

31 May 2022

[REDACTED]

**Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) (the Act) – reference: OIR 2122-267**

I refer to your information request we received on 12 May 2022 for information in relation to Rainbow Storytime at Paraparaumu Library on 25 May 2022:

- 1. Whether the performers booked for this event have been police checked within the last three years, as per the Vulnerable Children's Act. I attach a screenshot about safety checks of people when working or performing with or for children.***

Legal advice has been sought on Council's requirements under the Vulnerable Children's Act 2014.

Under the Act, safety checks need to be completed for core and non-core children's workers:

In Section 23 (1) of the Act a Children's Worker is defined as:

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

regular or overnight contact is defined as:

23 (2) A person's work involves regular or overnight contact with children if 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.

Council can confirm that staff will be present throughout the performances, along with other parents and guardians in attendance.

With regard to the performers for this Rainbow Storytime, under current legislation they do not meet the requirement for safety checks, based on the information provided above.

Regardless of the legal requirements, both performers do hold current police checks and Council is currently undertaking its own vetting process.

***2. I have written on two previous occasions to the council mailbox, and have had no response to date. One was a follow up, yet still no reply.***

Your original email was received through the main Council mailbox on Monday 9 May 2022. This was forwarded on to staff and an email response was made on Thursday 12 May 2022 stating that your request will be managed under the Local Government Official Information and Meetings Act 1987 (LGOIMA)

***3. Why not get these two back when the children are 18?***

The current story time is part of a national tour by these performers. If they offered a similar tour event for older age groups, we would also consider hosting this at Kapiti District Libraries.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz), by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



**Mike Mendonça**

Acting Group Manager Place and Space  
Te Kaiwhakahaere roopu, Takiwa me te Waahi