

SA.36 POLICY ~ CHILDREN’S ACT 2014 – SAFETY CHECKS

APPROVED BY	EXECUTIVE LEADERSHIP TEAM	VERSION	V1 - 2021
REVIEW STAKEHOLDERS	▪ CEO AND DEAN	Last reviewed	2017
	▪ ACADEMIC DEAN	Published	2021
	▪ HEADS OF SCHOOL	Review period	2 YEARS
		Next review	2023
PURPOSE	This policy sets out the process for the provision and on-going assessment of an applicant/student’s suitability to work with children. This is in line with the Children’s Act 2014 (CA) which requires BTI to be responsible for safety checking vocational trainees who work with children. Vocational trainees are students placed in host organisations as part of their professional preparation or qualification, for example, social workers on fieldwork placements, youth counsellors on practicum and teachers on professional practice experience (PPE).		

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POLICY

All applicants are safety checked in accordance with the Children Act 2014.

The results of the safety checks must be recorded and the record kept as long as the studentship status remains.

Every student must be safety checked every three years. Safety checks may additionally be carried out by the host placement services, and in the case of Social Work students, safety checks are carried out prior to each placement.

SAFETY CHECK PROCEDURES

As part of the BTI application process, all new applicants go through the following safety checks:

“Safety checking is about using professional judgement to identify patterns of concerning attitudes or behaviours. These patterns can be subtle, and people conducting safety checks should be considering information holistically, rather than only looking for narrow indicators like the presence (or absence) of relevant criminal convictions.” <http://www.victimsinfo.govt.nz/assets/Guidelines-and-standards/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf>

- a. A face to face interview with questions about the candidate’s suitability to work with children.
- b. Reference checks that ask about the candidate’s suitability to work with children.
- c. Gathering of work history for the previous 5 years.
- d. Any professional membership information.
- e. Identity verification by means of two forms of ID, one of which must include photo ID, e.g. passport, driver’s licence, student ID card. For other forms of acceptable ID, see Guidelines for Universities.
- f. NZ police vetting and police vetting from any country they have lived for 12 months or more other than New Zealand within the last 10 years covering the entire time they lived there.
- g. An overall assessment of the candidate's ability to work safely with children.

All relevant information gathered from these safety checks must be considered as part of the 'risk assessment' to inform applicant selection decisions.

- The Student Recruitment Team will file either hard-copy or electronic records of the checks undertaken. This provides an audit trail for the duration of the studentship. As with all student information, this will be kept secure and confidential.
- During the enrolment process, the interviewer needs to make it clear to the applicant that the Children's Act 2014 will apply to them at all stages of their programme of study.
- Any concerns that are raised from the safety checks (as per Section 3.1 above) need to be discussed with the Programme/Professional Leader (PL). The discussion is to take place between the PL and the interviewer/s. If required a PL from another school would be asked to join the discussion, for example if the PL had been one of, or the sole interviewer. The discussion needs to be consistent with principles of natural justice: that the discussion and resulting decision is fair and unbiased.
- In the event of concern persisting after discussion, further conversation will be held by the PL with the applicant. Discussions should consider the following and use the 'Risk Matrix' – on page 4 of this policy:
 - a. The age of the applicant now and during any incidents causing concern.
 - b. The recency of any concerning incidents.
 - c. Patterns of concerning behaviour.
 - d. The ability of the candidate to meet professional standards.
 - e. No candidate with an offence listed in Schedule 2 of the Vulnerable Children's Act 2014 shall be cleared to work or engage with children. See <http://www.legislation.govt.nz/act/public/2014/0040/latest/DLM5501909.html> for more details.
 - f. Applicants with a 'core worker exemption' may be considered, however the safety of children remains the core focus.

"Indicators should always be considered in context. A criminal conviction, gaps in employment history, or a negative reference can have different significance depending on the context. People should be given the opportunity to respond to concerns about their suitability. Following-up on potential indicators is important. For example, if people talk about rehabilitation, the interviewer should ask for evidence. Possible evidence in this case may include programmes entered into, periods without re-offending and the name of a qualified person who can testify to the children's worker's suitability to work with children."
<http://www.victiminfo.govt.nz/assets/Guidelines-and-standards/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf>

- Should information that had not been disclosed by the applicant at the time of application and/or interview, come to light subsequently, the studentship may need to be reconsidered.
- By offering an applicant a place of study, BTI is confirming that the interviewer/s has carried out a safety check of the applicant's ability to work safely around children, based on Section 3.1 above, and the applicant is deemed to be 'safe to work with the children'.

SHARING SAFETY CHECK INFORMATION

- Prior to a student engaging in a host placement, BTI will send the host organisation a Practice Declaration outlining the completed safety check, and stating the student name(s) and placement dates. The student will be required to show photographic identification to the host placement as the final stage of the safety check.
- By hosting BTI student(s) for the dates outlined on the declaration, the host agrees that BTI's Practice Declaration has been undertaken on their behalf and is acceptable as per the terms and conditions of the Children's Act 2014 for vocational trainees.
- In the event that the host is not happy with the declaration, they must contact BTI to discuss further prior to

the placement commencing.

- In the event that a host wishes to carry out its own police check, rather than accept BTI's declaration, the host should be encouraged to convey that in writing to BTI.
- PPE/Field Placement coordinators shall email each host organisation a copy of BTI's Declaration to Host Organisations so they can see the measures already in place. The CA does not specify who should complete these safety checks for vocational trainees but host organisations are accountable for ensuring the necessary checks have been undertaken and that the student's identification is confirmed by photo ID.
- The declaration sent to the host organisation will individually name each student who has been placed within the organisation and state the dates of placement.

RENEWAL OF RISK ASSESSMENT

- Under the Children's Act 2014, safety checks are reviewed every three years. Prior to a student entering their 4th year of study, the following checks need to be repeated:
 - a. Name changes must be documented.
 - b. New Zealand police vetting must be repeated.
 - c. For those who are members of a professional organisation, or registered/licensed by a professional organisation or authority, reconfirmation of this with at least one of these bodies is required.
- In the case of Social Work students, these checks are repeated every year of placement.
- At the end of each year, each programme administrator needs to produce a report, pulling out all students that are expecting to enter their 4th year of study. This report will need to include any students who are required to re-enrol in any course in order to graduate that year.

RISK MATRIX

SAFETY CHECK	PURPOSE	RED FLAGS	POSSIBLE ACTION/S
IDENTITY CHECK	Ensure the applicant is who they say they are.	The name of the person differs from the name on the documentation they provide (e.g. marriage or deed poll).	Applicants will need to produce a supporting document that shows evidence of the name change.
REFERENCE CHECKS	Builds a picture of an applicant's suitability to work with children and allows you to find out if there are any gaps or differences from what the candidate has told you.	Reference includes clear issues of concern specific to working with children. Referees indicate different opinions or different information to that gained in an interview.	Referees should be contacted preferably by phone to confirm the applicant's suitability to work with children. Any allegations should be treated with caution and the safety of children remains the focus. Applicants should have the opportunity to provide a response to any referee allegations. Other referees may be sought.
NZ POLICE VETTING	Identify criminal history and police concerns.	Police checks contain offences or police concerns.	Studentship to be declined where there are offences listed in Schedule 2 of the CA. Other offences or police concerns are to be discussed with the programme leader in line with 3.5 above.
WORK HISTORY	Builds a picture of experiences working with children.	Gaps in work history.	Contact previous employers. Ask the applicant for an explanation during the interview.

PROFESSIONAL MEMBERSHIP HISTORY	Builds a picture of previous safety checks and professional experience.	Professional membership not gained despite having qualifications. Professional membership not maintained.	Ask the applicant for an explanation during the interview.
INTERVIEW	To check the candidate's attitude to child safety and whether they would pose a risk to children.	Indication that child safety attitudes or practices are not in line with the Children' Act 2014.	Discussion with the Programme Leader. Re-interview.