



## Background and Child Safety Checks Policy



"I can trust the people my family and I work with"

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### Intent

We take reasonable care to engage kaimahi, contractors and volunteers who can be entrusted to work safely with people.

Due diligence and background checks are carried out during recruitment. This includes child safety checks for kaimahi who regularly work with tamariki and young people. We update the information periodically.

Where background checks indicate risks, we consider how and if the risks can be eliminated or safely managed. We ensure the safety and best interests of tamariki are given paramount consideration.

### Definitions

"Children's worker" refers to a team member who may have regular contact with a child/ or rangatahi without their parent or guardian being present.

"Contact" means physical contact, oral communication (whether in person or by phone), or communication through an electronic medium.

"Core children's worker" - is defined [here](#).



"Disqualifying offence" is an offence under [Schedule 2 of the Children's Act 2014](#) for a [core children's worker](#) role for which an exemption has not been obtained. The Board may identify other disqualifying conditions that are relevant to the competencies/responsibilities of a position.

"Regular" means at least once a month or at least four days a month.

"Staff or staff member" refers to kaimahi, an employee, contractors, board members, volunteer/kaiawhina, student on placement or other trainee.

## Responsibilities

**The board** (ie delegate or officer) will ensure that all its members and management are background checked to meet applicable legal and policy criteria.

### **Management will:**

- keep adequate records of initial and periodic background checks and risk assessments
- ensure background check information is kept confidential and secure.

**Kaimahi** must participate in periodic checks and keep management informed of any event, including a criminal charge, relevant to their role and position within the organisation.

## Requirements

**Remember: Definition of "staff member" and "staff" above means the following applies to paid and unpaid positions.**

### **Background checks for recruitment of staff and board**

Background checks will be conducted before a person is employed or appointed as a staff or board member, as follows:



- confirm the person's identity (eg sight license, passport, or RealMe verification)
- obtain the person's consent to background checks -
  - police vetting for all Children's worker roles and roles with vulnerable people (eg elderly, disabled people)
  - Ministry of Justice criminal history check for other roles eg board members
- verify qualifications
- contact at least two referees for information about the person's suitability for the role
- for a Children's Worker role:
  - check for any concerns or issues from any professional organisation or licensing or registration authority the person belongs to
  - check the chronological work history (for the last 5 years) including any gaps in the history
- for driving-related work, the level and nature of traffic convictions will be checked
- for positions with a financial delegation, budget responsibility or requiring cash handling, a credit/financial check may be done.

As below, risks identified through these checks must be assessed. An appointment will not proceed if:

- the risks cannot be adequately mitigated and managed, or
- there is a disqualifying condition.

### **Periodic checks**

Criminal history checks and Police vets will be repeated at least once every three years. In addition, for a Children's Worker role:



- check the identity of the staff member. Where a person has changed their name since the first safety check, the name change must be verified
- arrange a police vet with the consent of the person unless one has been undertaken within the last 3 years
- get relevant updates from any professional organisation or licensing or registration authority any Children's Worker belongs to.

### **Offending during employment or appointment**

Kaimahi must inform management of any pending charge(s) or current investigation for offending while they are employed. Similarly, a board member must inform the board chair.

If a kaimahi fails to disclose a relevant charge, investigation or conviction while employed, they will be subject to disciplinary action.

A conviction for a disqualifying offence will be grounds for dismissal, termination of contract or volunteering arrangement, board membership (whichever is applicable).

### **Risk assessment**

Risks indicated by any background checks on a staff member will be assessed:

- [Background checks - risk assessment criteria](#) to be completed for roles other than Children's Worker role.
- [Children's Worker Assessment and Safety Checklist](#) to be completed for Children's Worker role

### **Risk management**

Prospective staff will be notified that their appointment depends on the satisfactory completion of background and child safety checks. If risks are



indicated by the checks, the person's appointment or ongoing engagement will depend on if:

- the risks indicated by a criminal history or police vet can be safely managed ie the risks can be avoided or minimised, and
- arrangements to manage the risks are agreed with the person, including how the risks and controls will be monitored and reviewed, and
- these arrangements are incorporated in their employment terms or,
- in the case of an existing staff member, reflected in their performance agreement or variation of employment terms.

### **Review and update**

Arrangements to manage risks will be implemented, monitored, regularly reviewed and updated as necessary.

### **Record keeping**

A record must be kept of:

- the background check results and any notifications of pending charges, investigations
- the process used for assessing risks and developing appropriate controls/mitigations that were considered, agreed/not agreed, and implemented
- decisions and responses (including the person's agreement to controls)
- when and how the risks and controls are monitored and reviewed
- changes made to safety management arrangements and reasons for changes.

The record must be kept confidential and secure.

See [Staff file checklist.](#)



The record must be kept confidential and secure.

## Compliance

Social Sector Accreditation Standards Level 2, Staffing 5.0-6.0

Social Sector Accreditation Standards Level 4, 4.0; Level 3, 4.0-6.0

NZS 8134 :2021 Service Management Criteria 2.4.1, 2.4.3, 2.4.6

The Children's Act 2014

Children's (Requirements for Safety Checks of Children's Workers)  
Regulations 2015

## Helpful links

[Children's Worker Assessment and Safety Checklist](#)

[Protection of privacy](#)

[Board and volunteer checklist](#) (record of checks)

[New Zealand Police Vetting Forms and Guidance](#)

## Review

Date: April 2021

Next review: March 2023