

Garda Vetting Policies & Procedures

Issued 18th April 2013

Note:-

Minor changes may be required as legislation develops and as we implement administrative processes.

Introduction

In January 2013 the Government passed the “National Vetting Bureau (Children and Vulnerable Persons) Bill 2012”. This legislation makes it an offence under the act to knowingly employ / deploy someone to work with children or vulnerable adults who has not been Garda vetted.

(The act has yet to be “commenced” by the Minister and so the regulations have not yet come into force. We do not know when the act will be commenced; though understand that this will happen sometime during 2013. In view of current delays in processing vetting applications and in order that ISA affiliated organisations are provided with a reasonable opportunity to comply with likely regulations, the ISA is issuing revised procedures now.)

The information below indicates the ISA’s policy with respect to Garda Vetting and our provision of vetting services to our affiliated organisations.

Garda Vetting (vetting) is available through the ISA. The aim is to assist in the recruitment of suitable candidates to positions within the ISA and our affiliated Clubs, Class Associations and Training Centres. The intention is that it should form one part of the checks made on candidates prior to appointment and will support rather than replace those checks already recommended as forming one part of good recruitment practice. The system has been structured in order to;

- Protect children and vulnerable adults.
- Identify if candidates for a position or role have convictions or have been prosecuted for crimes which may mean that they are unsuitable for the position.
- Protect the rights of the candidates.
- Protect ISA affiliated organisations.

What is vetting?

Vetting identifies if the Gardaí have on their national database, details of convictions or specified information relating to the applicant.

This information is then passed to the ISA who review it and decide if any of it makes the applicant unsuitable to take up a role where they will be in contact with children or vulnerable adults.

Vetting processed by the ISA does not assess a candidates suitability, or otherwise, for any other role.

How is vetting carried out?

1. The candidate fills in the appropriate Garda Vetting Form. (This is available on the ISA website).
2. The form is then sent to the ISA.
3. The ISA checks and logs all the forms and sends them onto the (Garda) National Vetting Bureau (NVB).
4. The NVB send ISA results of vet.
5. The ISA makes decision on suitability or otherwise of candidate
6. The ISA sends candidate the results.
7. The ISA sends organisations the results.

How are vetting applications made and processed?

Individuals must fill in the ISA form. And submit this to the ISA as described on the form.

The ISA checks the forms and sends them onto the National Vetting Bureau (N.V.B). Applications for Garda vetting may only be submitted through organisations, like the ISA, who are registered with the National Vetting Bureau (N.V.B). The N.V.B. will not process applications made directly to them from individuals or organisations not registered with them.

Once the ISA receives information from the N.V.B we review the information and make an assessment as to whether it makes a candidate unsuitable to work with children or vulnerable adults. The criteria used are published on page 9.

In order to protect the rights and privacy of the candidate, details obtained from the Gardaí are not passed directly onto ISA organisations.

If it is decided that a candidate is unsuitable to work with children or vulnerable adults they will be contacted by the ISA as set out in procedures published on page 8.

Candidates do have the right to appeal the results of the vet if they believe that information provided by the N.V.B. or the decision made by the ISA is incorrect.

It is important to remember that a letter indicating that a candidate has successfully completed vetting is not a certificate as it only looks at information available at the time of the check. Consideration needs to be given to when repeat vets are required as a person may have acquired convictions or specified information since any previous vets were completed.

Who can access vetting?

ISA vetting may be accessed by individuals who are members of the ISA or affiliated to an ISA Club or Training Centre and actively engaged in the delivery of that organisation's activities or programmes.

Who should be vetted?

Anyone within an organisation who is in regular contact with children or vulnerable adults should be vetted.

(Once the legislation is commenced “should” becomes “must”.)

All ISA organisations running activities for children or vulnerable adults should have in place a policy stating who should be vetted and when. This would normally form part of the organisations recruitment policy.

As a guide, people in the following positions within ISA affiliated organisations should be vetted by the organisation as part of their recruitment process.

- Designated Officers
- Clubs'/Organisations' Children's Officers
- Youth Team Managers
- Full time “Shore Mums”.
- Staff & volunteers leading or working on activities or sessions where they will have contact with children or vulnerable adults.
- Instructors & coaches running activities for children or vulnerable adults*.

The ISA will, on its own instigation, vet;

- Centre Principals of ISA Training Centres
- Instructor Trainers
- ISA employed / appointed Youth Coaches
- ISA staff & volunteers leading or working on activities or sessions organised directly by the ISA where they will have substantial unsupervised access to children or vulnerable adults.
- ISA Staff & volunteers involved in the processing of Garda Vetting Applications and associated procedures.

Vetting for ISA qualified Instructors and Coaches

ISA qualifications issued or revalidated after 1st July 2013

All ISA Instructors and Coaches with qualifications issued or revalidated after 1st July 2013 will have been vetted by the ISA prior to their qualification being issued and will be able to produce evidence of this.

Note that this may lead to some delays in issuing qualifications where vetting is outstanding.

ISA qualifications issued or revalidated before 1st July 2013

Until 1st January 2014, Instructors and Coaches with qualifications issued before 1st July should be vetted by the organisation for which they will be working.

From 1st January 2014 all ISA qualified Instructors and Coaches will have been given the opportunity to be vetted by the ISA and will be able to produce evidence of this. This practice should continue until their next revalidation at which time they will have been vetted by the ISA.

The N.V.B. will only process applications from candidates who are 16 years old and over. Any candidate under 18 must submit a parental / guardian consent form along with their application. This form is available from the ISA.

What does it cost?

No charge is made by N.V.B. or ISA for the processing of vetting applications. However, since each vet submitted places a significant administrative load on the Gardaí, ISA and the organisation submitting the vet, organisations should consider carefully which positions require vetting, only requiring vetting to be used where necessary.

The ISA may not process vetting applications submitted through organisations that have outstanding affiliation or accreditation fees.

What is done with the information received?

The National Vetting Bureau informs the ISA by post of the results of each vet. The ISA retains all these forms for 5 years. This information is kept in a secure store within the ISA Office to which only authorised members of ISA staff have access. After 5 years these records are destroyed.

The ISA will not send the results of a vetting disclosure to anyone except the applicant and the ISA Vetting Review Panel.

Each application is logged on the ISA database. No information relating to the application or disclosure is recorded other than;

- The date the application was sent onto the GVB by the ISA
- The date the application was received back into the ISA office from the GVB
- The result of the Vet (Pass or Fail).

Can people under 18 years old be vetted?

Yes. The ISA can process vetting applications over the age of 17 provided that the written consent of a parent or guardian is provided on the appropriate form.

Where can I get the relevant forms?

All of the relevant forms are available on the ISA website.
<http://www.sailing.ie/Training/GardaVetting.aspx>

Can the results of a Garda Vetting application be appealed?

If a candidate believes that the information provided by the GVB is incorrect then they should inform the ISA Liaison Person who will refer back to the GVB.

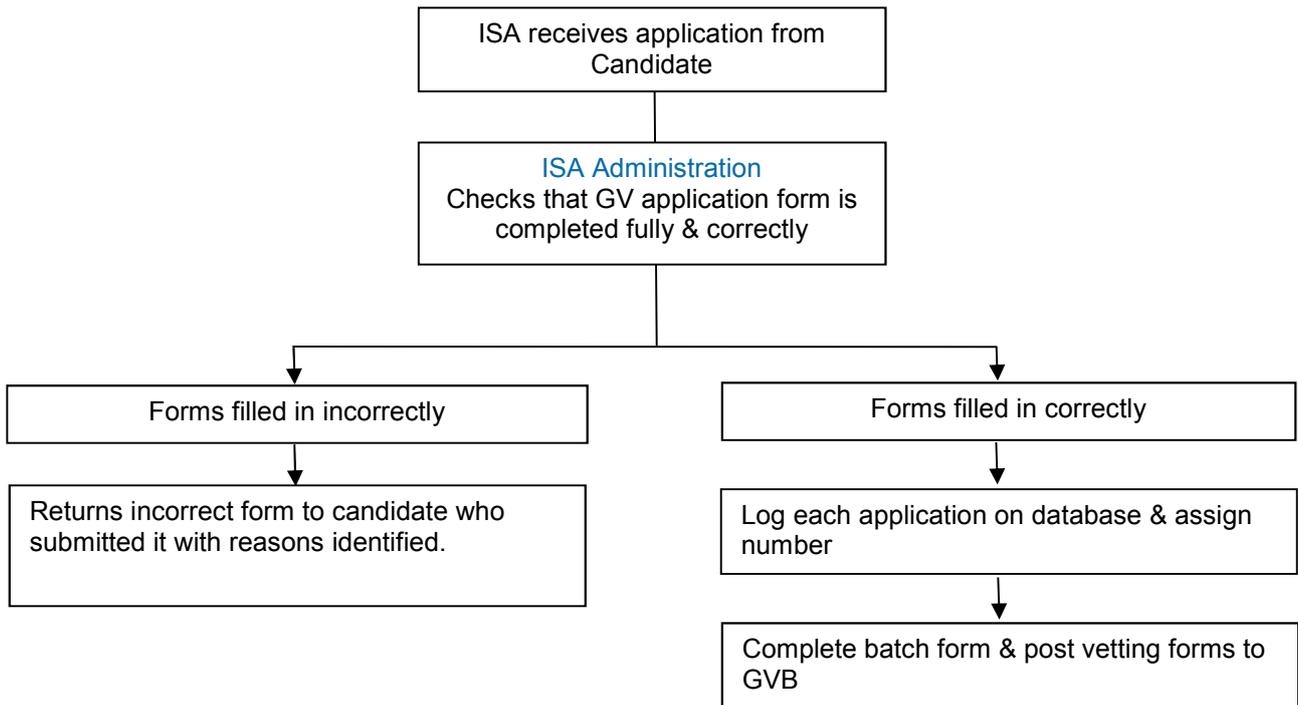
If a candidate wishes to appeal the result of the ISA vetting decision they may use the ISA Tribunal. Details on this process are available from the ISA's Chief Executive Officer.

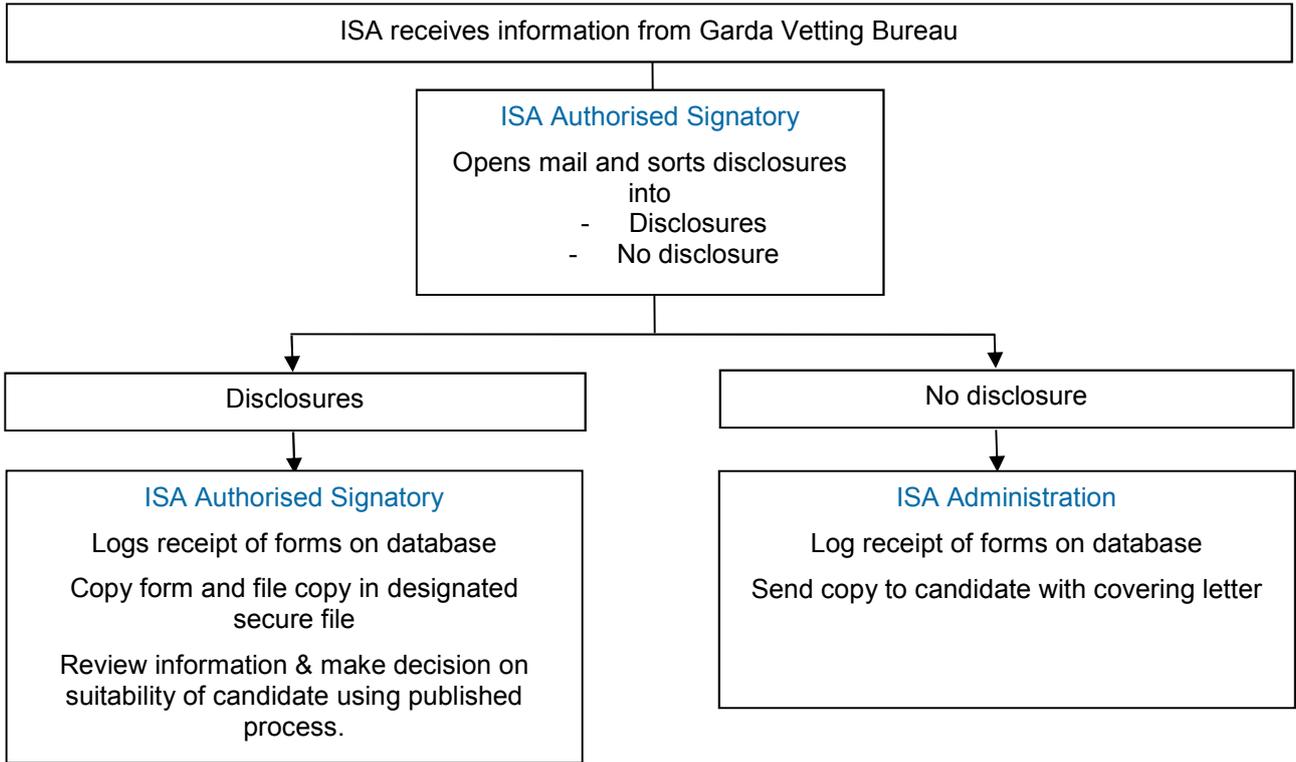
FAQs

We have set up a forum on the ISA website through which to answer FAQs.

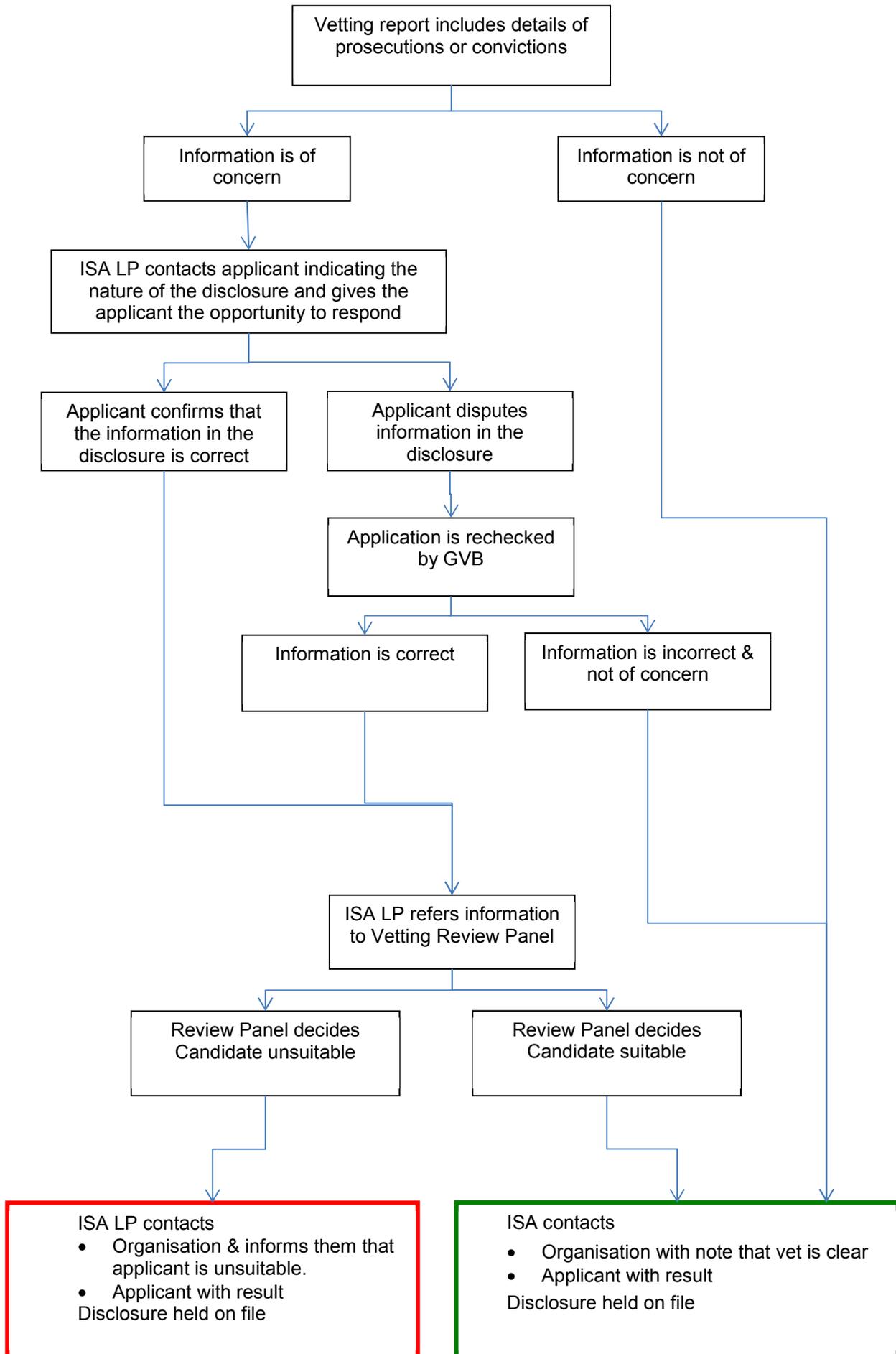
www.sailing.ie >> About us >> ISA forums >> Garda Vetting

Administration Processes





Review process for vetting reports with disclosures from Garda Vetting Bureau (GVB)



ISA Garda Vetting Policy

Guidelines for ISA personnel processing returned vetting applications.

The following convictions or unresolved prosecutions may debar offender from holding position where they will be in contact with children or vulnerable adults and will therefore be reviewed by the ISA Vetting Review Panel.

- Murder, manslaughter
- Rape, attempted rape
- Any crime/conviction against a child while an adult
- Any crime/conviction against a child while a child
- Possession of child pornography
- Illegal possession of fire arms or offensive weapon
- Domestic violence
- Any crime involving aggression/assault
- Dealing illegal or controlled drugs
- Possession of illegal or controlled drugs
- Fraud or dishonesty
- Shop lifting, credit card theft
- Crimes of deception
- Drink driving
- Dangerous driving
- Public order offence

The Panel will also review "Specified Information" provided to the ISA in the course of the vetting application.

In reviewing a person's record the Vetting Review Panel will use the information available only to form an opinion as to whether the person would present a risk to children or vulnerable adults.

Terms of Reference ISA Vetting Review Panel

Objective / Role

The Vetting Review Panel considers and makes recommendations with respect to vetting applications and returns referred to it by the ISA Authorised Signatory.

The ISA Liaison Person will refer the following vetting applications and returns to the Panel;

- Any applications with declared convictions identified as of concern in ISA Garda Vetting Policy.
- Any vetting returns with un-declared prosecutions or convictions identified as of concern in ISA Garda Vetting Policy.
- Any vetting returns resulting in the disclosure of “specified Information” to the ISA.

The Panel shall consist of no less than 3 members including the ISA Authorised signatory.

The Panel is appointed annually by the ISA President in consultation with the National Children’s Officer.

The group shall meet as requested by the ISA Liaison Person or National Children’s Officer.

No documentation relating to the vetting process may be copied and / or retained by members of the panel except where identified as a requirement under ISA procedures.

As far as reasonably possible the information provided to the panel will not include the identity of the applicant.

Where appropriate decisions may be made or ratified by telephone.

Minutes of all decisions / recommendations made will be made by the Panel will be kept by the ISA.

Members of the Panel should be offered and have attended appropriate training designed to assist them making appropriate, informed decisions.