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# Background checks

This guide explains:

- what background checks are
- who should be checked
- how to carry out a background check
- what to do if there are concerns about someone who has been checked.

Background checks assess the suitability of staff (including contractors) or volunteers who work with children, young people or adults at risk.

These checks are just one part of your broader safeguarding policy, including doing reference checks, conducting annual safeguarding training and having clear child protection guidelines. Staff and volunteers must have a background check at least every three years.

## Who should be checked

Any staff or volunteers who have regular contact with children or young people, or supervise overnight stays, without a parent or guardian being present should be checked. For adults at risk, it's where there's not another adult present. This includes staff or volunteers who:

- work as coaches or instructors of children or young people and adults at risk
- work in situations where there is physical contact with children or young people and adults at risk
- work alone with children or young people and adults at risk
- accompanying or supervising children or young people and adults at risk on away trips
- regularly give children or young people and adults at risk rides.

**Working with children and young people – [sportintegrity.nz](https://sportintegrity.nz)**

# Types of background checks

Two common ways of doing background checks are using the New Zealand Police Vetting Service and the Ministry of Justice criminal record check. Both provide information on criminal convictions. Police vetting is more comprehensive as it also includes any charges not resulting in a conviction, and a person's previous contact with police.

## Police vetting

The police only accept requests from organisations, not individuals. You must register and get approved to use the NZ Police Vetting Service before making a background check request. Approval can take several weeks.

Police will provide information specific to the request. This includes matters that are relevant to someone working with children. Information that can be obtained includes:

- convictions
- charges that didn't result in a conviction
- any interaction a person has had with the police
- family harm incidents
- infringement or demerit points.

## How to apply for a police check

### Step 1

Register with the NZ Police Vetting Service.

**Register for New Zealand Police Vetting – [police.govt.nz](https://police.govt.nz)**

### Step 2

Get signed consent from the applicant. Inform them of their rights, which will include the reason for getting a police check and how the information obtained will be used. Fill in the police vetting request and consent form.

**Forms and Guides – [police.govt.nz](https://police.govt.nz)**

### Step 3

Submit the vetting request using the Police Vetting Service Portal. Processing times vary.

## Criminal record checks

The Ministry of Justice criminal record check covers criminal and traffic convictions but does not include charges that haven't gone to court yet or infringements and charges where a person wasn't convicted. Registering is free but there is a cost for each application.

### How to apply for a criminal record check

You must be registered with the Ministry of Justice online service to request a criminal record check for someone else.

#### Step 1

Register by emailing [CCHonline@justice.govt.nz](mailto:CCHonline@justice.govt.nz)

You will be sent the information you need to register, which includes privacy, confidentiality, and security requirements.

#### Step 2

Log in to the online service and follow the prompts. Processing times take around 20 days.

**Third-Party-User-Guide.pdf – [justice.govt.nz](https://justice.govt.nz)**

## What background checks show

The results of a background check must be kept strictly confidential and stored securely. This is extremely sensitive personal information and must only be used for the purpose for which it was obtained.

The police vetting report will show:

- no concerns – the individual is cleared through this part of the checking process
- concerns identified – the organisation must assess the risks
- withheld information – discuss with the police.

While police vetting helps identify potential risks, it does not 'approve' or 'decline' applicants or give recommendations on a person's suitability.

The Ministry of Justice criminal record check shows any criminal convictions regardless of whether it is related to children, young people or adults at risk.



# Managing the outcome of background checks

Privacy tip: Only authorised and checked personnel should have access to background checks.

## Step 1: Receive and review the report

- Check if there are any concerns, active criminal charges, or past convictions.
- If there are none, then you are able to continue with the remainder of your recruitment process which may result in you approving the person to work with children, young people or adults at risk. However, do not regard a clear background check as a substitute for other forms of sensible due diligence, such as reference checks.
- If there are concerns arising out of the report, continue following the steps below.

## Step 2: Evaluate the level of concern

Is it medium- or high-risk, or an automatic disqualification? Look at the:

- nature and severity of the offence – was it a minor or serious crime?
- relevance to the role – does the offence relate to working with children?
- timeframe – was it recent or many years ago?
- pattern of behaviour – is there a history of multiple offences?
- rehabilitation – has the individual completed rehabilitation, counselling, or training?

A past mistake does not always mean automatic exclusion, but child safety must be the priority.

## Step 3: Discuss with the individual

- Notify the person their background check has raised concerns.
- Give them an opportunity to explain their history and ask for supporting evidence (eg, character references, rehabilitation records).
- Ensure privacy of their information and fair treatment including the right to be heard before any decisions are made.

## Step 4: Make a decision

After reviewing all factors, decide whether to:

- approve the person (with or without conditions)
- decline their application due to child safety concerns
- implement extra safeguards (eg, supervision, restricted duties).

If disqualifying someone, ensure the decision is:

- consistent with child safety policies
- based on clear reasoning
- communicated to them professionally and confidentially.

If a person disagrees with a disqualification decision, they can:

- request a review and provide new information
- appeal through the organisation's (or external) dispute resolution process
- seek legal advice.

## Step 5: Document and store records securely

Maintain records of:

- the background check and keep it stored securely
- the risk assessment notes
- the final decision
- any conditions or safeguards put in place.

## Step 6: Monitoring

- Re-check individuals at least every three years (or as required by your policy).
- Monitor behaviour and act on any new concerns.



# Identifying and responding to levels of risk

## Disqualifying risk – Automatic disqualification

A person who is convicted or charged with any Schedule 2 offence under the Children's Act 2014 is automatically disqualified from working or volunteering with children, young people and adults at risk. This includes but isn't limited to:

- sexual offences against children or adults (indecent assault, sexual grooming, child exploitation)
- violent offences (assault, manslaughter, family violence involving children)
- child abuse or neglect convictions
- making, possessing, or distributing child exploitation material.

**See Schedule 2, Children's Act 2014 – [legislation.govt.nz](http://legislation.govt.nz)**

Action: Do not allow the person to work or volunteer with children, young people or adults at risk in any capacity.

## High-risk – Likely disqualification, but requires assessment

A person is most likely disqualified from working or volunteering with children, young people and adults at risk if they have:

- a history of sexual and domestic violence or protection orders (especially if it involves children)
- serious drug or alcohol-related convictions (eg, dealing drugs, disqualification from driving on more than on occasion)
- a conviction or charge that could endanger children (eg, dangerous driving with children in the vehicle)
- ongoing investigations for crimes involving violence, dishonesty, or child abuse or neglect
- patterns of criminal behaviour that suggest a risk, even if individual offences seem minor.

Action: While disqualification is likely, assess each case. Consider:

- the nature and seriousness of the offence
- when it occurred (recent offences are more concerning)
- patterns of behaviour (repeat offences versus a single past mistake)
- whether the person has completed rehabilitation or counselling.



## Medium-risk – May not disqualify but needs discussion

These offences and behaviour may not disqualify someone but require further investigation.

- Past dishonesty or fraud and corruption convictions (eg, match fixing, theft).
- Minor drug-related offences (eg, possessing illegal drugs for personal use).
- Traffic convictions, unless they involve reckless endangerment.
- Concerns about other inappropriate behaviour, even if it's not criminal.

Action: The individual may be allowed to work with children, young people or adults at risk depending on the context. Additional safeguards may be required, such as supervision or limited responsibilities.

## Good practice for handling background checks

### Have a clear policy

Ensure your organisation has a policy for background checks and everyone knows its purpose and how to find it.

### Use a decision-making panel

Involve at least two trained staff members to ensure fair decision making and seek confidential external expertise if required.

### Be consistent

Apply the same standards to everyone, no matter what level their role.

### Ensure privacy

Handle all concerns with strict confidentiality and only use the information obtained for the stated purpose.

### Communicate decisions clearly

Explain the reasons for your decision clearly and professionally.

### Contact us

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