

Policy Name: Vetting Policy (Staff)

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| Policy Title: | Vetting Policy (Staff) |
| Description: | Policy to ensure the protection of the public – and especially of young children and vulnerable persons – and to justify public trust and confidence |
| Author (Position): | Human Resources Director |
| Version: | 1 |
| Approved By: | MIE Governing Body |
| Policy Approval Date: | January 2019 |
| Review Date: | September 2023 |
| Date of Next Policy Review: | April 2026 (or as necessary) |

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1. Context

Marino Institute of Education (MIE) is committed to maintaining its campus as a safe place for children and vulnerable persons. This commitment is considered a key aspect of its duty of care. This is in line with current best practice in organisations, including Higher Education Institutions, and in accordance with legislative changes in the [National Vetting Bureau \(Children and Vulnerable Persons\) Act, 2012](#) (“The Act”).

2. Purpose

To ensure the protection of the public – and especially of young children and vulnerable persons – and to justify public trust and confidence.

3. Benefits

Children and vulnerable adults visit the campus on an ongoing basis to participate in educational activities. Some MIE staff visit students on school and work placements. This brings them into contact with young children and vulnerable persons. This important work could not continue without vetting.

4. Principles

- 4.1. This policy applies to each staff member employed and/or engaged/contracted by MIE. Each staff member is required to undergo the vetting process.
- 4.2. This policy applies to any individuals who may be engaged on a voluntary or casual basis within or on behalf of MIE and who may have unsupervised access to children and vulnerable persons in the course of their role.
- 4.3. Individuals who are not directly employed by MIE but who are employed by contractors (or subcontractors) of MIE and who may have unsupervised access to children and vulnerable persons in the course of their duties will also be required to undergo the vetting process.
- 4.4. MIE will also ensure that vetting obligations are reflected, to the extent possible, in any contract between MIE and any contractor and/or sub-contractor and, as appropriate, form part of the criteria required in any procurement process.

5. Definitions

[The Act](#) provides a legislative basis for the mandatory vetting for persons who wish to undertake relevant work or activities with children or vulnerable adults. This requirement applies to anyone who will have regular access to children and/or vulnerable persons in the course of their employment. It is now a criminal offence for organisations to fail to carry out the necessary vetting of such employees, contractors and volunteers.

5.1. The Act shall apply to any work or activity which is 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 adults.

5.2. 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.

5.3. Child/Vulnerable Adult:

- i. A “child” means a person under the age of 18 years.
- ii. A “vulnerable” person” means a person, other than a child, who
 - a. is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
 - b. has an intellectual disability,
 - c. is suffering from a physical impairment, whether as a result of injury, illness or age, or
 - d. has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

6. Policy

6.1. MIE is registered with and uses the services of the [National Vetting Bureau](#) (NVB) which undertakes vetting on addresses in Ireland and Northern Ireland.

6.2. [NVB](#) includes Police Vetting in respect of other jurisdictions.

6.3. The Vetting Invitation Form (see [Appendix 1](#)) will be sent by the Human Resources Department to each staff member for completion before commencing employment.

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The form, once completed, is returned to the Human Resources Department together with identification documentation outlined.

- 6.4. As part of the vetting process, each applicant shall disclose any and all relevant information. This includes information relating to periods of residence both inside and outside the Republic of Ireland.
- 6.5. All communications with applicants and with the [NVB](#) in respect of any particular applicant shall be confidential and information collected as part of this vetting process will be treated in confidence by MIE and used or disclosed by MIE only in accordance with vetting regulations.
- 6.6. [NVB](#) Vetting Process of MIE staff. The following outline summarises the various stages involved in the [NVB](#) Vetting process.
 - i. Stage 1: Completion of the Vetting Invitation Form
 - a. The staff member is given a Garda Vetting Invitation Form along with the instructions for completion of the form (see Appendix 1). This is done by Human Resources during the recruitment process. This document highlights the importance of providing full and correct information on the form and of attaching, where necessary, police clearance from other jurisdictions in which the staff member resided.
 - b. The staff member completes the confidential form and returns it to the Human Resources Department.
 - ii. Stage 2: Completion by the Liaison Person/Authorised Signatory's.

The completed confidential form with relevant ID information is returned to the Human Resources Department, who forwards them to the Liaison Person/Authorised Signatory. Once the Liaison Person/Authorised Signatory is satisfied that all sections of the form are duly completed, and that the ID information is correct, the information is entered and sent electronically to the [NVB](#).
 - iii. Stage 3: Applicant submission to [NVB](#)

On receipt of the application from the Liaison Person/Authorised Signatory, the [NVB](#) sends a link to the applicant to the email address supplied by the applicant on the Vetting Invitation Form. The applicant clicks on this link and completes the information requested which they then return electronically to the [NVB](#). The Liaison

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Person/Authorised Signatory then reviews the information submitted by the applicant to the [NVB](#) on the [NVB](#) System and approves it/seeks further information. The application is then submitted to the NVB vetting process.

iv. Stage 4: Confirmation of [NVB](#) response by the Liaison Person/Authorised Signatory

Once the application has been through the [NVB](#) vetting process, the results are returned to the Liaison Person/Authorised Signatory electronically, who then issues the result to the applicant with a soft copy to Human Resources.

v. Stage 5: Evaluation of Information. The information is then reviewed by the Liaison Person/Authorised Signatory and classified as follows:

- a. No convictions recorded
- b. Minor Offence
- c. Serious Offence
- d. Very Serious Offence

Thereafter, the information will be dealt with by MIE as outlined in Stage 6.

vi. Stage 6: MIE response to information provided by [NVB](#)

- a. No convictions recorded
- b. The names of all MIE staff relating to whom no convictions have been recorded are forwarded to the Human Resources Department.
- c. The name of any staff member in whose case a conviction has been recorded is also forwarded to the Human Resources Director.

6.7. If a conviction, as outlined in (6.6 v)(b), (c) or (d) above, is recorded or pending, the Human Resources Director will convene a Garda Vetting Panel consisting of the Registrar, the Director of School Placement, the Human Resources Director and the Liaison Person/Authorised Signatory or alternative nominees of the President.

The Garda Vetting Panel's remit is to hold fair hearings in order to consider convictions.

i. Minor Offence

With regard to minor offences i.e. offences which, within the absolute discretion of MIE, are not considered to pose any risk to children and vulnerable persons, MIE's response may be different depending on whether or not the staff member openly disclosed the offence.

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- a. If the offence has been disclosed, the Human Resources Director will notify the staff member of the offence.
- b. If the offence has not been disclosed, the Garda Vetting Panel will meet with the Applicant to seek an explanation for the non-disclosure.

If a satisfactory explanation is received, the Human Resources Director will notify the staff member the matter is closed. If a satisfactory explanation is not received, the offence will be deemed to be a serious offence and will be dealt with as for section (ii) (d) below.

ii. Serious Offence

With regard to serious offences i.e. offences, the nature of which could potentially indicate a risk to children and vulnerable persons, MIE's response may be different depending on whether or not the staff member openly disclosed the offence:

- a. If the offence has been disclosed, the Garda Vetting Panel will meet with the staff member to discuss the circumstances of the offence.
- b. If there is evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the staff member since the event took place, then the staff member will be advised of MIE's response.
- c. If there is no evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the person, the staff member may be advised that their offence is being treated as a very serious offence and the procedure outlined in section (iii) below will be followed.
- d. If the offence has not been disclosed, the Garda Vetting Panel will meet with the staff member. Other than in very exceptional circumstances, the staff member will be advised that the procedure outlined in section (iii) below will apply.

iii. Very Serious Offence

With regard to very serious offences i.e. offences, the nature of which could potentially indicate a serious risk to children and vulnerable persons or other members of the public, the staff member will be required to meet with the Garda Vetting Panel in order to provide a detailed explanation as to the circumstances of the offence.

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- a. The Garda Vetting Panel will then deliberate on the findings and consider a recommendation regarding an appropriate response.
- b. This recommendation will be advised in writing to the staff member by the Human Resources Director.
- c. The staff member may, within ten working days of the date of the letter, make an appeal to the President of MIE to have their case reviewed by an Appeal Committee on Staff Vetting comprising of the President of MIE and two members of the Governing Body¹.

iv. Stage 7

Applicants should be aware that MIE reserves the right, at its discretion and/or in accordance with vetting regulations, to require certain applicants (groups or individuals) to:

- a. Undergo further Garda Vetting or re-vetting or;
- b. Provide, during the course of their tenure, an enhanced disclosure through the completion of an affidavit or other document acceptable to MIE or;
- c. Furnish a Statutory Declaration on request.

6.8. Additional Documentation Requirements

A staff member who has resided outside of Ireland, including Northern Ireland, for six months or more, after the age of 18, is required to provide the following supporting documentation when submitting their Vetting Invitation Form:

- i. Certified copies of police clearance documents from all jurisdictions/states of previous residence, referring to the time spent in each country.

The onus is on the staff member to obtain police clearance. It is best to contact the embassy of the country in question to seek further information. A list of embassies can be found on the website of the [Department of Foreign Affairs](#).

If a satisfactory police record is not available – and the staff member can provide correspondence demonstrating that police clearance cannot be obtained (e.g. the country in question is experiencing political upheaval) - a declaration form may be issued.

- ii. Disclosure of Criminal Convictions

¹ See [Code of Governance](#) and [Matters Reserved for the Governing Body of MIE](#)

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A staff member who works directly with children and vulnerable adults and who has been convicted of any offence relating to children and vulnerable persons and/or is subject to disciplinary action or sanction relating to children and vulnerable persons must withdraw from working in any position or on any project which involves contact with children and vulnerable persons until the matter has been considered in full and a decision is taken on the appropriate course of action.

7. Responsibility

Responsibility for maintenance of this Policy rests with Human Resources.

8. Related Documents

- 8.1. [Garda Vetting for Students Policy](#)
- 8.2. [National Vetting Bureau \(Children and Vulnerable Persons\) Act, 2012](#)
- 8.3. [National Vetting Bureau](#) (Vetting Forms)

Appendix 1

Guidelines for completing Vetting Invitation Form (NVB 1)

Please read the following guidelines before completing this form. This form can be found online at [NVB website](#).

Miscellaneous

The Form must be completed in full using **BLOCK CAPITALS** and writing must be clear and legible.

The Form should be completed in ball point pen.

Photocopies will not be accepted.

All applicants will be required to provide documents to validate their identity.

If the applicant is under 18 years of age, a completed [NVB 3 - Parent\Guardian Consent Form](#) will be required. Please note that where the applicant is under the age of 18 years old, electronic correspondence will issue to the Parent\Guardian. This being the case, the applicant must provide their Parent\Guardian Email address on the NVB 1 form (this form).

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Personal Details

Insert details for each field, allowing one block letter per box.

For Date of Birth field, allow one digit per box.

Please fill in your Email Address, allowing one character/symbol per box. This is required as the invitation to the e-vetting website will be sent to this address.

Please allow one digit per box for your contact number.

The Current Address means the address you are now living at.

The address fields should be completed in full, including Eircode/Postcode. No abbreviations.

Role Being Vetted For

The role being applied for must be clearly stated. Generic terms such as “Volunteer” will not suffice.

Declaration of Application

The applicant must confirm their understanding and acceptance of the two statements by signing the application form at Section 2 and ticking the box provided.

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Marino Institute of Education
 Griffith Avenue
 Dublin 9



Your Ref: (Office Use Only)

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Form NVB 1

Vetting Invitation

Section 1 – Personal Information

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an

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|-------------------------------|--|---|---|---|---|---|---|---|---|---|---|
| Forename(s): | | | | | | | | | | | |
| Middle Name: | | | | | | | | | | | |
| Surname: | | | | | | | | | | | |
| Date Of Birth: | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">D</td> <td style="width: 20px; text-align: center;">D</td> <td style="width: 20px; text-align: center;">/</td> <td style="width: 20px; text-align: center;">M</td> <td style="width: 20px; text-align: center;">M</td> <td style="width: 20px; text-align: center;">/</td> <td style="width: 20px; text-align: center;">Y</td> </tr> </table> | D | D | / | M | M | / | Y | Y | Y | Y |
| D | D | / | M | M | / | Y | Y | Y | Y | | |
| Email Address: | | | | | | | | | | | |
| Contact Number: | | | | | | | | | | | |
| Role Being Vetted For: | | | | | | | | | | | |
| Current Address: | | | | | | | | | | | |
| Line 1: | | | | | | | | | | | |
| Line 2: | | | | | | | | | | | |
| Line 3: | | | | | | | | | | | |
| Line 4: | | | | | | | | | | | |
| Line 5: | | | | | | | | | | | |
| Eircode/Postcode: | | | | | | | | | | | |

offence to make a false statement for the purpose of obtaining a vetting disclosure.

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Section 2 – Additional Information

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| Name Of Organisation: | |
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I have provided documentation to validate my identity as required *and*

I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison

| | | | | | | | | | | | | | |
|--------------------|--|--------------|---|---|---|---|---|---|---|---|---|---|--|
| Applicant's | | | | | | | | | | | | | |
| Signature: | | Date: | D | D | / | M | M | / | Y | Y | Y | Y | |

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.