



Police Vetting and Safety checking Policy

Enquires to:	Manager, or Chairperson
Applies to:	All unregistered Kaiako and non-teaching kaiako, students and volunteers
Date Developed:	May 2021
Date reviewed:	May 2022
Next Review Date:	May 2024

References; Education Act 1989, Licensing Criteria, HS 31, GMA7A, MOE ECE Regulations 2008, Health and Safety Policy, Teaching Council, NZ Police, Children's Act 2014, Safer recruitment, safer children. The Human Rights Act 1993, The Privacy Act 1993, The Employment Relations Act 2000, Oranga Tamariki – Ministry for Children.

Rationale

The [Children's Act 2014 \(VCA\)](#) introduced safety checks as one of the measures to help reduce the risk of harm to children. Safety checks must be completed for all people employed or engaged in work that involves regular contact with children.

- Employee - *a person of any age employed by an employer to do any work for hire or reward*
- Engaged – *someone other than an employee who is engaged to do any work for gain or reward – e.g. a contractor*

To have in place a policy and procedure for ensuring that the centre is compliant with police vetting and safety checking procedures. To create an organisation where a culture of child protection is one that is transparent and accountable, understands the needs of children, and makes their safety and security a priority. Clear policies are developed that describe best practice to keep children safe.

The Education Act 1989 requires that all non-certificated kaiako and non-teaching kaiako e.g. contractors and employees of contractors, that work at the Centre during the hours of operation on a regular basis must have a police vet obtained by the Centre.

The Centre must obtain a police vet and conduct a safety check before making a permanent appointment of teaching, non-teaching kaiako or casual or temporary employees prior to them commencing employment. A Police vet from another employer/centre is not appropriate; the centre needs to carry out its own check.

Procedure

The centre must obtain a police vet and conduct a safety check for all non-teaching employees or uncertificated Kaiako who are intending to work at the Centre on a regular or ongoing basis, e.g. candidate, agency, child worker, relievers, cooks, and volunteers. All appointments to permanent positions at the centre will be subject to a satisfactory police vet being carried out. Two forms of photo ID must be shown on completion of a vetting application. Safety check results are to be obtained and assessed for risk before an employee can work at the centre or have access to the children. (Refer to recruitment and appointment policy).

The centre will have all police vet checks carried out by New Zealand Police and safety checks completed and are to abide by the procedures outlined by the Teaching Council, Children's Act 2014, Education Act 1989, and Safer recruitment, Safer children.

Safety checking will be carried out in accordance with the Children's Act 2014.

This will include: a police vet; identity verification; references and an interview. A work history will be sought, and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a child, that applicant **will not** be employed.

The safety check is made up of these 7 components.

- verification of identity
- an interview
- information about work history
- referee information, at least 2 to 3 referees, one being a current employer
- information from any relevant professional organisation or registered body
- a New Zealand police vet
- A risk assessment – this involves an evaluation of all information collected to assess if there is any risk to children's safety. For example, a driving offence? Would we employ someone with this? A management decision to be made, taking into account the exact circumstances. (Refer to Recruitment and Appointment Policy).

The centre will have in place an appropriate procedure for dealing with the information obtained from NZ police about each person vetted.

In the rare case where a person is unable to provide documentation, they could recommend a referee to confirm their identity. Identity referees should not be related to the candidate or have lived with the candidate. They must have known the candidate for at least twelve months and should either be part of your organisation or a person of standing in the community. This process should be accompanied by at least one other form of documentation.

The most common situation where people may not have the required documentation is when they are an overseas candidate, who may not have standard New Zealand identity documentation. Where possible, use documentation (usually visas) provided by Immigration New Zealand. Residency permits are good evidence of identity, as substantial vetting of the candidate occurs before they are issued.

Refugees may only possess a Certificate of Identity. Only official foreign documents will be accepted – not informal documentation.

Responding to negative results

Sometimes candidates' disclosures are not consistent with information you've collected from other sources. There may be a serious or deliberate omission of a serious criminal offence or a misleading claim about qualifications or certifications. This can indicate that the person might be a direct threat to safety or they are intentionally deceptive and misleading. The candidate will not be employed.

Similarly, when the Police have 'red stamped' a candidate (which means they recommend that the candidate is not unsupervised with children, older people or other vulnerable members of society) such candidates will not be employed or volunteer with children.

When a check shows less serious inconsistencies, it is appropriate to meet the candidate to discuss these discrepancies. The candidate may have a reasonable excuse for failure to disclose a minor criminal conviction or for some omission or error about professional qualifications or certifications.

Where the candidate notifies you that he or she challenges the accuracy of the Police Vetting result, you should notify Police via the Query Me disputes process on: www.police.govt.nz Also, if a candidate notifies you that he or she challenges the accuracy of a criminal conviction history provided by the Ministry of Justice, you should notify the Ministry via criminalrecord@justice.govt.nz

If they have a [schedule 2 specified offence](#) you cannot employ them unless they have an exemption. It is the responsibility of the person with the offence to apply for the exemption. (This is filed with the policy).

Other Information – Risk Assessment

To undertake a comprehensive risk assessment as part of a safety check we need to obtain the following information.

- A chronological summary of the applicant's work history for the preceding 5 years including the position they held in the organisation.
- Any professional organisations they are a member of if it is relevant to the role e.g. a school counsellor may belong to the NZ Association of Counsellors.
- Any licence relevant to the activity e.g. drivers or bus licence if driving is part of their role
- Any registration authority that has issued a registration or practising certificate e.g. teacher certification.
- Any other information that the governance group or person with the delegated authority considers being relevant in the assessment of the person, e.g. where possible qualifications should be verified. The Teaching Council should have checked the first qualification issued to a teacher as part of their checks e.g. an undergraduate degree but may not have a record of any subsequent qualifications e.g. Masters

Handling and storing information

When collecting personal information about individuals it is important to be aware of the requirements of the privacy principles – i.e. the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their information.

Information needs to be appropriately stored. Typically, screening information will be kept on a candidate's personnel file. Files should be stored in a secure location with access only available for appropriate kaiako. The information can be retained for as long as it is required for a lawful purpose but once it is no longer needed, should either be destroyed or returned to the candidate (as appropriate). It is good practice to let the candidate know what is happening to their information.

The Privacy Officer for the centre is the Centre Manager.

The centre will reimburse all permanent qualified and certificated Kaiako for the fee for maintaining their practicing certificate as part of the Teaching Council professional standards.

Ongoing Checks for existing staff

Employees will have police vetting and safety checking carried out every three years. Police vetting is also undertaken when a kaiako renew their practicing certificate.

At this point the 4 safety check will be undertaken

1. The employee to provide you with the following for checking:

- an original primary identity document (e.g. passport) and
- a secondary identity document (e.g. driver's licence)

If neither of these contain a photograph, use an identity referee. There is a requirement under the Act to double check your early learning service's records to make sure the identity has not been claimed by anyone else

2. Police vet carried out. For registered kaiako that their new Practicing certificate is valid and current.

3. Evaluate all the information you have gathered to assess the risk the candidate would pose to the safety of children if employed or engaged. Is the person safe to work with children? Will they actively contribute to a

culture of child protection, make the safety of children a priority, support? Make a decision based on your assessment.

4. Keep a record of the information you gathered, when you gathered it and the date when safety checks need to be carried out again (in 3 years time).

Attach this to the employee's personnel file and ensure it is securely stored

Students on Practicum

Safety checks will also be carried out on students hosted on practicum. The safety check will be completed either by the education provider that the student attends or by Lower Hutt City Childcare. Where the check is completed by the education provider, Lower Hutt City Childcare will still confirm that the check meets the VCA standard. Lower Hutt City Childcare Centre will also conduct the following:

- verification of identity
- risk assessment

Relieving Teachers

- Any reliever Employed by LHCCC will follow the 7 step procedure as outlined in the children's Act (2014) and as per the Child protection Policy
- Any agency relievers will be police vetted by the agency directly prior to employment.

Glossary

'Candidate' means the person being screened. In these guidelines this also includes volunteers.

'Child' means a child or young person under the age of 18.

'Children's worker' means any person working (either in a paid or a volunteer role) with children.

'Provider, employer or organisation' includes voluntary, commercial, private or independent agencies or organisations providing services for children and families.

'Safety' means that children in an employer's care are not exposed to a risk of abuse or neglect that could reasonably have been predicted or prevented by the organisation.

'Screening' means an internal process for analysing the information gathered and identifying suitable candidates – in this case, those who can be relied on to keep children safe.

'Vetting' means the formal process of obtaining checks from another agency, e.g., the Police Vetting Service, criminal conviction history checks.

Board of Trustees consulted	Yes/No	Kaiako consulted	Yes/No
Parents consulted	Yes/No		
Approved by: _____	Designation: _____	Date: _____	