



## Police Vetting Policy and Process

Version / Date:                      Version 3 / April 2024

### **Introduction:**

The Swimming NZ Police Vetting policy is an essential part of its proactive and preventative approach to ensuring that every person involved in swimming is treated with respect and dignity and protected from abuse. Swimming NZ is committed to eliminating discrimination, harassment, child abuse, and other forms of inappropriate behaviour in our sport.

Swimming NZ will take all practicable steps to verify the suitability of individuals wishing to be involved in national events and other events or activities identified by Swimming NZ, the regions, and clubs.

### **5.1 POLICY:**

Swimming NZ requires individuals who operate at a club, regional or national level who wish to act in a role (paid or voluntary) that will have sole or joint responsibility for children or vulnerable people, to undergo a police vetting check (police vet) prior to being approved.

**Following the initial satisfactory police vet, individuals are to be vetted every three years.**

Participation at Swimming NZ events by any coach, team manager or technical official is subject to:

- the individual returning a police vet report stating 'no result' or;
- the individual returning a police vet report stating 'released with results', excluding an offence(s) specified under the Vulnerable Children Act 2014 – schedule 2.
  - If the returned police vet report does contain an offence(s) specified under the Vulnerable Children Act 2014 – schedule 2, then the individual's membership of Swimming NZ will be suspended immediately pending further enquiry by Swimming NZ. If the returned police vet report does not contain an offence(s) specified under the Vulnerable Children Act 2014 – schedule 2, then in most cases, participation at Swimming NZ events will be approved subject to prior review by the Swimming NZ Membership Protection Advisor, who may recommend to Swimming NZ that participation at Swimming NZ events be denied pending further review of the result.

By agreeing to go through the police vetting process, individuals grant Swimming NZ the right to inform the relevant club/s that the police vet report has been released 'with results'. Swimming NZ will not provide any details that are contained within the 'with results' report. Swimming NZ will strongly recommend the club and individual discuss these results.

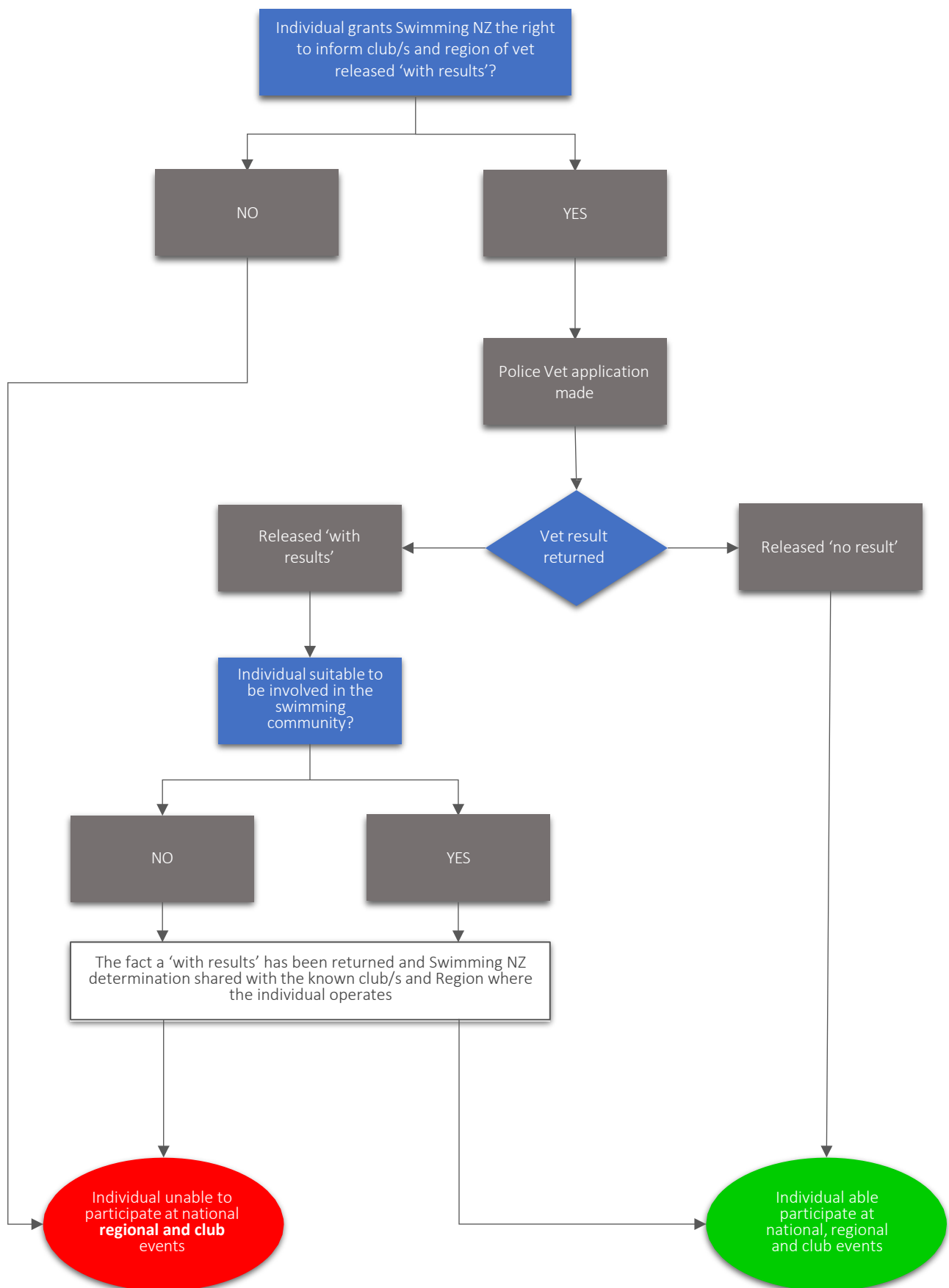
If the individual does not grant Swimming NZ the right to inform the relevant club/s that the police vet report has been released 'with results', then application for participation at Swimming NZ events will be denied.

Notwithstanding the standard three-year cycle Swimming NZ may undertake further police vetting of an individual at any time it considers appropriate, (subject to fresh consent by the individual). If the procedure reports a previously undisclosed incident or behaviour relevant to this policy, the future of the individual's continued involvement with Swimming NZ will be reviewed and may, if appropriate, be terminated.

Swimming NZ will appoint a Membership Protection Advisor (MPA) who will work with Swimming NZ, New Zealand Swim Coaches and Teachers Association (NZSCTA), regions and clubs to help enforce the policy and offer skilled advice and support in the event that any 'released with results' reports are returned.

For the sake of clarity, Swimming NZ nor any Regions, Association nor clubs have any obligations under the Vulnerable Children Act 2014.

## 5.2 PROCESS:



- 5.2.1** A police vetting report will provide information regarding any convictions, dates of those convictions, types of offences and the sentence imposed. The report will also advise whether the police recommend that an individual does not have access to children, young people or vulnerable members of society due to behaviour of a violent or sexual nature (that may not, for whatever reason, have resulted in a conviction).
- 5.2.2** Swimming NZ require individuals to authorise the request of a police vetting report by completing the official Consent to Disclose Information form. As part of this process the individual will be required to agree to authorise Swimming NZ to have the right to immediately advise any club/s or regions that engage the services of the individual if a 'released with results' report is returned (the details of the report will not be shared).
- 5.2.3** In some cases, it will be necessary to obtain the equivalent of a police vetting report or a copy of criminal conviction record from another country where the individual concerned has resided.
- 5.2.4** Swimming NZ has oversight of the police vetting policy and administering the process and loading completed police vetting checks into the Swimming NZ database. The Swimming NZ Membership Protection Advisor (MPA) will be responsible for dealing with any police vet reports that are returned with results.
- 5.2.5** The individual concerned is entitled to request a copy of the Police vetting report obtained by Swimming NZ.
- 5.2.6** If the Police vetting report is returned 'released with results' the MPA will make a determination regarding the suitability of the individual to be involved with swimming in New Zealand. When making this decision, the MPA may consider the following when assessing the results of a vetting report:
- a) The offence is listed as one of the 'Specified Offences' as listed in the Vulnerable Children Act
  - b) The nature of the offence and relevance to involvement with Swimming NZ
  - c) Length of time since the crime was committed
  - d) 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
  - e) Pattern of offending, e.g. a short spate may indicate a 'phase', but a regular pattern may indicate continued inappropriate behaviour
  - f) Any other factors deemed relevant
- 5.2.7** If the Membership Protection Advisor (MPA) deems the results do not meet the threshold to exclude the individual from participating in national events they will:
- a) advise the individual of this outcome
  - b) inform the club/s that engage the individual that the police vet has been released 'with results' (report details will not be shared)
  - c) inform local region and any other relevant parties of the 'with results' report if deemed necessary or required.
- 5.2.8** If the Membership Protection Advisor deems the results do meet the threshold to exclude the individual from participating in national events, or maintaining Swimming NZ membership, they will pass on the information to the Swimming NZ CEO who will:
- a) advise the individual of this outcome

- b) work in conjunction with the individual to understand the full circumstances of the details contained within the report
- c) inform the club/s that engage the individual that the police vet has been released 'with results' (report details will not be shared) with a recommendation that could include immediate suspension of the member pending a further investigation
- d) inform local region and any other relevant parties of the 'with results' report if deemed necessary
- e) make a recommendation to the Swimming NZ Board as to the suitability of continued Swimming NZ membership

**5.2.9** If Swimming NZ already engages the individual, they may suspend the individual pending the decision to either cease or continue their involvement with Swimming NZ. If the individual is applying to take part in a national event for the first time their application for accreditation will be placed on hold pending the outcome of the police vet report.