



volunteering waikato

## Fact Sheet: Checking Criminal Records

The purpose of vetting is to minimise the likelihood of the more vulnerable members of society (children, older people and those with special needs) being put at risk by individuals who may have displayed behaviour that could be detrimental to others' safety and wellbeing.

### POLICE VETTING

Police carry out vetting only for approved organisations that are responsible for providing care to children, older people and more vulnerable members of society.

Vetting is subject to the Privacy Act 1993 and the Criminal Records (Clean Slate) Act 2004.

Organisations wanting to be approved as users of the Police Vetting service should apply in writing to:

The Manager  
Licensing and Vetting Service  
Police National Headquarters  
PO Box 3017  
Wellington

It is the responsibility of the requesting organisation to maintain the security of the information provided.

You can contact the Licensing and Vetting Service on 04 474 8879 (staffed 24 hours).

The Criminal Records (Clean Slate) Act is designed to allow individuals with less serious convictions, who have been conviction-free for seven years, to put their past behind them. Once an individual meets the eligibility criteria, they automatically become an "eligible individual." The person is deemed to have no criminal record for the purposes of any question asked of them - they

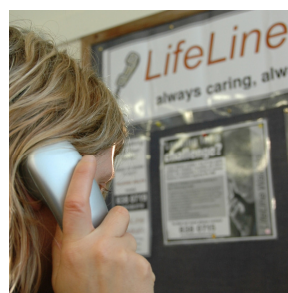
may respond by saying that they have no convictions.

Police vetting, as conducted by the Licensing and Vetting Service Centre, uses two computer-based checks to search for information about an individual.

The first check is a search of convictions in accordance with the Criminal Records (Clean Slate) Act 2004. A printout includes conviction history, location of the court, the date of the offence, the offence itself, and the sentence imposed. It should be noted that minor traffic infringements, such as parking tickets, are not shown on these printouts.

The second computer-based check is a search of other information held by Police. This information is used to look for behaviour of a violent or sexual nature that may not, for whatever reason, have resulted in a conviction. In cases where such information exists, further investigation is carried out and the response may be "red stamped".

**IMPORTANT:** Police vetting is not a complete background check. It should be used only as part of a robust recruiting and screening process.





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## THE PROCESS

Once an organisation has been approved to receive vetting services, Police will provide a copy of the correct "Consent to Disclosure of Information" form. Vetting can only be carried out with the consent of the applicant given on the correct form. Applicants should be told they are to be vetted and offered an explanation of the process.

Note: It remains the responsibility of the organisation to verify the identity of each applicant.

The completed consent forms are then sent by the organisation to the Licensing and Vetting Service Centre for processing.

A date stamp is placed on each request. This stamp indicates that each of the two computer checks have been completed, the date of processing (there may be a short delay between receipt and processing), and the name of the operator who completed the check.

If convictions are present and the subject is ineligible under "Clean Slate" legislation, the printout will be attached to the request. Where there is information indicating violent or sexual behaviour (other than convictions), a "red stamp" may be placed on the request.

All completed vetting requests are then returned to the organisation for a decision regarding employment.

## THE RESULTS OF VETTING

The information supplied by the Police will be sent directly to a designated person within the

requesting organisation. This information is to be securely stored until such a time as it is no longer useful for the purpose it was obtained. The information should be stored in such a way that only those required to access the information are able to do so.

The decision as to whether an individual is suitable or not for a given position remains with the employer. In making this decision employers might need to consider the following when assessing the results of vetting:

- The nature of the offence and relevance to the position.
- Length of time since the crime was committed.
- Age and maturity now as compared to when the crime was committed, the seriousness of the crime e.g. length of sentence, use of a weapon, the circumstances at the time of violent behaviour.
- Pattern of crime, e.g. a short spate may indicate a "phase" but a regular pattern may indicate continuing inappropriate behaviour.
- The proximity of the person undergoing vetting to the vulnerable person(s). That is, is he/she likely to have unsupervised access to these vulnerable people?

Information supplied by the Police **must** be destroyed once it is no longer useful for employment purposes. Burning or shredding the information ensures secure destruction.

Details of police vetting are not to be disclosed to any staff, other than the individual tasked with handling this information.

Source: [www.police.govt.nz/service/vetting](http://www.police.govt.nz/service/vetting)

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