

14 August 2024

Daniel Harding
fyi-request-27625-afcd36f8@requests.fyi.org.nz

Tēnā koe Daniel

Thank you for your email of 16 July 2024 to Oranga Tamariki— Ministry for Children (Oranga Tamariki), requesting information regarding criteria for NGO checks. Your request has been considered under the Official Information Act 1982 (the Act).

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. It also requires that contracted providers who employ or engage children's workers ensure that standard safety checks are completed which involves:

- confirmation of identity
- at least two referee checks
- qualifications checks
- a work history, in chronological order, for the last five years
- a formal risk assessment

For further information regarding the safety checking requirements under the Children's Act 2014 please see [here](#).

[Te Kāhui Kāhu](#) hold oversight functions of elements of the Children's Act. Their responsibilities include the accreditation of social services, which is in effect an assurance an organisation can safely delivery social services to the community. Accreditation requires an organisation to demonstrate, amongst other things, that it has robust vetting of children's workers in place. In addition to the vetting requirements set out in the Children's Act, Oranga Tamariki policy requires that children's workers employed by [level 1 accredited organisations](#) (the highest level of accreditation) are vetting against Oranga Tamariki child protection records.

I have addressed each of your questions below.

I'd like to request the policies around the criteria for NGO checks. When a check is returned, one of these statements are selected:

- *No Information found re Applicant*
- *Information found, no concerns re Applicant*
- *Information found – concerns may remain*
- *Information found of concern regarding – Applicant*
- *Information found of concern regarding - Household Member / Family Member / Known Associate*

What is the criteria for each statement above, to be selected.

Oranga Tamariki use the *NGO caregiver vetting service Fact sheet and FAQs* as a guide for performing NGO checks. In accordance with section 16(1)(e) of the Official Information Act, the section titled *Guidelines to determining a vetting result* has been provided to you as an excerpt of the contents. This is attached as Appendix A.

Please note Oranga Tamariki only completes vetting on behalf of some NGOs, although as noted earlier, Oranga Tamariki also undertakes mandatory CYRAS (the Oranga Tamariki case management system) checks for children's workers at level 1 accredited organisations. If required, we advise that you contact the NGO to which you submitted your application and request information pertaining to your vetting outcome. The NGO should be able to provide clarification regarding the specific decision-making process they used to assess your application.

Should someone have an allegation about them and OT selects, "information found - concerns may remain" - what is the likelihood of this being changed?

What is the criteria for change and does OT understand that this may impact someones job in the future should there be a false allegation made?

What are the steps to ensure someone who is impacted by this, is fairly treated and how does Oranga Tamariki support people who have had false allegations that are kept on their system?

Decisions on safety checks are unlikely to be changed unless there are changes to the information the decision is based on. In the event information held within CYRAS is confirmed to be incorrect or require changing (including for example, situations where claims are proved to be unfounded or malicious) notes can be added to records to ensure any future checks are carried out based on correct information.

NGOs have a vital role in ensuring that the information presented for the safety check has been thoroughly screened for accuracy prior to submission. CYRAS vetting is also just one safety check to identify potential risk and concerns in relation to an applicant's suitability to work with children and/or young persons. NGO providers should also undertake additional checks including reference and third-party checking, police vetting,

identity confirmation and interviewing. A clear CYRAS vetting result does not guarantee that an applicant is suitable for employment.

I trust you find this information useful. Should you have any concerns with this response, I would encourage you to raise them with Oranga Tamariki. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. 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 black ink, appearing to read 'Rachel Leota', written in a cursive style.

Rachel Leota
Deputy Chief Executive
Tamariki and Whanau Services