

# Police Check

CAP's stakeholders place a high degree of trust in CAP as an organisation, and also in you as a CAP staff member. Given this trust, it is important that CAP take all practical steps to demonstrate that the organisation is aware of any potential internal risks. For this reason, CAP's practice is to maintain current police checks for all staff in accordance with this policy.

This policy enables CAP to protect society's most vulnerable citizens, such as children, people with special needs and the elderly. Since CAP provides services to families and households which include these demographics, CAP needs to know that staff are suitable to serve in such communities. CAP complies with the screening and vetting requirements in accordance with the Vulnerable Children's Act 2014.

## Application

This policy applies to all CAP staff (including Head Office and Network), volunteers, contractors and job applicants, effective from 1 February 2021.

## Disclosing convictions

During the recruitment or selection process for any role at CAP (whether employed, voluntary, contract or otherwise), you will be asked to disclose any convictions that are not covered by the Clean Slate Act 2004. Any failure to disclose a conviction (other than one that is protected by the Clean Slate Act) will result in disciplinary action up to and including the ending of your recruitment process or employment with CAP. If you are unsure whether a conviction is covered by the Clean Slate Act 2004, you can find more information here: <https://www.justice.govt.nz/criminal-records/clean-slate/>.

You are also expected to keep CAP informed of any charges against you that may result in a conviction. This is a part of an ongoing open relationship of trust and confidence. Failure to disclose charges or convictions that arise while you are a CAP staff member may result in disciplinary action up to and including dismissal from your role.

## Police Check Requests

Upon appointment into a role with CAP you will be asked to complete a criminal conviction check with the New Zealand Police. You are not legally required to agree to a check, however withholding your consent will be presumed to mean you have convictions on your record that are relevant to your role with CAP. This may result in disciplinary action up to and including dismissal from your role or removal of your right to represent CAP.

Periodically throughout your time with CAP you will be asked to complete further police checks. This is to ensure CAP always holds on your file a 'current' police check that is less than 3 years old.

## Decisions Regarding Convictions

Having a criminal conviction will not necessarily impact your appointment into a role with CAP. If you disclose a criminal conviction during the recruitment process or as a CAP staff member, CAP will discuss the circumstances of the conviction with you in order to determine whether it is relevant to your role. (Note: This conversation will not be required if you are a job candidate and CAP decides not to progress

your application based on grounds unrelated to your conviction).

If a member of CAP's Senior Leadership Team believes that a particular conviction on your record may impact your ability to perform your role due to impacting your credibility in your role or undermining trust and confidence in you in your role, this will be raised with you and you will be given an opportunity to comment before any final conclusion is reached.

A member of CAP's Senior Leadership Team will be the final decision-maker on any question of whether a conviction impacts your ability to perform your role. If it is concluded that it does have an impact, you may be withdrawn from the application process (if an applicant), or a disciplinary process may be entered into (if already a staff member).

### Confidentiality Around Convictions

Your criminal convictions may be disclosed to the following people as necessary or beneficial to the process of recruitment, decision-making or management:

- The People Engagement Adviser
- Members of the interview panel (if you are in the application process for a role);
- Members of CAP's Senior Leadership Team;
- The CAP Board;
- Your Manager (if you are a staff member);
- Other individuals only with your express consent.

Information about your convictions will be kept confidential by the above individuals. A record will be held on your confidential staff file. You may request for this record to be destroyed if a conviction becomes covered by the Clean Slate Act 2004 and you replace it with a new check from the NZ Police.

### Signed by Policy Owner



Kimberley Barry, People Engagement Adviser