



AGENDA

RĀRANGI TAKE

NOTICE OF AN ORDINARY MEETING OF

Risk and Assurance Committee

to be held on **Wednesday 2 August 2023** commencing at **1:00pm** in the Council Chambers, 36 Weld Street, Hokitika and via Zoom

Chairperson:	Rachael Dean
---------------------	--------------

Members:

Her Worship the Mayor	Cr Baird
-----------------------	----------

Cr Neale	Cr Phelps
----------	-----------

Kw Tumahai	Kw Madgwick
------------	-------------



In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

Council Vision

We work with the people of Westland to grow and protect our communities, our economy, and our unique natural environment.

Purpose

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

1. NGĀ WHAKAPAAHA APOLOGIES

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or the Group Manager Corporate Services Risk and Assurance (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

3. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

Section 46A of the Local Government Official Information and Meetings Act 1987 states:

- (7) An item that is not on the agenda for a meeting may be dealt with at the meeting if –
 - (a) the local authority by resolution so decides, and
 - (b) the presiding member explains at the meeting at a time when it is open to the public, –
 - (i) the reason why the item is not on the agenda; and
 - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (7A) Where an item is not on the agenda for a meeting, –
 - (a) that item may be discussed at the meeting if –
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

4. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS

The minutes of the previous meeting were circulated separately via Microsoft Teams.

- **Risk and Assurance Committee Meeting Minutes – 11 May 2023** (Pages 5-9)

5. ACTION LIST (Page 10)

Lesley Crichton, Group Manager Corporate Services, Risk and Assurance

6. NGĀ TĀPAETANGA PRESENTATIONS

Nil

7. PŪRONGO KAIMAHI STAFF REPORTS (Pages 11-25)

- **Policy Review**
Kate Campbell, HR Advisor
 - Health & Safety Policy (Revised)
 - Safeguarding Children, Youth and Vulnerable Persons Policy (New)
 - Recruitment Policy (Revised)
- **Rolling Work Plan** (Page 26)
Lesley Crichton, Group Manager Corporate Services, Risk and Assurance

8. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confidential Minutes – 11 May 2023	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

2.	Health & Safety Report	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3.	Quarterly Report on Whistleblower Services at 30 June 2023	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
4.	Risk Report	Good reason to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
1	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
1,2	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
2	Avoid prejudice to measures protecting the health or safety of members of the public; (Schedule 7(2)(d))
2, 3, 4	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; (Schedule 7(2)(h))
3	Maintain the effective conduct of public affairs through— the protection of such members, officers, employees, and persons from improper pressure or harassment; (Schedule 7(2)(f))
3, 4	Maintain legal professional privilege; (Schedule 7(2)(g))

DATE OF NEXT RISK AND ASSURANCE COMMITTEE MEETING – 9 NOVEMBER 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM



RISK AND ASSURANCE COMMITTEE MEETING MINUTES

MINUTES OF THE RISK AND ASSURANCE COMMITTEE MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON 11 MAY 2023 COMMENCING AT 1:00 PM

The Committee Meeting was live streamed to the Westland District Council YouTube Channel and presentations are made available on the Council website.

1. MEMBERS PRESENT AND APOLOGIES

Independent Chair:	Rachael Dean
Members:	
Her Worship the Mayor (part of the meeting)	Cr Gillett
Cr Phelps (part of the meeting)	Cr Baird
Kw Tumahai	Cr Neale

NGĀ WHAKAPAAHA APOLOGIES

Kw Madgwick
Apologies for Lateness – Cr Phelps
Apologies for lateness – Her Worship the Mayor

Moved Cr Neale, seconded Cr Baird and **Resolved** that the apology from Kw Madgwick be received and accepted.

STAFF PRESENT

S. Bastion, Chief Executive; L. Crichton, Group Manager: Corporate Services & Risk Assurance; T. Cook, Community, Planning & Regulatory Services; S. Baxendale, Group Manager, District Assets; L. Truman, Finance Manager; D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (via zoom); S. Johnston, Governance Administrator (via zoom)

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and email.
The Chair advised of changes to be made to the Interest Register on her behalf and advised that she is no longer working in the Audit Role as Chair; is doing some Advisory work for the Upper Hutt Risk & Assurance Committee and is also in a Business Advisory role for a 'not for charity/not for profit' organisation.

3. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

There were no urgent items of business not on the Agenda.

4. NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS

The Minutes of the previous Meeting were circulated separately via Microsoft Teams and email:

- **Inaugural Risk and Assurance Committee Meeting Minutes – 9 February 2023**

It was noted that the Minutes of the 9 February 2023 needed an amendment made to the late agenda item which was the Draft Risk & Assurance Committee Rolling Workplan. The resolution did not contain the word '**Resolved**' and the Chair asked for a mover and seconder to add the word '**Resolved**' to the movement of this item to formalise it.

Moved Chair Dean, seconded Cr Gillett and **Resolved** that:

1. The amended Inaugural Minutes of the Risk and Assurance Committee Meeting held on the 9 February 2023 be confirmed as a true and correct record of the meeting.

The Chair **Approved** that their digital signature be added to the confirmed amended Inaugural Risk and Assurance Committee Meeting Minutes of 9 February 2023.

5. ACTION LIST

Lesley Crichton, Group Manager, Corporate Services and Risk & Assurance spoke to the Action List and provided the following updates:

- Insurance review- is in progress.
- Evaluation of performance – has been moved to 2024

Moved Chair Dean, seconded Cr Gillett and **Resolved** that the updated Action List be received.

6. NGĀ TĀPAETANGA PRESENTATIONS

Nil

7. PŪRONGO KAIMAHI STAFF REPORTS

1. **Quarterly Report: 1 January-31 March 2023**

Lynley Truman, Finance Manager and Emma Rae, Strategy & Communications Advisor spoke to this item and advised that the purpose of the report was to inform the Committee of Council's financial and service delivery performance for the nine months ended 31 March 2023.

The Chief Executive advised that an application for another round of storm damage funding from the Ministry of Business Innovation & Employment (MBIE) has been submitted.

The Chief Executive provided an update for the Committee on the following items:

- Hokitika Wastewater Treatment Plant Project
- National Transition Unit
- Impacts of the Better Off Funding withdrawal

Moved Cr Neale, seconded Cr Gillett and **Resolved** that:

1. The report be received.
2. The Committee receive the Quarterly Report Q3 January – March 2023

- **Risk & Assurance Rolling Workplan**

Lesley Crichton, Group Manager, Corporate Services and Risk & Assurance spoke to the Rolling Workplan.

A report regarding Insurance will be tabled at the next Risk & Assurance meeting in August.

Moved Cr Phelps, seconded Cr Baird and **Resolved** that:

1. The Rolling Workplan be received.

8. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Moved Chair Dean, seconded Cr Baird and **Resolved** that the Risk and Assurance Committee confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 1:25 pm.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Inaugural Confidential Risk & Assurance Meeting Minutes – 9 February 2023	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2.	Ernst & Young Audit Plan FY23	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3.	Health & Safety Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

Section 48(1)(a)			
4.	IT Cybersecurity Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
5.	Risk Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
6.	Quarterly Report on Whistle-blower Services at 31 March 2023	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
7.	Policy Review: Data Privacy Policy	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
1	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
1,3,4, 7	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
1, 4, 6, 7	Maintain the effective conduct of public affairs through – (i) the protection of such members, officers, employees, and persons from improper pressure or harassment; or (ii) the protection of such members, officers, employees, and persons from improper pressure or harassment; or (Schedule 7(2)(f))

Item No.	Interest
2, 4, 7	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))
3	Avoid prejudice to measures protecting the health or safety of members of the public; (Schedule 7(2)(d))
3, 4, 5, 6, 7	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or (Schedule 7(2)(h))
4, 7	Avoid prejudice to measures that prevent to mitigate material loss to members of the public; (Schedule 7(2)(e))
4, 7	<i>Other reasons for withholding official information</i> Where this section applies, good reason for withholding official information exists, for the purpose of section 5 , unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available. (Schedule 7)
4	Subject to sections 6, 8, and 17 , this section applies if, and only if, the withholding of the information is necessary to- (Schedule 7(2))
5, 6	Maintain legal professional privilege (Schedule 7(2)(g))

Moved Chair Dean, seconded Cr Phelps and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 3:04 pm.

DATE OF NEXT RISK AND ASSURANCE COMMITTEE MEETING – 10 AUGUST 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM



MEETING CLOSED AT 3:04 PM

Confirmed by:

Rachael Dean
Chair

Date:

02.08.23 – RISK AND ASSURANCE COMMITTEE – ACTION LISTING

Date		COMPLETED IN PROGRESS OVERDUE	Item	Action Required	Status	Lead Officer
1	10.08.21		Insurance review of the Airport.	<p>This assets value will need to be reviewed and amendment once the renovations are completed.</p> <p>Insurance valuations are also being completed at the same time.</p>	<p>Destination Westland (DW) need to take the lead on this. The Chief Executive has advised he will follow up with DW on this.</p> <p>Update: DWL are progressing this with Coast Valuations.</p>	CE
2	09.11.21		Workshop: Evaluation of the performance of the Committee	Workshop to be scheduled with the first meeting of 2024.		Chair

Report to Committee



DATE: 2 August 2023

TO: Risk and Assurance Committee

FROM: HR Advisor

Review of Revised Policies

1. Summary

- 1.1. The purpose of this report is to present the new and revised policies (as attached in Appendix 1) for review:
 - 1.1.1. Health and Safety Policy (revised)
 - 1.1.2. Safeguarding Children, Youth and Vulnerable Persons Policy (new)
 - 1.1.3. Recruitment Policy (revised)
- 1.2. This issue arises from the Terms of Reference (ToR) to review policy as part of Internal Control.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long-Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that the Risk and Assurance Committee receive and endorse the policies as above.

2. Background

- 2.1. The reason the report has come before the Risk and Assurance Committee is due to the delegated authority to review policies as part of Council's internal controls.
- 2.2. The Health and Safety Policy was due for review in accordance with the three-year review cycle. It is necessary to meet legislative requirements under the Health and Safety at Work Act 2015.
- 2.3. The Safeguarding Children, Youth and Vulnerable Persons Policy is necessary to meet legislative requirements under the Children's Act 2014
- 2.4. The Recruitment Policy required review to ensure rigour and consistency in the recruitment and selection process and to meet legislative requirements under the Children's Act 2014.

3. Current Situation

- 3.1. The revised Health and Safety Policy has been developed by the HR Advisor and the Compliance and Health and Safety Officer. It was reviewed by the Health and Safety Committee and adopted on 13 June 2023.
- 3.2. The new Safeguarding Children, Youth and Vulnerable Persons Policy was originally developed by the previous People and Capability Manager with further amendments by the current HR Advisor. It was reviewed and adopted by the Executive Leadership Team on 13 March 2023.

3.3. The revised Recruitment Policy was reviewed by the HR Advisor and reviewed and adopted by the Executive Leadership Team on 13 March 2023.

4. Options

4.1. Option 1 – Review and Endorse the following new/revised policies:

4.1.1. Health and Safety Policy

4.1.2. Safeguarding Children Youth and Vulnerable Persons Policy

4.1.3. Recruitment Policy.

4.2. Option 2 – Do not accept new and revised policies as above

4.3. Option 3 – Accept new and revised policies as above with amendments (to be specified)

5. Risk Analysis

5.1. Risk has been considered and the following risks have been identified:

5.1.1. Financial, legal and reputational risks of:

5.1.1.1. failing to comply with legislative requirements

5.1.1.2. failing to safeguard children, youth and vulnerable persons and

5.1.1.3. making a detrimental staff appointment

6. Health and Safety

6.1. Health and Safety has been considered and the following items have been identified:

6.1.1. Risk to health and safety of staff and public from failing to comply with Health and Safety at Work Act 2015.

7. Significance and Engagement

7.1. The level of significance has been assessed as being low.

7.1.1. No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

8.1. Option 1 – Review and endorse new and revised policies as above

8.1.1. There are no financial implications to this option; or

8.2. Option 2 – Do not endorse new and revised policies as above

8.2.1. Potential for legal, financial, and reputational risk as above; or

8.3. Option 3 – Review new and revised policies as above with amendments (to be specified)

8.3.1. There are no financial implications to this option

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1

9.2. The reason that Option 1 has been identified as the preferred option is that these policies have been through internal peer review, relevant committees, and the Executive Leadership Team for approval.

10. Recommendation(s)

10.1. That the report be received.

10.2. That the following policies be reviewed and endorsed by the Risk and Assurance Committee:

10.2.1. Health and Safety Policy

10.2.2. Safeguarding Children, Youth and Vulnerable Persons Policy

10.2.3. Recruitment Policy

Kate Campbell

HR Advisor

Appendix 1: Health and Safety Policy

Appendix 2: Safeguarding Children, Youth and Vulnerable Persons Policy

Appendix 3: Recruitment Policy

Health and Safety Policy

1. Purpose

The Westland District Council (Council) is committed to providing and maintaining an environment that is safe and without undue risk to employees, contractors, volunteers and visitors. The purpose of this policy is to provide clear expectations regarding health and safety responsibilities of all parties.

1.1 Scope

This policy applies to employees, contractors, volunteer workers, visitors and members of the public working on or visiting Council buildings, facilities and worksites.

1.2 Commencement

This policy comes into force on 13 June 2023.

1.3 Definitions

“PCBU” - A Person Conducting a Business or Undertaking. May be an individual or an organisation

“Leadership” – The PCBU, Chief Executive and Executive Leadership Team

“Employee” – A person employed to do any work for hire or reward under a contract of services (commonly called an employment agreement).

“Contractor” - A person who performance work under a contract for services.

“Volunteer” – A person who doesn’t receive or expect any reward or remuneration, monetary or otherwise, for work performed of their own free will.

“Volunteer Worker” - A person who, with consent of the PCBU, does on-going and regular volunteer work that is an integral part of the business.

“Worker” – includes all employees, contractors and volunteer workers as defined above.

“Visitor” - A member of the public or person visiting Council premises.

2. Policy

2.1 Compliance with Health and Safety at Work Act 2015

The Council’s Health and Safety Policy complies with the Health and Safety at Work Act 2015 its amendments, regulations and standards under the Act. Council will comply with approved codes of practice, industry publications, regulations, guidelines, best practice documents and safe operating procedures.

2.2 Council Leadership will:

- Comply with all legislative requirements to provide and maintain a safe and healthy work environment
- Allocate adequate resources to promote health and safety at work
- Ensure dedicated health and safety representatives meet quarterly and are responsible for ensuring health and safety is effectively coordinated and communicated throughout Council.
- Encourage and support worker engagement, participation and representation with consultation on health and safety matters including by management, employees, union representatives, health and safety representatives and other relevant parties.
- Ensure all workers have adequate induction, training and supervision to perform their duties in accordance with relevant policies, guidelines and standard operating procedures.
- Promote a culture of responsibility and accountability for health and safety throughout the organisation

- Identify review and assess all workplace risks and hazards. Ensure that risks and hazards are managed, eliminated or minimised and effective hazard controls are in place.
- Ensure active reporting and recording of all hazards, incidents, injuries and near misses in a timely manner.
- Undertake investigations and review and implement findings regarding appropriate corrective actions and controls.
- Work closely with Accident Compensation Corporation (ACC) and staff to support rehabilitation programmes and return to work plans.
- Report notifiable events to Work Safe New Zealand as soon as possible within 24 hours and in writing within seven days.

2.3 Workers will:

- Follow all safe work practices, procedures, guidelines and controls.
- Take all reasonably practicable steps to ensure their own safety at work and not cause harm or create hazards to other persons. Encourage others to do the same.
- Actively contribute to hazard identification and hazard management.
- Communicate health and safety issues or concerns directly to their manager or a health and safety representative.
- Report all accidents, injuries, incidents, pain or discomfort and near misses immediately or as soon as possible within 24 hours. This includes damage to property, vehicles and equipment.
- Actively participate in health and safety initiatives and participate in meetings and training.
- Take an active role in any personal treatment, rehabilitation plans or return to work programs if applicable.
- Wear Personal Protective Equipment (PPE) where required and be personally responsible for the use, care and storage of PPE
- Take responsibility for visitors and support visitors to comply with Council Health and Safety Policy and procedures at all times.

3. Reporting

- Accidents, injuries and near misses reported via approved systems and summary tabled at Health and Safety Committee meetings
- WorkSafe notifications reported as required

4. Related Documents and Acts

The following Westland District Council documents relate to this policy:

- WDC Staff Code of Conduct
- All Council Policies and Procedures
- Hazard/Risk Register
- Critical Risk Manual
- Contractor Health and Safety Manual

The following Legislation relates to this policy:

- Health and Safety at Work Act 2015
- Accident Compensation Act 2001
- Health and Safety at Work (Hazardous Substances) Regulations 2017
- Health and Safety at Work (Asbestos) Regulations 2016

Health and Safety Policy

Staff are also referred to:

- [Home](#) | [WorkSafe](#)

5. Policy Review

A review of this policy will take place in June 2026.

Created:	13 June 2023	Date for review:	13 June 2026
Author:	HR Advisor & H & S Officer	Authorised by:	Health & Safety Committee
Consulted on:	Health & Safety Committee 13 June 2023	Version	2.0

Safeguarding Children, Youth and Vulnerable Persons



1. Purpose

- Children, youth and vulnerable persons have the right to be protected from harm. This policy outlines Westland District Council's intention and commitment to protecting the safety and wellbeing of children, youth and vulnerable people.

1.1 Scope

- This policy applies to all Westland District Staff and particularly to staff and contractors who meet the definition of Children's Workers as specified in the Children's Act 2014.

1.2 Commencement

- This policy comes into force Post consultation

1.3 Definitions

- Child Abuse & Neglect**
The harming (physical, emotional, sexual), ill-treatment, abuse, neglect or deprivation of any child or young person. It includes actual, potential and suspected abuse.
- Child or young person**
 - (a) A person who is under 18 years of age;
 - (b) A person who is under the of 21 years and has been in care;
 - (c) A person who is under the age of 25 years and is receiving transition support from the department.
- Child Protection**
The actions taken to ensure the safety of a child or young person in cases where there is abuse or neglect.
- Children's Worker**
A person who works in, or provides a regulated service, and the person's work:
 - a) May or does involve regular or overnight contact with a child or children (other than children who are co-workers); and
 - b) Takes place without a parent or guardian of the child being present

A person's work involves regular or overnight contact with children if—

 - a) the person has contact (other than merely incidental contact) with a child or children—
 - i. overnight; or
 - ii. at least once each week; or
 - iii. on at least 4 days each month; and
 - b) that contact is any of the following kinds:
 - i. physical contact:
 - ii. oral communication, whether in person or by telephone:
 - iii. communication through any electronic medium, including by way of writing or visual images.
- Core Worker**
A children's worker working in or providing a regulated service requires or allows that, when the person is present with a child or children in the course of that work, the person:
 - a) Is the only children's worker present; or
 - b) Is the children's worker who has primary responsibility for, or authority over, the child of children present.

- **Designated Person**
The person within an organisation who is responsible for providing advice and support to any individual who is concerned about a child or wants advice about the Safeguarding and Child Protection Policy.
- **Disclosure**
Information about abuse or neglect provided by a child, young person, parent, caregiver or any other person.
- **Non-core Worker**
A children's worker who is not a Core Worker
- **Regulated Service**
Services including, but not limited to, services provided at swimming pools, libraries, community centres, youth services, youth work, staff involved in Ministry of Education Contracts for Learning and Education Outside the Classroom (LEOTC).
- **Safety Check**
The requirements for safety checks for core and non-core workers are set out in Section 31 of the Children's Act 2014 and regulations made under Section 32 of the Act. Must include –
 - a) Confirmation of the identity of the person, carried out as prescribed by regulations made under section 32 (of the Act);
 - b) Consideration of specific information prescribed by regulations made under section 32 (of the Children's Act 2014)
 - c) A risk assessment, carried out as prescribed by regulations made under section 32 (of the Children's Act 2014) that assesses the risk the person would pose to the safety of child if employed or engaged as a children's worker.
- **Specified Offence**
Any of the offences against the Crimes Act 1961, the Films, Videos and Publications Classification Act 1993 and the Customs and Excise Act 1996 and listed in Schedule 2 of the Children's Act 2014
- **Vulnerable Person**
A vulnerable adult is someone who because of their age, sickness or mental impairment, or because they are in detention, is completely unable to remove themselves from the care or charge of another person.

2. Policy

1. Westland District Council will:

- a) make the safety and wellbeing of children, youth and vulnerable persons a primary concern in our everyday interactions with the community.
- b) complete safety checks in accordance with Section 32 of the Children's Act 2014 on all staff and contractors who meet the definition of a Children's Worker (Core and Non-Core). Refer to Recruitment Policy - Employee Background Checks
- c) provide appropriate Child Protection Training to all Children's Workers
- d) have a designated Child Protection Officer to provide advice and assistance to staff to manage child protection issues that arise.
- e) provide clear guidelines to staff as to what to do in the event of a child, youth or vulnerable person making a disclosure of abuse, assault or neglect (refer to Procedure for Protecting Children, Youth

and Vulnerable Persons) or any of these circumstances are suspected.

- f) comply with requests for information from relevant agencies within the requirements of the Children's Act 2014 and Privacy Act 2020.

3. Reporting

- All instances of concern are to be immediately reported to the Child Protection Officer who will report to the HR Advisor, the Chief Executive and the Risk and Assurance Committee if appropriate.

4. Related Documents and Acts

The following Westland District Council documents relate to this policy:

- Child Protection Procedures
- Recruitment Policy
- Health & Safety Policy
- Hazard & Risk Register (through LaserFiche)
- Family Violence Policy

The following Legislation relates to this policy:

- Health and Safety at Work Act 2015
- Children's Act 2014
- Employment Relations Act 2000

Note: Any legislation referred to should be interpreted as meaning the Act and its amendments

Staff are also referred to:

- Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015
- Health and Safety at Work (General Risk and Workplace Management) Regulations 2016

5. Policy Review

A review of this policy will take place in February 2026.

Created:	23/02/2023	Date for review:	23/02/2026
Author:	HR Advisor	Reviewed and Adopted	Adopted by Exec Team 13.03.23
Consulted on:	Exec Team, Feb 2023	Version	1.0

Recruitment Policy

Purpose

The purpose of this policy to provide a framework for the recruitment and selection of staff at WDC. The principles and procedures outline the requirements to ensure the organisation can recruit and retain staff while ensuring compliance with legislative requirements.

Scope

This policy covers all activities that form part of the recruitment and selection process for all Council recruitment events, including:

1. Establishment
2. Recruitment and selection
3. Employment checks
4. Appointment

Definitions

Child	<ul style="list-style-type: none"> (a) A person who is under 18 years of age; (b) A person who is under the of 21 years and has been in care; (c) A person who is under the age of 25 years and is receiving transition support from the department.
Employee	Any person employed either full-time, part-time or fixed term by Council.
Children's Worker	<p>A person who works in, or provides a regulated service, and the person's work -</p> <ul style="list-style-type: none"> (a) May or does involve regular or overnight contact with a child or children (other than with children who are co-workers); and (b) Takes place without a parent or guardian of the child, or of each children being present. <p>A person's work involves regular or overnight contact with children if—</p> <ul style="list-style-type: none"> (a) the person has contact (other than merely incidental contact) with a child or children— <ul style="list-style-type: none"> (i) overnight; or (ii) at least once each week; or (iii) on at least 4 days each month; and (b) that contact is any of the following kinds: <ul style="list-style-type: none"> (i) physical contact: (ii) oral communication, whether in person or by telephone: (iii) communication through any electronic medium, including by way of writing or visual images.

Core worker	A children's worker who works in or provides a regulated service requires or allow that, when the person is present with a child or children in the course of that work, the person- (a) Is the only children's work present; or (b) Is the children's worker who has primary responsibility for, or authority over, the child or children present.
Non-Core worker	A children's worker who is not a core worker.
Police Vetting check	Statutory safety check as required by legislation provided by the NZ Police.
Recruitment	The act of enlisting people to work at Westland District Council.
Safety checked	A safety check has been completed for the person within the previous three years.
Safety check	Must include – (a) Confirmation of the identity of the person, carried out as prescribed by regulations made under section 32 (of the Act); (b) Consideration of specific information prescribed by regulations made under section 32 (of the Children's Act 2014) (c) A risk assessment, carried out as prescribed by regulations made under section 32 (of the Children's Act 2014) that assesses the risk the person would post to the safety of child if employ or engaged as a children's worker.

Core Principles

The following core principles apply to all recruitment and selection activities at WDC.

1. The Council has a principle of open competition in its approach to recruitment.
2. The Council will seek to recruit the best candidate for the job based on merit. Recruitment procedures are focused on identifying the candidate best suited to the role and the Council.
3. Recruitment must be conducted in a professional, timely and responsive manner and comply with all relevant legislative requirements.
4. The Council will provide appropriate training and support to those involved in the recruitment process. At a minimum, hiring managers must complete the training course [Hiring an Employee for Managers](#).
5. If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare this to the hiring manager as soon as they are aware.

Recruitment and Selection

Procedures are available to assist hiring managers to run recruitment events. The following provisions apply:

Establishment

1. A detailed position description (PD) must be developed or updated for all recruitment events. The PD must accurately reflect the elements of the role.
2. A request to recruit must be completed and authorised by the Chief Executive. Any amendments to the position description or request details must be approved by the Chief Executive.

Selection

1. In some circumstances it may be appropriate to use a recruitment agency. In these instances, the details must be included in the request to recruit and approved by the Chief Executive. The hiring manager or the HR Advisor will be the recruitment lead and main contact with the agency.
2. Advertising is subject to the following:
 - The hiring manager will determine if the role is suitable to be advertised internally.
 - A vacancy may be advertised internally only, subject to the approval of the Chief Executive.
 - Content and locations for vacancies advertised externally is determined by the hiring manager and should be placed in locations most likely to generate suitable candidates.
 - Vacancies advertised externally must be placed on the Council website.
3. Adequate information must be available for applicants to make informed decisions about their suitability for the role.
4. Staff in a fixed term or acting position that subsequently becomes vacant will need to apply for the position when it is advertised.
5. Applicants must complete a Westland District Council Application Form and submit a Curriculum Vitae.
6. Shortlisting and interviews must be conducted by the hiring manager and at least one other person.
7. Interview questions and structure should be consistently applied to all candidates and should be based on the person specification.
8. All candidates should be evaluated using a range of methods suitable for assessing both the essential and desirable criteria in the position description.
9. Notes on the salient points of the interview should be kept by each member of the panel and used when assessing the candidate's suitability for the role. At the conclusion of the recruitment process, interview notes must be scanned and submitted to the HR Advisor.
10. All documentation related to unsuccessful applicants is destroyed after one year.
11. Unsuccessful candidates should be advised of the outcome in a timely manner. Candidates who have attended an interview must receive a phone call, all other candidates will receive written notification.
12. In the event a candidate requests feedback about their performance in the selection process the hiring manager or HR Advisor should prepare an appropriate response.

Employment Checks

1. Referees should not be contacted without the candidate's consent.
2. A minimum of two reference checks must be completed.
3. Reference checks and capability assessments must be completed prior to any offer being made to the candidate.
4. Information sought from referees should be structured around the requirements of the role and be consistent for all referees contacted as part of the check.
5. Preferred referees are current and/or former manager(s).
6. The following checks are mandatory for all preferred candidates (the hiring manager is responsible for determining the nature of the checks):

- a. Police check
 - b. Digital literacy assessment
 - c. Verification of identification (two forms of ID)
 - d. Verification of qualifications (copies of qualifications held).
 - e. 7-point safety check for all Children's Worker positions, including Contractors and regular volunteers, in accordance with the Children's Act 2014 (refer Children's Worker Check Form).
7. Additional testing (incl. practical skills assessments) may be included at the discretion of the hiring manager.

Appointment

1. All offers of employment are subject to the satisfactory completion and assessment of all required checks.
2. The hiring manager is responsible for the final decision, including offer details within the approved parameters e.g. salary, for making an offer to the preferred candidate.
3. In most cases it is desirable for a verbal offer to be made to the preferred candidate. In these circumstances the hiring manager or the HR Advisor will make the offer to the preferred candidate.
4. The hiring manager will agree an appropriate start date subject to the acceptance of a formal offer of employment and/or employment agreement.
5. The hiring manager will prepare a written offer of employment and employment agreement through MyHR for signing by the employee. Senior Managers have delegated authority to sign employment agreements on behalf of the Chief Executive.
6. An applicant is appointed to the role conditional on meeting the requirements of all required background checks and may not start working with children or young people until all requirements have been satisfactorily met.

Related Documents and Acts

The following Westland District Council documents relate to this policy:

- Code of Conduct
- WDC Application form which requests permission for a police check
- Police Vetting Service Request & Consent Form

The following Legislation and Regulations relate to this policy:

- Children's Act 2014
- Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015
- Health and Safety at Work Act 2015
- Clean Slate Act 2004

Created	May 2022	Date for Review	May 2024
Author	People & Capability Manager	Reviewed Adopted	February 2023 Exec Team 13.03.23
Consulted on	30/3/2022	Version	2

Children's Worker Safety Check Record

Potential Employee Name:	
Position Applied For:	
Proposed Start Date:	
Is the position a core or non-core Children's worker role (refer definitions attached)	<input type="checkbox"/> Core <input type="checkbox"/> Non-Core
1. Identity Check <input type="checkbox"/>	
Two forms of ID at least one with photo (typically Birth Certificate, Passport and/or Driver Licence) Site original and have copy on file.	
2. Interview <input type="checkbox"/>	
A copy of interview notes are on file with specific questions regarding to child safety (check with HR for guidance on questions)	
3. Referee Check <input type="checkbox"/>	
Referee checks from two professional referees are on file with specific questions about child safety/protection (check with HR for guidance on questions)	
4. Work History <input type="checkbox"/>	
Previous 5 year work history is on file (typically in CV). If new to workforce or no history available please clearly state the reason why.	
5. Professional Body Check <input type="checkbox"/> or N/A <input type="checkbox"/>	
If a member of a professional body, licensing or registration authority (e.g. Teaching, Health) to confirm current membership and that no concerns have been raised (note that there is no requirement for the organization to give information).	
6. Police Vet <input type="checkbox"/>	Date Received:
A NZ Police Vet MUST be completed prior to starting work with children/young people. If the Police Vet shows any conviction history, the results must be considered in the Risk Assessment process to determine level of risk to children/young people and how this may be mitigated.	
7. Risk Assessment <input type="checkbox"/>	
Evaluation of all of the above information to assess the risk the potential children's worker would pose to the safety of children/young people if employed, taking into account if the role is a Core or Non-Core Children's Worker position.	
<input type="checkbox"/> Based on the information obtained through the above background checking process I can confirm that the person named above poses low risk to children and young people and will work in a way that promotes and supports the well-being of children and young people	
<input type="checkbox"/> Based on the information obtained through the above background checking process this individual may be suitable to work with children/young people with the following provisions:	
<input type="checkbox"/> Based on the information obtained through the above background checking process this individual is NOT suitable to work with children/young people.	
8. Decision:	

<input type="checkbox"/> Employ <input type="checkbox"/> Do not Employ	
9. Documentation	
<input type="checkbox"/> All of the above documentation has been submitted to HR for the individual's personnel file.	
10. Manager responsible	
Name:	Date:
Signature:	

3-year review	
<p>The following checks must be completed at three year intervals:</p> <p> <input type="checkbox"/> Identity Check (re-submit ID to confirm no change of name) <input type="checkbox"/> Police Vet <input type="checkbox"/> Professional Body/ Licensing or registration authority check <input type="checkbox"/> Risk Assessment: Having completed the required three year checks above and taking into account if the role is a Core or Non-Core Children's Worker role, I confirm that this individual continues to pose low risk to the safety and well-being of children and young people. </p>	
10. Manager Sign-off	
Name:	Date:
Signature:	

RISK AND ASSURANCE COMMITTEE ROLLING WORK PLAN

Item	Aug-23	Oct-23 Annual Report	Nov-23	Feb-23	May-23
External Audit		Audit 16 September to 6 October. Final report to be presented at Extra-ordinary meeting RAC 17 October by EY.			Finalise audit planning Note; Interim audit Dates will be confirmed nearer time.
Financial and Service Delivery Reporting	No financial report due to annual report preparation. Update on Annual Report progress.	Review Audited Annual Report 2022 /23 – recommendation of adoption to Council	Quarterly Financial and Service Delivery Report.	Quarterly Financial and Service Delivery Report.	Quarterly Financial and Service Delivery Report.
Insurance	No Information on renewals received at the time of updating this workplan.				
Risk Management Framework	Review Risk Register Health & Safety Report		Review Risk Register Health & Safety Report	Review Risk Register Health & Safety Report	Review Risk Register Health & Safety Report
Internal Control Framework	PwC quarterly Whistleblower Report Policy Review: Recruitment Policy. Safeguarding Children Policy. H&S Policy.		PwC quarterly Whistleblower Report Policy Review:	Policy Review:	PwC quarterly Whistleblower Report Policy Review: