



## Vetting and Code of Conduct Policy and Procedures

### Policy Rationale

1. Neighbourhood Support New Zealand and our Member Organisations work alongside NZ Police and in the community. In order to maintain the confidence of both our Police partners (as outlined in our Memorandum of Understanding) and the general public it is important to provide assurance that our personnel are honest and trustworthy.
2. Our work in the community often involves children and young people, and the running of Junior Neighbourhood Support programmes. We, therefore, have obligations under the Children's Act 2014. This includes ensuring that personnel who work with children have been safety checked and have a periodic re-assessment every three years.

### Policy Statement

1. In order to provide assurance to the public and our Police partners, NSNZ and our member organisations will ensure that all employees (including contractors), volunteers and members of governing bodies who work in a Neighbourhood Support Office or Police premises *and/or* have access to a Neighbourhood Support database *and/or* work with children will be Police vetted. These personnel will be:
  - vetted prior to the commencement of their duties (either paid or volunteer);
  - re-vetted every three years;
  - vetted to a Clean Slate clearance level unless they meet the definition of a Core or Non-Core Worker under the Children's Act 2014;
  - required to disclose if they are charged with any offence after they have been vetted *and/or* they are the subject of a Protection or Trespass Order.
2. NSNZ National Office will maintain a record of personnel who have been vetted.
3. The above personnel, and those who deal with the public on behalf of Neighbourhood Support will also sign and abide by the NSNZ Code of Conduct and abide by the Police Code of Conduct.
4. NSNZ and our Member Organisations will comply with the Vetting Procedures outlined in this document.

Date: 19 November 2019



## Glossary of terms

For the purposes of this document the following definitions will apply.

<b>Personnel</b>	This refers to any person in a paid role (including people on a permanent, fixed term or casual contract or a person engaged as a contractor) or volunteer role for NSNZ or a NSNZ member organisation.
<b>Volunteer</b>	A person who is carrying out a <i>specified role</i> for NSNZ or a NSNZ member organisation. (This may include governance committee members, office volunteers etc but does not include volunteers who do not have specified roles.)
<b>Household</b>	A household that is a member of a Neighbourhood Support group.
<b>Database</b>	A list of people and contact details held by a NSNZ member organisation for the purposes of coordinating Neighbourhood Support activities in an area. (It does not include contact lists that maybe kept by neighbours in a particular street or NS group.)

## Vetting Procedures

### 1. How to apply for a Vetting Check

- a. A Vetting Check must be completed for required personnel **before** they commence employment with a Neighbourhood Support Member Organisation, **and then** every three years following. Even if the applicant has been vetted recently for a different organisation they must still complete vetting through NSNZ to ensure they have been checked to the required level. NSNZ National Office will maintain a record of when personnel are due to be re-vetted and notify the Member Organisation, who will be responsible for ensuring that the process is complied with.
- b. NSNZ Member Organisations may request vetting checks for their required personnel through NSNZ, which is the approved agency for vetting purposes. The Vetting Service Request and Consent Form (NZPVS-CS-03/18) is available in the Employment section of the NSNZ Toolkit.
- c. The form includes some pre-filled fields, which should not be altered. Please refer to the *Guidelines to Completing the Vetting Service Request and Consent Form*. Once completed the form should be emailed to [kelsey@neighbourhoodsupport.co.nz](mailto:kelsey@neighbourhoodsupport.co.nz)

### 2. The Vetting Check Process

- a. The Vetting Check is carried out by the Police Vetting Service and can take up to 20 working days to complete.
- b. The check will provide a criminal history check for any information relevant to the vetting request. This can include:



- Conviction history 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 with New Zealand Police considered relevant to the role being vetted, including investigations that did not result in prosecution
  - Information regarding family violence, particularly if 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.
- c. If the person being vetted is eligible under the Criminal Records (Clean Slate) Act 2004, their conviction history will not be released unless:
- Section 19(3) of the Clean Slate Act applies to the vetting request (exception to the Clean Slate regime)
  - Section 31(3) of the Vulnerable Children Act 2014 applies to the vetting request (safety checks of core children's workers)

*Please see Page 4 of this document for more information about the Clean Slate Act.*

- d. Once the check is completed the Vetting Service will inform NSNZ of whether or not there has been a result. If the person passes the check with 'no result' then NSNZ will notify the Member Organisation accordingly.
- e. It is the responsibility of the Member Organisation to communicate with the person who has been vetted about their result. The final decision on whether or not to confirm the person's employment or volunteer position also rests with the Member Organisation. In addition to the Vetting Check the recruitment process should also include at least two referee checks before an offer of employment is made.

### 3. What if the Vetting Check finds a Result?

In a small number of cases a Vetting Check will be returned with a 'result'. Sometimes these are for offences that happened many years previously or for minor offences. It does not necessarily mean that the person cannot take up their role.

If there is a result then the following process will be followed:

- a. NSNZ will check with the Member Organisation's Police Liaison Officer to clarify the nature of the offence **and** notify the Member Organisation.
- b. Results that involve convictions for sexual offending, child abuse, hate crimes, harassment, fraud or dishonesty will automatically disqualify a person from paid or volunteer employment with NSNZ or one of our Member Organisations.
- c. The employment (either paid or voluntary) of a person who has results for other offences will be considered on a case by case basis. This will take into consideration:
  - The severity of the offence



- When it occurred
  - Relevance to the role the person is seeking with NS
  - The opinion of the Police Liaison Officer.
- d. The final decision on whether or not to proceed with the person's employment will be the responsibility of the Member Organisation. (Note: Under our MoU with NZ Police, Police have the right to restrict or prevent access to a Police premises if they have concerns about an individual.)

## Code of Conduct

- a. The personnel of NSNZ and NSNZ member organisations, including those who represent them in any capacity, are obliged to sign and abide by the NSNZ Code of Conduct and abide by the Police Code of Conduct. It is the responsibility of each NSNZ member organisation to ensure that all their relevant personnel have read and understood the Code of Conduct.
- b. If it is felt that a person has breached the Code of Conduct then this should be discussed, in the first instance, with the Chair (or leader of the governance body) of the NSNZ member organisation to which they belong. They will determine if the breach is best resolved through informal discussions or if a formal complaint should be made against the person.
- c. If it is determined that the breach warrants a formal complaint against the person, or if the breach has been committed by a NSNZ member organisation rather than a particular individual, then a complaint in writing should be lodged with the CEO of NSNZ, who will follow the procedures set out in the NSNZ Grievances, Disputes, Complaints and Discipline Policy (Schedule 1 of the NSNZ Constitution).
- d. A breach of the Code of Conduct may result in a person or member organisation being expelled as a member of NSNZ.

## Related Policies:

- Privacy and Confidentiality Policy
- Child Protection Policy
- Health and Safety Policy
- NSNZ Constitution



## About the Criminal Records (Clean Slate) Act 2004

1. In New Zealand, under the Clean Slate Act, you are said to have no criminal record (criminal conviction history) if **all** of the following are true.

You have:

- had no convictions within the last 7 years
- never been sentenced to a custodial sentence (such as prison, corrective training or borstal)
- never been convicted of a sexual offence ('specified offence')
- fully paid any fine, compensation, reparation or costs ordered by the court in a criminal case
- never been banned from driving until further notice (indefinite disqualification)
- never been held in hospital by the court in a criminal case instead of being sentenced, due to your mental condition.

[Find out more in section 7 of the Criminal Records \(Clean Slate\) Act 2004\(external link\)](#)

2. If you meet all of the above requirements, then:
  - your criminal convictions are automatically concealed
  - you can say you have no convictions if you are asked about your criminal record in New Zealand.
  - you can still see your convictions if you ask for your full record of convictions
  - no one can ask you to give your full record, except in the cases covered below.
3. **All** your convictions will show on your record again if you:
  - get another conviction
  - don't fully pay any court-ordered fine, compensation or costs
  - get permanently banned from driving.

If this occurs, then you'll need to give all your convictions when asked. This will apply until you meet all the requirements again.

For more information: <https://www.justice.govt.nz/criminal-records/clean-slate/>