



# New Zealand Police Vetting Service Guide to Request & Consent Form



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## About this document

### Introduction

This guide has been created to assist Police Vetting Service Approved Agencies and vetting applicants with completing the Request & Consent Form (updated July 2023).

### Overview

The New Zealand Police Vetting Service provides Conviction History reports and other relevant non-convicted information on potential and current employees, volunteers, and vocational trainees. Vetting is provided for Approved Agencies who are responsible for the care, protection, or education of children, elderly or disabled, agencies involved in Law Enforcement or National Security, and agencies that have a legislative obligation to obtain a Police vet.

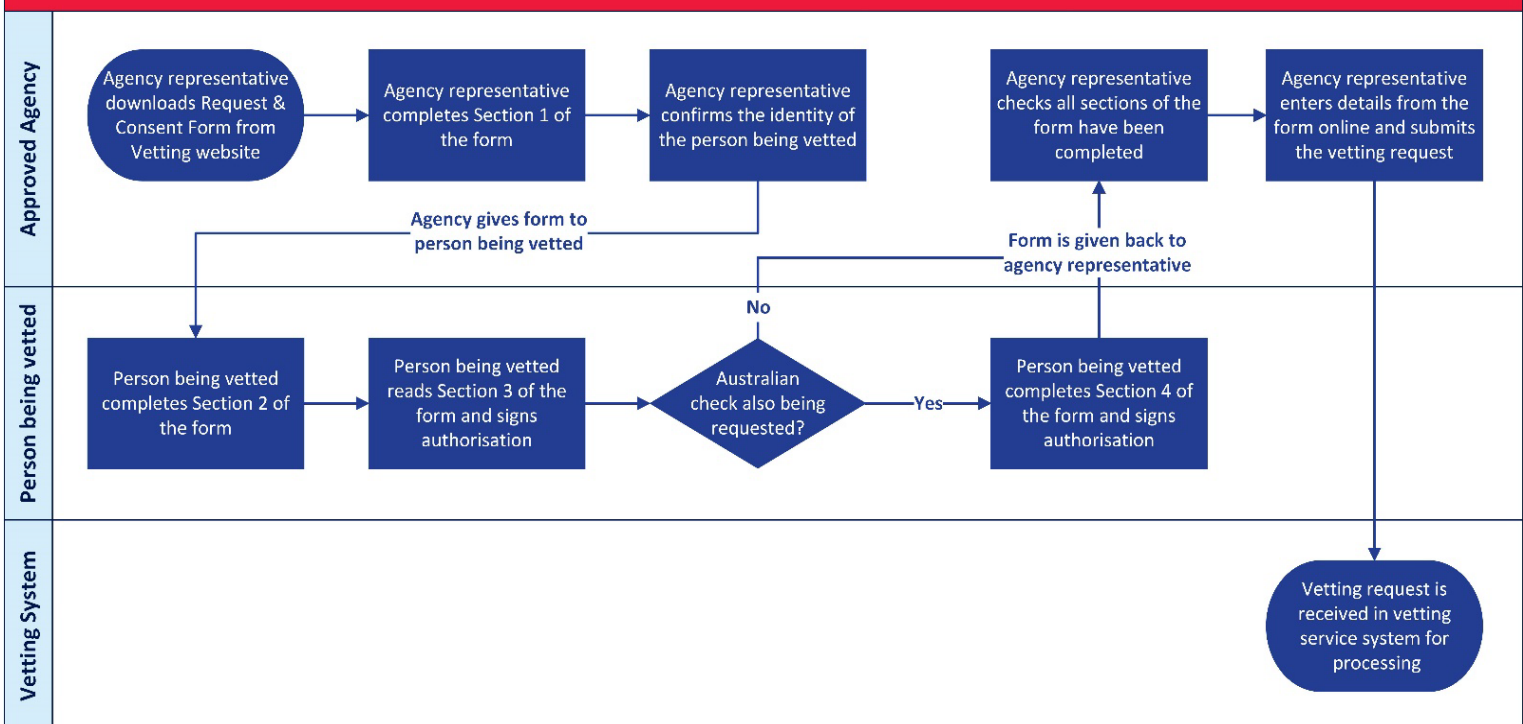
The purpose of a vetting application is determined by the applicable legislation and position applied for. For example, a Core Children’s Worker, subject to the Children’s Act 2014, being vetted as a caregiver of children within a home or workplace setting; the purpose of this type of vetting application is the safety of a child.

The vetting service does not make a recommendation or decision regarding someone’s suitability for a position. A Police Vetting result is a point-in-time check that should form one part of any process for determining an applicant’s suitability for any professional registration, appointment, employment, or visa. The decision regarding the applicant’s suitability for a position is the responsibility of the Approved Agency.

Agencies who are registered with the Police Vetting Service should use this guide to assist them with completing the Request & Consent Form prior to submitting the request online via their secure online vetting portal.

For more information about the vetting process please see our website: <https://www.police.govt.nz/advice-services/businesses-and-organisations/nz-police-vetting-service/vetting-process>

## Completing the Vetting Request and Consent Form



## Request & Consent Form Guide

### Section One (Agency to complete)

This section is to be filled out by the agency submitting the vetting request, not the person being vetted. This should be filled out prior to the person being vetted completing their sections so that they can see which type of vet is being requested before they consent to it.

The purpose of section one is to provide the Vetting Service with the information required to process the vetting request correctly in accordance with the appropriate legislation. If the role information provided is not consistent (e.g., a teacher entered with 'healthcare' as the primary role), your vetting request will not be processed.

The Vetting Service must comply with the Criminal Records (Clean Slate) Act 2004, the Privacy Act 2020 and the Children's Act 2014 among other relevant legislation. Your answers to the following questions will assist us in determining which sections of these Acts apply to the vetting request. See our [website](#) for more information about these Acts.

#### 1.1 Name of agency submitting vetting request

Enter the name of the organisation (agency) which is submitting this vetting request. Organisations must apply online and be approved to use the Police Vetting Service prior to submitting vetting requests.

If you are a recruitment agency submitting this vet on behalf of another agency, please enter both your agency name and the name of the agency this vet is being requested on behalf of.

#### 1.2 Name of the person being vetted

This is the name of person who is to be vetted. This is the same person named in section 2. Please enter their full name including middle names.

#### 1.3 Description of the role of the person being vetted

This is used by Police Vetting to help decide what type of vet is conducted if it is unclear from the following questions. This is a brief description of the role (not the job title) e.g., Overnight care of 4-6 children. Descriptions such as 'volunteer' and 'helper' are not specific enough.

When submitting the request online please select the role that best describes the applicant's main role. If more than one role is applicable, please choose the one that they will do the most (e.g., for home educators select 'Teaching').

Only roles that meet the Police vetting criteria should be submitted. To get the Conviction History for any person who does not meet vetting criteria (i.e., Accounts Administrator, Receptionist, Manager, Board Member etc) your agency can make a request to the [Ministry of Justice](#).

#### 1.4 Which groups will the person being vetted be working with (select all that apply):

Indicate whether the person being vetted will be working with Children/ Young People and/ or Vulnerable Adults as part of their role. Only select the group(s) that the person being vetted will have more than 'incidental' contact with. If your applicant does not work with either group, then this role may not meet Police Vetting criteria and a Criminal Record Check from the [Ministry of Justice](#) may be the best option for this position. Contact us if you have any questions.

### 1.5 Does the role involve caring for people in the home of the person being vetted?

This is about whether the person being vetted is providing services out of their own home (that is, are children or vulnerable adults visiting the home of the person being vetted for support).

If the role takes place at another location (e.g., school camp or rest home), the person being vetted is visiting *another* person's home or will only have contact with vulnerable people from their own home by phone/written communication, please tick 'No'.

### 1.6 Is the person being vetted: (A paid worker; A volunteer; or Undertaking vocational or educational training)

If the person being vetted is a staff member or contractor (but not a volunteer or student), tick 'A paid worker'.

If the person being vetted is a volunteer, then tick 'A volunteer'.

If the person being vetted is a student (undertaking vocational training, whether paid or not), tick 'Undertaking vocational or educational training'. Please only tick one option.

### 1.7 Is the person being vetted a Children's Worker according to the Children's Act 2014, section 23(1)?

If the person being vetted is **not** working with children/ young people (Q 1.4), tick 'No' then skip to question 1.11. This is because we do **not** need to know the answers to questions 1.8 – 1.10 if the person being vetted is **not** working with children or young people (e.g., rest home carer).

If the person being vetted *is* working with children (Q 1.4) *and* is a volunteer (Q 1.6), tick 'No' then skip to question 1.9. This is because we do **not** need to know the answer to question 1.8 if the applicant is a volunteer but we **do** need to know the answers to questions 1.9 – 1.10 if they are going to be working with children or young people (volunteer or not).

When submitting the vetting request online through your agency's portal the questions will automatically skip as required depending on the answers provided.

Only select 'Yes' if the role of person being vetted meets the definition of a Children's Worker in the Children's Act 2014, section 23(1). In all other cases answer 'No'. Below are some excerpts from the [Children's Act 2014](#) which may help.

**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

**work** means work that is—

- (a) paid work; or
- (b) unpaid work that is undertaken as part of an educational or vocational training course.

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.

### 1.8 Is the role of the person being vetted a core or non-core worker role according to the Children's Act 2014, section 23(1)?

Only answer this question if you answered 'Yes' to question 1.7. Please skip if you answered 'No'.

Only select Core Worker if the role of the person being vetted meets the definition of a Core Worker in the Children's Act 2014, section 23(1).

In all other cases, answer Non-Core Worker.

Below is an excerpt from the [Children's Act 2014](#) which may help.

**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

### 1.9 Has the person being vetted previously been Police vetted by your agency?

If the person being vetted has ever previously been Police vetted by your agency answer Yes.

In all other cases, answer No (skip to question 1.11).

### 1.10 Is the person being vetted still working in the same role for which your agency last obtained a Police vet?

Only answer this question if you answered 'Yes' to question 1.9. Please skip to question 1.11 if you answered 'No'.

If this vetting request is a renewal of the person's previous vet for this role, please answer Yes.

Otherwise, please answer No - the person being vetted is applying for a new role or position.

### 1.11 What is the job title of the person being vetted?

Please provide the job title of the person being vetted. If the person being vetted is a volunteer without a formal job title, please state what their role is. For example, Senior Social Worker or Volunteer After School Programme Assistant.

### 1.12 Evidence of identity (to be completed by agency representative or identity referee)

The purpose of this section is to confirm the identity of the person being vetted to ensure the right person is being vetted. This standard is based on identity confirmation requirements set out in the Children's Regulations 2015.

To confirm the identity of the person being vetted, two forms of ID must be sighted, one primary and one secondary, one of which must be photographic.

#### Primary IDs include:

- Passport (NZ or Overseas)
- NZ Firearms Licence
- NZ Full Birth Certificate (issued on/after 1998\*)
- NZ Citizen Certificate
- NZ Refugee Travel Document
- NZ Emergency Travel Document
- NZ Certificate of Identity

\*The Children's Regulations 2015 states that a NZ Birth Certificate may only be used as a Primary identity document if issued on or after the 1<sup>st</sup> of January 1998 and carrying a unique identification number.

**Secondary IDs include:**

- NZ Drivers Licence
- 18+ Card
- NZ Full Birth Certificate (issued before 1998)
- Community Services Card
- SuperGold Card
- NZ Employee Photo Identification Card
- NZ Student Photo Identification Card
- Inland Revenue number
- NZ issued utility bill (issued within 6 months)
- NZ Teachers Registration Certificate
- NZ Electoral Roll Record
- International Driving Permit
- Steps to Freedom Form

Current identity documents are preferred, but documents that have expired within the past 5 years may be accepted. If the applicant (person being vetted) cannot provide all the forms of ID you require, we recommend the applicant supplies multiple forms of secondary ID or other documentation to assist you in making an accurate judgement of their identity.

Ultimately, the onus is placed on the requesting agency to confirm the ID of the individual being vetted. As such, if you feel comfortable with the applicant's identity, given the documents provided, you may submit the vetting request.

It is the responsibility of your agency to ensure you are meeting any legal obligations regarding evidence of ID. For example, the Identity Confirmations sections within the [Children's Regulations 2015](#).

**Evidence of a Name Change**

If the two identity documents provided have different names (e.g., a birth certificate contains the applicant's maiden name and a Driver Licence contains their married name), evidence of a name change must be sighted such as a marriage certificate or statutory declaration.

**Assertion of a RealMe Verified Identity**

Approved Agencies who have integrated with RealMe to accept an online assertion of an individual's RealMe verified identity may use this instead of sighting two forms of identity documents.

For information on how your organisation can integrate with RealMe, please see:

<https://www.realme.govt.nz/realme-business/how-realme-works-businesses/implementing-realme/>

**Use of a 'Delegate' to Verify an Applicant's Identity**

The agency representative submitting the vetting request may delegate the sighting of identity documents to another person within their organisation.

For example:

- The agency representative may delegate authority to front counter staff to verify an applicant's ID.
- The agency representative may delegate authority to staff in their offices to verify an applicant's ID.

**Use of an Identity Referee to Verify an Applicant's Identity**

Evidence of identity checks may be completed by an Identity Referee, outside of your organisation, where it cannot be carried out by you in person e.g., when completed consent forms are received by your agency via email, not in person.

An Identity Referee must:

- Be either a person of standing in the community (e.g., registered professional, religious or community leader, Police employee) or registered with the Approved Agency.
- Be over 16 years of age.
- Not be related to or a partner/spouse of the applicant.
- Not be a co-resident of the applicant.

To verify an applicant's identity, the Identity Referee must:

1. Sight the original versions of each identity document.
2. Compare the photographic image with the applicant to confirm they are the same person.

3. Sign and date a copy of each document to verify that the documents produced by the applicant relate to that person.
4. Provide their name and contact details.
5. Send the signed copies of the identity documents to the Approved Agency representative.

## Section Two (Person being vetted to complete)

This section is to be filled out by the person being vetted. The purpose of this section is to provide the Vetting Service with enough information to locate the correct identity in Police systems and carry out the vetting request. Please ensure your agency submits ALL information provided by the applicant when submitting a request online i.e., Drivers Licence number and ALL alias/maiden names, if provided.

The following information is mandatory when submitting a vetting request:

- **Applicant's name** (in full)
- **Gender**
- **Date of birth**
- **Country of birth**
- **Permanent residential address**

The following information is not mandatory but greatly assists the Vetting Service in locating the correct identity in Police systems.

- **NZ Driver Licence number:** If the applicant does not hold a NZ licence, please leave this field blank.
- **Previous names:** It is extremely important that any aliases the applicant has previously gone by (e.g., maiden names) are entered online as part of the vetting request.

Information for the same person can sometimes be held under different names in the Police system and these names may not be linked as being the same person.

Please include all parts of the applicant's name for each alias, for example, if the applicant has supplied a previous last name, please also fill in the applicant's first and middle name along with the additional last name.

## Section Three (Person being vetted to complete)

This section is for the person being vetted to read and sign to confirm they have understood and provide authorisation for the agency to submit the vetting request on their behalf. This section details the information that will be considered and possibly released in a vetting report.

It is important that section one has already been filled in by the agency prior to the applicant providing their consent so they are aware of the type of vet being requested and can make an informed decision.

If this is the applicant's first time applying for the role of '**Caregiving of children/youth**', then the vet will be an 'Exception' check as per [Section 19](#) of the Criminal Records (Clean Slate) Act 2004. This means any convictions will be released regardless of the applicant's eligibility for 'Clean Slate'.

If the applicant's primary role is education, healthcare, caregiving of vulnerable adults or other, then the vet will be a 'Clean Slate' check. This means that any convictions will only be released if the applicant is 'ineligible' for 'Clean Slate' as per [Section 7](#) of the Criminal Records (Clean Slate) Act 2004.



The Criminal Records (Clean Slate) Act 2004 states that if you meet certain criteria your convictions will be automatically concealed. You are said to have no criminal record (criminal conviction history) if ALL the following are true.

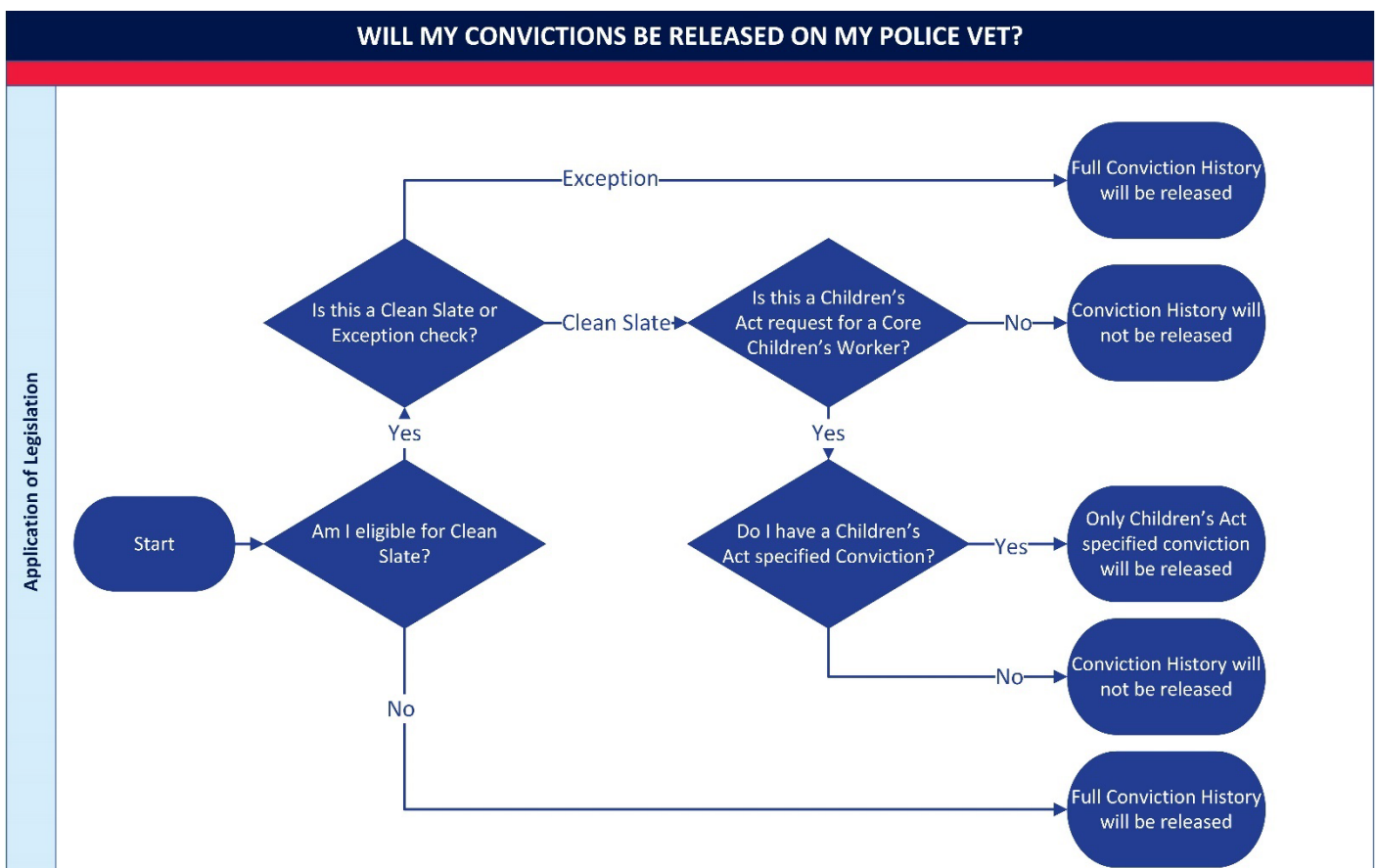
If you have:

- had no convictions within the last 7 years.
- never been sentenced to a custodial sentence (such as prison, corrective training, or borstal).
- never been convicted of a ‘specified offence’ as listed in [Section 4](#) of the Criminal Records (Clean Slate) Act 2004.
- fully paid any fine, compensation, reparation or costs ordered by the court in a criminal case.
- never been banned from driving until further notice (indefinite disqualification).
- never been held in hospital by the court in a criminal case instead of being sentenced, due to your mental condition.

Separately, if the applicant is being vetted for a Core Children’s Worker role as defined in [Section 23](#) of the Children’s Act 2014, and they have been convicted of a ‘specified offence’ as listed in [Schedule 2](#) of the Children’s Act 2014, that conviction will be disclosed regardless of the individuals eligibility for ‘eligibility’ as per [Section 31\(3\)](#) of the Children’s Act.

If the applicant is being vetted for a Core Children’s Worker role, and they have been convicted of a specified offence, the applicant cannot be employed or engaged by the agency in that role unless they hold an [Exemption](#) as per [Section 28](#) of the Children’s Act 2014. An agency that breaches the requirements set out in Section 28 of the Children’s Act 2014 may be liable to a fine not exceeding \$50,000.

Please see [page 5 & 6](#) of this guide for more information on when an applicant is considered a core or non-core children’s worker. An individual can use the below flowchart to see if their convictions will be released:



## Section Four (Person being vetted to complete – if required)

This section of the form should only be completed by the applicant if your agency requires an Australian National Police History Check.

It is up to each individual agency as to whether they require an Australian Check for any applicants that have previously resided in Australia. The New Zealand Police Vetting Service cannot offer any guidance in this area.

If an Australian check is submitted, your agency will be charged a fee of NZ\$23.30 for a Standard check and NZ\$7.10 for a volunteer check. This is the fee that the Australian Criminal Intelligence Commission charges New Zealand Police for completing these checks.

### Processing timeframes

The New Zealand Police Vetting Service have no control over how long an Australian check may take.

The Australian National Police Checking Service aim to process 95% of checks within 10 business days noting that:

- Around 70% of checks are completed in real-time and the results are returned within minutes of the check being requested.
- Around 30% of checks are referred to one or more Australian Police agencies due to similarities in the name of an individual. Sometimes this process takes longer than 10 business days due to the complexity of the check.

### Information that may be disclosed

If there is Australian Police history information that can be released, the result will show 'disclosable court outcomes'. The disclosable information will be listed on the Police certificate or NPCS report, available via the vetting website and may include:

- Charges
- Court convictions, including penalties and sentences
- Findings of guilt with no conviction
- Court appearances
- Good behaviour bonds or other court orders
- Matters awaiting court hearing
- Traffic offences

The type of Police history information that is released depends on the purpose of the Police check and any relevant spent\* conviction legislation or information release policies by which Australian Police agencies are bound.

\*The Australian equivalent of New Zealand's Clean Slate legislation.