



Cabinet Business Committee

Minute of Decision

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Children's Worker Safety Checking: Strengthening Compliance Monitoring and the Workforce Restriction

Portfolio Education

On 28 September 2026, the Cabinet Business Committee:

- 1 **noted** that the Royal Commission of Inquiry into Abuse in Care recommended that the Government should review all legislation and regulations relating to the care of children and ensure that children's worker safety checking is fit for purpose (recommendations 42 and 58b);
- 2 **noted** that in 2024, the Cabinet Social Outcomes Committee directed officials to undertake further work on options to strengthen safety checking requirements under the Children's Act 2014 (the Act) as part of the Government's response to the Royal Commission [SOU-24-MIN-0119];
- 3 **noted** that the children's worker safety checking system provides a framework that helps keep children safe but can be further strengthened;
- 4 **agreed** to amend the Act to extend the workforce restriction to all children's workers so people who have been convicted of a specified offence in Schedule 2 of the Act (irrespective of the Clean Slate Scheme) are restricted from working in any children's worker roles unless they have an exemption;
- 5 **agreed** to amend the Act to update the list of specified offences at Schedule 2 of the Act that trigger the workforce restriction to include seven additional offences:
 - 5.1 s131AB of the Crimes Act 1961: Grooming for sexual conduct with young person;
 - 5.2 s189A of the Crimes Act 1961: Strangulation or suffocation;
 - 5.3 s216H of the Crimes Act 1961: Prohibition on making intimate visual recording;
 - 5.4 s216I of the Crimes Act 1961: Prohibition on possessing intimate visual recording in certain circumstances;
 - 5.5 s216J of the Crimes Act 1961: Prohibition on publishing, importing, exporting, or selling intimate visual recordings;
 - 5.6 s216Q of the Crimes Act 1961: Stalking and harassment; and
 - 5.7 s22A of the Harmful Digital Communications Act 2015: Posting intimate visual recording without consent;

- 6 **agreed** that:
- 6.1 the workforce restriction amendments (set out in paragraphs 4 and 5 above) commence one year after Royal Assent, to allow time for any current children's workers to seek an exemption if needed;
 - 6.2 some transitional provisions may be included, as they are required to prevent a large influx of requests for updated safety checks of existing workers;
- 7 **noted** that the financial implications of the decisions above are limited;
- 8 **noted** that the decisions above will be given effect to through the 9(2)(f)(iv) [redacted], which holds a category 9(2) priority on the 2026 Legislation Programme 9(2)(f)(iv) [redacted];
- 9 **agreed** that the Teaching Council should have access to information about all prior offences committed by applicants for registration and renewal of practising certificates, for the purposes of informing their good character assessment;
- 10 **directed** the Ministry of Education to work with the Ministry of Justice to advise on the appropriate way to amend the Criminal Records (Clean Slate) Act 2004 to put the decision in paragraph 9 above into effect;
- 11 **agreed** that officials should review the list of scheduled offences under the Children Act 2014 regularly, and whenever additional offences involving children are added to the Crimes Act 1961;
- 12 **invited** the Minister of Education (the Minister) to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above policy decisions;
- 13 **authorised** the Minister to make decisions on minor and technical matters consistent with the policy intent of the above decisions;
- 14 **agreed** that the amendments are subject to Parliamentary Counsel's discretion as to where and how best to accommodate the policy decisions in legislation;
- 15 **invited** the Minister to seek agreement from Cabinet to any further proposals to strengthen children's worker safety checking through the 9(2)(f)(iv) [redacted] in 2027;
- 16 **noted** that the paper under CBC-26-SUB-0038 meets Cabinet's Regulatory Analysis Summary requirements.

Sam Moffett
Committee Secretary

Present:

Rt Hon Christopher Luxon (Chair)
Hon David Seymour
Rt Hon Winston Peters
Hon Nicola Willis
Hon Chris Bishop
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Mark Mitchell
Hon Brooke van Velden

Officials present from:

Officials Committee for CBC