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What to know when employing or engaging limited-attendance child-care centre workers

This guidance describes the requirements for persons conducting a business or undertaking (PCBUs) when employing or engaging limited-attendance child-care centre workers.

What are limited-attendance child-care centres?

Limited-attendance child-care centres are any premises:

- used regularly for the care of three or more children under six years old (not including the children of the persons providing the care) and
- where the children do not stay for more than two hours per day and
- where the children's parents or caregivers are in close proximity to the children, and are able to be contacted and resume responsibility for the children at short notice.

It does not include being provided with care before or after school.

Examples of limited-attendance child-care centres may include a gym or shopping mall crèche.

What must you do when employing or engaging a worker (or prospective worker)?

As a PCBU that operates a limited attendance child-care centre, you must ensure workers are:

- suitable for the role
- vetted by the New Zealand Police.

These two duties are described more fully below.

A **Police vet** is a search of the Police database for information about a person including criminal history. It may also include information about other interactions with the Police (for example, as a complainant or victim).

For information about Police vets: [Police Vetting Service | New Zealand Police](#)

Workers must be suitable for the role

You must ensure, so far as is reasonably practicable, that every worker who is employed or engaged to care for children at the centre is suitable for that role.

Workers must be vetted by the Police

You must obtain a Police vet of every centre worker (or prospective worker) who:

- is to work during normal business hours and
- is not a teacher or holds a limited authority to teach.

You must obtain a Police vet **before** the person begins to work at the centre.

You must consider the information contained in the Police vet to assess whether the person would pose a risk to the safety of children if they worked at the centre during normal opening hours.

You must not take adverse action¹ against a worker because of Police vet results until the worker has:

- validated the information contained in the vet or
- been given a reasonable opportunity to validate the information, but has failed to do so within a reasonable period.

The results of a Police vet must be kept strictly confidential. You must comply with Privacy Act 2020 for collecting, using, sharing and storing personal information: www.privacy.org.nz

¹ This is any lawful action of an agency that may adversely affect the rights, benefits, privileges, obligations, or interests of any specific individual. See section 177 of the Privacy Act 2020 for the full definition: [Privacy Act 2020 section 177 Interpretation](#)