Te Tāhuhu o te Mātauranga
Ministry of Education

Children's Act 2014

A practical guide for early childhood services, Ngā Kōhanga Reo, playgroups, schools and kura



Te Kāwanatanga o Aotearoa
New Zealand Government

October 2026

Published by the Ministry of Education, New Zealand
November 2025

Updated October 2026

Te Tāhuhu o te Mātauranga | Ministry of Education
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New Zealand
www.education.govt.nz

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ISBN
978-1-75991-363-6 (online)

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About this guide

This guide provides high-level information about requirements of the Children's Act 2014 and its regulations. It provides an overview of responsibilities of early childhood services, which includes:

- kindergartens
- education and care services
- ngā kōhanga reo
- puna reo
- reo rua education and care
- leo o fanau moana immersion
- leo o fanau moana bilingual
- home-based education and care services
- playcentres
- playgroups

and schools, which includes:

- schools
- private schools
- charter schools
- kura.

The purpose of this guide is to support managers, leaders and children's workers working in early childhood services and schools develop a clear understanding and effectively implement requirements of the Children's Act and its regulations.

We recommend all early childhood service providers and school leaders read this guide. We will continue to support early childhood services and schools to help create a New Zealand-wide culture of child protection.

It has education sector specific information and tools produced by the Ministry of Education and Te Whakarōpūtanga Kaitiaki Kura o Aotearoa – New Zealand School Boards Association.

This publication is intended to be a guide only, and the primary source of information must be the Children's Act, the supporting regulations and other relevant legislation. The content does not constitute legal advice, and you should obtain your own legal advice on matters relating to the Children's Act.



Overview of the Children's Act 2014

On 1 July 2014, the Children's Act passed into law. It forms a significant part of the measures to protect and improve the well-being of children and to strengthen our child protection system.

The Children's Act requires:

- the Government to have a strategy for improving the well-being of children and ensure children's agencies work together to improve the well-being of children
- children's agencies, and children's service providers they fund, to develop and implement child protection policies
- safety checking for children's workers.

Children's Act 2014 reference:

Children's Act 2014 – New Zealand Legislation



Responsible agencies

The responsibility to protect and improve the well-being of children is shared by:

- Oranga Tamariki
- Ministry of Social Development
- Ministry of Health
- Ministry of Education
- Ministry of Justice
- New Zealand Police.

The Child and Youth Strategy (the Strategy) 2024-27 sets out the Government's vision and desired outcomes for children and young people in New Zealand.

The Child and Youth Strategy 2024-27 – Ministry of Social Development

The Oranga Tamariki System Action Plan is the children's agencies' joint plan to prevent harm, and promote well-being, for the children and young people in the populations of interest to Oranga Tamariki.

Oranga Tamariki System Action Plan – Oranga Tamariki

Children's Act 2014 reference:

Part 1 Strategy for improving children's well-being and oranga tamariki action plan – New Zealand Legislation



Child protection policies

A child protection policy should describe the processes and procedures that an organisation follows to ensure children are safe and how concerns of abuse and neglect will be identified and responded to.

Government providers of children's services

Under the Children's Act, the following government providers of children's services must adopt child protection policies that are made available on their websites and review them every 3 years.

- Ministry of Business, Innovation, and Employment
- Ministry of Education
- Ministry of Health
- Health New Zealand
- Ministry of Justice
- Ministry of Māori Development
- Ministry of Social Development
- New Zealand Police
- Integrity Sport and Recreation Commission

Children's services include:

- services provided to 1 or more children;
- services provided to adults in respect of 1 or more children;
- services provided to adults living in households with 1 or more children, where the service may significantly affect the well-being of the children and the type of service is prescribed in the Children's (Children's Services) Order 2016.

Children's Act 2014 references:

Section 15 "children's services" – New Zealand Legislation

Children's (Children's Services) Order 2016 – New Zealand Legislation

Section 16 Prescribed State services to adopt, report on, and require child protection policies – New Zealand Legislation

Section 17 Health New Zealand to adopt, report on, and require child protection policies – New Zealand Legislation

The Ministry of Education's child protection policy

The Ministry of Education's child protection policy is available on our website.

Child protection policy – Ministry of Education

Education services that need a child protection policy

School boards must adopt a child protection policy and make it available on their website or available on school premises.

Providers of children's services funded or contracted by the above prescribed government agencies and schools must also adopt a child protection policy.

This means that early childhood education services and schools must adopt a child protection policy.

You will need to ensure that all providers of children's services you contract or fund have child protection policies in place.

Children's Act 2014 reference:

Part 2 Child protection policies – New Zealand Legislation

Child protection policy requirements

The child protection policy needs to:

- be written down and in use
- include provisions setting out how child abuse and neglect will be identified and reported in accordance with section 15 of the Oranga Tamariki Act 1989;
- be reviewed every 3 years.

Schools must have their child protection policy available on their website or on request.

For early childhood services, licensing or certification criteria also require you to have a child protection policy. You must advise parents how to access operational documents, including your child protection policy.

Children's Act 2014 references:

Section 16 Prescribed State services to adopt, report on, and require child protection policies – New Zealand Legislation

Section 18 School boards to adopt and require child protection policies – New Zealand Legislation

Section 19 Content of child protection policy – New Zealand Legislation

Early childhood service licensing/certification criteria:

Requirements for early childhood education and care centres - Ministry of Education

Requirements for home-based education and care services - Ministry of EducationRequirements for hospital-based education and care services - Ministry of Education

Requirements for Kōhanga Reo affiliated with Te Kōhanga Reo National Trust - Ministry of Education

Requirements for playgroup certification - Ministry of Education

Reporting concerns about neglect, abuse and well-being

Section 15 of the Oranga Tamariki Act 1989 states that anyone who has concerns about the well-being of a child or young person or believes that a child or young person has been, or is likely to be, harmed, ill-treated, abused, (whether physically, emotionally, or sexually), neglected, or deprived, may report the matter to Oranga Tamariki or the Police.

Oranga Tamariki contact details:
Call 0508 326 459
Or schools and early childhood services only: 0508 332 774
Email: Contact@ot.govt.nz

Police contact details:
In an emergency: 111
Non-urgent: 105
report online at 105.police.govt.nz

Civil, criminal or disciplinary action cannot be taken against you for reporting your concerns of neglect or abuse of a child or young person to Oranga Tamariki or the Police, if you provided the information in good faith.

Oranga Tamariki Act 1989 references:

Section 15 Reporting of concerns to chief executive or constable – New Zealand Legislation

Section 16 Providing information about safety or well-being of child or young person – New Zealand Legislation


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Developing child protection policies

A well-developed child protection policy supports compliance, reflects your school or service's values, and helps ensure the interests and protection of children in your care.

To develop and implement your policy you could:

- involve leaders/kaumātua in the process
- involve the community (parents, whānau and the wider community)
- ensure success by introducing easy-to-implement strategies quickly. For example, notify everyone that a child protection policy exists
- provide additional support staff if needed
- make child safety a regular discussion point at meetings and in announcements
- ensure child safety is included as part of the induction process
- empower staff by providing child protection-related professional development opportunities
- attend a professional development workshop in your area.

Contents of a good policy

A good child protection policy includes:

- **Purpose** – the purpose of the policy and why it is needed
- **Who** – who the policy applies to – workers, visitors, clients etc
- **Principles** – principles for making decisions about child protection
- **Definitions** – definitions of key terms and concepts
- **Identification** – how your school or early childhood service will identify and report concerns of abuse or neglect
- **Keeping children safe** – how your school or early childhood service will keep children safe from abuse and neglect
- **Responding** – how your school or early childhood service will respond to concerns of abuse or neglect
- **Procedures** – describe the actual practices that will occur if:
  - you see abuse
  - you see signs of abuse and neglect
  - a child discloses abuse
  - someone tells you about a concern
  - concerns are raised about workers

  Procedures should include:

  - who to report to in your organisation
  - how to respond to and support the child
  - how to report to Oranga Tamariki, the Police, Ministry of Education
  - how and who would investigate allegations concerning staff
  - how and where to keep records

  - how and what to communicate to parents/caregivers
- **Confidentiality** – guidance about confidentiality and information sharing
- **Training and development** – a commitment to training, development and supervision in child protection
- **Person responsible** – who is responsible for implementing the policy
- **Implementation** – how and when the policy will be implemented
- **Review** – when the policy will be reviewed.

Who the policy applies to

Your child protection policy should cover all children's workers employed or engaged in your early childhood service or school. It can also be expanded to include:

- staff members who are volunteers
- unpaid workers undertaking educational or vocational training courses
- itinerant teachers
- volunteers
- statutory appointees
- contractors
- parents
- visitors.

Reviewing child protection policies

You must review your child protection policy every 3 years to ensure it is still fit for purpose.

Under the licensing criteria for early childhood services, as part of the review, you must evaluate how well the policy and procedure works using at least 1 example of either:

- how well the policy and procedure have supported the service to respond
- how well the policy and procedure would support the service to respond using a hypothetical scenario.

Early childhood service licensing/certification criteria:

The Education Review Office provides guidance to support services to comply with licensing criteria

Early childhood education and care centres - HS125 Child protection | ERO

Home-based education and care services - HS222 Child protection | ERO

Hospital-based education and care services - HS312 Child protection | ERO

Kōhanga Reo affiliated with Te Kōhanga Reo National Trust – HS31

Playgroups – HS11 Child protection | ERO

Examples of education sector child protection policies

Example child protection policy for early childhood services

Go to the Ministry of Education's website to get more information about child protection policies, and to see child protection policy examples.

Child protection policies for early learning services - Ministry of Education

NZSBA's child protection policy advice

Te Whakarōpūtanga Kaitiaki Kura o Aotearoa – the New Zealand School Boards Association (NZSBA) has an online resource centre that has more information about child protection policies for school boards. They have an example of a child protection policy.

Child Protection Policy Advice – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa



Safety checks

The Children's Act requires comprehensive safety checks for children's workers who are employed or engaged by to deliver regulated services.

Safety checks must be undertaken for **all** new children's workers **before** they start working in a regulated services role.

Regular safety checks must be undertaken at least every 3 years for existing children's workers.

It is the responsibility of school boards, managers, sponsors and early childhood service providers to ensure that all children's workers they employ or engage have adequate safety checks completed when required.

Your obligations and children's worker safety check requirements are defined in Part 3 of the Children's Act.

Children's Act 2014 reference:

Part 3 Children's worker safety checking – New Zealand Legislation

Regulated services

Regulated services are government-funded services provided to children, or adults in respect of children, and are listed in Schedule 1 of the Children's Act.

Education sector providers of regulated services listed in the Children's Act are:

- registered schools
- early childhood services
- playgroups
- trades academies, services academies, or alternative education providers providing services for or on behalf of a school
- 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
- enrolment and attendance at school providers
- any location providing services on behalf of a limited child care centre
- school hostels
- student accommodation.

Children's Act 2014 reference:

Schedule 1 Regulated services – New Zealand Legislation

Children's workers

A children's worker is a person who works in, or provides, a regulated service, and the person's work:

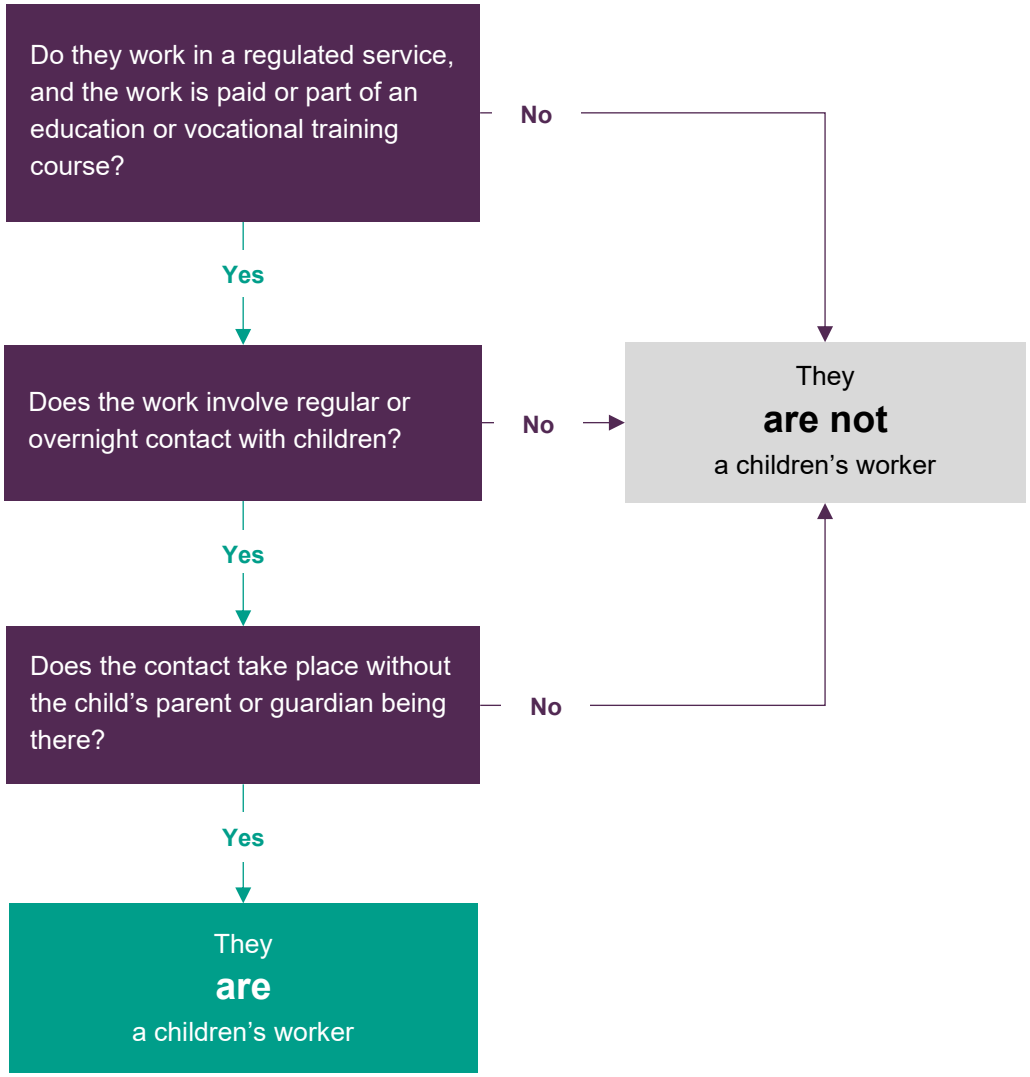
- involves regular or overnight contact with a child or children (other than with children who are co-workers); and
- takes place without a parent or guardian of the child, or of each child, being present.

In the Children's Act:

- **work** means paid work or unpaid work that is undertaken as part of an educational or vocational training course
- **regular contact** means at least once a week, or at least 4 days each month
- **contact** means physical contact, oral communication (in person or by telephone), electronic communication (including in writing or visual images).

Children's worker or not a children's worker

Types of children's worker



Children's workers are classified as either core workers or non-core workers.

Core children's workers

A core children's worker is a children's worker whose work in a regulated service involves being either the only person present with the children or they have primary responsibility or authority over the child (or children) present.

Non-core children's workers

Non-core children's workers are not core workers and have regular, but limited, child contact and are never alone with children.

Children's Act 2014 reference:

Section 23 Interpretation – New Zealand Legislation

Defining children's worker roles as core or non-core

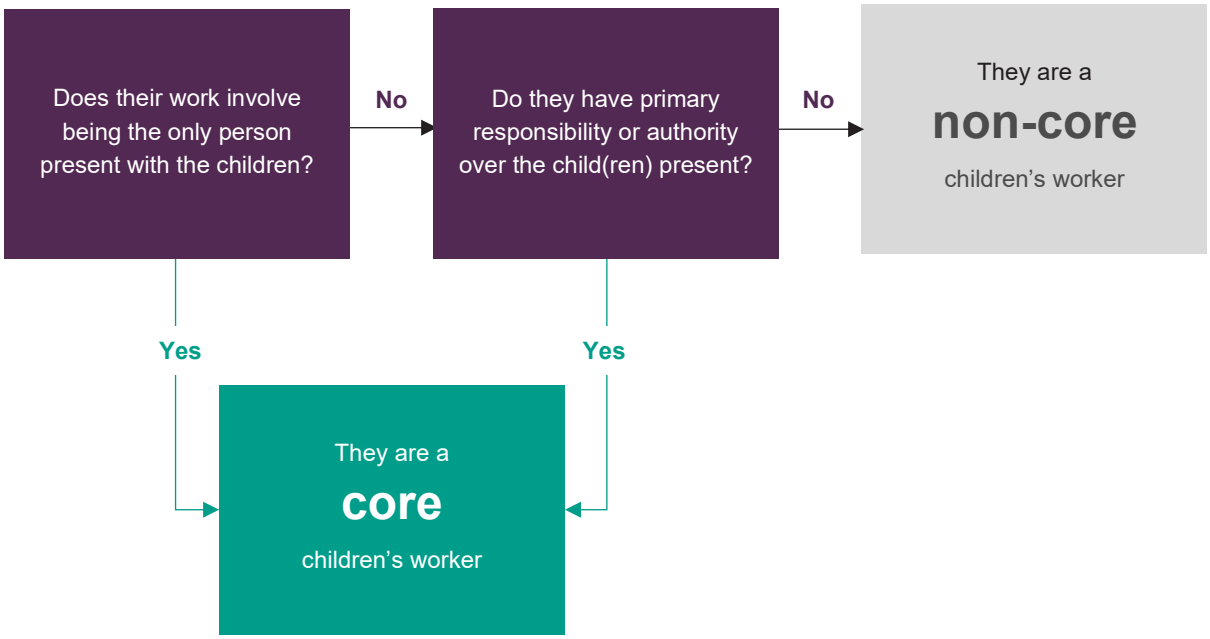
For early childhood services, all workers who have access to children would be considered core workers. This is because there will be times during the day when their duties require them to have 'primary responsibility for, or authority over', children and/or be the 'only children's worker present'.

In a school, it is the board's responsibility to determine whether children's worker roles are core or non-core, based on the requirements and circumstances of each role.

When you are determining if your children's worker roles are core worker or non-core worker roles, the following considerations may be helpful.

- If a role allows a person to be alone with a child or children, it is a core worker role.
- Being the children's worker with 'primary responsibility for, or authority over', the child or children present, apply the ordinary meaning of those words.
  - **Primary responsibility** – think about whether a role makes a person accountable for the child/children or creates a duty or obligation towards the child/children.
  - **Authority over** – think about whether the role gives power. For example, the right to:
    - provide guidance
    - set behavioural boundaries
    - make decisions about or apply appropriate behaviour management techniques to the child/children present.

Responsibility or authority must be 'primary'. If a person will never be left alone with children and there will always be another adult present who is more responsible or authoritative, a person will not be a core worker.



Core worker workforce restrictions and exemptions

To ensure the safety of children, the Children's Act has restrictions on who can be employed as a core children's worker.

Workforce restriction

People who have been convicted of offences specified in Schedule 2 of the Children's Act cannot be employed or engaged in core worker roles, unless they have a core worker exemption.

The results of a Police vet will indicate when a core worker exemption is required.

The workforce restriction also applies to people who have been convicted of offences in other jurisdictions, that if committed in New Zealand, would be specified offences.

Children's Act 2014 reference:

Section 28 Core worker convicted of specified offence not to be employed or engaged – New Zealand Legislation

The core worker exemption

People who are affected by the workforce restriction can apply for a core worker exemption.

The core worker exemption process is managed by Te Kāhui Kāhu on behalf of the responsible government agencies. Information about the process can be found on Te Kāhui Kāhu's website.

Core worker exemptions – Te Kāhui Kāhu

It is up to the individual to apply for a core worker exemption. They can apply for a core worker exemption during training to work in the children's workforce, before they are employed, or if circumstances have changed while they are already employed in a core children's workforce role.

If they are granted a core worker exemption it is no longer against the law to employ that person as a core children's worker. The exemption will last indefinitely, unless it is revoked.

The core worker exemption applies to the person and is not role specific. So, subject to conditions, someone with a core worker exemption can legally be employed in any core children's workforce role.

It is still up to the employer to decide whether the core worker exemption holder is suitable for a role.

Children's Act 2014 reference:

Section 35 Exemption for certain individuals – New Zealand Legislation

How the workforce restriction and core worker exemption affect teacher registration

The Education and Training Act requires the Teaching Council to cancel registration of a teacher where the Council is satisfied on reasonable grounds that the teacher no longer satisfies the requirements for registration. This could include evidence that the teacher has been convicted of a specified conviction listed in Schedule 2 of the Children's Act, unless an exemption has been granted.

Education and Training Act 2020 reference:

Schedule 3 (6) Cancellation of registration as teacher – New Zealand Legislation

Children's Act 2014 reference:

Schedule 2 Specified offences – New Zealand Legislation

Core workers with a specified conviction

If you believe that a worker you're employing or engaging has a conviction for a specified offence and they do not have a core worker exemption, you must immediately:

- suspend the worker from all duties that require or enable them to act as a core worker, and continue to pay the worker as though they have been suspended on the grounds of serious misconduct
- state the period of suspension, which must be 5 working days or more (and may be extended from time to time). The period of suspension is a question for the school or early childhood service to determine – a longer suspension will give the person more time to seek an exemption or establish that they do not have a conviction for a specified offence
- tell the worker the reason and the grounds for the suspension.

Once a worker is suspended, you must not terminate the worker's employment or engagement until at least 5 working days after the suspension begins. The person's employment or engagement may be terminated sooner for reasons not related to the suspension.



How to do a safety check

All children's workers who work in a regulated service need to be safety checked. The safety check must be completed before the person starts working as a children's worker.

The Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 provide details on the components of a safety check.

The components of a safety check are:

- identity confirmation
- work history
- information from any relevant professional organisation or registration body
- any other information considered to be relevant
- applicant interviews
- reference checking
- information about previous criminal convictions (Police vetting)
- risk assessment.

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 reference: Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 – New Zealand Legislation

Identity confirmation

There have been cases in education settings where people have been employed by using someone else's identification and qualifications. Without confirming their identity, any other information you gather is unreliable.

To confirm someone's identity you need:

- an electronic identity credential. For example, the RealMe identity verification service (You need to be integrated with RealMe to use this); or
- one primary form of identification. For example:
  - NZ or overseas passport
  - NZ full birth certificate that is issued on or after 1 Jan 1998 with a unique ID number; and
- a secondary form of identification. For example:
  - NZ driver's licence
  - Community Services Card
  - IRD number.

Electronic identity credential

To use an electronic identity credential like RealMe, you need to be integrated with them.

- The applicant consents to share their identity information online with you.
- You will need to view the identity details online and record the date you viewed them.

Note: you don't need to retain a screenshot from RealMe – a screenshot can't be accepted as an identity document.

Primary and secondary forms of identification

The Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 specifies what types of documents can be used as primary and secondary identification and proof of name change.

A list of specified documents is in the glossary.

Glossary

One of the primary and secondary forms of identification should have a photo.

If neither of them has a photo, the applicant must provide:

- the name and contact details of an identity referee
- a photo of themselves, authenticated by the identity referee
- a statement from the identity referee that the primary form of identification belongs to the applicant.

The identity referee must:

- have known the applicant for at least 12 months
- be at least 16 years old
- not be related to the applicant
- not be a spouse or partner of the applicant
- not live at the same address as the applicant.

Name changes

If the name of the applicant differs from the name on the documentation they provide, they will need to provide a supporting document that shows evidence of the name change. For example, marriage certificate or deed poll.

There is a list of acceptable types of supporting documents in the glossary.

Glossary

Document requirements

Only accept originals so you can inspect the security features, such as watermarks and embossing. Photocopied documents are relatively easy to alter and should not be accepted as evidence of identity.

If an applicant can only produce copies during the recruitment process, you must check original documents before they start work.

Expired documents are not acceptable.

You need to keep evidence that the identification check has been done and when. For example, keep copies of the identification documents on file. They do not need to be certified copies.

Check your records

You need to check your personnel records to make sure there is no-one else with that identity in your employment or has been used by anyone else previously employed or engaged.

For schools, if you find that an identity has been used by another person, please contact NZSBA for further advice.

If you are an early childhood service, if you find an identity has been used by another person, report the issue to Police on 105 or use their online reporting form at 105.police.govt.nz.

105.police.govt.nz – New Zealand Police

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 references:

Section 5 Identity confirmation – New Zealand Legislation

Schedule Confirmation of identity – New Zealand Legislation

Work history

You need to get a summary of the applicant's work history for at least the last 5 years (if they have been working that long). It must include a chronological summary of the positions they have held, with details of when and where they have worked.

You can get the applicant to submit a CV or fill in an application form.

Relevant memberships, licences and registrations

Checking with a professional organisation, licensing authority or registration authority can provide additional information about any conditions or issues that need to be considered for the risk assessment.

Check details with at least 1 of the relevant organisations or authorities about the applicants:

- professional memberships – for example, a school counsellor may belong to the New Zealand Association of Counsellors
- licences – for example, driver's or bus licence if driving is part of their role
- registrations – for example, teacher registration and practising certificate.

Check:

- that the name the applicant is the same as that shown on any membership, licensing or registration documents.

- online register/s or check documents for authenticity or discrepancies.
- the applicant's certification category and expiry date or renewal dates.

If you find anything unusual, ask the applicant for an explanation.

If a teacher has any censures or conditions, these will be noted on the register.

Any other relevant information

Any other relevant information may be anything else that would help with the risk assessment of the applicant. This can be informed by what you find in other parts of the safety check process.

Interview

You must interview any applicant you may wish to employ or engage. This should be done face-to-face, by telephone or via Teams/Zoom (or similar).

In the interview, to get relevant information for your risk assessment, use open questions to check the candidate's attitude to child safety and whether they would pose a risk to children.

We have some example questions to help you.

Questions about the children's worker

Have complaints ever been made about their professional practice? If so, what was the complaint, how did they respond and what was the outcome?

Have they ever been convicted of an offence? If they have, ask for details.

Have they ever been the subject of a complaints procedure during their employment? What was the outcome?

What were their reasons for leaving previous jobs?

- For core children's workers - do they have any overseas convictions which may be considered equivalent to a schedule 2 offence?

Questions about their views on child safe practice

How do they believe children's behaviour should be managed?

What are their thoughts on being alone on the job with children and young people?

Questions about their experiences and relationships

What rewarding experiences have they had working with children?

What do they think constitutes professional practice when working with children?

What other relationships do they have with children outside the working or volunteer environment?

Why do they think they work well with children or how do children respond to them?

What kind of relationships do they hope to develop with the children and families in your organisation?

Ask them to tell you about a time when they have had to deal with the following situations.

- A child or young person disclosed abuse.
- A child or young person was cheeky.
- A child or young person hit them.
- They discovered children fighting or engaged in sexual play or who had stolen property.
- A child or young person invited them to become involved in intimate or touching behaviour.
- A child or young person threatened to make a false allegation of abuse about them.

Note: The answer should include the situation, how they responded, the process and outcome. If they have not experienced that situation, how would they deal with that situation?

Reference checking

Reference checking allows you to find out if there are any gaps or differences from what the applicant has told you and is a valuable source of information.

You must contact at least 1 referee, but where possible 2 referees should be contacted. The person providing a reference must be able to answer questions about the applicant's suitability to be a children's worker and whether the applicant would pose a risk to children's safety. A recent direct line manager would be able to provide this information.

If you can't contact the applicant's most recent manager, at least 1 of the referees should be a previous direct line manager.

Referees must not be related to the person, including being part of their extended family.

Referees should be contacted in person – usually over the phone.

Questions to ask the referees

Prepare the questions ahead of contacting the referee and take notes during the conversation.

Use open questions that invite a descriptive response, rather than a yes/no answer. That is, questions that start with what, where, when, who or how.

Ask questions to:

- gather information about the applicant's experience, behaviour, beliefs and attitudes
- confirm information provided by the applicant in their work history or interview.

Remind the referee to be honest about the applicant.

Consider whether a follow-up conversation with the applicant is needed to clarify any identified issues.

Questions about the applicant's experience working with children

Describe how the applicant behaves around children.

How does the applicant get along with children or how do children get along with the applicant?

What relationships has the applicant had with children outside the working or volunteer environment?

Have they ever witnessed the applicant abusing a child? For example, smacking, verbally abusing or shaming a child?

Do they think the applicant is safe and suitable to work with children? And why?

Questions about the applicant

Has there been complaints about the applicant's professional practice? How did the applicant respond and what were the outcomes?

Do they know if the applicant has ever been convicted of an offence? What were those offences?

Why do they trust the applicant, or what reasons they have to doubt the applicant's honesty?

Why did the applicant leave previous jobs?

Would they work with the applicant again in the future?

Invite the referee to share anything else they might think is relevant.

Responses that raise concerns

If there are any inconsistences in the information provided or issues with conduct or competence were discussed, give the applicant an opportunity to provide an explanation. Treat any allegations with caution and keep children's safety as your primary concern.

It may be difficult for the applicant to respond to historical allegations, especially if there is a lack of evidence or if the applicant has never heard the information before. To be as fair as possible to the applicant, you could consider other sources of information to help you reach a decision about their safety to work with children.

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 reference:
Section 7 Other information – New Zealand Legislation

Information about previous criminal convictions (if any) – Police vet

Safety checks for children's workers must include a New Zealand Police vet.

Information about the vetting process, how to register to become an approved agency (or to check if you are already an approved agency) and instructions to request a Police vet are on the New Zealand Police website.

Police Vetting Service – NZ Police

Consent from the applicant

Police vetting requires the consent of the children's worker applicant. Give the applicant a New Zealand Police Vetting Service Request and Consent Form to complete and sign.

The Request and Consent Form is available on the Secure Vetting Website.

Police Vetting Service forms and guides – NZ Police

Guide to submitting a vetting request

There is a guide that takes you through how to submit a Police vetting request. It is available on the Secure Vetting Website.

Police Vetting Service forms and guides – NZ Police

The processing period for Police vetting may be up to 20 working days, although in periods of peak demand processing times may be longer.

Teacher's registration

The Teaching Council of Aotearoa undertakes Police vets and an assessment of any equivalent overseas convictions as part of a teacher's registration and practising certificate process. You can rely on this to fulfil the Police vetting component of a safety check if the children's worker has a current practising certificate. You must still complete the other components of the safety check.

If a teacher's practicing certificate lapses, the teacher cannot continue working as a children's worker until the practicing certificate has been renewed, or you obtain a New Zealand Police vet yourself to do an updated risk assessment.

Find a registered teacher – Teaching Council of Aotearoa New Zealand

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 reference:

Section 6 Information about previous criminal convictions (if any), etc – New Zealand Legislation

Police vetting results

You must consider the results of the Police vet before the person starts work as a children's worker.

The results from a Police vet will show that no information is held or relevant to the purpose of the vetting request or they will show:

- the applicant's criminal record (if any), unless the Clean Slate Scheme applies
- a summary of other information that is readily retrievable, relevant to the purpose of the vetting request and deemed accurate. This may include:
  - pending charges
  - charges without conviction
  - youth court charges
  - infringement offences
  - demerit points
  - arrest warrants

- involvement in family violence
- overseas convictions
- police investigations without charges
- interactions with Police
- other information held by Police.

For currently employed or engaged children's workers, the Police Vetting Service may release any newly obtained relevant information to you (as the requesting agency) at any time.

Before releasing any new information, the Police Vetting Service will take reasonable steps to:

- confirm that the purpose of the Police vet remains valid. For example, the person is still employed or engaged as a children's worker
- notify the children's worker before sending you the information.

For more information about what may be released in a Police vet, visit the New Zealand Police Vetting Service Website.

Information about vetting – New Zealand Police

The Clean Slate Scheme

Some offences may be concealed under the Criminal Records (Clean Slate) Act 2004, but for core children's worker vets, offences specified in Schedule 2 of the Children's Act that would trigger the workforce restriction, will show up.

Children's Act 2014 references:

Section 31 Requirements of safety checks – New Zealand Legislation

Schedule 2 Specified offences – New Zealand Legislation

Overseas criminal convictions

In addition to getting a New Zealand Police vet, from 24 October 2026, you must take all reasonable steps to consider any overseas convictions equivalent to Schedule 2 offences under the Children's Act 2014 when safety checking core children's workers. A person with an equivalent overseas conviction cannot be employed or engaged as a core children's worker unless they have been granted a core worker exemption. It is recommended that you ask applicants who have lived in the same overseas country for a total of 12 months or more since the age of after the age of 16 to provide you with copies of Police certificates. This aligns with the way New Zealand convictions are considered.

If they cannot provide you with a Police certificate (some overseas jurisdictions do not provide these), they will need to give you proof of their attempts to get a certificate. They should also make a statutory declaration, using the form in Schedule 1 of the Oaths and Declarations Act 1957, confirming they have or do not have any overseas criminal convictions.

If a person is not recorded as having a criminal record, this does not necessarily mean they have not engaged in behaviour that is an offence in New Zealand. Some things that are illegal in New Zealand are not illegal in other jurisdictions. Similarly, some overseas convictions may be for behaviour that is

not illegal in New Zealand. You will need to consider if overseas offences are equivalent to a Schedule 2 offence. You can find more guidance here:

Resource: workers Oaths and Declarations Act 1957 reference:

Schedule 1 Form of declaration – New Zealand Legislation

Australian National Police History Check

The New Zealand Police have a service where you can make a request for an Australian National Police History Check. In your Police vet request, you can tick a box to include Australian check details. The Australian Police checks are carried out by the Australian Criminal Intelligence Commission, who charge a fee for this service. The New Zealand Police will pass this fee on to your early childhood service or school.

Risk assessment and making a decision

Once you have gathered all the information from the safety checking process, you must consider all relevant information to help you decide if the applicant would, as a children's worker, pose any risk to the safety of children.

You should be satisfied that the applicant would not be a risk to the safety of children if employed or engaged.

Consider indicators in context. Information about a criminal conviction, gaps in employment history, or a negative reference can paint different pictures.

Use your professional judgement to identify patterns of concerning attitudes or behaviours. These patterns can be less obvious than the presence or absence of relevant criminal convictions in a Police vet result.

Consider whether you need to:

- seek outside expert advice
- ask for other referees or seek more information from referees you have already contacted
- raise any issues with the applicant, including clarification where information is unclear or inconsistent, giving them the opportunity to respond to concerns about their suitability.

If the applicant is applying for a core worker role and has been convicted of an offence specified under Schedule 2 of the Children's Act or an equivalent overseas conviction, you cannot employ them unless they have a core worker exemption.

Even if the applicant does have a core worker exemption, the final decision about whether a person is safe to work with children remains the responsibility of the early childhood service or school. You should always act in the best interests of children.

Children's Act 2014 reference:

Schedule 2 Specified offence



Safety check record-keeping and other requirements

Record-keeping

You should keep accurate records about the safety checking process, including when each component of the check was completed.

If a check was done by someone else on behalf of your organisation, your records will need to provide assurance that the check was adequately conducted, including assessment of the risk the applicant would pose if employed as a children's worker.

Note: In specific cases, the Ministry of Education is able to ask for safety checking information.

Children's Act 2014 reference:

Section 39 Requirement to provide information to chief executives – New Zealand Legislation

Public Records Act 2005

Schools need to be sure they meet their obligations under the Public Records Act 2005. Information about managing school records can be found on the Ministry of Education website.

Managing school records – Ministry of Education

Early childhood services are not subject to the Public Records Act.

Public Records Act 2005 reference:

Public Records Act 2005 – New Zealand Legislation

Privacy Act 2020

Early childhood services and schools need to meet their obligations under the Privacy Act 2020 (Principle 9) when retaining or disposing of employment records.

After conducting a Police vet as part of a safety check, vetting reports may be downloaded and retained by your agency for a reasonable period, in line with your operational needs.

If you destroy the vetting information, you will still need to keep a record of the dates of when every person has been Police vetted. We recommend that this includes the date of the initial vet, the date of the most recent vet, when the next vet is due, and whether the results were satisfactory or unsatisfactory.

Privacy Act 2020 reference:

Section 22 Information privacy principles – New Zealand Legislation

ERO reviews

The Education Review Office (ERO) requires the management of early childhood services and school boards to attest that they meet the safety checking provisions of staff who are children's workers and have a child protection policy as mandated under the Children's Act and associated regulations. This is achieved by the management and board completing a self-audit checklist.

During reviews, ERO teams examine compliance with the Children's Act and regulations including practices that guide health and safety, and the provision of a safe physical and emotional environment for all children in the service or school. If any non-compliance issues or risks are identified, these will be discussed during the review and referred to other agencies as appropriate.

Safety checks done on your behalf

Under the Children's Act, you may rely on safety checks that have been conducted by others on your behalf. Where some or all components of the safety check have been completed by another organisation on your behalf (such as by an agency providing relief teachers, or a teacher training provider placing students on practicum in your early childhood service or school), you are responsible for confirming that these components have been completed and that a full safety check has been done.

Formal agreement or acknowledgement is required to establish the safety check is being done on behalf of the specified organisation. This could be a memorandum of understanding, letter of intent or similar.

If you choose to rely on a safety check completed on your behalf, you should:

- get permission from the person being checked to share their information. This can be done by the person or organisation completing the safety check before it is undertaken or by you prior to requesting the information
- confirm in advance that the other organisation is doing the check on your behalf
- get written confirmation from the person or organisation completing the safety check that they have done this to the standard set out in the Children's Act
- do a separate identity check and risk assessment for all children's workers, even if these have already been completed by another person or organisation
- keep records about the safety checking of all children's workers you engage or employ.

Responsibility for safety checking always rests with the employing or contracting organisation. You should exercise due diligence when relying on checks undertaken by others.

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 reference:

Clause 8 Risk assessment – New Zealand Legislation

Screening services for self-employed children's workers

Independent screening services are available to safety check self-employed children's workers. For example, early childhood service owner operators.

To avoid any conflicts of interest, owners or operators of early childhood services must use a third party to complete their own safety checks and checks of any person who is related or closely connected.

CV Check NZ is approved to do safety checks on children's workers. You can choose to use this service, or another service that meets the appropriate standards.

Children's worker safety check – CVCheck NZ

You will need to pay to use a screening service.

Children's Act 2014 reference:

Section 40 Approval of screening services – New Zealand Legislation

Previously completed safety checks

You can rely on safety checks that you have completed within the last 3 years (that is, for previous employees returning to the same school or early childhood service, or contractors starting in a new role/contract), as long as:

- these checks meet the Children's Act; and
- reasonable steps have been taken to consider any equivalent overseas convictions for core children's workers

The regulations allow for organisations to rely on the Police vet done by registration bodies like the Teaching Council, as long as it is done at least every 3 years. You can confirm this by checking that the teacher's practising certificate is current (registration is not sufficient for this purpose, as registration is only completed once).

By 24 April 2027 you must not continue to employ or engage a core worker who has an overseas conviction equivalent to a Schedule 2 offence.

This means that from 24 April 2027 the following people cannot continue in a core worker role unless they are granted a core worker exemption:

- a core worker with a conviction listed in Schedule 2

- a core worker with an equivalent overseas conviction
- an existing core worker with a conviction for a newly added offence.

You can find detailed guidance on the page below. Identify and complete relevant steps in the guidance and record the process you follow.

Overseas convictions and education core children's workers

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 references:

Clause 4 Application of this Part – New Zealand Legislation

Clause 6 Information about previous criminal convictions (if any), etc – New Zealand Legislation

Providing confirmation of the safety checking status of your staff working in other environments

There may be some situations where you are asked by other organisations to confirm the safety checking status of members of your staff.

For example, if you have staff member who provides children's worker services to another school, that school may ask you to confirm that you have undertaken a safety check.

Short-term emergencies or unexpected situations

In an emergency or unexpected situation that increases risks to children, you may engage or employ a children's worker to reduce those risks for up to 5 consecutive working days without completing all components of the safety check. This is as long as the employee has a current Police vet, which is a requirement of the Education and Training Act 2020.

For example, at an early childhood centre, if a staff member becomes suddenly ill, the risk of not meeting minimum adult:child ratios outweighs the risk of engaging a children's worker who has not been adequately safety checked but does have a police vet, to supervise children for a day or two.

For schools, you may have used all your relief teachers who have been safety checked. To ensure the school meets safety requirements for opening, you need to employ a relief teacher who has only been police vetted.

Children's Act 2014 reference:

Section 30 Defence relating to short-term emergencies – New Zealand Legislation

Education and Training Act 2020 reference:

Schedule 4 Police vetting – New Zealand Legislation

Periodic safety checks

Periodic checks must be completed for children's workers who are employed or engaged at early childhood education services or schools within 3 years of their last safety check.

As part of this check, you must:

- confirm whether the person has changed their name since the last safety check. If they have, you must get a supporting document that shows evidence of the name change
- complete a Police vet for any non-teaching employees and reasonable steps have been taken to consider any equivalent overseas convictions for core children's workers
- get the names of professional organisations, licensing authorities or registration authorities the person belongs to that are relevant to their role. Check with at least 1 of these organisations or authorities that the person is currently registered with them. For example, verify with the Teaching Council that teachers have a current practising certificate
- complete a risk assessment to ensure that this person does not pose a risk to the safety of children
- keep accurate records about the safety checking process, including when each component of the check was completed.

For more advice about periodic safety checks, a school board may seek advice from Te Whakarōpūtanga Kaitiaki Kura o Aotearoa - NZ School Boards Association.

Advice and support – NZ School Boards Association

There is more information on our website to support early childhood services.

Safety checking for child protection in early learning – Ministry of Education

Children's Act 2014 reference:

Part 2 Periodic safety checks – New Zealand Legislation



Specific safety checking situations in the education sector

It is likely that most workers delivering education services in early childhood services and schools will be core children's workers.

Responsibility for safety checking employees and contractors always rests with the employer or contracting organisation. This includes identifying whether each role in your organisation is a core children's worker or non-core children's worker role.

Teachers

It is the responsibility of early childhood services and schools to ensure that a safety check has been completed for the teaching staff they employ.

Teacher's registration

The Teaching Council of Aotearoa undertakes Police vets as part of a teacher's registration and practising certificate process. You can rely on this to fulfil the Police vetting component of a safety check if the children's worker has a current practising certificate. You must still complete the other components of the safety check.

If a teacher's practicing certificate lapses, the teacher cannot continue working as a children's worker until the practicing certificate has been renewed, or you obtain a New Zealand Police vet yourself to do an updated risk assessment.

Find a registered teacher – Teaching Council of Aotearoa New Zealand

Teacher aides and other support staff delivering education services

Whether their role is defined as a core or non-core children's worker, a safety check must be done (including a Police vet if they do not have a current teacher's practising certificate) before they start working at your school or early childhood service.

Relieving teachers

Relieving teachers (relievers) meet the definition of a children's workers so need to be safety checked. If the relieving teacher will have primary responsibility for the children or be the only children's worker present at any time, they will be core children's workers.

You must ensure that a reliever has been safety checked in accordance with the Children's Act before they start any new contract at your school or early childhood service.

Relieving agencies

An agency can complete the safety check on your behalf.

As part of their employment and screening processes they complete some or all components of a safety check. Confirm in writing what safety check components the agency has completed on your behalf, and that the components have been completed to the required standards in the Children's Act.

You will need to complete any components of the safety check that are not done by the agency.

You will still need to do your own identity check and risk assessment, even if another organisation has already done them.

When you don't use an agency

If you engage a relief teacher independently (that is, not through an agency), you will need to complete the safety check yourself. Once this has been done, the completed check can be relied on for up to 3 years. A safety check for relief teachers can be completed at any time before they are employed.

Relievers you've previously safety checked

If you want to use a reliever you have previously employed, you may rely on your previous safety check provided the check was made to the Children's Act standard and was carried out within the last 3 years.

Short-term emergencies

If an emergency or unexpected situation occurs that increases risks to children, you may engage or employ a children's worker to reduce those risks without completing all components of the safety check, for up to 5 consecutive working days, as long as the employee has a current Police vet. A Police vet is a requirement of the Education and Training Act 2020.

Education and Training Act 2020 reference:

Schedule 4 Police vetting – New Zealand Legislation

School hostel staff

School hostels are subject to Part 3 of the Children's Act. This means that all hostel staff who are children's workers need to be safety checked when they are first employed or contracted, and then at least every 3 years following the initial check. While some hostel staff may also be employed by their school board, it is important that the hostel owner ensures that safety checking is completed and records are maintained appropriately.

Students on practicum

The safety checking requirements under the Children's Act apply to people doing unpaid work as part of an educational or vocational training course. This includes students on practicum.

It is the responsibility of the early childhood services or school to ensure that a safety check has been completed before the student starts their practicum placement.

Providers of Initial Teacher Education (ITE) courses should have completed some of the components of the safety check as part of their enrolment process (for example, an interview, reference check and Police vet) and can complete safety checks on behalf of host organisations.

You can agree with the ITE provider what components of the safety check it will do on your behalf to the standards specified in the Children's Act, through a memorandum of understanding, letter of intent or similar.

Complete an identity check and risk assessment yourself and inform the ITE provider of your decision.

Students affected by the Workforce Restriction

The ITE provider responsible for a relevant educational or vocational training course may need to verify that a student is the holder of a core worker exemption. Confirmation of an individual's status will only be released to employers or training institutions with the confirmed consent of the individual in question.

Lecturers visiting students on practicum

You are not likely to need to safety check ITE lecturers who come to visit students on practicum, as they are unlikely to meet the definition of a children's worker under the Children's Act.

Lecturers should have their university/institution identification with them, and they should be accompanied or chaperoned by a member of your staff while on your premises.

Hosting students on work placements

When employing or hosting children as children's workers in your early childhood service or school, if they meet the definition of children's worker, they will need to be safety checked. The definition of a children's worker does not have an age limit.

You will need to ensure that a safety check has been completed for them. You may arrange for their school to safety check them on your behalf.

Sending students on work experience placements

Schools may offer work experience placements for your students, like those offered through Gateway.

If students are placed in children's workers roles it may be necessary to safety check the students. Organisations taking your students on work experience should assess whether the work experience roles are children's worker roles. They may request that you safety check your student on their behalf.

Note: While the Children's Act defines a child as a person under the age of 18 years, there is no age limit on being a children's worker. In other words, children can be children's workers.

Secondary school and employer partnerships

Schools may have partnerships with employers, providing work experience opportunities or to support career pathway planning and understanding for students. An example of this is the Secondary School Employer Partnerships (SSEP) initiative that involves local industry employers working alongside teachers and students in a teaching and learning context.

Employers involved in this, or other programmes are volunteers, so they don't have to be safety checked under the Children's Act. They're not contractors so don't need to be Police vetted under the Education and Training Act 2020.

You should still have good practice processes in place to safeguard the students.

A school could choose to develop a memorandum of understanding with employers involved in partnership arrangements that requires employees who will be part of the programme to be Police vetted if they are likely to have unsupervised access to students.

People you don't employ, who work with children in your early childhood service or school

People who work in your school, but who are employed or engaged as a children's worker by another organisation (such as dental therapists) should be safety checked by their employing organisation.

You may wish to confirm with the employing organisation that the check has been completed in line with the requirements of the Children's Act.

There may be people who work in your school who are not employed by you and are paid directly by parents, such as private tutors or private music teachers. You do not need to safety check them under the Children's Act because they don't meet the definition of children's worker, but you may wish to consider doing some form of safety checking as good practice.

Self-employed people who work with children

If you contract a self-employed person or sole practitioner to work with children or to provide regulated activities, you will need to safety check that person.

Volunteers

Volunteers in your early childhood service or school may include educators, parent helpers, club leaders and sports coaches. Under the Children's Act, volunteers are not required to be safety checked because they are not children's workers.

The law does not need you to safety check or Police vet volunteers, but child safety should always be paramount. As good practice, you should strongly consider doing some form of safety checking, including a Police vet, for volunteers who have regular, overnight or one-on-one contact with children If you are not sure if vetting is needed, it is better to be safe and do a Police vet.

The only unpaid workers who must be safety checked are those working in early childhood services or schools, as part of an educational or vocational training course. For example, student teachers on practicum.

Playcentre staff and volunteers

All paid children's workers in playcentres are required to be safety checked before they start working at the playcentre.

Volunteer parents in playcentres are not required to be safety checked unless they are enrolled in the playcentre adult education programme. Safety checks are required for all children's workers whose work is undertaken as part of an educational or vocational training course.

We recommend playcentres contact Playcentre Aotearoa for support and advice regarding their obligations under the Children's Act.

Contact – Playcentre Aotearoa

School camp volunteers

Parents or other adults volunteering to go on school camps do not need to be safety checked under the Children's Act or Police vetted under the Education and Training Act. School camp volunteers may have regular, overnight or one-on-one contact with children, so, to ensure the safety of children, you should strongly consider Police vetting the volunteers, even though it is not required by law.

Parents billeting children

Parents who support their children's schools by billeting children on school trips are volunteers, so they are not required to be safety checked under the Children's Act or Police vetted under the Education and Training Act.

School boards have the primary duty to care for, and manage risks to, the health and safety of workers and students (and others) arising from the work of the school. This means that you must take reasonable steps to ensure that the accommodation you are providing for your students and staff on school trips, including in private homes (while under their care and responsibility), is healthy and safe.


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Police vetting under the Education and Training Act 2020

The Education and Training Act 2020 requires the Police vetting and risk assessment of staff and contractors who work at early childhood services or schools and are not children's workers covered by the safety checking requirements of the Children's Act. Service providers, boards, or the person with the delegated authority, are required to complete these for all staff.

Education and Training Act 2020 references:

Section 25 Police vetting in respect of early childhood services – New Zealand Legislation

Schedule 4 Police vetting – New Zealand Legislation

Teaching staff

The Teaching Council undertakes Police vets as part of a teacher's registration and practising certificate process.

You can rely on this to fulfil the Police vetting requirement if the person has a current practising certificate.

Non-teaching and unregistered employees

Early childhood services and schools are required under Schedule 4 of the Education and Training Act to undertake a Police vet of non-teaching and unregistered employees who will work during normal opening hours and are not a registered teacher who holds a current practising certificate or holder of a limited authority to teach.

You can rely on the Police vet and risk assessment that you completed during your safety check to meet this requirement.

Contractors – builders, plumbers, electricians etc – who do not work with children

Early childhood services and school boards are required under Schedule 4 of the Education and Training Act to undertake a Police vet of every contractor who has, or is likely to have, unsupervised access to students at the school during normal opening hours.

Unsupervised access – means unaccompanied access anywhere on site for any amount of time (no matter how brief) to any student/child on site during normal school/opening hours.

Supervised – means being accompanied by:

- a registered teacher with a current practising certificate or holder of a limited authority to teach
- an employee of the school who has been Police vetted within the last 3 years to the standard set out in the Children's Act 2014
- a parent of the student.

It is unlikely contractors and tradespeople will be children's workers who need to be safety checked under the Children's Act, but it is your responsibility as the employer to determine this according to the circumstances at your early childhood service or school.

Adults aged 17 years or older in home-based services

Anyone 17 years of age or older who lives in a home where a home-based service takes place must be Police vetted. The Police vet must be obtained before the adult is, or is likely to be, present when the service is being provided. A risk assessment must also be completed.

Links to more information and resources

Links to more information and resources to help you understand your obligations under the Children's Act 2014.

Legislation and regulations

Children's Act 2014 – New Zealand Legislation
Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 – New Zealand Legislation

Oranga Tamariki

About the Children's Act – Oranga Tamariki

NZ School Boards Association

Advice and Support – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa
Resource centre – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa
Information about child protection policies – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa

Ministry of Education

Ministry of Education
Child protection policies for early learning services – Ministry of Education
Child protection in schools – Ministry of Education
Safety checking for child protection in early learning – Ministry of Education

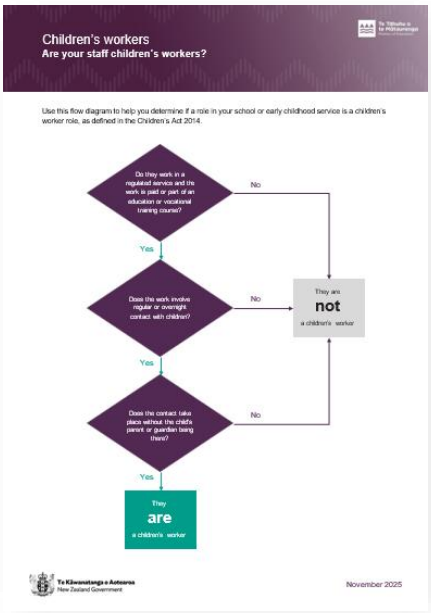
Education Review Office

Licensing and regulatory requirements | ERO

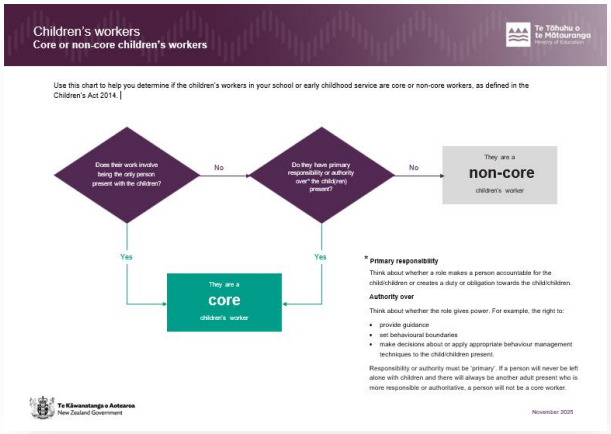
Factsheets

Here are some factsheets to help you with safety checking.

Are your staff children's workers?



[Are your staff children's workers]



[Core or non-core children's worker]

Reporting concerns of neglect and abuse A4 poster



[Reporting concerns of neglect and abuse]

Further assistance

Ministry of Education

For assistance contact: safety.checking@education.govt.nz

New information for the schooling sector is announced in He Pitopito Kōrero – The Ministry Bulletin for School Leaders.

School Leaders Bulletins – Ministry of Education

New information for the early learning sector is announced in He Pānui Kōhungahunga – The Early Learning Bulletin.

Early Learning Bulletins – Ministry of Education

Education Review Office

The Education Review Office (ERO) is responsible for licensing early learning services, certifying playgroups, registering private schools, licensing school hostels, monitoring compliance with regulatory requirements, and undertaking associated regulatory activities. Guidance to support compliance is available on ERO's website.

Home | Education Review Office

For assistance contact: Contact Us | ERO

Te Whakarōpūtanga Kaitiaki Kura o Aotearoa – New Zealand School Boards Association

NZSBA's confidential Advisory & Support Centre (ASC) is staffed by a team of both employment and governance advisors. Their advisors have a range of board experience, employment and legal backgrounds and are well equipped to handle your queries about any issues that may arise in your role as a school board member.

The ASC is your first point of contact for Te Whakarōpūtanga specialist employment and governance advisors out in the field.

Te Whakarōpūtanga Kaitiaki Kura o Aotearoa – NZ School Boards Association – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa

Contact us – Te Whakarōpūtanga Kaitiaki Kura o Aotearoa
0800 782 435 - Governance & Employment matters
eradvice@tewhakaroputanga.org.nz

Te Kāhui Kāhu

Te Kāhui Kāhu is a business unit hosted by the Ministry of Social Development and manages the core worker exemption process.

If you have a query relating to workforce restrictions and core worker exemptions, go to Te Kāhui Kāhu's website.

Home page – Te Kāhui Kāhu

Glossary

Children's Act 2014

Term	Interpretation in the Act
Child	**Child** means a person who is— (a) a person who is under the age of 18 years: (b) a person who is under the age of 21 years and has been in care (as defined in this subsection): (c) a person who is under the age of 25 years and is receiving transition support from the department under Part 7 of the Oranga Tamariki Act 1989.
Children's services	**Children's services** means services that are any of the following: (a) services provided to 1 or more children: (b) services to adults in respect of 1 or more children: (c) services provided to adults living in households that include 1 or more children, and that— (i) do or may affect significantly any 1 or more aspects of the well-being of those children; and (ii) are for the time being prescribed under subsection (2): (d) services provided in respect of children that are for the time being prescribed under subsection (3).
Children's worker	**Children's worker** means a person who works in, or provides, a regulated service, and the person's work— (a) may or does involve regular or overnight contact with a child or children (other than with children who are co-workers); and (b) takes place without a parent or guardian of the child, or of each child, being present.
Core worker	**Core worker** means a children's worker whose work in or providing a regulated service requires or allows that, when the person is present with a child or children in the course of that work, the person— (a) is the only children's worker present; or (b) is the children's worker who has primary responsibility for, or authority over, the child or children present.
Hostel	**Hostel** means a boarding establishment used mainly or solely for the accommodation of students enrolled at a registered school.

Independent person	**Independent person**, in relation to a prescribed State service and its chief executive, a board of a DHB, or a school board, means a person who is neither of the following: (a) a member of the board: (b) an employee or officer of the service or its chief executive, or the board.
Non-core worker	**Non-core worker** means a children's worker who is not a core worker.
Regular or overnight contact	A person's work involves **regular or overnight contact** with children if— (a) the person has contact (other than merely incidental contact) with a child or children— (i) overnight; or (ii) at least once each week; or (iii) on at least 4 days each month; and (b) that contact is any of the following kinds: (i) physical contact: (ii) oral communication, whether in person or by telephone: (iii) communication through any electronic medium, including by way of writing or visual images.
Regulated services for the purposes of Part 3 of the Act (Education services)	**Regulated service** means a service identified in Schedule 1 *Schedule 1 – Education services* (25) services provided at a registered school (as defined in section 10(1) of the Education and Training Act 2020): (26) services provided at an early childhood service (as defined in section 10(1) of the Education and Training Act 2020): (27) services provided by a trades academy, a services academy, or an alternative education provider for or on behalf of a school: (28) 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 35 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): (31A) services provided at a hostel (as defined in section 10(1) of the Education and Training Act 2020): (31B) services provided at student accommodation (as defined in section 10(1) of the Education and Training Act 2020):
Safety checked	**Safety checked**, in relation to a person at a particular time, means that a safety check that complies with section 31 has been completed for the person within the previous 3 years.

School board	**School board** means a board or body that is, or 1 or more managers who are, — (a) a board as defined in section 10(1) of the Education and Training Act 2020; or (b) the manager or managers of a private school that is registered under section 214 of that Act; or (c) a sponsor as defined in section 10(1) of the Education and Training Act 2020.
Work	**Work** means work that is— (a) paid work; or (b) unpaid work that is undertaken as part of an educational or vocational training course.
Workforce restriction	People who have been convicted of offences specified in Schedule 2 of the Children's Act 2014 cannot be employed or engaged in core worker roles, unless they have a core worker exemption.

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015

Term	Interpretation in the regulations
Authenticate	in relation to a photograph of a person, means— (a) to write on the back of the photograph "Certified true likeness of [full name of person]" (or words to that effect); and (b) to sign and date that certification.
Identity referee Clause 3 Interpretation – New Zealand Legislation	**Identity referee** means a person— (a) who is nominated by a person (**person A**) who produces documents under regulation 5(1)(b); and (b) who— (i) has known person A for at least 12 months; and (ii) is at least 16 years of age; and (iii) is not related to person A and not part of person A's extended family; and (iv) is not a spouse or partner of person A; and (v) does not live at the same address as person A.
Primary identity document Schedule – Part 1 Primary identity document – New Zealand Legislation	**Primary identity document**, in relation to a person, means a document relating to the person that is of a type specified in Part 1 of the Schedule. **Document type** — **Issuing agency** New Zealand passport — Department of Internal Affairs

<table>
<tr><td></td><td><table>
<tr><td>Overseas passport (may include New Zealand immigration visa or permit issued by Ministry of Business, Innovation, and Employment (Immigration New Zealand))</td><td>Overseas authority</td></tr>
<tr><td>New Zealand emergency travel document</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand refugee travel document</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand certificate of identity (issued under the Passports Act 1992 to non-New Zealand citizens who cannot obtain a passport from their country of origin)</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand certificate of identity (issued under the Immigration Act 1987 to people who have refugee status)</td><td>Ministry of Business, Innovation, and Employment (Immigration New Zealand)</td></tr>
<tr><td>New Zealand firearms licence</td><td>New Zealand Police</td></tr>
<tr><td>New Zealand full birth certificate that is issued on or after 1 January 1998 and that carries a unique identification number</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand citizenship certificate</td><td>Department of Internal Affairs</td></tr>
</table></td></tr>
<tr><td>Secondary identity document

Schedule – Part 2 Secondary identity document – New Zealand Legislation</td><td>Secondary identity document, in relation to a person, means a document relating to the person that is of a type specified in Part 2 of the Schedule.<table>
<tr><th>Document type</th><th>Issuing agency</th></tr>
<tr><td>New Zealand driver licence</td><td>NZ Transport Agency</td></tr>
<tr><td>Kiwi Access card (18+ card)</td><td>Hospitality New Zealand Incorporated</td></tr>
<tr><td>Community services card</td><td>Ministry of Social Developmen</td></tr>
<tr><td>SuperGold Card</td><td>Ministry of Social Developmen</td></tr>
<tr><td>Veteran SuperGold Card</td><td>Ministry of Social Developmen</td></tr>
<tr><td>New Zealand student photo identification card</td><td>New Zealand educational institution</td></tr>
<tr><td>New Zealand employee photo identification card</td><td>Employer</td></tr>
<tr><td>New Zealand electoral roll record</td><td>Electoral Enrolment Centre of New Zealand Post Limited</td></tr>
<tr><td>Inland Revenue number</td><td>Inland Revenue Department</td></tr>
<tr><td>New Zealand issued utility bill, issued not more than 6 months earlier</td><td></td></tr>
<tr><td>Steps to Freedom form</td><td>Department of Corrections</td></tr>
</table></td></tr>
<tr><td>Specified organisation</td><td>Specified organisation has the meaning given to it by section 24 of the Act and includes a person or an organisation acting on behalf of the specified organisation.</td></tr>
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<td>Supporting name change document

Schedule – Part 3 Supporting name change documents – New Zealand Legislation</td>
<td>Supporting name change document, in relation to a person, means a document relating to the person that is of a type specified in Part 3 of the Schedule.
<table>
<tr><th>Document type</th><th>Issuing agency</th></tr>
<tr><td>New Zealand birth certificate (issued for the purpose)</td><td>Department of Internal Affairs</td></tr>
<tr><td>Change of name by statutory declaration</td><td>Department of Internal Affairs</td></tr>
<tr><td>Change of name by deed poll</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand name change certificate</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand marriage certificate</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand civil union certificate</td><td>Department of Internal Affairs</td></tr>
<tr><td>New Zealand order dissolving marriage or civil union</td><td>Ministry of Justice</td></tr>
<tr><td>New Zealand order declaring marriage or civil union void</td><td>Ministry of Justice</td></tr>
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Te Tāhuhu o te Mātauranga
Ministry of Education

He mea tārai e mātou te mātauranga
kia rangatira ai, kia mana taurite ai ōna huanga.

We shape an education system that delivers
equitable and excellent outcomes.

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