

NMIT PROTECTION OF CHILDREN AND VULNERABLE ADULTS POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	People and Culture		
Approval Date	24.02.2026	Sponsor	People and Wellbeing Manager
Next review	01.01.2027	Approved by	SLT

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy); and
- People and organisations contracted to provide services on behalf of NMIT and would not normally be considered kaimahi; and
- All governors of NMIT including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy); and
- Ākonga (learners) who come into contact with a child or vulnerable adult during the course of their studies, including where they have course placement in regulated industries as part of their studies with NMIT.

In this context children and vulnerable adults includes:

- NMIT ākonga who may be disadvantaged due to physical, mental, intellectual, or emotional limitations, and may be unable to protect themselves from harm or abuse
- NMIT ākonga who may be disadvantaged due to age, including those aged under 18 years
- Children, young people under the age of 18 years, and vulnerable adults who receive services at or from NMIT, including learners enrolled in Trades Academy and other secondary-tertiary pathway programmes (noting that Trades Academy provision is a regulated service – refer Appendix).

Te Pūtaki | Purpose

The purpose of this policy is to provide guidance to:

- identify, support and protect children, young people under the age of 18 years, and vulnerable adults who receive services at or from NMIT
- ensure the wellbeing and safety of those to whom NMIT provides a service, and fulfill its obligations under the Children’s Act 2014, the Crimes Act 1961 Section 195 and other relevant legislation

Ngā Mātāpono | Principles

NMIT will act in the best interests of children and vulnerable adults to whom it provides a service, underpinned by the following key principles:

Compliance

Decision-making and practice relating to the protection of children, young people and vulnerable adults will comply with all relevant legislation, standards, policies and procedures.

Safety, Health and Wellbeing

NMIT will act in the best interests of children, young people and vulnerable adults to whom it provides a service by promoting a culture and practices in which their safety and wellbeing is understood and prioritised.

Best Practice

NMIT will implement practices that support and develop resilience, good practice and accountability in our decision-making, management and operations.

Giving Effect to Te Tiriti o Waitangi

NMIT is committed to fulfilling our responsibilities and obligations as a Te Tiriti o Waitangi partner and to being reflective and open as we work towards excellence in our ways of working to give effect to te Tiriti.

We will work to embed culturally appropriate processes and responses into our practices for protecting children and vulnerable adults.

Confidentiality and privacy

At all times, information is shared only with those who need to know, being mindful of the rights of kaimahi and ākonga including their entitlement to confidentiality and privacy.

Our Values

NMIT values guide our behaviour as an organisation and establish a foundation for how we all work as part of the NMIT community. Ākonga and kaimahi alike have an individual and collective responsibility to behave in ways that uphold our values and maintain integrity and quality in everything we do.

Kaupapa Here | Policy Statements

Duty of Care

All NMIT kaimahi have a duty of care to ensure the safety and wellbeing of ākonga while on NMIT campuses or taking part in NMIT activities.

Any member of the NMIT community aged 18 years and over who is aware of abuse or neglect of a child, young person or vulnerable adult in any context where they are receiving a service at or from NMIT must take reasonable steps to protect them from harm.

Safety Checks for Kaimahi

NMIT will undertake police vetts and safety checks on any kaimahi who may be a *children's worker* or *core worker* in the context of their work with NMIT, as defined in the Children's Act (refer Appendix for definitions).

NMIT reserves the right to appropriately restrict a person's NMIT-based activities where:

- a) A safety check identifies that they may pose a risk to children, young people or vulnerable adults; and/or
- b) A police vet identifies that a person is not permitted to work with children under the Children's Act 2014; or
- c) No safety check has been completed.

NMIT recognises that kaimahi, where otherwise restricted, may obtain an exemption from the Chief Executive of a *Key Agency* which allows them to work as a *children’s worker* and will consider this where an exemption is provided (refer Appendix for definitions).

Safety Checks for Ākonga

NMIT ākonga are subject to safety checks if their studies include a practicum or placement component where they work with children and / or vulnerable adults in a regulated service. A regulated service is any service listed in Schedule 1 of the Children’s Act 2014 including Health Services, Welfare, Support and Justice Services and Education Services (see Appendix).

These checks are conducted by NMIT on behalf of the host (placement) organisation.

Ākonga who are deemed a risk to children, young people or vulnerable adults may be ineligible to enrol in relevant programmes or have conditions placed on their interactions with them.

Education, Training and Support

NMIT will provide induction, education and training to ensure that kaimahi and ākonga (as appropriate) are up to date and aware of their responsibilities under this policy and its related procedures including:

- a) being able to identify the signs and symptoms of potential abuse and neglect and take action in response
- b) sharing information in a timely way and discussing any child protection concerns about an individual child
- c) understand and observe obligations around privacy, confidentiality and information sharing.

Reporting Abuse or Neglect

Kaimahi and ākonga who, in the course of their work or study at NMIT, come to believe that a child or vulnerable adult may have been, or may be at risk of being abused, neglected, or otherwise harmed, should take appropriate action as outlined in [NMIT Protection of Children and Vulnerable Adults Procedure](#).

Kaimahi and ākonga who carry out part of their NMIT work or study in the context of a Regulated Service or other providers of children’s services, must be aware of and adhere to any child protection and reporting requirements in place in those organisations.

Ngā Haepapa | Responsibilities

Role	Responsibilities
Director Māori and Learner Success	Responsible for application of this policy as it applies to NMIT enrolled ākonga.
Director Academic and Teaching	Responsible for application of this policy as it applies to teaching and learning within programmes that <ul style="list-style-type: none"> • provide services to children, young people or vulnerable adults within regulated services, eg. as part of work placements or practicums • are delivered to learners enrolled in Trades Academy and other secondary-tertiary pathway programmes
Managers	Proactively support any administrative processes, recruitment, safety checking and reporting processes for programmes and roles that deliver services under this policy.
People and Culture Manager	Manage safety checking processes for kaimahi and the coordination of kaimahi training as required under this policy.

Ngā Tikanga | Definitions

Term	Definition
Child	A person who is under the age of 18 years; as per section 15 of the Children’s Act, Part 2
Regulated service	A service identified in Children’s Act 2014, Regulated services s 23 (see Appendix)
Vulnerable adult	A vulnerable adult is defined under the Crimes Act 1961 as someone who, due to detention, age, sickness, mental impairment, or any other cause, is unable to withdraw from the care or charge of another person

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Kaimahi and HR Policy
NMIT Privacy Policy
NMIT Information and Records Management Policy

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Protection of Children and Vulnerable Adults Procedure

TURE WHAI TAKE | RELEVANT LEGISLATION

[Care of Children Act 2004](#)
[Children's Act 2014](#)
[Criminal Records \(Clean Slate\) Act 2004](#)
[The Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#)
[Domestic Violence Act 1995](#)
[Education and Training Act 2020](#)
[Employment Relations Act 2000](#)
[Health and Disability Commissioner Act 1994](#)
[Human Rights Act 1993](#)
[Children, Young Persons, and Their Families \(Oranga Tamariki\) Legislation Act 2017](#)
[Privacy Act 2020](#)
[Crimes Act 1961](#)

NGĀ TAPIRITANGA | APPENDICES

Children’s Act 2014, Regulated services s 23 (extract only)

APPENDIX: Children’s Act 2014, Regulated services [s 23](#) (extract only)

23 Interpretation

(1) In this Part, unless the context otherwise requires,

child has the meaning given in [section 15](#)

children’s worker means 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 with children who are co-workers); and

(b) takes place without a parent or guardian of the child, or of each child, being present

core worker means a children’s worker whose work 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 or children present

key agency means any of the following:

(a) the Ministry of Social Development:

(b) the Ministry of Health:

(c) the Ministry of Education:

(d) the Ministry of Justice:

(e) the department responsible for the administration of the [Oranga Tamariki Act 1989](#)

The following are regulated services for the purposes of [Part 3](#):

Welfare, support, and justice services

- 1) services provided (including the performance or exercise of functions and powers) under the [Oranga Tamariki Act 1989](#) by the department responsible for the administration of that Act, or by any care and protection co-ordinator or youth justice co-ordinator:
- 2) services provided at, or in relation to the operation of, any residence within the meaning of [section 2\(1\)](#) or [364](#) of the Oranga Tamariki Act 1989 (excluding, for the avoidance of doubt, services provided by an individual with whom a child is placed under [section 362](#) of that Act):
- 3) services provided by any person, organisation, or body approved under [section 396](#) or [403](#) of the Oranga Tamariki Act 1989:
- 4) services provided (including the performance or exercise of functions and powers) under any order, direction, or recommendation of a court made under the [Oranga Tamariki Act 1989](#), the [Care of Children Act 2004](#), or the [Adoption Act 1955](#) by—
 - I. the department responsible for the administration of the [Oranga Tamariki Act 1989](#); or
 - II. any other person, organisation, or body:
- 5) services provided by any person, body, or organisation pursuant to any decision, recommendation, or plan made by a family group conference under the [Oranga Tamariki Act 1989](#)
- 6) services provided at prisons, secured facilities, and children’s health camps:
- 7) services provided as part of a condition of bail made under the [Bail Act 2000](#):
- 8) services and facilities of the kind referred to in [sections 4\(1\)\(a\)](#) and [7\(2\)\(b\)\(i\)](#) of the Oranga Tamariki Act 1989:
- 9) social or support services, including (but not limited to) victim support services, drug and alcohol rehabilitation services, and childcare services:
- 10) mentoring and counselling services:
- 11) youth services and youth work:
- 12) participating in a telephone communication service that is likely to be used wholly or mainly by children:

- 13) moderating an electronic interactive communication service that is likely to be used wholly or mainly by children (but a person does not moderate a public electronic interactive communication service unless he or she has access to the content of the matter or contact with users of the service):
- 14) services provided to escort, track, or transport children for the purposes of the [Oranga Tamariki Act 1989](#):
- 15) out-of-school care and recreational services:

Health services

- 16) services provided at a public hospital:
- 17) services provided at a publicly funded medical practice or facility, including blood and cancer centres, treatment centres, outreach clinics, and mental health services:
- 18) services provided through medical practices belonging to primary health organisations (PHOs):
- 19) services provided by health practitioners:
- 20) Well Child Tamariki Ora (WCTO) services (eg, Plunket):
- 21) home-based disability support services:
- 22) residential disability support services:
- 23) ambulance services:
- 24) maternity services, including lead maternity carers and midwives:

Education services

- 25) services provided at a registered school (as defined in [section 10\(1\)](#) of the Education and Training Act 2020):
- 26) services provided at an early childhood service (as defined in [section 10\(1\)](#) of the Education and Training Act 2020):
- 27) services provided by a trades academy, a service academy, or an alternative education provider for or on behalf of a school:
- 28) services provided at any off-site location for or on behalf of a registered school or early childhood service, including teen parent units, school camps, and learning centres:
- 29) services provided to ensure enrolment and attendance at school in accordance with [sections 35](#) and [36](#) of the Education and Training Act 2020:
- 30) services provided at a playgroup (as defined in [section 10\(1\)](#) of the Education and Training Act 2020):
- 31) services provided at any location on behalf of a limited child care centre (as defined in [section 2\(1\)](#) of the Health and Safety in Employment Act 1992):
- 31A) services provided at a hostel (as defined in [section 10\(1\)](#) of the Education and Training Act 2020):
- (31B) services provided at student accommodation (as defined in [section 10\(1\)](#) of the Education and Training Act 2020):

Transport services

- 32) work driving a vehicle that is being used only for the purpose of conveying children and any persons supervising or caring for the children (for instance, school bus services):

Policing services

- 33) specialist child and family policing services provided by Police employees (as defined in [section 4](#) of the Policing Act 2008):

Local authority services

- 34) social and support services, including (but not limited to) mentoring and counselling services and community outreach, advocacy, and engagement services:
- 35) education services, including (but not limited to) learn-to-swim programmes and digital literacy programmes:
- 36) services provided at community facilities, including (but not limited to) sports and recreation centres, libraries, swimming pools, galleries, and community centres:
- 37) services provided in public environments, including (but not limited to) surf and beach patrols, skate park guardians, and road safety co-ordinators.