

## **Localise Child Protection POLICY AND PROCEDURES FOR GARDA VETTING**

Arrangements for new Staff, Volunteers, Collaborators and Interns.

### **Background**

Garda Vetting for the Youth Work sector was formally introduced in September 2006 following protected negotiations and an on-going campaign seeking such services for youth work organisations. There are presently two methods of seeking vetting services in consultation with National Vetting Bureau for the Garda Síochána, namely via the recognition by the NVB of a number of Liaison Persons and the agreement to established a Youth Work Vetting Consortium that now caters for the vetting requirements of organisations that do not have a Liaison Person per se. Localise relays on the Liaison Person Status of the National Youth Council of Ireland (NYCI), to carry out all the Garda Vetting processes for us.

Garda vetting is a centralised system, which was designed by the National Vetting Bureau of the Garda Síochána. The NVB will only deal with authorised signatories. The NVB will not make decisions about applicants suitability, each agency is responsible for providing clearance for applicants based on the return of a completed Garda Vetting form from the NVB and internal procedures.

### **Garda Vetting in the Context of Localise Staff, Volunteer, Collaborators and Interns Recruitment and Selection Procedures**

From April 29th 2016, Localise has implemented the new Garda Vetting procedure for staff, volunteer, collaborators and interns applications in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 and 2016. Every applicant must now complete the vetting procedure as follows:

One (1) Garda Vetting Invitation Form as well as providing photographic proof of identity and confirmation of current address (no older than 6 months from current date)

- 1 volunteer application form
- 2 character and personal reference forms

One (1) Garda eVetting form (to be completed online)

- Brief interview process

This documentation is then processed by the Localise Garda Vetting Officer and the Vetting Invitation Form is sent to NYCI to follow their regular vetting procedure. References are checked by the Localise Garda Vetting Officer. Garda vetting is one component of an overall recruitment and selection strategy. The Garda Vetting Liaison Person and Child Protection Manager are the Liaison Persons in the NYCI.

### **Who is Involved?**

Everyone is involved! Information provision about the Garda vetting is the responsibility of Localise staff, voluntary groups, collaborators and interns. The Localise and the Localise Child Protection

Trainers play a vital role in awareness rising about Garda Vetting. Child Protection trainers must be kept up to date and provided with resources which enable the trainers to provide the necessary and vital information to participants in the training arena.

### **Who has to Apply for Garda Vetting?**

Every adult over 18 years of age who has access to children in a Localise Group as well as all staff members in Localise. According to the National Vetting Bureau (Child and Vulnerable Persons) Acts 2012 and 2016, vetting is mandatory of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons. The Act shall not apply where a person gives assistance on an occasional basis at a school, sports or community event or activity. Other than where such assistance includes the coaching, mentoring, counselling, teaching or training of children or vulnerable persons.

Localise shall not permit any person to undertake relevant work or activities on behalf of Localise unless Localise receives a vetting disclosure from the National Vetting Bureau in respect of that person.

Localise will pre-vet all Localise members aged 17 years.

### **NYCI Structure for Garda Vetting**

The Garda Vetting Liaison Person and Child Protection Manager are the Liaison Persons in the NYCI.

In the event of a complex decision in the case of an applicant the application will be reviewed by the Localise Garda Vetting standing committee. Three members of the standing committee must be present in order for a decision to be valid.

### **Step by Step Guide to Garda e-Vetting Procedure 2016**

**This procedure is of an extremely confidential and sensitive nature.**

**N.B: an Applicant is a person who is applying to Localise to become part of our team as a volunteer, staff member, collaborator or intern.**

1. The applicant must be given the following; application pack containing general information and procedures, a Localise volunteer application form, 2 character reference forms and a Garda Vetting Invitation Form.

***All forms must be completed and send to the following address:***

**Localise Youth Volunteers  
Old Finglas Road  
DCU Innovation Campus  
Dublin 11  
Ireland**

2. Applicant manually completes the Garda Vetting Invitation Form and presents it to Localise together with photographic proof of identity and proof of current address (no older than 6 months from current date).
3. Localise Garda Vetting Officer then validates the identity of the applicant. Identity is deemed to be verified by a score of 100 on the Verify Identity 100 Point Check. Photocopies of the documents are taken and attached to the Invitation Form.
4. The applicant's details are entered into the Localise database. Localise keeps a record of documents used during the validation process. Files are to be kept in keeping with Data Protection legislation and confidentiality is mandatory. Information from the Garda Vetting Invitation Form is then forwarded to the NYCI via the NYCI vetting spreadsheet.
5. The applicant's details are entered into the Garda website eVetting system by the NYCI Liaison Person and a vetting application for each individual is created. This form is then sent via email to each applicant requesting them to complete the E-Vetting application form on line. Files are to be kept in keeping with Data Protection legislation and confidentiality is mandatory. The key holders for the file are the NYCI Garda Vetting Liaison Person and the Child Protection Manager.
6. The applicant has 30 days to complete the application form.
7. Once submitted the Liaison Person in NYCI receives the completed form and reviews it. They have 3 options – cancel the application, cancel and resend invitation or submit it to NVB.
8. NVB process the application and then notifies NYCI that a disclosure is available.
9. A vetting disclosure will be issued in respect of each person who submits a vetting application. The vetting disclosure will include: particulars of the criminal record (if any) relating to the person and a statement of the specified information (if any) relating to the person which the Chief Bureau Officer has determined in accordance with Section 15 of the National Vetting Bureau (Child and Vulnerable Persons) Acts 2012 and 2016, **or** state that there is no criminal record or specified information, in relation to the person.
10. NYCI downloads the Vetting Disclosure and emails the disclosure to the Localise Garda Vetting Officer. Applicants are entitled to a copy of their disclosure if they ask.
11. Localise makes a decision on the suitability of the applicant taking into consideration their Vetting Disclosure, their Character References and their interview. Vetting is only one element of the recruitment process.
12. Once the applicant has satisfied the volunteering criteria they will be issued with a letter stating that they may begin working/volunteering with Localise.

**Note:** Help may be given if the applicant seeks assistance from you regarding the application. However, only in cases of literacy issues should you view the applicant's information. Viewing the applicant's information in any other circumstance is a breach of confidentiality.

**Note on references:**

- If a person is in Ireland 2 years and under, they must present an Irish reference and an International reference (over 2 years).
- 17 year old Localise members who have been an active full time member of Localise as a young member - one professional reference is required.
- Revetting of current adult leaders – one professional reference – for service over 4 years. Revetting of adult volunteers and members of staff must be carried out every 4 years. When applying to be a volunteer with Localise the applicant should be explained the following:

- In case of any queries about the form, this will be returned to the applicant's home address. Application takes between 2 weeks and 5 weeks.
- A letter will be sent from Localise to the applicant confirming the outcome of the application.
- In the event of a returned form with attached convictions – Localise will deal with each application on a one to one basis; applicants may be asked to go to Localise National Office for a review meeting.
- Character and Personal Reference Forms should be completed by someone who has known the applicant for at least two years. The chosen referees should be independent of family, friends or neighbours of the applicant. If references are completed by any of these the application will not be accepted.

**Please note:**

This procedure is of an extremely confidential and sensitive nature, the applicants information cannot be viewed under any circumstances unless as stated above. Each applicant must send their forms to Localise. The relationship is with the Child Protection Office and the applicant; all correspondence will be sent to the applicant's home address and email.

In keeping with confidentiality requirements information will not be passed to any party other than the applicant who may nominate a third party to communicate with the Child Protection Office.

Any applicant, who has lived in a country other than Republic of Ireland as an adult for more than a 6 month period, will be required to provide a police clearance certificate from that state.

In the case of an application received back from the GVB with convictions or cases pending, each form will be individually assessed. The Localise Garda Vetting Review committee will phone/meet with the applicant about the report received from the Gardai and a decision is made if they can proceed with volunteering/working.

There are three outcomes to a Garda Vetting review meeting they are follows:

- Applicant has satisfied the criteria and may proceed.
- Applicant has been refused.
- Applicant has been advised that their application has been deferred for one year in which time they may apply once again for clearance.
- In the case of a successful application the applicant will be issued with a letter of confirmation from the Volunteer Applications Section of Localise.
- Applicants who have been refused clearance have the right to request an explanation, the explanation will be provided by the Localise Garda Vetting review Committee.
- Applicants who deny any convictions / cases pending returned by the NVB must provide evidence to the contrary, the onus is upon the applicant to communicate this evidence to Localise.
- Any uncertainties regarding applicants who deny identity or convictions / cases pending can be communicated to the NVB who will assist NYCI staff to track information relating to the applicant.
- Training must be provided to all Localise staff, adult volunteers, collaborators and interns. Designated Liaison Person must be adequately equipped to ensure the provision of information in relation to the Garda Vetting procedures.

- Any queries, relating to the Garda Vetting procedures must be addressed to the Localise Volunteer Application Section. Queries regarding application outcome must be addressed to the NYCI Child Protection Liaison Person. All enquiries must be treated in confidence and a record kept of all relevant telephone, email and written correspondence.
- All correspondence is to be carried out in written form to enable and maintain an efficient back up tracking system.

### **Confidentiality**

Confidentiality is mandatory. Any personal information relating to an applicant must be treated with the utmost care. Applicants must be treated with dignity and respect at all times. In the case of a Garda Vetting review meeting care must be taken to shield the applicant from public interest. The NYCI Liaison Persons and the Localise Garda Vetting Officer are responsible for the upholding of confidentiality, all information passed to other appropriate and relevant staff must do so on a need to know basis. Any member of staff who breaches confidentiality in regards to this matter may face disciplinary action. Confidentiality must not be upheld in the event of information coming to light about a child or children at risk. In the event of information of this kind arising from a disclosure by the applicant, a suspicion or information received from another agency, a report must be made to the Localise Designated Liaison Person.

### **Localise Policy on Garda Vetting**

Localise is committed to providing a safe environment for young people so that they can care in their community and we have set in place a number of procedures in place designed to safeguard every young member involved in our groups. We are also committed to best practice in recruitment and selection procedures which include Garda vetting. Every new staff member, volunteer, tutor and / or student must be Garda Vetted and undertake Child Protection Training.

It is a criminal offence to knowingly employ a person without vetting them.

### **Localise Procedures for Garda Vetting of all New Staff, Volunteers, Collaborators and Members**

Personnel records in relation to Garda Vetting and any documents which have been used or which are intended for use in determining the employee's / volunteer's suitability to receive clearance to work with children / young people from Localise, Garda Vetting Forms and any attached documentation are not subject to employee / volunteer access. Access can only be granted to the AS, HHR and the Administrator of the Child Protection Office. A database will be maintained which will track the application progress and will contain information regarding clearance and reference checks.

### ***Vetting other sources:***

Unfortunately, Localise's vetting procedure cannot accept Garda clearance from other sources/organisations.

### **AREAS OF CONSIDERATION RE: APPLICANTS**

Localise is a not for profit company limited by guarantee. We will employ and / or accept applicants which return convictions are not considered to be related to child protection or violence and abuse of adults. Localise will also consider applicants who return multiple convictions that have come about as a lifestyle consequence for example addiction to illegal substances. Each case is to be decided on its own merit.

### **AREAS OF CONSIDERATION RE: CONVICTIONS**

Convictions relating to the following legislation in the Republic of Ireland jurisdiction and other jurisdictions, will in some cases bar the applicant from the outset, in the interest of fairness however the applicant may be required to attend a Garda Vetting review meeting;

- The Child Care Act (1991)
- Domestic Violence Act (1991)
- Non Fatal Offences against the person Act (1997)
- Protection for Persons Reporting Act (1997)
- The Education and Welfare Act (2000)
- Children's Act (2001)
- Sex Offenders Act (2001)

N.B. this list is by no means exhaustive, due care must be taken to keep informed about the meaning of legislation and any relevant changes to legislation.

### **The following areas must also be considered with care;**

- Offences against the state
- Offences related to drugs
- Number and frequency of convictions particularly in the last ten years
- Non child protection related offences that may still give cause for concern for example a prosecution and successful conviction under the Domestic Violence Act (1991).

### **FURTHER INFORMATION**

Please contact the Localise Volunteer Application Section if you have any questions or queries by e-mail on: [volunteer@localise.ie](mailto:volunteer@localise.ie) or by phone at 01-497-9010.