



GUIDELINES

POLICE CHECK PROCESS

FOR

LAY APPOINTMENTS

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March 2003

PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND

POLICE CHECKS PROCESS - SECTION 1

General Information about Police Checks for

- Sessions/Parish Councils
 - Presbyteries/UDCs
1. Police checks for lay workers in paid positions with pastoral responsibilities are now mandatory.
 2. This requirement applies to all new appointments from 1 March 2003 onwards.
 3. The rationale for this mandatory requirement for a police check for lay workers in positions with pastoral responsibilities is that it is one way in which the Church can minimise, though not necessarily eliminate, the likelihood of more vulnerable members of society being put at risk by individuals whose behaviour may be detrimental to others' safety and wellbeing.
 4. The requirement for police checks to be done does not exempt Sessions/Parish Councils and Presbyteries/UDCs from working through thorough recruitment and appointment processes.
 5. Sessions/Parish Councils and Presbyteries/UDCs should, as part of the application process, obtain appropriate consents and declarations from all prospective appointees. See Section 3 for a sample declaration form. If applicants are not willing to sign this form then they should not be interviewed or appointed.
 6. Applicants should be asked to supply the names and contact details of 2-3 people who may be approached as confidential referees. Some of the questions which a referee should be asked are outlined in Section 4. Further information is available from the Presbyterian website: www.presbyterian.org.nz under employment.
 7. Following an interview, the successful applicant should be asked to fill in a consent form for a police check to be done and the consent form should be forwarded to the Assembly Office, with the application form from the Session/Parish Council Clerk or Presbytery/UDC Clerk. See Section 2 for details about the process. Care must be taken to explain the reasons for the police check and to outline the process.
 8. The police check process takes time: a month needs to be allowed from the date of mailing the application and consent forms. It may be done more quickly but your time frame must allow the month.
 9. If an offer of appointment is made prior to the results of the police check being known the offer can only be conditional and is subject to the result of the police check.
 10. If the police check does reveal that a person has criminal convictions that need not automatically preclude the person being appointed. Information about the factors which should be taken into account are outlined in Section 5.
 11. The operative regulations in the Book of Order are 86A and 86B, as amended by the 2002 General Assembly.

PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND

POLICE CHECK PROCESS - SECTION 2

The Police Check Process

1. Make sure that you are familiar with all the details of the requirements so that the process works smoothly.
2. The person designated to manage the police check process on behalf of the congregation or presbytery should complete an application form. This would normally be the Session or Parish Clerk or minister in the case of a parish, or the presbytery clerk in the case of a presbytery. The application form can be used for more than one police check request.
3. Ask the prospective lay worker(s) to complete a consent form. This must be filled in by hand and signed by the person concerned. You should use one form per person. The original must be forwarded to the Assembly Office for passing on to the NZ Police Vetting Service. Copies will not be processed. Consent forms can be obtained on request from the Assembly Office.
4. Fill in a stamped, self-addressed envelope for the return of the completed police check.
5. Mail to: Assembly Office, PCR
 PO Box 9049
 Wellington
 - the application form
 - the consent form(s)
 - the stamped, self-addressed envelope
6. The NZ Police require up to 20 days to process requests for police checks. Please allow 30 days to elapse from the date you mailed the police check request to the Assembly Office. You may get a response more quickly but allow the full time quota in your planning.
7. If you have not had a response after 30 days you can contact the Assembly Office to enquire as to progress. Do not contact the NZ Police directly as they have asked that all communication between the police and the Presbyterian Church be through the Assembly Office.
8. In order to meet the obligations of the Privacy Act and to safeguard the integrity of the process police check information will be dealt with by mail not e-mail or fax. E-mail and fax may be used for general enquiries about process but not for specific information about people.
9. Police checks for prospective paid lay workers can be sent individually. Applications for police checks will be sent, once a week, to the NZ Police vetting service. If you require police checks for volunteers please arrange to do all the checks in one batch.
10. For further information contact Juliette Bowater Juliette@presbyterian.org.nz

PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND

POLICE CHECKS PROCESS - SECTION 3

Sample declaration form for prospective lay workers

Affirmations and acknowledgements

Working for the Christian church places a person in a position of trust. As part of your application you are required to make the following affirmations and give consents.

1. If appointed I will accept the authority and discipline of the Presbyterian Church of Aotearoa New Zealand, as exercised through the Presbytery within whose bounds I work, and will uphold the polity, teaching and doctrine of the Presbyterian Church of Aotearoa New Zealand while I hold the position.
2. I have/have not been convicted of any criminal offence involving violence or sexual abuse.

Comment: _____

3. I have/have not been disciplined by any church for any unethical or unprofessional behaviour.

Comment: _____

4. I consent to the Presbyterian Church seeking verbal or written information about me from the referees whose names I have supplied and from representatives of employing bodies with whom I have worked and authorise the information sought to be released. (The applicant will be advised of any approaches made to any such referees/representatives who have not been named in this application form before any approach is made.)
5. I consent to the Presbyterian Church undertaking a police check here in New Zealand and in any country where I have lived/worked.

To the best of my knowledge the statements given are correct and I understand that if any false or misleading information is given or material fact suppressed my application will not be processed or if appointment my appointment may be terminated.

Signed: _____ Date: _____

PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND

POLICE CHECKS PROCESS - SECTION 4

Reference Checks

- Reference checks are an important part of the interview process for any position with pastoral responsibilities whether the position is paid or voluntary.
- Reference checks may be obtained in writing or over the phone.
- Before you conduct a reference check you must obtain permission from the candidate to contact their referees.
- Confirm with the candidate that the referees they have provided are the most current and/or most appropriate for this position.
- Confirm that the contact details for the referees are correct.
- Using the position description as a guide, develop a list of questions to ask the referee. (It is helpful to send a copy of the position description to any referee and ask them to read it before you phone them or before they write a reference.)

It is appropriate to include among your questions the following

What are the attributes that make a person suitable for the particular position?

Is there any reason of which you are aware which would make the person unsuitable for the particular position?

For further information about interviews and reference checks, consult the Presbyterian Church website: www.presbyterian.org.nz - under the heading of employment.

Assembly Office Reference Checks

Regulation 86B

Regulation 86B has two parts:

Part 1 requires a session or parish council or interim moderator to confer with the Assembly Office as to the status and standing of any prospective appointee and report that information to the session or parish council. The Assembly Office does not have a complete database on all lay workers in the Presbyterian Church. Information held in the Assembly Office will have been provided by a parish and/or a presbytery and will generally relate to formal complaints and their outcomes. The purpose of the check with the Assembly Office is to ensure that there is appropriate disclosure of any relevant information.

Part 2 refers to the requirement for a police check. Details about the process are outlined in these guidelines.

PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND

POLICE CHECKS PROCESS - SECTION 5

Purpose of Police vetting

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.

What is Police vetting?

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

The first check is a search of the Law Enforcement System (formerly known as the Wanganui Computer). This provides a list of criminal and driving convictions. A printout is made of any such history that lists the 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, such as that outlined in the publication "Safe Not Sorry" by Anthea Simock (The Institute for Child Protection Studies, PO Box 5375, HAMILTON).

The process

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.

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 employment.
- 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, are they likely to have unsupervised access to these vulnerable people?

Details of police vetting are not to be disclosed other than the individual tasked with handling this information and the subject of the vet.

Source: NZ Police Website



ELDERS AND POLICE CHECKS

The 2002 General Assembly adopted a proposal that police checks be required for all lay workers in positions with pastoral responsibilities.

The operational protocol for this is that police checks are now mandatory for all lay workers in paid positions with pastoral responsibilities. This applies whether the position is part-time or full-time.

Part of the rationale for making the requirement mandatory for all paid positions is linked to the following factors

- These positions are often advertised widely in the local community and even nationally
- Some or all of the applicants may not be personally known to the session/parish council or presbytery/UDC which is proposing to employ them.

Police checks do not exempt the parish or presbytery from undertaking a thorough appointment process, including careful reference checks. They do add to the process by which a parish or presbytery can seek to reduce the possibility of employing someone who is unsuitable in terms of working with those who are vulnerable because of age or illness.

Police checks have not yet been made mandatory for volunteers because, generally, volunteers are known to the parish or presbytery which is benefitting from their services. Parishes and presbyteries are reminded that they should check the backgrounds of those who work voluntarily in positions with pastoral responsibilities. If a parish wishes to make it a requirement that, in future, all volunteers have a police check done then that can be arranged through the Assembly Office according to the agreed protocol.

The situation with regard to elders has some other factors as well as those mentioned above in relation to volunteers.

- Eldership is an elected office
- The expectation is that a parish would not be electing a person as elder unless they knew that person and his/her background very well.
- If the person had recently arrived from another parish it would be expected that, at the very least, the parish would have obtained references from previous ministers/sessions/parish councils. The questions would have been asked of those previous ministers and sessions/parish councils as to whether there was any reason they were aware of why it would not be a good idea to elect that person as an elder.

As part of the selection process for eldership there are some questions which can legitimately be asked, because of the pastoral nature of the role.

These include asking the prospective elder whether or not

- They are willing to abide by Presbyterian polity and doctrine and sign the Formula.
- They have any criminal convictions, and if so, for what actions.
- They have ever been disciplined by a church court and if so, for what reasons.
- They would be willing to have a police check done, if required

If a parish wishes to make it a requirement for all prospective elders to have a police check done then that becomes a policy of that parish. The police check process through the Assembly Office can then be followed.

February 2003