

# Implementation of the Vulnerable Children Act 2014 in Schools

## Overview - Requirements of the Act

A better future for vulnerable children is at the heart of both the Children's Action Plan and the Vulnerable Children Act which together make significant changes to how we protect and improve the wellbeing of children

### Safety Checking Changes

On 1 July 2015, some of the **first regulatory changes took effect**. These are more comprehensive safety checks for new core children's workers and workforce restrictions that prohibit people with certain criminal convictions from working in core children's worker roles (unless they have an exemption). The new regulations are available here:

<http://www.legislation.govt.nz/regulation/public/2015/0106/latest/DLM6482241.html>

The Children's Action Plan website provides information about the workforce restrictions and children's worker safety checking under the Vulnerable Children Act 2014:

[www.childrensactionplan.govt.nz/childrens-workforce/safety-checking-and-the-workforce-restriction/](http://www.childrensactionplan.govt.nz/childrens-workforce/safety-checking-and-the-workforce-restriction/)  
[www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf](http://www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf)

### Who needs to be safety checked

**All children's workers** - someone who is funded by a state agency, who works with children and whose work may involve regular or overnight contact with a child/children need to be safety checked within the timeframes outlined in the legislation. The work takes place without a parent or guardian present and the worker has primary responsibility for the child/children.

Staff delivering state funded education services in schools, or on behalf of schools, are children's workers. Children's workers need to be paid workers, or to be undertaking unpaid work as part of an education or vocational training course, for the legislative requirements to apply. Children's workers are classified either core workers or non core workers. A core worker is a children's worker whose work in a regulated service means they are either the only person present, or they have primary responsibility or authority over the child (or children) present. Non core workers have regular, but limited, child contact.

It is the board's responsibility to determine whether a children's worker's role in its school is core or non core. Safety checking requirements are the same for each group except that core workers may also be subject to a workforce restriction if they have a specified conviction. Core workers need to be informed about this so they can follow the exemption process if necessary.

Volunteers are not subject to safety checking under the Act but schools are encouraged to take a best practice approach to this group and safety check accordingly.

### What must be done as part of a safety check

- Verify identity
- Do an interview
- Get information about work history
- Get referee information
- Get information from any relevant professional organisation or relevant authorising body
- Police vetting
- Risk assessment

### Safety checking timeline

<b>1 July 15</b>	<ul style="list-style-type: none"> <li>• All NEW core workers must be safety checked, including those changing roles</li> <li>• Workforce restriction applies from this date: new core workers convicted of specified offences cannot be employed unless they have a Core Worker Exemption</li> </ul>
<b>1 July 16</b>	<ul style="list-style-type: none"> <li>• All new non core workers safety checked from this date</li> <li>• Workforce restriction applies from this date: existing core workers convicted of specified offences cannot be employed unless they have a Core Worker Exemption</li> </ul>
<b>1 July 18</b>	All existing core workers safety checked by this date
<b>1 July 19</b>	All existing non core workers safety checked by this date

### Child Protection Policies

Child protection policies describe the processes and procedures that an organisation will follow to ensure children are safe, that potential abuse and neglect are identified and responded to. Developing a child protection policy is an important opportunity for a school and community to reflect on its culture and begin the process of changing expectations.

### What are the obligations of a school or kura

- Develop a child protection policy by 1 July 2016
- The policy must be available on the school website or available on request
- Review the policy every three years.

### Your child protection policy must

- Be written
- Contain provisions on the identification and reporting of child abuse and neglect.

### Developing a child protection policy

- Collect existing policies into one place and gather available resources
- Include staff and the school community in the early development of the policy to build the understanding of why the policy is being developed and create a sense of ownership over the process
- Review current policies against the Child Protection Policy checklist and guidance on the Children's Action Plan website to identify gaps and to support discussion about how to address these:  
<http://childrensactionplan.govt.nz/childrens-workforce/child-protection-policies/>

### Child protection policy timeline

<b>1 July 16</b>	Child protection policy should be in place for schools, kura and their funded services
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### Support available

Download *Planning Tool: Implementing changes to Safety Checking and developing a Child Protection Policy (Vulnerable Children Act 2014)* and Safety checking resources:

<http://www.education.govt.nz/safety-checking-workers-and-child-protection-policy-for-schools-and-kura>

- *New and Existing Employees: Safety Checking under the Vulnerable Children Act 2014*
- *Trainees on Practicum: Safety Checking under the Vulnerable Children Act 2014*
- *Relieving Teachers: Safety Checking under the Vulnerable Children Act 2014*

NZSTA is offering workshops covering what it means for boards, the importance of effective child protection policies, procedures, safety checking and safe working practices. A schedule of workshops can be found at:  
<http://training.nzsta.org.nz/courses/196-vulnerable-children-act-2014-implications-for-the-board>

NZSTA's example of a child protection policy for a school:  
<http://www.nzsta.org.nz/employer/vulnerable-children-act-vca-2014>