

Garda Vetting Policy

Introduction

In Gortskeyh NS we are committed to practices which safeguard the welfare of pupils. In this regard, we will endeavour to follow careful procedures for the recruitment and selection of staff and all volunteers and non-teaching staff who may have unsupervised contact with children in a school context.

The National Vetting Bureau (Children and Vulnerable Persons) Act commenced on **29th April 2016**. The Act places the vetting of persons undertaking certain work or activities with children or vulnerable adults on a statutory basis for the first time as outlined in National Vetting Bureau (Children and Vulnerable Persons) Act 2012 as amended by the Criminal Justice (Spent Convictions and Certain Disclosures Act) 2016 referred to as the Vetting Act and Department Circular 0031/2016.

The Vetting Act will put in place the National Vetting Bureau (the Bureau) which will replace the Garda Central Vetting Unit (GCVU) and will be responsible for issuing vetting disclosures under the Act's statutory vetting arrangements.

Rationale

It is the intention that all members of the school community who have unsupervised access to children have undergone the Garda Vetting process, and will be re-vetted on a regular basis. This school will use Garda Vetting as part of a wider process to ensure the protection and safety of all members of the school community.

All efforts will be made to ensure that staff do not commence work in the school without Garda Vetting. The school will set up a panel of substitute staff that have already been vetted for use in the event of casual or emergency vacancies. Alternatively, the school will ensure that any person who has not yet been vetted does not have unsupervised access to children until Garda Vetting has been completed.

What is Vetting?

Vetting is governed by the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 and is conducted by the National Vetting Bureau (the Bureau) on behalf of relevant organisations where the employees/members provide services to children and/or vulnerable persons.

The Bureau conducts a search and establishes whether or not there are criminal records and or **specified information** matching the personal details provided by the applicant on the vetting application form.

The Teaching Council is the relevant organisation for administering vetting for teachers in Ireland. The result of the vetting search, which is known as the vetting disclosure, is provided to the Teaching Council's authorised liaison person who then makes it available to the teacher and, where

appropriate, the school. The teacher may then share the vetting disclosure with employers/potential employers.

Vetting searches are confined to addresses in Ireland and Northern Ireland. However, in some cases, records from an overseas jurisdiction may be disclosed.

Vetting disclosure

Since 29 April 2016 vetting is being conducted by the National Vetting Bureau (the Bureau). The function of the Bureau is to provide a vetting disclosure to a relevant organisation that has applied for vetting in respect of a person.

A vetting disclosure is a statement issued by the Bureau which sets out particulars of the criminal record (if any) relating to that person and/or a statement of the specified information (if any) relating to that person.

A criminal record includes a record of the person's convictions for any criminal offences or a record of any prosecutions pending against the person for any criminal offence but does not contain details of certain minor convictions as set out in section 14A of the Vetting Act.

“Specified information” or “soft information” in relation to a person who is the subject of an application for a vetting disclosure means information other than criminal convictions held by An Garda Síochána that leads to a bona-fide belief that a person poses a threat to children or vulnerable persons

Since 29 April 2016, it is a criminal offence, other than in certain limited circumstances, for a school authority to commence the employment of an employee without first obtaining a vetting disclosure from the Bureau in respect of that person.

Garda Vetting for Teaching Staff

The vetting of teaching posts is the responsibility of the Teaching Council. Such a check will include - but not be restricted to - a detailed review of the candidate's CV against the chronology supplied in the vetting form and a careful discussion with at least one recent employer covering a substantial portion of the candidate's work history.

The relevant diocesan office or school management body will continue to act as a conduit for schools for the purposes of Garda vetting of all other persons.

Statutory Declaration and Form of Undertaking for teaching and non-teaching appointments

There is a requirement for a Statutory Declaration and Form of Undertaking to be completed and provided to the school authority prior to making a teaching or non-teaching appointment of any duration. The school authority must obtain and view the original statutory declaration and retain a copy of it for its own records.

Vetting Appointment Procedures for Teaching Staff

- All teachers appointed to teaching positions for any duration must be vetted prior to commencing employment.
- When applying for a teaching position within Gortskehy NS, all teachers are asked to present a Teaching Council Vetting Letter with their application.
- All teaching staff must present a Teaching Council Vetting Letter prior to commencing employment.
- All teaching staff must present a Statutory Declaration before commencing employment. (Template on file)
- All teaching staff must sign a Form of Undertaking with Gortskehy NS prior to commencing employment. (Template on file)
- All substitute staff must present Teaching Council Vetting Letter and Statutory Declaration. They must also sign a Form of Undertaking with Gortskehy NS
- Any teacher who refuses to be vetted cannot be appointed or engaged by Gortskehy NS in any capacity including in a voluntary role.

Garda Vetting for all volunteers and non-teaching staff who are in unsupervised contact with children in a school context

It is best practice to ensure that all non-teaching staff and any volunteers with unsupervised access to children who are working in a school environment have completed the Garda Vetting Process.

Vetting Appointment Procedures for Non-Teaching Staff

- There is an obligation on each board of management to vet each volunteer who may have unsupervised access to children and the original form must be kept in confidential files.
- All offers of employment to teaching and non-teaching staff and volunteers are “subject to satisfactory vetting by the Garda Central Vetting Unit”.
- Failure to complete the Garda Vetting form will automatically disqualify the candidate.
- The provision of inaccurate information on the Garda Vetting Application form, such as an inaccurate date of birth or address, may also disqualify.
- Candidates will be able to challenge the information provided by the GCVU especially to avoid errors or cases of mistaken identity. In such cases, re-vetting will take place.
- All returned GV forms will be handled in strictest confidence.
- Completed Forms will only be retained by the school in the event of a successful appointment and will be appropriately sealed and retained in a secure location.
- In all decisions, it is recognised that the school will take as its first priority its responsibility to the protection of children attending school activities.

Responsibility of the Board of Management

It is the responsibility of the Board of Management of the school to ensure that they have in place a robust procedure to ensure the confidentiality of all personal records and details that are revealed in relation to Garda Vetting. Such a procedure should include the handling of post and secure storage of records. Boards have a serious obligation to protect a candidate's reputation and may leave themselves open to significant litigation if they cannot demonstrate that they have handled this matter with due care.

GARDA VETTING

[Circular 0016/2017](#)

Statutory Requirements for the Retrospective Vetting of Teaching Staff, Non-Teaching Staff and Others

February 2017

[Circular 0016/2017 FAQs](#)

Statutory Requirements for the retrospective vetting of teaching staff, non-teaching staff and others. Circular 0016/2017 - FAQ for schools, centres for education, teachers and non-teaching personnel.

February 2017

[Circular 0031/2016](#): Commencement of Statutory Requirements for Garda Vetting

Implementation Data:

This policy is effective from April 2018

Signed: _____
(Chairperson of Board of Management)

Signed: _____
(Principal)

Date: _____

Date: _____

Date of next review: _____