



Scoil Chaitríona Junior

Garda Vetting Policy

Introduction and Rationale

All members of the school community who have necessary and regular access to or contact with children must have successfully undergone Garda Vetting prior to commencement of employment or relevant volunteer work in the school. In the future staff 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.

The process of Garda Vetting is carried out by the National Vetting Bureau (NVB). The function of the NVB is to provide Garda Vetting Disclosures in respect of an applicant to a registered organisation. Disclosures can be 'nil' (no record found) or consist of details of convictions, together with an ancillary or consequential order and/or a record of any prosecutions pending and/or specified information.

The policy has been framed in compliance with:

- DES Circular 16/2017
- DES circular letter 31/2016
- The Child Protection Procedures for Primary and Post Primary Schools (DES 2011)
- The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 as amended by the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016
- The Data Protection Acts 1988 and 2003
- Employment Equality Acts 1998 and 2004
- Equal Status Act 2000
- Industrial Relations Act 1990

Aims of the policy are

- to ensure that the school is a safe and secure environment for children, and,
- that Garda Vetting is part of the wider process ensuring the protection and safety of all members of the school community.

The Policy

E-Vetting

Scoil Chaitríona Junior transitioned to eVetting in 2016 – 2017 school year.

An *Invitation to Vetting form (NVB1 form)* is available on line. This form should be returned to the school (where applicants will be working / volunteering) along with proof of identification and proof of address. The identification is verified by the Principal or Chairperson of the Board of Management who will then forward the application to the national office for processing. The applicant will then receive a link by email inviting them to complete their online NVB2 application form.

Individual applications on paper NVB2 forms are no longer accepted.

Vetting of new staff

The vetting of teaching posts is the responsibility of the Teaching Council. Such a check will include – but not to 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.

All offers of employment to teaching and non-teaching staff and all relevant volunteer roles¹ are subject to satisfactory Garda Vetting Disclosures, prior to commencing employment. Failure to complete the Garda Vetting process will automatically disqualify the applicant. The provision of inaccurate information, such as an inaccurate date of birth or address, may also disqualify the applicant.

Applicants will be invited to a meeting regarding any disclosures of a criminal record or other information, including to address errors or cases of mistaken identity. In such cases, re-vetting will take place.

Where an appointment has to be made prior to the outcome of vetting being available, the letter of appointment will specify that it is ‘subject to satisfactory Garda vetting’. A number of questions concerning child protection will be asked of the job applicant at interview.

All returned Garda Vetting Disclosures will be handled in strictest confidence. Garda Vetting Disclosures 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’s first priority is its responsibility to the children attending the school.

Where an appointment has to be made prior to the outcome of vetting being available, the letter of appointment will specify that it is ‘subject to satisfactory Garda vetting’.

A number of questions concerning child protection will be asked of the job applicant at interview.

Garda Vetting Procedure – No Disclosure (No record found by GCVU)

The candidate is offered the position

The GV form is placed in a signed and sealed envelope in the candidates Personnel File that is kept in the staff filing cabinet (locked) in the dark room which is locked.

Garda Vetting Procedure – Disclosure (Record found by GCVU)

If the Garda Vetting Form is returned with a Disclosure the Chairperson must bring the matter to the Selection Board. The Selection Board will consult with the School Recruitment Policy and decide whether to proceed with the appointment or not. In deciding whether a particular conviction renders a candidate unsuitable for appointment, the school should have regard to:

- The nature of the offence and its possible relevance to the post
- The age of the offence (offences many years in the past may be less relevant than more recent offences) and the age of the candidate at the time of the offence.

¹ Volunteer Roles which require Vetting, as specified in the Act and in the DES Circular 0031/2016 include volunteers who assist the school on a regular basis (rather than occasional) and whose role involves coaching, mentoring, counselling, teaching or training of children. Roles which do not fall into these categories may not require Vetting.

- The frequency of the offence (a series of offences will give more cause for concern than an isolated minor conviction)

Where the vetting process discloses pending prosecutions or unsuccessful prosecutions, such incidents should be assessed in the light of the nature, age and frequency of the alleged offence and the age of the candidate at the time of the alleged offence.

In the case of a disclosure in relation to an otherwise suitable candidate who has been recommended for appointment, the selection Board may call in the candidate to discuss the disclosure.

In this case, the responses of the candidate should be written down verbatim and retained for future reference.

If the facts of the disclosure are seriously disputed e.g. disputed identity, the candidate should complete a new GV form with additional detail and the Selection Board should discuss with the Authorised Signatory and the form should be resubmitted to GCVU via the Western Province Vetting Office.

If the Selection Board decides to proceed with the appointment the GV form is placed in a signed and sealed envelope in the candidates Personnel File that is kept in the staff filing cabinet (locked) in the dark room which is locked.

If the appointment is not approved the GV form should be securely destroyed.

Statutory Declaration and Form of Undertaking

All staff must present a Statutory Declaration before commencing employment. All staff must sign a Form of Undertaking with Scoil Chaitríona Junior prior to commencing employment.

Retrospective Vetting

The DES has published Circular 16/2017 which sets out the requirements for retrospective vetting of teaching staff, non-teaching staff and volunteers.

Under the Vetting Act, there is now a statutory requirement that those who are currently employed and/or volunteering in a school and carrying out 'relevant work' who have not previously been vetted (under the National Vetting Bureau or Garda Central Vetting Unit) must be now retrospectively vetted. Scoil Chaitríona Junior and Board of Management must therefore ensure compliance with retrospective vetting requirements as failure to do so is a criminal offence punishable by a fine of up to €10,000 or a prison term of up to 5 years or both.

All registered teachers (including SEN) who have not been vetted to date will be retrospectively vetted by the Teaching Council in the context of their annual renewal of registration. The teaching council intends to require all un-vetted registered teachers to undergo retrospective vetting by December 31st, 2017.

Where a retrospective vetting application in respect of a registered teacher has been made by the teaching Council before December 31, 2017, the Board of Management is not obliged to require the teacher concerned to undergo retrospective vetting for the purposes of section 21 of the Vetting Act. To avoid duplication the Board of Management should await the teaching Council's vetting of such teachers.

Scoil Chaitríona Junior will conduct retrospective vetting for all special needs assistants, ancillary staff and volunteers (carrying out 'relevant work' and who commenced their role pre April 2016).

Vetting of Minors

The National Vetting Bureau permits the vetting of those over the age of 16 years old. Where an application is being made for a 16/17 year old, consent of the parent/guardian must also be obtained. All applications for people under 18 years old must be accompanied by a Parent/Guardian Consent form (NVB 3).

Scoil Chaitríona Junior shall ensure that the email address and contact number provided on the Invitation to Vetting form (NVB 1) is the email address and contact number of the parent/guardian and not of the young person.

Success Criteria:

Children feel safe and protected in Scoil Chaitríona Junior.

A robust procedure to ensure the confidentiality of all personal records and details that are revealed in relation to Garda Vetting is in place.

Implementation: Current Practice

Policy Ratification and Review:

Policy ratified by Board of Management on _____

To be reviewed as necessary and /or in compliance with any relevant legislative changes.

Signed _____ Principal _____ Chairperson.

Date _____ Date: _____