

# Children's Act (Student Placement) Procedure

**Controlled Document – refer to Intranet for latest version**

Category: Academic

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## Purpose

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.

This procedure sets out the requirements for safety checking in accordance with the Children's Act (Student placements) Policy.

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.

## 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.

- NZ Certificate in Health and Wellbeing (Support Work and Health Assistance Strands).

**NOTE:** New programmes 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.

## **Procedure**

1. All students applying for one UCOL's identified programmes must complete and sign a consent to disclosure form before any safety checks are undertaken.
2. Every **Safety Check** of a person must include:

**Confirmation of Identity:** Means using an electronic identity credential under the Electronic Identity Verification Act or producing an original of a primary identity document and a secondary document and where no photograph is supplied producing a photograph duly authenticated and name and contact details of referee and complying with the regulations.

### **Consideration of Specific Information:**

- A Police vetting check in respect of a safety check unless an exception in the regulation applies.
- Obtain from the person the following information:
  - (a) a chronological summary of work history for the preceding five (5) years, including a description of previous employment positions;
  - (b) the name of:
    - (i) any professional organisation of which the person is a current member if relevant to employment; and
    - (ii) any licensing authority; and
    - (iii) any registration authority,

- (c) the name of one referee not related and not part of extended family; and
- (d) interview the person face to face or by phone and obtain prescribed information under the Regulations; and
- (e) UCOL must check:
  - (i) with organisation in (b) that the person is a member or licenced or registered and may ask if they have any information relevant to the Safety Check; and
  - (ii) with referee for any relevant information.

**Risk Assessment:** The student must be assessed to determine:

- whether the person poses or would pose any risk to the safety of children as a Children’s Worker; and
- if the person does or would pose a risk the extent of that risk, having regard to whether the person is a Core Worker or Non-Core Worker.

UCOL must consider information required to be obtained and must apply guidelines on assessing risk.

3. In addition to police vetting, safety checks will include:

- An **interview** with the student including
  - questions about any reason, past or present, why they might be perceived to pose a risk to children;
  - their experience working with children;
  - questions about any convictions, or investigations which could preclude them being engaged with children.
- A **reference check** with at least one trusted referee nominated by the student and not related to the student or part of their extended family. The reference check may be conducted either by telephone or by confidential written responses to questions, including:
  - their relationship with the student, and the length of time they have known them;
  - do they have any concerns about the student’s suitability to work with children, and would they be happy for the student to take care of their children;
  - any other comments.
- If the staff member conducting the referee check is uncertain or concerned about any response then a check with a second referee is highly recommended.
- A risk assessment by UCOL is then undertaken in accordance with UCOL guidelines.

4. Where a specified offence shows on the police vet, their application to UCOL is checked to see whether or not the student disclosed the convictions at the time of enrolment. Should the police vet, or concerns about the suitability of the student to be a Children’s Worker arise during the safety checks, the Programme Leader must discuss these with the Head of School and/or the Executive Dean.

5. The student concerned will not be permitted on placement until UCOL is satisfied that the student does not pose any risk to children.

6. Students who commenced study in the identified programmes in 2016 will have their records checked to verify whether or not the police vet was completed under the new requirements, and

if not, then the student will need to consent to a further police vet, and undergo the other safety check requirements before going on placements.

7. Existing students in the identified programmes, that is, those who had commenced study prior to 2016 or are entering the second year of a programme based on RPL, will need to consent to a further police vet and undergo safety checks before they go on placements.
8. The Programme Leader will notify the host organisation, in writing, the full name(s) of student(s) being placed and provide a photograph for each student. The letter will verify that UCOL has completed Safety Checks for the identified students.
9. The Police Vet, student interview sheets and reference checks are to be scanned to the student's SMS file for safe keeping. These files are confidential to UCOL and are not to be shared with agencies.
10. In accordance with the requirements of the New Zealand Police Vetting Service information supplied by Police must be securely destroyed, or deleted if stored electronically once it is no longer required for the purpose for which it was collected. UCOL will delete from the student's SMS file the Police Vetting Result within three months after the student graduates.
11. The Programme Leader must ensure that periodic safety checks are carried out in a timely manner, with particular attention to students who have not completed the requirements of the programme in a three year period.

The following must be checked.

- Name changes must be documented
- New Zealand police vetting must be repeated
- 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.
- A further risk assessment of the applicant with respect to the safety of children must be undertaken.

## 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's Student Placement Agreements

## 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.