

Procedures & Principles



Part B: Child Protection (Student Placements) Policy

Number: OP-16/01

Policy manager:	Dean	Date approved:	March 2016
Category:	Operational	Date last revised:	
Refined category:	Students	Next review date:	November 2020
Authorised by:	Chief Executive		

Note: The review of this policy has been rolled over for 12 months from November 2019, when it will be reviewed in 2020, pending the outcome of the Reform of Vocational Education (RoVE).

CHILD PROTECTION (STUDENT PLACEMENTS) POLICY

Definitions

Abuse	The harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child or young person.
Child / Youth	Any child or young person under the age of 18 years.
Child Protection	Activities carried out to ensure that children and young people are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect; and to ensure opportunities for abuse and neglect are minimised.
Child Protection Trainer	Child protection experts delivering CP training to key Wintec staff
Child, Youth and Family (CYF)	Now called Oranga Tamariki – The Ministry for Children – it was briefly referred to as the Ministry for Children. See <i>Oranga Tamariki</i> .
Clean Slate	Any convictions that meet the eligibility criteria stipulated in Section 7 of the Criminal Records (Clean Slate) Act 2004 are automatically concealed in any record of criminal convictions.
Neglect	A persistent failure to meet a child or young person’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.
NZ Police	The New Zealand Police are responsible for enforcing criminal law, enhancing public safety, maintaining order and keeping the peace throughout New Zealand.
Oranga Tamariki	<p>The agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection. Formerly known as the Ministry for Vulnerable Children, and before that as Child, Youth and Family (CYF). They cover children up to the age of 17.</p> <p>Note: Applicable legislation governing Oranga Tamariki has changed several times over the past decade, and may be referred to as either:</p> <ul style="list-style-type: none">• (Vulnerable) Children’s Act 2014• Oranga Tamariki Act 1989• Children’s and Young People’s Well-being Act 1989

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Placement Supervisor	A Wintec staff member overseeing students' placement during their study.
Police Vetting	Criminal conviction information held by the Ministry of Justice is accessed by Police under Schedule 5 of the Privacy Act 1993 and is requested and released in accordance with the Criminal Records (Clean Slate) Act 2004.
Safety Checking	The process of safer recruitment that will be mandatory for organisations covered by the Children's Act 2014; made up of identity checks, police vetting and risk assessments.
Specified Organisation	A state service or organisation, partly or wholly state funded that employs or engages a children's worker to perform a regulated service.
Student Placements	Work that is undertaken as part of an educational or vocational training programme including internships
Vulnerable Adult	An adult with a disability could be regarded as a 'vulnerable adult' so they are also covered by this policy.

1. Principles

Wintec is committed to:

- a) Ensuring that students on placements are able to identify the signs and symptoms of potential abuse and neglect, are able to take action in response and will do so.
- b) Sharing information in a timely way and discussing any concerns about an individual under 18 years with their placement supervisor.
- c) Promoting a culture where students feel confident to constructively challenge poor practice and raise issues of concern without fear of reprisal.

2. Student Safety Checking

2.1 Safety expectations

Some of Wintec's students will be working, while on placement in industry, with children or young people under 18 years of age (and adults with disabilities) who may be considered vulnerable and therefore require further protection. The Children's Act places firm requirements on safety checking for 'unpaid work that is undertaken as part of an educational or vocational training course'.

2.2 Scope

Students who will provide a regulated service to children or young people under 18 years (or vulnerable adults) will be required to undergo safety checking.

Regulated services as defined in the Act include services provided at a public hospital, a publicly funded medical practice or through medical practices belonging to primary health organisations (PHOs); education services provided at a registered school, early childhood services, education services provided off-site on behalf of a school or early childhood service, and services provided at a playgroup.

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Centre Directors/Heads of School will determine which student roles will be safety checked in consultation with their Team Managers and or the Designated Person for Child Protection. Roles requiring safety checking will be identified prior to the enrolment process.

2.3 Marketing and student enrolment processes

Marketing, enrolment and recruitment processes should affirm Wintec's commitment to child protection. When this policy applies to a student at any stage during their programme of study, it should be made clear in all course information and these students should be notified of this during their enrolment process.

2.4 Roles and responsibilities

Staff involved in the recruitment of students that are covered by this policy are expected to use this document as a basis for developing best practice processes in the context of their work.

Centre/School staff who are accepting students into programmes of study that require a safety check will coordinate and oversee the administration of the safety checking process.

Team Managers and other key Wintec staff will receive child protection training that enables them to assess students' suitability for working with students under 18 years, in consultation with the Centre Director/Head of School.

Student Enrolment and Information Centre (SEIC) staff will support the faculty staff by making prospective students aware of the condition for safety checking and in requesting and or obtaining required identification and references.

The Safety and Wellbeing Manager will be the Designated Person for Child Protection.

2.5 Safety checking

Safety checks of students can be performed at any of these times:

- a) During enrolment
- b) At regular intervals during the course of their study (within three years of the previous one as determined by the Children's Act); and
- c) At any other time Wintec believes it is necessary to uphold the policy's purpose.

2.6 Identification checking

Any student applying for a place on a module/programme that requires safety checking must have their identity verified by the faculty staff responsible for enrolment. They must produce two forms of identification e.g. original birth certificate, passport, drivers licence, citizenship certificate, HANZ 18+ card or IRD number. If neither of these contains a photo, then the applicant must provide a photo, authenticated by an identity referee (see regulation 5 in the Vulnerable Children Regulations 2015).

2.7 Police vetting process

New Zealand police vetting must have been carried out within the last three years.

Students will be required to complete and sign a NZ Police Vetting Service Request and Consent form and return it to the faculty staff. This form can be downloaded from the [NZ Police web site](#).

It is suggested that it is not entered online until the student has been provisionally accepted into a course, to prevent multiple vetting of the same individual. If the student is not accepted onto the course, the Police vetting consent form will be securely destroyed.

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2.8 Possible outcomes

If a police vet reveals undisclosed convictions, possible outcomes include:

- A prospective student not being offered a place on the course of study;
- Student disciplinary action; and
- Offer of enrolment being withdrawn

It is the responsibility of the Team Manager and Centre Director/Head of School to make a decision about the possible outcomes, in consultation with the Dean and the Designated Person for Child Protection.

2.9 Disclosure of vetting results

The result of police vetting will be disclosed to the Team Manager. The next tier manager e.g. Centre Director/Head of School and the executive member e.g. Dean will also receive the results if their consultation is required.

Results will be held confidentially in Wintec's health and safety database (the Vault).

Students will have access to their results under the Privacy Act 1993.

Vetting information will be securely destroyed after a new result has been received.

2.10 Reference check

At least one referee (not related to the applicant) must be contacted and to help assess suitability for the programme of study and whether the person poses a risk to the safety of children. This may be done electronically and should use questions such as:

- In what capacity do you know the applicant?
- How long have you known the applicant?
- Do you have any concerns about the applicant's suitability to work with children?
- Would you be happy for the applicant to take care of your children?
- Are there any other comments you would like to make?
- Are there any matters you would like to discuss by phone?

If the first referee raises concerns, then obtaining further references would be appropriate.

2.11 Interview

Where appropriate, the student or prospective student will be interviewed to inform the risk assessment. Questions need to be appropriate for the work history of each applicant.

2.12 Work history

Work history over the previous five years should be documented e.g. a curriculum vitae. Memberships of or licensing/registration by relevant professional organisations must be recorded. If such membership/registration exists, their good standing must be confirmed with at least one of the organisations named and documented e.g. they are known to be of good character and to be trustworthy.

2.13 Risk assessment

The Centre/School staff responsible for the selection process will assess the risk that a person would pose a risk to the safety of children or young people under 18 years by weighing up all the information obtained from the application form; interviews; referee check(s) and police vet in its proper context, to come to a conclusion that is fair to the person and safe for the young people they are providing a regulated service to while on placement.

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The final decision about whether a person is safe to work with children or young people under 18 years remains the responsibility of the Centre/School, who should act at all times in the best interests of children and young people receiving a service from their students.

Each academic programme should define a procedure for dealing with concerns or 'red flags' that are raised. This could include a small committee with an appropriate range of skills that allows the issues to be addressed in a way consistent with the principles of natural justice.

Enrolments are to be made conditional upon Wintec receiving a satisfactory police vet result, and the new student being notified in writing that any subsequent adverse criminal record finding may result in the offer of enrolment being withdrawn, or their enrolment being cancelled as per Part B of the Discipline Regulations for Students.

3. Communication

Wintec should enter into an agreement with the specified organisations that their students will be placed with during their training, which specifies that Wintec will undertake the risk assessment on behalf of the specified organisation. This will avoid the need for specified organisations to verify that the process has been completed for each individual student, and it permits students to be checked once every three years yet have placements across a number of specified organisations during that time.

4. Periodic safety checks

At intervals of not greater than three years, the following checks must be undertaken:

- Name changes must be documented
- New Zealand police vetting must be repeated
- For those who are members of a professional organisation, or registered/licensed by a professional organisation or authority, their good standing with at least one of these organisations or authorities must be confirmed
- A risk assessment of the applicant with respect to the safety of children must be undertaken, based on 2.13 above

It is recommended that each academic programme put in place an automated reminder system to ensure that renewals are carried out in a timely manner.

5. Timing

Risk assessments only need to be in place when the students are functioning as *children's workers* providing a *regulated service* in a *specified organisation*, which may be for only part of their course of study. Therefore, the optimal timing of risk assessment needs to be determined for each course, but should be completed well in advance of any practicum placement so that the placement is not placed in jeopardy by delays in any part of the process.

6. Responding to suspected abuse or neglect

In all cases where a student has a concern about a child or young person under 18 years being or likely to be being abused or neglected by an adult or another child, then they must advise one of the following key staff:

- If they believe the child or young person is in immediate danger they must inform their onsite placement supervisor and / or the Police immediately.

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- If they do not believe the child or young person is in immediate danger they should inform at least one of the following key people: their placement supervisor, Wintec academic staff member, Wintec Child Protection Trainers, another senior member of staff or the Designated Person for Child Protection. This should be done within a time period that allows for effective consultation/advice to be given and all concerns and observations to be documented as soon as practicable as per Appendix 1.

If the student is still concerned about a child or young person after consultation with key staff then they are able to make a notification to CYF or the Police in their own right.

The flow diagram in Appendix 1 outlines the steps that need to be taken if students have any concerns regarding a child or young person while on placement.

7. Training, education and support

Wintec is committed to maintaining and increasing student awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their course of study, academic staff will ensure students are made aware of this policy, if it is applicable to their study. These students will receive child protection training as part of their course of study.

Students wanting advice or support can speak to their placement supervisor, academic staff member, Wintec Child Protection Trainers, another senior member of staff or the Designated Person for Child Protection. Students may also contact the Wintec's Health Services for support, phone: (07) 834 8869 or email: healthservices@wintec.ac.nz

8. Responsibilities

Wintec will comply with the Privacy Act 1993 in the collection and storage of all student information.

Students will provide all information necessary to Wintec to perform police vetting and all information provided will be true and correct.

Students will keep Wintec informed of any information relating to upholding the purpose of this policy, including criminal investigations, charges and convictions.

9. Measurements of success

The Child Protection Policy (Faculty) will be deemed successful when:

- All students who will provide a regulated service to children or young people under 18 years (or vulnerable adults) in a specified organisation have been safety checked before or in line with the requirements of the Children's Act 2014 and at the following times:
 - Prior to placement in a specified organisation; and /or
 - At regular intervals during course of study (including students enrolled prior to the introduction of this policy)
- Police vetting applications and results are stored securely
- Students with undisclosed convictions are managed in line with Wintec's disciplinary procedures
- All students who will have contact with children and young people under 18 years in the course of their study have undertaken child protection training.

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10. Records management

In line with the Public Records Act 2005, Wintec is required to provide a records management programme to ensure that authentic, reliable and usable records are created, captured and managed to a standard of best practice and to meet business and legislative requirements. All records relevant to a specific policy need to be listed in every policy in the following format:

Record	Minimum retention period	Disposal action
Police vetting application form	Retained with Centre/School	Securely disposed of when result is received
Police vetting result	Retained on the Vault	Securely disposed of when a new result is received

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Appendix 1

What do I do if I am concerned about a child or young person while on placement as part of my Wintec Programme of study?

