

Children's Act (Student Placements) Policy

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Purpose

Children have a fundamental right to have all their needs met and to be safe from abuse and neglect. The Children's Act 2014 applies to children's workers providing a regulated service as set out in Schedule 1 of this policy in a specified organisation. This Act also applies to vocational trainees if they are working with children. A child in this context is one under the age of 17 years.

Safety checks are required for students in programmes with a practicum component when the student is deemed to be either a **core worker** or a **non-core worker** under the Children's Act 2014.

UCOL undertakes safety checks on students on behalf of host organisations.

To minimise risk, UCOL is treating **ALL** students in the programmes listed under 'scope' as **core workers**. Additionally, students who were enrolled in the second or third year of a programme prior to 1 July 2015 are considered **new** children's workers (rather than existing), as recommended in the Children's Action Plan, Safety Checking for Tertiary Education Organisations.

A **non-core worker** is one:

- Whose work may or does involve regular or overnight contact with a child or children; and
- This takes place without a parent or guardian of the child, or of each child, being present.

Regular is defined as at least once each week or on at least four days each month. *Contact* is physical contact, oral communication (whether in person or by telephone), or communication through any electronic medium.

A **core worker** (Children's Worker) is one:

- Whose work may or does involve regular or overnight contact with a child or children; and
- This takes place without a parent or guardian of the child, or of each child, being present; and
- Who works alone with children or has primary responsibility, or authority, over children.

Regular is defined as at least once each week or on at least four days each month. *Contact* is physical contact, oral communication (whether in person or by telephone), or communication

through any electronic medium.

The required children's worker safety check is the same for non-core workers and core workers group, but the requirements come into force earlier for core children's workers.

Scope

Programmes at UCOL which have practicum or workplace requirements for students which fall into this category are:

- Bachelor of Nursing
- NZ Diploma in Enrolled Nursing
- Bachelor of Applied Science (Medical Imaging Technology)
- NZ Certificate in Health and Wellbeing (Social & Community Services) with strand in Mental Health and Addiction Support
 - Students in the above four programmes are core workers or non-core workers in a regulated service including public hospitals, publicly funded medical practices or medical practices belonging to a primary health organisation (PHO);
- New Zealand Certificates and Diploma in Early Childhood Education and Care programmes
 - These students are core workers or non-core workers in a regulated service such as a registered school, licensed early childhood service or playgroup;
- NZ Certificate in Exercise
- Bachelor of Exercise and Sport Science
 - Students in these two programmes will potentially have direct contact with children through schools, clubs and sports providers.
- **NOTE:** New programmes NZ Certificate in Health and Wellbeing (Support Work and Health Assistance Strands).
- And training schemes may also trigger compliance with the Children's Act 2014 requirements, so each introduction needs checking.

International students

UCOL will require international students enrolling in the above programmes to provide a police certificate from their country of citizenship and any country in which they have lived for five years or more since the age of 17.

The Children's Act 2014 requirement is for child care workers to provide a NZ police vet, therefore UCOL requires international students who are children's workers to consent to a NZ police vet when they have been in the country for six months, or before they go on placement, whichever is the earlier.

In addition to the police vetting, international students will undergo the required safety checks as outlined below.

Responsibility

Programme Leaders of programmes with student placements in regulated services.

Student Information are responsible for secure storage of police vetting forms, and other documents provided as part of this process which are stored on the student's SMS (Arion) file.

Policy

1. Students applying for one UCOL's identified programmes will be required to complete a Declaration and Consent to Disclosure form authorising UCOL, as an Approved Agency, to submit a vetting request to New Zealand Police and authorizing

UCOL to collect, use and disclose the information for the purposes related to the Children's Act 2014.

2. UCOL will undertake a safety check of all students to ensure the legislative requirements of the Children's Act 2014 and regulations made under that Act are met.
3. Safety checks of students are undertaken by UCOL on behalf of agencies which host UCOL students.
4. UCOL will include in the formal agreement with each agency that UCOL has undertaken the safety checks for each individual student for placement.
5. The Programme Leader will advise the agency/host organisation that the safety check has been completed, the full name and photographic identification of the student concerned.
6. Every Safety Check of a person must include:
 - (a) confirmation of the identity of the person as prescribed by regulations; and
 - (b) consideration of specific information as prescribed by regulations; and
 - (c) a risk assessment carried out in accordance with regulations that assesses the risk the person would pose to the safety of children if employed or engaged as a Children's Worker.
7. UCOL must consider information required to be obtained and must apply guidelines on assessing risk. Where there are specified offences the student concerned will not be permitted on placement and their enrolment may be cancelled in accordance with UCOL requirements.
8. Periodic safety checks must be undertaken as required in the Act at intervals of not greater than 3 years.
9. Records of Safety Checks (including the Police Vet, student interview sheets and reference checks) are to be scanned to the student's SMS file for safe keeping. UCOL will delete from the student's SMS file the Police Vetting Result within three months after the student graduates.

Relevant Legislation and/or Web Sites

- Children's Act 2014
<http://childrensactionplan.govt.nz/childrens-workforce/safety-checking-and-the-workforce-restriction/>

Related Documentation

- [Admission and Enrolment Policy](#)

- [Student Work Experience and Off-campus Learning Policy](#)
- [Student Work Experience Procedure](#)
- UCOL Student Placement Agreements
- UCOL Record Management Disposal Schedule

Attached

- Schedule 1 Regulated Services

Schedule 1 Regulated services

The following are regulated services for the purposes of Part 3 of the Children's Act 2014:

Welfare, support, and justice services

- (1) services provided (including the performance or exercise of functions and powers) under the Children, Young Persons, and Their Families Act 1989 by the department responsible for the administration of that Act, or by any care and protection co-ordinator or youth justice co-ordinator:
- (2) services provided at, or in relation to the operation of, any residence within the meaning of section 2(1) or 364 of the Children, Young Persons, and Their Families Act 1989 (excluding, for the avoidance of doubt, services provided by an individual with whom a child is placed under section 362 of that Act):
- (3) services provided by any person, organisation, or body approved under section 396 or 403 of the Children, Young Persons, and Their Families Act 1989:
- (4) services provided (including the performance or exercise of functions and powers) under any order, direction, or recommendation of a court made under the Children, Young Persons, and Their Families Act 1989, the Care of Children Act 2004, or the Adoption Act 1955 by—
 - (i) the department responsible for the administration of the Children, Young Persons, and Their Families Act 1989; or
 - (ii) any other person, organisation, or body:
- (5) services provided by any person, body, or organisation pursuant to any decision, recommendation, or plan made by a family group conference under the Children, Young Persons, and Their Families Act 1989:
- (6) services provided at prisons, secured facilities, and children's health camps:
- (7) services provided as part of a condition of bail made under the Bail Act 2000:
- (8) services and facilities of the kind referred to in sections 4(a) and 7(2)(b)(i) of the Children, Young Persons, and Their Families Act 1989:
- (9) social or support services, including (but not limited to) victim support services, drug and alcohol rehabilitation services, and childcare services:
- (10) mentoring and counselling services:
- (11) youth services and youth work:
- (12) participating in a telephone communication service that is likely to be used wholly or mainly by children:
- (13) moderating an electronic interactive communication service that is likely to be used wholly or mainly by children (but a person does not moderate a public electronic interactive communication service unless he or she has access to the content of the matter or contact with users of the service):
- (14) services provided to escort, track, or transport children for the purposes of the Children, Young Persons, and Their Families Act 1989:
- (15) out-of-school care and recreational services:

Health services

- (16) services provided at a public hospital:

- (17) services provided at a publicly funded medical practice or facility, including blood and cancer centres, treatment centres, outreach clinics, and mental health services:
- (18) services provided through medical practices belonging to primary health organisations (PHOs):
- (19) services provided by health practitioners:
- (20) Well Child Tamariki Ora (WCTO) services (e.g. Plunket):
- (21) home-based disability support services:
- (22) residential disability support services:
- (23) ambulance services:
- (24) maternity services, including lead maternity carers and midwives:

Education services

- (25) Education services provided at a registered school (as defined in section 10(1) of the Education and Training Act 2020):
- (26) early childhood services (as defined in section 10(1) of the Education and Training Act 2020)
- (27) education services provided by a trades academy, a service academy, or an alternative education provider for or on behalf of a school:
- (28) education services provided at any off-site location for or on behalf of a registered school or early childhood service, including teen parent units, school camps, and learning centres:
- (29) services provided to ensure enrolment and attendance at school in accordance with sections 25 and 36 of the Education and Training Act 2020:
- (30) services provided at a playgroup (as defined in section 10(1) of the Education and Training Act 2020):
- (31) services provided at any location on behalf of a limited child care centre (as defined in section 2(1) of the Health and Safety in Employment Act 1992):

Transport services

- (32) work driving a vehicle that is being used only for the purpose of conveying children and any persons supervising or caring for the children (for instance, school bus services):

Policing services

- (33) specialist child and family policing services provided by Police employees (as defined in section 4 of the Policing Act 2008).

Local authority services

- (34) social and support services, including (but not limited to) mentoring and counselling services and community outreach, advocacy, and engagement services:
- (35) education services, including (but not limited to) learn-to-swim programmes and digital literacy programmes:
- (36) services provided at community facilities, including (but not limited to) sports and recreation centres, libraries, swimming pools, galleries, and community centres:
- (37) services provided in public environments, including (but not limited to) surf and beach patrols, skate park guardians, and road safety co-ordinators.