence.	Up to 5 years
	An applicant with a finding of guilt for driving on a suspended licence.	Up to 2 years
Licence suspensions, SPER suspensions	An applicant who has a current licence suspension.	Up to Unsuitable
	An applicant (open or probationary licence holder) with any licence suspension/cancellation for matters involving SPER.	Up to 1 year from reinstatement of licence
	An applicant with a finding of guilt for offences including Recently Expired Licence or Unlicensed Driving or Drive Unregistered/Uninsured vehicle.	Up to 1 year from reinstatement of licence
Demerit points	Applicants are expected to have no more than 8 demerit points accumulated (within the last 3 years). Applicants who have accumulated 9 demerit points may be considered unsuitable. Applicants who have accumulated 8 or 7 demerit points may be subject to a show cause process and their suitability reviewed on a case-by-case basis.	9 demerit points – up to Unsuitable 8 or 7 demerit points - assessed on a case-by-case basis



GUIDELINES FOR DEALING WITH RELEVANT INFORMATION

INTRODUCTION

The Queensland Police Service (QPS) is committed to being an employer of choice through the selection and retention of people who display the attributes of integrity, fairness, equity, professionalism and accountability.

The QPS must have the confidence of the wider community to properly pursue its statutory functions, and systematic integrity screening is an important mechanism for the maintenance and advancement of the organisational integrity.

There is a requirement that all persons engaged by the QPS meet very high standards with regard to their behaviour and conduct. All persons engaged by the QPS reflect upon the organisational integrity of the QPS.

The *Police Service Administration Act 1990* (the Act) provides that “.....the Commissioner –

- (a) *may gather all the relevant information the Commissioner needs about a person engaged or seeking to be engaged by the service;*
and
- (b) *may use the information to assess the person’s suitability to be, or continue to be, engaged by the service.”*

Processes are in place to ensure the maintenance of the highest possible levels of integrity within the QPS.

The purpose of these guidelines is to explain what is ‘relevant information’ obtained or disclosed for the purpose of determining a person’s suitability to be engaged or continue to be engaged by the QPS, and set out a process for consistent assessment of suitability of persons, including natural justice is afforded to persons about whom information is obtained.

APPLICATION OF GUIDELINES

These Guidelines apply to QPS police officers, recruits, special constables, staff members, contractors, volunteers and service providers and persons seeking employment with the QPS.

DUTY TO DISCLOSE RELEVANT INFORMATION AND ANY CHANGES TO RELEVANT INFORMATION

If you are engaged or to be engaged by the QPS, you **must** disclose all ‘**relevant information**’ that may affect your suitability to be engaged by the QPS. If during your engagement with the QPS, you are aware that there is a change in your relevant information, you **must** immediately provide details of this change.

Failure to disclose relevant information, or changes to relevant information, is a serious matter and can result in disciplinary action and/or an assessment as being unsuitable. You should familiarise yourself with the requirements and process for disclosing relevant information, and how it may be used to assess suitability to be engaged or continue to be engaged by the QPS.

It is necessary to disclose **all** relevant information, even if more than 10 years has passed since an offence was committed or if the offence would not otherwise be disclosable under the *Criminal Law (Rehabilitation of Offenders) Act 1986*.

The attached ‘approved form’ allows you to provide your disclosure of information.

WHAT IS ‘RELEVANT INFORMATION’

The Act provides that **relevant information**, about a person, for the purposes of assessment of suitability, means information about the person of a kind mentioned in the Schedule to the Act. Depending on whether a person is a police officer or recruit, staff member, volunteer, a student on work experience, a person performing work under a contract, or an external service provider, what is ‘relevant information’ may vary.

Relevant information commonly includes information about:

- A person’s criminal history;
- The existence and details of arrests, cautions or warnings;

- A person's Traffic History;
- Details of a person's involvement in acts of Domestic Violence;
- Whether a person is wanted for questioning in Queensland or interstate; and
- Any warrants or known alias of a person or whether a person is wanted for questioning in Queensland or interstate;

Depending on the nature of the engagement, relevant information may also include:

- Drug history
- Weapons license history;
- Incidents, complaints, or address checks;
- The existence and details of convictions or charges, detention, and/or prosecutions started against a person;
- Information about a person, that is supplied to the Commissioner of Police by the Crime and Corruption Commission;
- Information because of inquiries made by the unit of the Queensland Police Service known as the Ethical Standards Command
- Details of any current or prior matters (including disciplinary or medical matters) in Australian Defence Force service; and
- Information about any disciplinary finding made in relation to a person or disciplinary action taken against a person, including a disciplinary declaration made under the *Public Sector Act 2022 (Qld)*, Subdivision 3, Section 95.

For specific details of what is relevant information, you should refer to the Schedule to the Act as is currently in force. It should be noted that the Schedule may be updated from time to time so you should take care to ensure you have the most current version of the Act.

COMMISSIONER'S ABILITY TO RECEIVE INFORMATION

The Commissioner may obtain relevant information from other entities for the purpose of determining a person's suitability to be engaged or continue to be engaged by the QPS. Specifically, information may be sought from another law enforcement agency, and information on disciplinary action may be obtained from a chief executive of another department in relation to a person who is or was a public service employee.

If a person is charged with an indictable offence, particulars will be provided to the Commissioner by the Director of Public Prosecutions.

The provisions that allow the Commissioner to obtain relevant information does not displace the duty on persons to self-disclose all information, including disciplinary action, charges or convictions.

DEALING WITH INFORMATION

Relevant information made available, disclosed or obtained under Part 5AA can only be used for the purposes of assessing a person's suitability to be engaged, or continue to be engaged by the QPS. Only relevant information will be used in assessing suitability.

Information made available, disclosed or obtained under Part 5AA must not be disclosed to any other person unless provided for under the Act. However, in accordance with the Act, it is not Parliament's intention to prevent the delegate using information obtained under this part that discloses the commission of an offence, or is, or leads to, the discovery of evidence of the commission of an offence, for an investigation into the offence or any proceeding started or facilitated because of the investigation.

ASSESSMENT OF SUITABILITY

The delegate will have regard to all of the information made available under Part 5AA, to determine the suitability of a person to be engaged or continue to be engaged by the Service. When making the assessment, the delegate may have regard to all relevant information available, including, but not limited to:

- Information disclosed under Part 5AA of the Act;
- Information made available by a declared agency or law enforcement agency because of a request under Part 5AA of the Act;
- Disciplinary information provided by a chief executive of another department;
- Information that is stored on a database kept by the QPS Commissioner or kept by another law enforcement agency to which the QPS Commissioner has access;
- Information that is otherwise available to the QPS Commissioner.

As the details and factors for a particular case will be different for each instance and each person, the assessment of suitability for a person is a process that is conducted on a case by case basis, considering all relevant information.

The following general assessment principles provide some guidance on common considerations:

- the recency of the relevant conduct or issue;
- the age or maturity of the person, at the time of the conduct or issue;
- the gravity of the matter raised, including for example any element of dishonesty, and/or any specific issues involving drugs, alcohol or aggression indicating legally or socially unacceptable behaviour, and/or periods of incarceration;
- any pattern of conduct, behaviour or lifestyle;
- associations with any group that may lead to a conflict of interest, and degree of insight into behaviours and actions;
- relevance of issues to the requirements and standards expected of a member of the QPS;
- cumulative impact of multiple risks and/or any mitigating factors.

NATURAL JUSTICE

If, because of information identified under Part 5AA, the delegate considers you may not be suitable to be engaged or continue to be engaged by the QPS, you will be provided the information and allowed an opportunity to make representations about the information. You will also be provided with the reasons why the delegate considers you may not be suitable to be engaged or continue to be engaged by the QPS.

There are certain circumstances where information will not be provided. These circumstances are detailed in section 5AA.12(2) and 5AA.13(2) of the Act. These include where disclosure of the information may prejudice an investigation of offences or the effectiveness of a lawful method of preventing and investigating offences, may enable the identification of a confidential source of law enforcement information, may endanger a person's life or physical safety, may prejudice national security, or if disclosure is prohibited by law.

If you are given notice that you may not be suitable to continue to be engaged by the QPS, you will be afforded the opportunity to respond within **14 days** of the initial written advice from the QPS. If no response is received within 14 days, a decision will be made without your response. Where a written submission is made by a person, consideration will be given to the submission prior to a final decision being made.

DECISION ABOUT THE SUITABILITY OF PERSONS

Considering all relevant information, the delegate will make a decision about a person's suitability to be engaged or continue to be engaged by the QPS. In making this decision, the delegate will consider any representations made by the person. If you are seeking to be engaged with the QPS and the delegate makes a decision that you are not suitable, your application will be refused.