

Sample Garda Vetting Policy For (Your Organisation)

Garda Vetting may be accessed by any organisation affiliated to the ISA or ISA accredited Training Centres which have met the minimum criteria laid down by the Association. These include;

- *Acceptance of the conditions and processes laid down by the ISA.*
- *The appointment of a Vetting Liaison Officer (VLO).*
- *Submission of policies & procedures to be used when recruiting.*

Applications may only be submitted through the Vetting Liaison Officer in an ISA affiliated / accredited organisation. Individuals may not apply for vetting for themselves or anyone else.

This sample policy document is intended to assist and guide organisations in the development of appropriate vetting policies. Any text in italics must be amended or deleted before this document is adopted. An electronic MS Word version is available from the ISA Office.

Introduction

Garda Vetting (vetting) is now available to (*your organisation*) through the ISA and the Garda Vetting Unit, Racecourse Road, Thurles, Co Tipperary.

The decision to engage in Garda Vetting for existing (*members / staff / employees*) and as part of the recruitment and selection process is a voluntary one. However this practice is in line with the best safeguards available to protect the welfare of children and vulnerable adults within our organisation.

All members with access to children and vulnerable adults, either in a supervisory role or in a management role will be required to partake of the vetting process. There will be a requirement to be re-vetted on any change of position or after 5 years (whichever is sooner). The vetting process will take approximately 6 weeks dependant upon the prompt return of application forms. This must be taken into account when recruiting staff.

At present there is no cost to the person vetted.

The Garda Vetting Unit only identifies if someone has convictions or prosecutions on record it does not provide clearance for people to work with children and vulnerable adults. It is the responsibility of this organisation to decide the suitability of candidates based on a range of relevant criteria including the results of Garda vetting.

Legislation impacting on Garda Vetting

- Civil Service Commissioners Act 1956
- Child Care Act 1991 – Sections 5; 61; 65
- Data Protection Act 1988/2003
- Children's Act 2001 – Section 258
- Private Security Authority Act 2004
- Future legislation – to be updated

Why undertake Garda Vetting?

Garda Vetting is an extra measure now incorporated into our recruitment and selection procedure for recruitment of personnel with access to children and vulnerable adults. It will assist in protecting (*name of your organisation*) against possible perpetrators of child abuse by providing a barrier to any individual who is unsuitable to work with children.

Who will be required to be Garda Vetted?

All persons within (*name of your organisation*) with unsupervised access to children and vulnerable adults and those making decisions regarding the welfare of children will be vetted. This will include though may not be limited to people in the following positions;

- Designated Officer
- Centre Principal
- Children's Officer
- Senior Instructor(s)
- Fulltime shore parents

Garda Vetting Procedure

The organisation has a Vetting Liaison Officer – (*Name of person*)

- Appointed by (*name of your organisation*) and registered with the ISA.
- Act as liaison between ISA and our organisation.
- Responsible for distribution of all vetting application forms, submissions to and information received from the ISA.
- Responsible for maintaining the confidentiality of information received from both the individual and the ISA.

New Personnel – Recruitment and selection

During the recruitment stage an individual will be given a Garda Vetting application form. This policy detailing the process and what prosecutions/convictions may affect the employment position must be communicated to prospective employees at the time of application.

As part of the application process the individual will complete the vetting form and place it in a sealed envelope with their name, address and the position applied for. This is returned to the VLO within the organisation.

If the applicant is successful through the interview stage the completed form will be processed by (*Name of your Organisation*) and submitted to the ISA. If the applicant is not successful the completed application form will be returned to the individual unopened.

Existing Personnel

Any individual will be required to be re-vetted on changing their role within the organisation where they are;

- Moving into a position where they will have unsupervised access to children.
- Moving to a position where they will be making decisions regarding the welfare of children.

All individuals will undergo re-vetting after 5 (five) years.

Completing the Vetting Forms

- The Garda vetting application form is required to be fully completed; where a section does not apply the applicant should indicate as such.
- No time gaps can be left in the dates of residency at the declared addresses.
- The form must be signed and dated by the applicant.
- The Vetting Liaison Officer must confirm the identity of the applicant using either a driving licence (with photograph), a passport or a utility bill showing the correct name and address.
- Any forms not wholly completed will be returned unprocessed by the ISA - this will hold up the recruitment process.

Residency Abroad

Any individual resident for less than one year (taken from the date of the initial vetting application) in either Ireland or Northern Ireland will be checked again after 6 months and again one year later (i.e. 3 checks completed in 18 months).

If a police check has been obtained from the individual's originating country (confirm acceptability with ISA) Garda vetting will only be required after 6 months and again one year later (i.e. 2 checks plus originating country police check in 18 months).

Completed Application Forms

On receipt, completed application forms will be checked by the Vetting Liaison Officer for errors or omissions and photocopied. For new personnel the information will be verified against that given in an application form or a CV; for existing personnel the Vetting Liaison Officer will verify the information on the Garda vetting form.

Return of Information

The ISA will forward completed reports onto the candidate in respect of whom vetting has been requested. The ISA will inform our Vetting Liaison Officer that the check has been completed and that the report has been sent onto the candidate.

The Vetting Liaison Officer will then contact the applicant and request to see their disclosure form.

Each application will be examined by the Vetting Liaison Officer to determine the suitability of the applicant for the position applied for/presently in situ.

Processing the Disclosed Information

The assessment of suitability will depend on the nature of the position applied for/presently held, the self disclosure of any prosecutions or convictions and the seriousness, timing and any possible pattern that emerges of any information disclosed. The integrity of the applicant with regard to self disclosure or lack of disclosure on the initial application form will be considered.

On receiving information that may preclude the applicant, the original application form will be checked for each detail to ensure it is correct and that the disclosed information refers to the applicant.

If the applicant has self disclosed the information and this agrees with the disclosure from the Garda Central Vetting Unit the decision must be made depending on the type and nature of the offences disclosed.

If the applicant has not self disclosed and information is received from the Garda Central Vetting Unit the Vetting Liaison Officer should contact the candidate and request an explanation. The information provided by the candidate should be included when considering their suitability.

Disclosure of certain types of convictions/prosecutions will automatically preclude the applicant from a position working with children. Examples of offences that will automatically prohibit an applicant are:

- Any offence of a sexual nature.
- Any offence against a child or of child abuse or pornography.
- An offence that causes gross bodily harm.
- An offence of kidnapping.
- A series of continuous offending that might cause concern for the well-being of children.

All decisions on the suitability of an applicant are a matter for this organisation. The ISA and An Garda Síochána will not be involved in such decisions.

Communication

When the Vetting Liaison Officer is required to communicate with the applicant for any reason the following protocol will be adhered to:

- Communication should be by phone or in person if convenient.
- The Vetting Liaison Officer will verify the person is the applicant.
- No messages will be left.
- No discussion will take place with any other person, spouse or partner.
- The Vetting Liaison Officer will give an assurance of confidentiality.

8th March 2010

New Personnel

Where the Vetting Liaison Officer finds no reason for the applicant not to be offered or recruited to the position, this will be communicated to the individual and the person responsible for the recruitment – this will be done by letter as well, simply stating the applicant is suitable to work with children.

Where the information disclosed by the Garda Central Vetting Unit and/or self disclosed by the applicant means that the individual is unsuitable they should be informed of such. The applicant should be allowed to withdraw their application.

Existing Personnel

An assessment must be made of the suitability of the individual to hold their present position. This decision will be made on an individual basis, based on the nature of the disclosed information and the initial self disclosure by the individual. If the individual is deemed not suitable to work with children they will be afforded the opportunity to withdraw from their current position.

Where the individual is deemed suitable for their position this will be communicated to the individual in accordance with the communication procedure.

Disputes

Disputing Disclosed Information

In the case of any disclosure being disputed by the applicant they should contact the ISA and obtain details on the appeals procedure:

Disputing the Decision of the Vetting Liaison Officer

The VLO has a responsibility to observe professional standards and will be cautious to recognise their own values and personal ethics in evaluating the seriousness and the relevance of an offence.

Any dispute concerning the decision of an Vetting Liaison Officer should be submitted in writing to (*identify who*).

Advice from the ISA and or 'Children First' Advice and Information Officer from the HSE as an independent advisor may be taken and this will be communicated to the individual in accordance with the protocol. The outcome of this decision will be final.