

GUIDELINE 4.7 - POLICE VETTING GUIDELINE

Purpose

- To provide procedures to reduce the risk of harm to children through Police vetting and safety checking people employed or engaged in work that involves regular contact with our children.

Note: **Unsupervised access to students**, in relation to a school, means access to any student on the school's premises that is not accessed by, or supervised by, or otherwise observed by, or able to be directed (if necessary) by, any 1 or more of the following:

- a) a registered teacher or holder of a limited authority to teach:
- b) an employee of the school on whom a satisfactory Police vet has been conducted within the last 3 years:
- c) a parent of the student.

Guideline

1. Police vetting is to be carried out for all prospective staff and volunteers/parents who supervise on overnight excursions with students and may have unsupervised access to students. Note: Registered teachers are already Police Vetted. If a Police Vet cannot be obtained prior to a camp or employment then a Declaration on the Vulnerable Children's Act will be need to completed.
2. Police Vet checks are also required for
 - i. regular contractors/tradespeople who would have unsupervised access to students.
 - ii. contractors/tradespeople with long-term programmes of work at the school. This will be a requirement of the tender process.
 - iii. external sports coaches/managers/supporters who would have unsupervised access to students overnight, outside school hours.
 - iv. those people providing care and protection of students such as homestay families.
3. For school staff and volunteers vetting must be carried out by Cromwell College. It is not possible to 'carry across' results from other organisations, even if the vetting was done there within the three year window. This is in accordance with advice from the NZ Police Vetting Service.
4. Vetting results will assist the school in deciding when to employ or to allow a volunteer to work with students and the Board of Trustees and school management team will consider the following when making decisions about potential employees, employees or volunteers:
 - type of offence and its relevance to employment
 - length of time since the crime was committed
 - age and maturity now as compared to when the crime was committed
 - seriousness of the crime

- circumstances at the time of any violent behaviour
 - societal factors at the time e.g. was the offence committed during a sports team tour or similar environment?
 - pattern of crime; for example a short spate may indicate a 'phase' but a regular pattern may indicate continuing inappropriate behaviour
 - proximity of the person undergoing vetting to any children, older people or people with special needs. For example are they likely to have unsupervised access to these vulnerable people?
 - any explanations the vetted person makes in discussions about the vetting information.
5. Police vets will be carried out for each staff member at least every three years or as and when information comes to the attention of the Board which might affect an individual's suitability to work with school-age students or as a member of staff.
 6. Police vetting will be carried out in accordance with the requirements stipulated by NZ Police and agreed by the school in the signed Memorandum of Understanding.

Teachers

1. Teachers are police vetted through their registration with the Education Council.
2. The EDUCANZ vetting is performed under the Clean Slate (see below) system and therefore if a teacher is to carry out a different role which requires Exception vetting (e.g. as a homestay parent for students) then the teacher must complete the Exception vetting process.

Clean Slate and Exception Vetting

1. The Criminal Records (Clean Slate) Act 2004 makes it an offence for an individual or organisation to ask for information about criminal records from a person if, under that legislation, they are entitled to conceal it.
2. In the normal course of employment for most employers, the school will only require a Clean Slate check.
3. Section 19 (Exceptions to general effect of clean slate scheme) of that same Act describes when an individual is not entitled to that protection.
 - a. Examples of this which affect the school are around the care and protection of students outside school hours such as during camps, trips and homestays.
4. Where a current employee (who has already undergone a Clean Slate police vet) undertakes a role which falls in the Section 19 criteria, a further check under the Exception vet process may be required.
5. Note that information revealed under the vetting check must not be used for any purpose other than that for which consent was obtained e.g. where an Exception vet carried out for a 'camp helper - care and protection' role reveals information that was originally concealed under the Clean Slate vet carried out when the individual was first employed, cannot then be used to adversely influence the employee's employment agreement.

6. An employee failing to provide information to enable this check may be subject to the disciplinary process (see above) or may be excluded from participating in certain activities.
7. When an Exception check is required under the clause described above, the role description on the Police Vetting form must include the phrase 'care and protection'.

Prohibited Convictions & Convictions of Concern

1. Where the term 'employed' is used here, it should be read to imply either outright employment or the carrying out of tasks or duties that are essentially separate to their main employment with the School, such as participating in a school trip or camp.
2. Subject to item (4) below, prospective staff must not be employed if any of the following offences appear on their record, irrespective of time since the offence was committed, rehabilitation or other factors:
 - a. Offences of a sexual nature involving children.
 - b. Convictions for offences involving violence which carry a maximum penalty in excess of three years imprisonment.
3. Prospective staff may be employed at the Board's discretion if any of the following offences appear on their record:
 - a. Burglary, theft or fraud;
 - b. Alcohol & drug-related offences;
 - c. Assault;
 - d. Weapons-related offences;
 - e. Other offences related to children;
 - f. For roles requiring or potentially requiring the employee to drive:
 1. Drink or drug driving;
 2. Multiple, recent instances of speeding;
 3. Driving whilst disqualified;
 4. Dangerous driving;
 5. Causing injury or death through dangerous driving.
 - g. Other offences that the Board consider may adversely impact the school's standing or reputation.
4. Exceptions to these guidelines must be agreed in writing by the Board of Trustees after consideration on a case-by-case basis.
5. In accordance with privacy law, and MOE recommendations, vetting information must be kept confidential and no action may be taken against the subject of a vet without them being given the opportunity to view, validate or explain the information received by the school under the vetting process.
 - a. In summary the MoE recommendations states that:
 - i. In all cases a Police vet must be obtained before a person who is required to be vetted has, or is likely to have, unsupervised access to students or children.
 - ii. It is important that the board or management considers whether, as part of their work, any contractor may have unsupervised access to

- students at the school or children at the ECE service.
- iii. A Police vet must be requested for non-teaching staff who work at the school during normal school hours or service opening hours no later than 2 weeks after the person begins work at the school. It is important that non-teaching staff are prevented from having unsupervised access to students or children until a vet has been supplied to the school.

Privacy & Confidentiality

1. The school has signed an MoU with the Police Vetting Service which dictates certain criteria in terms of service level agreements, and in how we must treat personal information related to the vetting process.
2. Personal information provided in the request form, or released under the policy vetting process, carries a Government security classification of **IN CONFIDENCE**.
3. The school's measures to ensure we adhere to the requirements of this security classification are:
 - a. The need-to-know principle shall be applied for all matters relating to the police vetting process.
 - b. Only the Principal's Assistant will be registered for receipt of personal information released by the vetting service.
 - c. Only the Principal Assistant or International Students Office will submit requests for vetting on behalf of the school.
 - d. The completed Request and Consent Form will be retained only until the vetting process has been completed, and then securely destroyed by the person who raised it.
 - e. The results of the police vetting will be released only to the Principals Personal Assistant, the individual being vetted, the Principal and if required the Board of Trustees.
 - f. Any electronic correspondence containing personal information either submitted under, or released through, the vetting process must contain the phrase **IN CONFIDENCE** in the subject line.
 - g. Whilst the vetting process is ongoing, hard copies of personal information relating to police vetting must be kept in non-transparent folders and must be stamped with the phrase **IN CONFIDENCE**, or be covered with an otherwise blank sheet bearing the same marking.

Audited and reviewed by the Self Review Committee

Date Chairperson.....