



Garda Vetting Procedures and policy for Stepaside Educate Together National School

This policy has been formulated by Stepaside ETNS to assist in the implementation of the requirements set out in Circular 63/2010, 0031/2016 and circular 16/2017.

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Stepaside Educate Together National School Garda Vetting Policy

This policy has been formulated by Stepaside ETNS to assist in the implementation of the requirements set out in Circular 63/2010, 0031/2016 and 16/2017.

1. Policy Introduction:

In Stepaside Educate Together we are committed to practices which safeguard the welfare of pupils. In this regard, Stepaside Educate Together 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.

2. 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.

3. The National Vetting Bureau- *previously the Garda central vetting unit:*

The process of Garda Vetting is carried out by the National Vetting Bureau (NVB). The function of the NVB is to provide details of 'all prosecutions, successful or not, pending or completed, and/or convictions' in respect of an applicant to a registered organisation. 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. Schools, have an obligation to manage Garda Vetting (GV) applications within human rights, legislative and natural justice framework. They also have obligations under data protection legislation. It is essential to stress that school Boards of Management must make their own decisions in relation to the suitability or otherwise of prospective employees or volunteers for employment. The fact that a person has been vetted by the NVB does not mean that the person is suitable and does not remove the necessity for the Board to thoroughly check the background and references of a candidate. The selection board of Stepaside Educate Together must assure themselves that the candidate can be trusted to do the job within the ethical standards of the school.

4 .Garda Vetting for Teaching Staff & Vetting Appointment Procedures 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.

All teachers appointed to teaching positions for any duration must be vetted prior to commencing employment.

.Garda Vetting policy and criteria are sent to all those called to interview in SETNS

When applying for a teaching position within Stepside Educate Together, 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.

All teaching staff must sign a Form of Undertaking with Stepside Educate Together prior to commencing employment.

All substitute staff must present Teaching Council Vetting Letter and Statutory Declaration. They must also sign a Form of Undertaking with SETNS.

Any teacher who refuses to be vetted cannot be appointed or engaged by Stepside Educate Together in any capacity including in a voluntary role.

5. Garda Vetting for all volunteers and non-teaching staff who are in unsupervised contact with children & Vetting Appointment Procedures for Non-Teaching Staff:

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. The NVB has required that all correspondence in relation to Garda Vetting for non-teaching posts in Educate Together schools must be channelled through Authorised Signatories/Liaison persons who work from the Educate Together National Office. **As of Monday, November 7th 2016 e-vetting commenced.**

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" now NVB. 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 NVB 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.

6. Garda Vetting Form Procedure for Non-Teaching Staff working in SETNS

- ☐ The school ensures that the *Vetting Invitation Form NVB 1* has been completed, signed and dated by the vetting applicant and that the declaration box is ticked. At this point the school must also validate the identity of the vetting applicant by both photographic and address documentation (see GV verification ID form)
- ☐ When an application is being made for a 16/17 year old, consent of the Guardian must also be obtained. This is done by asking them to complete the *Parent/Guardian consent form NVB 3*
- ☐ The school posts the *NVB1 or NVB3* form in to the ET liaison person who checks it and emails the applicant a link to the vetting website asking them to complete and submit online form *NVB 2*. Once this is submitted the applicant will receive a reference number. The form must be completed within 30 days of receiving the email otherwise it becomes invalid and they must re-apply.
- ☐ Once the vetting application *form NVB 2* is completed and submitted by the vetting applicant, the form is returned to the liaison person for a final validation. The liaison person then submits the form to the National Vetting Bureau for processing.
- ☐ The NVB processes the application and issues a vetting disclosure by email to the liaison person (turnaround approx. 5 days). The disclosure is posted to the vetting contact person in the school. The school retains this and provides a copy to the vetting applicant.
- ☐ The applicant must then sign an agreement form with SETNS.
- ☐ The GV form is placed in a signed and sealed envelope in the candidates Personnel File that must be kept in a secure, confidential location in the school.

7. 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. The circular focus on Section 21 of the Vetting Act which concerns the retrospective vetting of **current employees and volunteers** who have never previously been Garda vetted and who undertake relevant work or activities with children or vulnerable persons.

In accordance with the Act, applications for retrospective vetting of employees and other persons undertaking 'relevant work' in schools who have not previously been Garda vetted must be made by **31st December 2017**.

All registered teachers (including resource and learning support) who have not been vetted to date will be retrospectively vetting by the Teaching Council in the context of their annual renewal of registration. Educate Together will conduct retrospective vetting for all special needs assistants, ancillary staff and volunteers (carrying out 'relevant work' and commenced their role pre April 2016).

A person for whom an NVB vetting outcome or a Bureau disclosure has previously been received is not required to be vetted under the Vetting Act's retrospective vetting requirements. Section 20 of the vetting Act which concerns the periodic re-vetting of employees and others involved in working with children and vulnerable persons who have already been vetted has not yet been commenced by the Minister for Justice and Equality. **Therefore all schools with employees (SNAs, ancillary etc.) and volunteers who have been previously vetted will be excluded from this Retrospective Vetting process.** Further guidance will issue when the Vetting Act's re-vetting requirements are put in place.

Circular 31/2016 and the exiting statutory requirements under section 12 of the Vetting Act for Garda vetting prior to a school authority commencing the employment, contract, permission or placement of a person to undertake relevant work or activities will continue to apply.

8. a. Garda Vetting Procedure – Disclosure (Record found by NVB):

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 the School Recruitment Policy and decide whether to proceed with 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
- ☐ 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 of 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 NVB via Educate Together. 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 must be kept in a secure, confidential

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

8. b. Garda Vetting Procedure – No Disclosure (No record found by NVB)

- ☐ The candidate is accepted as a volunteer
- ☐ The GV form is placed in a signed and sealed envelope in the candidates Personnel File that must be kept in a secure, confidential location in the school.

9. Responsibility of the Board of Management of Stepside Educate Together:

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.

10. Policy Review:

This Policy will be reviewed as necessary and particularly to comply with any relevant legislative changes

Signed: _____

Aidan Gallagher, Chairperson of the Board of Management, SETNS

Date: _____