

28 July 2022

S Liu

fyi-request-19726-1c3c91f3@requests.fyi.org.nz

Tēnā koe S Liu

Thank you for your email of 22 June 2022 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

- *I would like to find out the decision-making criteria used by the vetting team when making determinations for Vulnerable Children Act 2014 requests. I would also like to find out the channel to dispute its determination.*

We have responded to your request as it applies to safety checking processes that are required under the Children’s Act 2014 (which replaced the Vulnerable Children’s Act 2014).

The onus on checking employees are suitable to work with children and young people normally lies with the employer. Oranga Tamariki are responsible for the safety checking of people who wish to work for Oranga Tamariki. However, Oranga Tamariki also completes vetting on behalf of some Non-Government Organisations (NGOs), Government Agencies and other related agencies, eg Cleaning Companies.

The Children’s Act 2014 states that all people who wish to work with children in government-funded organisations must have safety checks, which are to be updated every three years. This Act also requires that contracted providers who employ or engage children’s workers ensure that standard safety checks are completed. For further information please see here: <https://www.orangatamariki.govt.nz/working-with-children/childrens-act-requirements/safety-checking/>

Oranga Tamariki undertakes a stringent pre-employment vetting process for potential employees. All applications are reviewed by a centralised recruitment

team, with details of the vetting results being provided to the Oranga Tamariki Hiring Manager or Lead Panellist.

The Children's Act 2014 prohibits employment for serious child related offences. However, if there are applicants who have less serious convictions, the nature of the conviction, sentencing and whether repeat offences have occurred are taken into consideration by the hiring panel.

All candidate information is sent to the Hiring Manager, then applicants are sorted into the following categories:

- Clear result
- Generally Acceptable
- Generally Unacceptable

In the case of applicants falling under the Generally Acceptable or Generally Unacceptable category, the recruitment team and Human Resources will discuss to ascertain whether the candidate is suitable for employment at Oranga Tamariki if they have committed an offence.

Details such as the age of when the offence occurred, background and reference checks, Oranga Tamariki internal database checks and declarations from the prospective employee during the recruitment process are taken into consideration to determine as to whether they are suitable to be hired.

An applicant with a Generally Acceptable result can be approved for recruitment by the Hiring Manager once a risk assessment is completed. A Generally Unacceptable result requires additional approval by the Regional or General Manager of the appropriate business unit, and in some instances the Deputy Chief Executive, to determine if they are employable by Oranga Tamariki.

Oranga Tamariki employees have the right to dispute a new employee under Section 65 the State Sector Act. For further information on the review process please refer to the State Sector guidelines: www.publicservice.govt.nz/resources/guidelines-review-appt-procedures/. All new appointments of employees are provisional until ten days after the appointment is notified and any reviews are completed.

Oranga Tamariki intends to make the information contained in this letter available to the wider public shortly. We will do this by publishing this letter on our website. Your personal details will be deleted and we will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@ot.govt.nz.

If you are not satisfied with this response, you have the right to ask an Ombudsman to review this decision. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'malyon'.

Michelle Malyon
General Manager Public, Ministerial and Executive Services