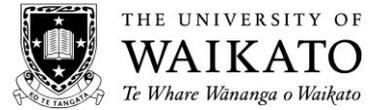


Safety Check (Vetting) Protocol

For more information see the [Children's Act 2014](#) and [Child Protection Policy](#).



PURPOSE

The purpose of this protocol is to inform staff and students of the purpose and process of safety checking in relation to study and employment at the University of Waikato.

A safety check is an assessment of the risk, if any, that a person would pose to the safety of children or other vulnerable persons if employed or engaged in positions with responsibility for or authority over them, or to determine whether a person would be a 'suitable' or 'fit and proper person' to work in a particular profession or industry. A safety check generally includes an identity check, interview, referee check and New Zealand Police vetting, but this may vary depending on the programme, placement or role. It does not include an assessment of cultural safety competencies; this might be included in an interview process.

Safety checking is required:

- as a pre-condition of admission to some University of Waikato programmes (for example, admission to initial teacher education and social work qualifications, or to programmes that might lead to registration as a psychologist or counsellor), or
- as a pre-condition of employment, engagement or training as a [children's worker](#) or a [core worker](#) as defined under the [Children's Act 2014](#) and on an ongoing basis as a condition of continued employment in those roles. Flowcharts for use in determining whether or not the [Children's Act 2014](#) applies to particular programmes, persons or research projects are set out in appendices to this protocol.

Safety checking may be required:

- as a pre-condition of enrolment in an individual University of Waikato work placement, practicum or similar activity, whether voluntarily or paid
- as a pre-condition of employment or engagement by the University of Waikato and on an ongoing basis as a condition of continued enrolment or employment.

A determination as to where and when a safety check is required should, in the case of students, be made by the relevant programme convenor (in the case of admission to particular programmes and practicums) or the [Work Integrated Learning Manager](#) (in the case of work placements). In the case of staff recruitment or engagement, the relevant line manager and Human Resource Adviser should discuss whether a safety check is required.

In addition to safety checks undertaken by the University, checks may also be required of or undertaken by external organisations in accordance with their own safety checking protocols as a condition of their engagement with the University.

SAFETY CHECKS FOR STUDENTS

The University conducts safety checks on behalf of the organisations in which students perform practical work over the course of their studies, and student safety check information (including a Police vetting report) may be disclosed to these organisations. Students must notify the University of any new charges or offences that occur during their enrolment so that the University can assess the risk. In some cases a repeat check may be required if their programme extends to more than three years.

Students enrolled in an initial teacher education or social work programme, or in programmes that might lead to registration as a psychologist or counsellor, who have subsequently been convicted of a specified offence (as listed in [Schedule 2](#) of the [Children's Act 2014](#)) or otherwise assessed to pose an undue risk to the safety of children or others may not be permitted to perform the required practical work and so be unable to complete the programme.

Any student who has concerns about past convictions for specified offences or whether they could be assessed to pose an undue risk to the safety of children or others should contact the relevant programme convenor (in the case of admission to particular programmes and practicums) or the [Work Integrated Learning Manager](#) (in the case of work placements).

SAFETY CHECKS FOR STAFF

The University undertakes pre-employment reference checks for all staff appointments and, for some roles, carries out a safety check. It is important that positions that include children's worker and core worker roles are clearly identified so that Human Resource Advisers can ensure that necessary safety checks are undertaken. Safety checks may also be required of persons engaged to provide pastoral care for University students, such as homestay hosts, whether employed by the University or not.

A process of regular re-checking of staff who have been identified as children's workers or core workers is required to be undertaken within three years after the date of the most recent safety check. Other positions and roles may need re-checking more or less often.

Staff who have questions about employment safety checks should contact a [Human Resource Adviser](#).

CRIMINAL RECORDS (CLEAN SLATE) ACT 2004

The [Criminal Records \(Clean Slate\) Act 2004](#) does not apply to Police vetting conducted to perform safety checks of core workers under the [Children's Act 2014](#), even if it would normally permit that person to conceal their criminal convictions.

CONDUCTING A SAFETY CHECK

Below is a brief overview of the steps normally required to complete a full safety check:

1. **Identity confirmation** by use of an electronic identity credential (e.g. the [RealMe](#) identity verification service), or by the following process to provide confidence that:
 - the identity exists (i.e. that it is not fictitious) - by checking an original primary identity document
 - the identity is a 'living' identity and the person uses that identity in the community - by checking an original secondary identity document
 - the person links to the identity - either by checking an identity document that contains a photo or by using an identity referee
 - searching available records to check that the identity has not been claimed by someone else.
2. **An interview** of the person conducted in person, via telephone or other communications technology.
3. Obtaining and considering a **work and/or study history** covering the preceding five years provided by the person.
4. Obtaining and considering information from at least one **referee** not related to the person or part of their extended family.
5. **Seeking information** from any relevant professional organisation, licensing authority, or registration authority, including (but not limited to) confirmation that the person is currently a member of the organisation, or currently licensed or registered by the authority. In the case of current students, a check for misconduct found under the [Student Discipline Regulations](#) may be conducted.
6. Obtaining and considering information from a **New Zealand Police vetting report (or equivalent)**, unless at least three-yearly vetting is already a condition of the person holding professional registration or a practising certificate (and the specified organisation has confirmed that that registration or certificate is current).

A Police vetting report may disclose:

- conviction histories and infringement/demerit reports
- active charges and warrants to arrest
- charges that did not result in a conviction including those that were acquitted, discharged without conviction, diverted or withdrawn
- any interaction the person has had with New Zealand Police considered relevant to the role being vetted, including investigations that did not result in prosecution
- information regarding family violence where the person was the victim, offender or witness to an incident or offence, primarily in cases where the role being vetted takes place in a home environment where exposure to physical or verbal violence could place vulnerable persons at emotional or physical risk
- Information subject to name suppression where that information is necessary to the purpose of the vetting.
- Evaluation of the above information to **assess the risk** the person would pose to the safety of children or others if employed or engaged.

It is up to the relevant authority what impact the information contained in the police vetting report will have on a person's recruitment, enrolment or employment. The exception to this is if the report shows that a person has been convicted of an offence specified under the [Children's Act 2014](#). In this case, the person **cannot** be employed or engaged as a core children's worker, unless they have an exemption.

When assessing the relevance of a conviction history, the authority must consider:

- the relevance of the conviction history to the type of work or study to be undertaken
- the seriousness of the convictions or offences
- the number or pattern of offences.

NEW ZEALAND POLICE VETTING

New Zealand Police vetting is only available to [Approved Agencies](#) and only staff who have been authorised to submit vetting requests on behalf of an Approved Agency can access the [vetting service](#). Police vetting cannot be conducted by an individual or for personal use. The following have been established as the University of Waikato's Approved Agencies:¹

Agency Code	Agency Name
C50016	Campus Crèche Trust (Waikato University)
T00158	University of Waikato - Faculty of Arts and Social Sciences Ethics Committee
T00420	University of Waikato - Human Resource Management
U00001	University of Waikato - Postgraduate Diploma in Clinical Psychology
U00012	University of Waikato - School of Psychology
U00048	University of Waikato - Faculty of Health Sport and Human Performance
U70016	University of Waikato - Waikato International
U70032	University of Waikato - School of Education
U70074	University of Waikato - Social Work Programme

¹ As at 20 September 2018

The process for establishing a new Approved Agency is set out on the [New Zealand Police](#) website.

Police vetting can only be carried out with the signed consent of the person being vetted. Consent is provided by completing a [Request and Consent form](#) or its University of Waikato equivalent (in some cases consent is obtained as part of an application to enrol in a particular programme).

The University of Waikato is a [registered charity](#) and as such the fee for the vetting of people in New Zealand is waived so long as its registered charity number has been provided to the Police by the Approved Agency. The University's registered charity number is CC30907. Most vetting reports are provided within 20 working days.

OVERSEAS POLICE VETTING

Australian Police vetting may be undertaken through the New Zealand Police but there is no fee waiver for Australian vetting requests.

For other countries, a [Police Certificate](#) may be considered equivalent. In some cases a Police Certificate will be available as a pre-condition of a travel Visa. International groups may be administered by an appropriate overseas government ministry or other organisation who can confirm that Police checks have been conducted in-country for each of the group members.

PERSONAL INFORMATION AND PRIVACY

Information collected for the purpose of safety checking must be used only for the purpose for which it is collected and must be stored securely.

The University's [Personal Information and Privacy Policy](#) sets out the specific responsibilities of staff with respect to the collection and management of personal information. The [University of Waikato Privacy Statement](#) describes how the University collects, stores, uses, and shares personal information and explains the rights of students, staff and others in relation to those activities.

A person who has been police vetted must be allowed to see the results, and have the opportunity to correct anything that isn't accurate.

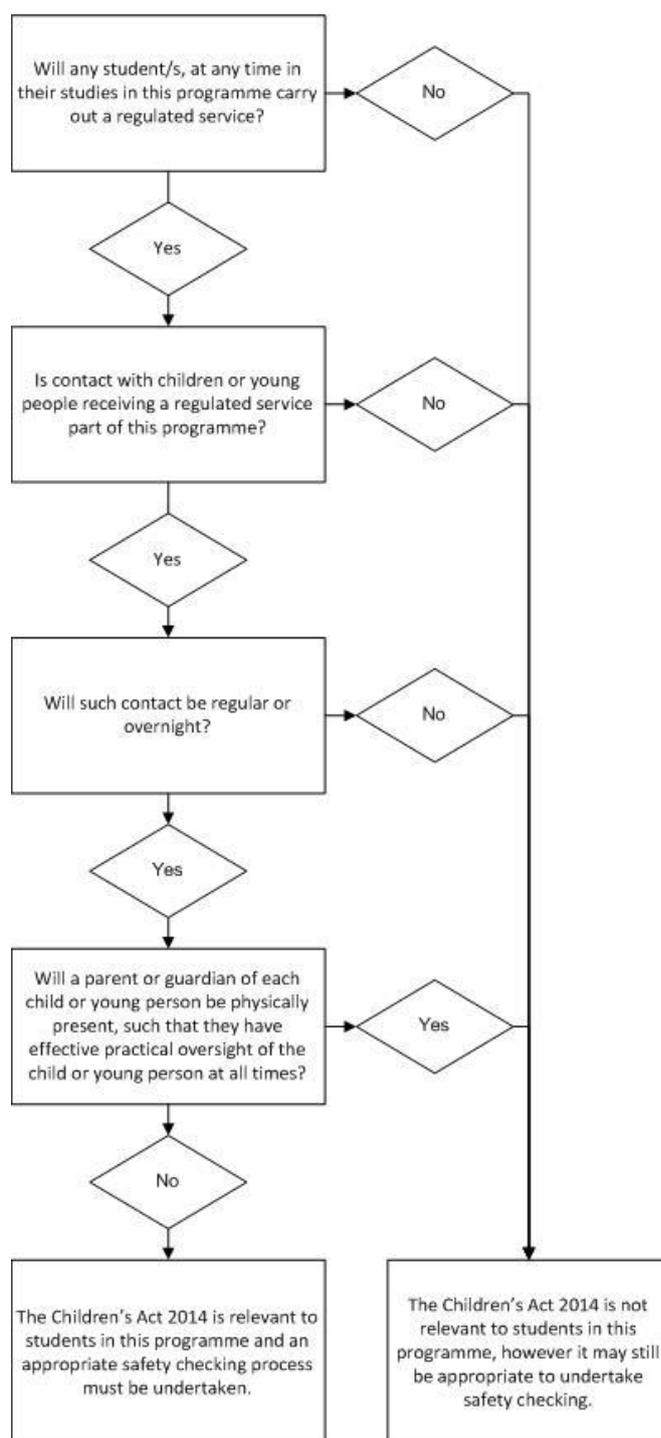
OTHER USEFUL INFORMATION

Education Council of New Zealand: <https://www.educationcouncil.org.nz/>

Social Workers Registration Board: <http://swrb.govt.nz/>

New Zealand Police: <http://www.police.govt.nz/advice/businesses-and-organisations/vetting>

Appendix 1: Determining if the Children’s Act 2014 applies to a programme of study

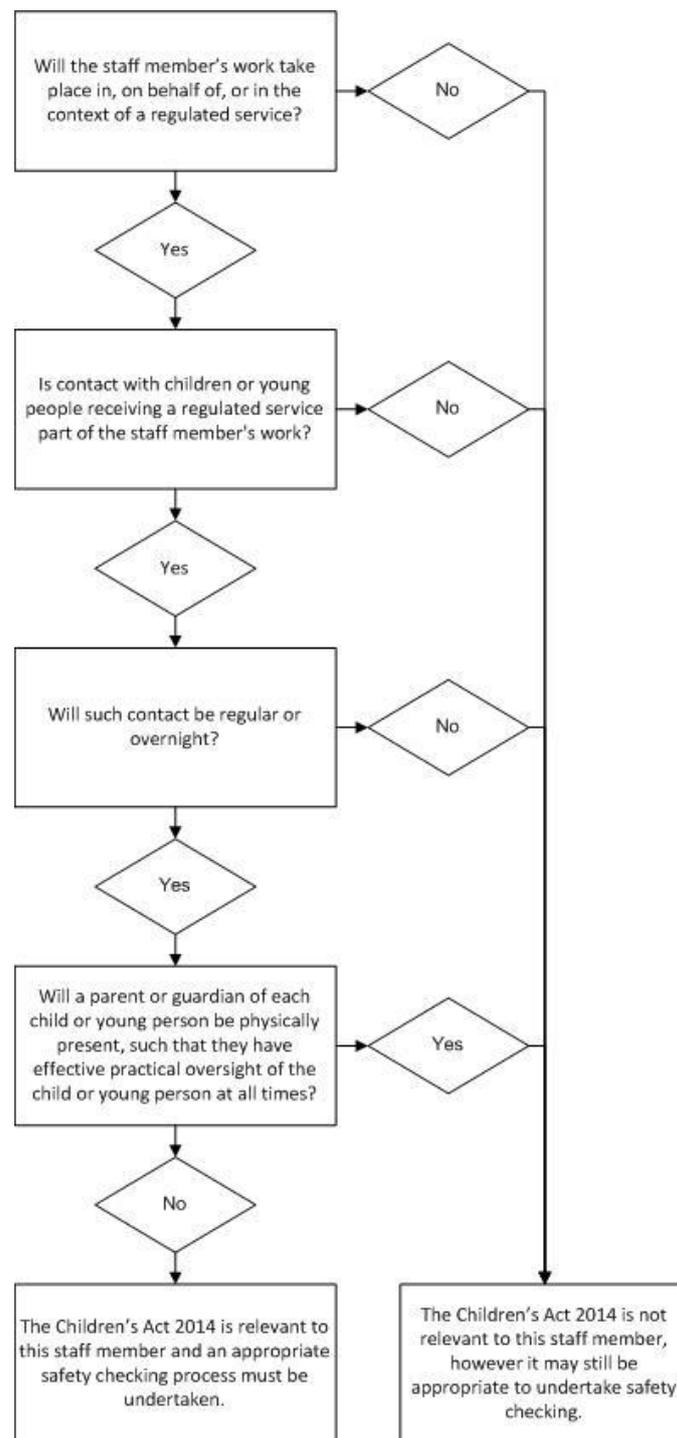


Regulated services include welfare, counselling, health and school services within New Zealand. University teaching, research and administrative activities are not usually included except where they involve the delivery of, or take place in the context of another party’s delivery of, these services. See Schedule 1 of the [Children’s Act 2014](#).

Contact is defined as physical contact, oral communication in person or by telephone, or communications through any electronic medium.

Regular contact means that during any defined period, e.g. a Placement, a student would be expected to have relevant contact with a child or children at least once per week or four days per month.

Appendix 2: Determining if the Children’s Act 2014 applies to a staff member or other person engaged by the University

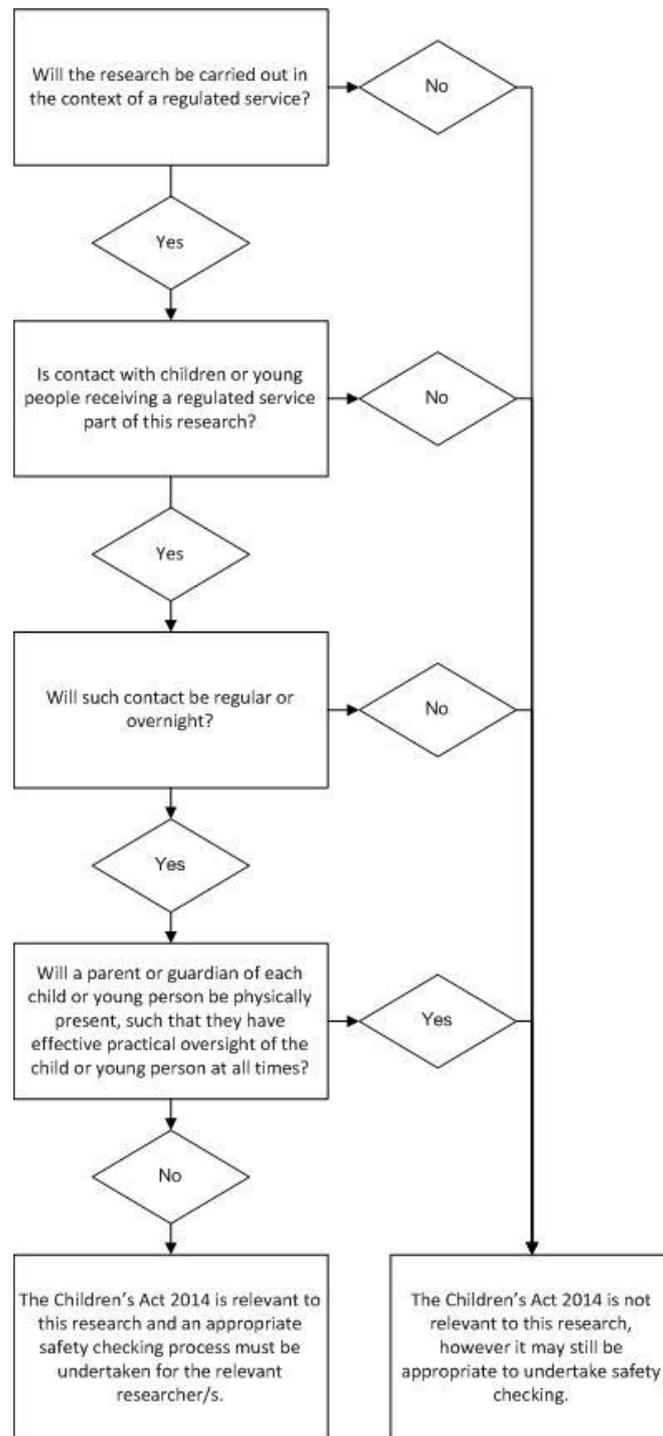


Regulated services include welfare, counselling, health and school services within New Zealand. University teaching, research and administrative activities are not usually included except where they involve the delivery of, or take place in the context of another party’s delivery of, these services. See Schedule 1 of the [Children’s Act 2014](#).

Contact is defined as physical contact, oral communication in person or by telephone, or communications through any electronic medium.

Regular contact means that the staff member would be expected to have contact with a child or young person as part of their University work at least once per week or at least four days per month.

Appendix 3: Determining if the Children’s Act 2014 applies to a research project



Regulated services include welfare, counselling, health and school services within New Zealand. University teaching, research and administrative activities are not usually included except where they involve the delivery of, or take place in the context of another party’s delivery of, these services. See Schedule 1 of the [Children’s Act 2014](#).

Contact is defined as physical contact, oral communication in person or by telephone, or communications through any electronic medium.

Regular contact means that during the research (or some period of it) the researcher would be expected to have contact with a child or young person in relation to the research at least once per week across multiple successive weeks or at least four days per month.