



7 Father Mathew Street
Cork City

GARDA VETTING POLICY

Date Completed	January 2019
----------------	--------------

Disclaimer: The information contained within this policy is accurate and up-to-date at time of approval

Title: Garda Vetting Policy

Developed by: Valentine Healy (Office Manager/Authorised Liaison Person)

In consultation with: and Hugh Morley (Head of Business) and Laura Maybury (Head of Clinical Practice/Authorised Liaison Person)

Approved by: (Signed)

Hugh Morley
Head of Business

Laura Maybury
Head of Clinical Practice
Authorised Liaison Person

Valentine Healy
Office Manager
Authorised Liaison Person

Contents:

Page Number:

1. Aim4

2. Definitions and Abbreviations4

3. The Law4

4. Purpose and Scope.....5

5. Responsibilities5

6. What is Garda Vetting?5

7. Process for eVetting6

8. Data Protection7

1.0 Aim:

The aims of this policy are:

- To provide clear information on the purpose of Garda Vetting
- To set out the procedures involved, and to ensure that the procedures are compliant with current legislation
- To promote public trust and confidence
- To protect employees, board members, volunteers, counsellors, supervisors, trainers, contractors and clients

2.0 Definitions/Abbreviations:

CCS: Cork Counselling Services

Affidavit/Statutory Declaration: A document stating that one is with/without any criminal convictions, is or is not under any criminal investigation and has or has not any pending criminal case for prosecution. This document is to be signed and witnessed by a Commissioner of Oaths or a solicitor/barrister.

Relevant work: Any work or activities, carried out by a person, a necessary and regular part of which consists mainly of the person having access to or contact with children or vulnerable persons.

Relevant Organisation: A relevant organisation means a person (including a body corporate or an unincorporated body of persons) who employs, enters into a contract for services or permits any person to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons.

eVetting: Is an online vetting process where an individual who is engaged to undertake relevant work in an organisation that involves activities that bring them into potential or actual contact with children or vulnerable adults.

Disclosure: The outcome provided by the National Vetting Bureau on the completion of eVetting.

3.0 The Law:

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016, came into effect on 29th April 2016. This Act provides a statutory basis for the eVetting of persons carrying out relevant work with children or vulnerable persons. The Act stipulates that a relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation, unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. In respect of this, this policy applies to all staff, volunteers, counsellors, supervisors, trainers, students, contractors and those on placement associated with Cork Counselling Services (CCS) as outlined in section 4.

4.0 Purpose and Scope:

CCS is committed to the highest standards of professional practice in its activities. It is fully committed to ensuring that all staff, board members, volunteers, counsellors, supervisors, trainers, students, contractors and those on placement within the Centre act in line with the highest standards in all aspects of their roles and responsibilities. Garda Vetting is an important component of this and is provided to the CCS (as a relevant organisation) by the National Vetting Bureau in respect of all who have direct access to children or vulnerable adults.

This policy outlines:

- An explanation of the Garda Vetting purpose
- An explanation of the process of eVetting
- Provide an outline of The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016

All staff, contractors and volunteers of CCS are within the scope of this policy.

All supervisors of CCS are within the scope of this policy.

All trainers of CCS are within the scope of this policy.

All students of CCS are within the scope of this policy.

All contractors of CCS are within scope of this policy.

All board members of CCS are within the scope of this policy.

However, those on placement with Green Horizons are exempt as those candidates are police checked in their home country and the disclosure is forwarded to CCS prior to commencing a work-related placement.

5.0 Responsibilities:

- All staff, board members, volunteers, counsellors, supervisors, trainers, students, contractors and placements must adhere to this policy and procedure.
- The Authorised Liaison Person(s) and Head of Business will amend this policy in the event of changes in the legislation.
- The Authorised Liaison Person(s) and Head of Business will ensure that this policy is accessible to individuals and available on request.
- It is the responsibility of the Head of Business to ensure that this policy is adhered to.

6.0 What is Garda Vetting?

Garda vetting is a process where a person who is employed/engaged to undertake relevant work in an organisation that involves activities that bring them into potential or actual contact with children or vulnerable adults, undergoes a vetting process to verify if:

- He/she has or has not any criminal conviction(s).
- Is or is not the subject of any criminal investigation(s) being carried out by An Garda Siochana.

- Has or has not any pending or current criminal case(s), which he/she is the accused party, before the Irish judicial system.

This process commences when an individual enters into employment with CCS, enters into a contract/services with CCS or when a student moves into practice hour activities that bring them into potential or actual contact with children or vulnerable adults.

The National Vetting Bureau only deals with requests from relevant organisations that are registered with it. The National Vetting Bureau is the single point of contact in the Garda Síochána with regard to Garda vetting matters.

Garda vetting is conducted only on behalf of relevant organisations and is not conducted for individuals on a personal basis.

When a relevant person is vetted by the National Vetting Bureau, the details of all convictions and prosecutions, if any, are disclosed to the Liaison Person in the relevant organisation. The details will include all completed prosecutions whether or not they were successful and will also include any pending prosecutions. If there are no convictions or completed prosecutions, this too will be disclosed.

All decisions in respect of the suitability of applicants for positions in relevant organisations for Garda vetting are the sole responsibility of the relevant organisation concerned.

7.0 Process for eVetting:

- An applicant will be requested to complete a NVB1 form and return this to the CCS Garda Vetting Liaison Person.
- The applicant must sign the form and tick the consent box, thereby providing authorisation to engage in the Garda Vetting process.
- The Liaison Person will check the form. Any incomplete or illegible forms will be returned requesting correct details.
- When the Garda Vetting Liaison Person is satisfied with the form, the NVB1 form will be uploaded onto the Garda Vetting Portal and an online invitation will be sent to the individual to complete.
- Where a person applying for vetting is under 18 years of age, a declaration of consent must be made on his/her behalf by a parent or guardian of the person.
- This process also requires proof of identity. The National Vetting Bureau provides a 100 point checklist which outlines the acceptable proof of identification. An individual must provide the appropriate identification and must score 100 points according to the checklist. This identification will be copied and stored with the original NVB1 form by the Liaison Person. Both the individual and the Liaison Person will sign the copied identification as verification.
- For individuals born or who have spent more than 6 months overseas an affidavit or police clearance certificate relating to this time must be provided to CCS and stored with the NVB1 form.

- On receipt of an application for vetting disclosure in respect of a person concerning relevant work or activities, the National Vetting Bureau will make such enquiries with An Garda Síochána or a Scheduled Organisation as it deems necessary to establish whether there is any criminal record or specified information relating to the person.
- A Garda Vetting disclosure is issued directly to the Liaison Person in the relevant organisation.
- When the National Vetting Bureau returns the disclosure of the eVetting, the individual may request a copy of the disclosure.
- Where the report from the National Vetting Bureau confirms that there are no disclosures recorded against the applicable person, no further action is required and the disclosure is filed in the applicable person's file.
- Where the report from the National Vetting Bureau confirms that there are disclosures recorded against the applicable person, the Head of Business will formally assess the processed Garda Vetting disclosure.
- Reported disclosures deemed **not relevant** in the context of an applicable person's prospective role relating to such offences, and confirmed by the applicable person where necessary, will be assessed by the Head of Business, who will discuss with the Head of Clinical Practice and Training Team if appropriate. Where disclosed offences are deemed not relevant, no further action is required and this should then be looked at in terms of fitness to practice.
- Reported disclosures and deemed **relevant** in the context of an applicable person's prospective role relating to such offences, and confirmed by the applicable person where necessary, will be assessed by the Head of Business, who will discuss with the Head of Clinical Practice and Training Team if appropriate. Where disclosed offences are deemed relevant the recruitment process will cease, and the applicable person will be deemed ineligible for a position within CCS and fitness to practice will be invoked.
- Right to appeal: All subjects of eVetting have the right to appeal. This appeal must be made in writing addressed to the Head of Business within 14 days of the disclosure been released.
- It is policy of CCS that all staff, volunteers, counsellors, trainers, supervisors, students and contractors associated with the Centre are re-vetted every 5 years.

8.0 Data Protection:

For Data Protection purposes the original NVB1 form, together with the photocopied proof of identity and a copy of the disclosure will be stored in the individual's file. An electronic copy will also be stored on a password protected computer. The information will only be used for the specific purpose for which it is requested and will be disposed of securely once it is no longer required. Student files in CCS are securely disposed of after 7 years after graduation. General Data Protection Regulation (GDPR) is the EU's new privacy law. The Privacy Policy of CCS can be found on www.corkcounsellingservices.ie.

