

Policy Identifier: Garda Vetting for Students Policy and Procedure

Policy Title:	Garda Vetting for Students Policy and Procedure
Description:	This document outlines the responsibilities and processes relating to the vetting of students, to confirm that Marino Institute of Education (MIE) is compliant with its statutory obligations, to ensure suitable candidates can undertake a placement programme and to complement MIE's Safeguarding Policies.
Author (Position):	Vice President (Academic Affairs) and Registrar
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Approved By:	MIE Governing Body
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1 Context

- 1.1 Marino Institute of Education (MIE) is committed to its role in ensuring the safety of children and vulnerable persons. This commitment is considered a key aspect of its duty of care.
- 1.2 The [National Vetting Bureau \(Children and Vulnerable Persons\) Act, 2012](#) as amended by the [Criminal Justice \(Spent Convictions and Certain Disclosures\) Act, 2016](#) (the Vetting Act) places certain obligations on MIE in relation to the vetting of persons carrying out certain work or activities relating to children or vulnerable persons.
- 1.3 The [Vetting Act](#) requires that MIE: shall not permit any person to undertake relevant work or activities on behalf of MIE or place or make arrangements for the placement of a person as part of any course of education, training or scheme, if a necessary and regular part of such placement requires the participation of the person in relevant work or activities, unless MIE receives a vetting disclosure from the [National Vetting Bureau](#) (NVB) in respect of that person¹.
- 1.4 Any person who contravenes the above provision is guilty of an offence under the [Vetting Act](#) and the Act specifies penalties in the form of a fine of up to €10,000 and/or a term of imprisonment not exceeding 5 years². An offence under the [Vetting Act](#) can be committed by the organisation and a person who is the director, manager, secretary or other officer of the organisation or was purporting to the [Vetting Act](#) in that capacity.

MIE therefore requires vetting disclosures to be obtained for students, whose course of studies involves any relevant work or activity with children or vulnerable persons³. Vetting disclosures are therefore required for students or prospective students on the following MIE courses:

1.4.1 Undergraduate

- a) Bachelor in Education (Primary) – B.Ed. (Primary)
- b) Baitsiléir san Oideachas Trí Mheán na Gaeilge (Bunmhúinteoireacht)

¹ Section 12 (1) of the [National Vetting Bureau \(Children and Vulnerable Persons\) Act, 2012](#) as amended by the [Criminal Justice \(Spent Convictions and Certain Disclosures\) Act, 2016](#).

² Section 12 (2) creates the offence and sections 27 (1) (b) sets out the maximum penalties.

³ See [Child Safeguarding Statement](#), [Safeguarding Policy: Children](#) and [Safeguarding Policy: Vulnerable Persons](#)

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- c) Bachelor in Science (Early Childhood Education) – B.Sc. ECE
- d) Bachelor in Science (Education Studies) B.Sc. (Ed. Studies)

1.4.2 Postgraduate

- a) Professional Diploma in Education (Further Education) - PDEFE
- b) Professional Master of Education (Primary) – PME (Primary)

2 Purpose

The purpose of this document is:

- 2.1 To ensure that MIE is compliant with its statutory obligations under the [Vetting Act](#).
- 2.2 To outline MIE's policies and procedures relating to obtaining vetting disclosures for students or prospective students who, as a necessary part of any course of study with MIE, will undertake any relevant work or activity with children or vulnerable persons as defined in the [Vetting Act](#)⁴.
- 2.3 To ensure that suitable candidates can undertake a placement programme.

3 Scope

- 3.1 Vetting disclosures must be obtained in respect of all students who have accepted a place for any of the MIE courses that have a placement/internship component involving relevant work or activity relating to children or vulnerable persons. Receipt of vetting disclosures is therefore a pre-condition to registration on the courses set out at [Sections 1.4.1](#) and [1.4.2](#) above. No-one will be considered to be registered on those courses of study, until either:
 - i. A NIL disclosure has been received from the [NVB](#); or,
 - ii. A disclosure, other than a NIL disclosure, has been received, and a decision that has been that the vetting subject may be registered.

4 Principles

- 4.1 Procedures for vetting disclosures as set down in this document are intended to meet the requirements of the [Vetting Act](#).
- 4.2 Students and prospective students must comply with any invitation from MIE to obtain a vetting disclosure.

⁴ See also MIE's [Child Safeguarding Statement](#), [Safeguarding Policy: Children](#) and [Safeguarding Policy: Vulnerable Persons](#)

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- 4.3 Any student who has not obtained a vetting disclosure will not be permitted to undertake any placement/internship-related element of their programme.

5 Procedures

- 5.1 MIE will process all student applications for vetting disclosures in accordance with the [Vetting Act](#).
- 5.2 The Garda Vetting Liaison Officer, who will liaise with the [NVB](#) for the purposes of the [Vetting Act](#), will be located in the [Registrar's Office](#) (AsstRegistrar@mie.ie).
- 5.3 Disclosures in respect of students undergoing Garda Vetting will be retained by MIE only for so long as, and to the extent to which, it is lawful and necessary in order to comply with its legal obligations.
- 5.4 MIE will, at all times, have due regard to the privacy rights of students undergoing Garda Vetting and process personal information in accordance with [MIE's Privacy Statement](#)⁵.

5.5 Communication with Applicants

At all times MIE will act in accordance with the [Vetting Act](#) and the [MIE's Privacy Statement](#). The following section outlines the details of the various stages involved in obtaining a vetting disclosure⁵.

5.6 Vetting Invitation Form

- 5.6.1 The vetting invitation form, NVB 1, ([Garda Vetting Application Invitation, Appendix 2](#)) will be posted or emailed to students as soon as offers of places on the courses listed at [Sections 1.4.1](#) and [1.4.2](#) above have been accepted.
- 5.6.2 If the student is under 18 years of age, form NVB 3 ([Parent/Guardian Consent Form, Appendix 3](#)) is also required and will also be posted or emailed to students as soon as offers of places on the courses listed at [Sections 1.4.1](#) and [1.4.2](#) above have been accepted.
- 5.6.3 The completed form(s) must be returned, prior to registration/re-registration, by post, to the Garda Vetting Liaison Officer located in the [Registrar's Office](#) (AsstRegistrar@mie.ie).

⁵ See [MIE's Privacy Statement](#) for further information

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- 5.6.4 Applicants to relevant courses must, in general, have completed the vetting process prior to registering on the course. However, in some instances, this will not be possible, e.g., late applications, students who were successful in obtaining a place on a course following Leaving Certificate rechecks. In such cases, applicants can provisionally register for their course on the basis that full registration is contingent on, among other things, completion of the vetting process.
- 5.6.5 Students will not be permitted to undertake any placements/internships, including observation days, without either:
- i. A NIL disclosure having been received from the [NVB](#); or,
 - ii. in the case of a disclosure other than a NIL disclosure from the [NVB](#), MIE having considered that disclosure and made a decision that the student undergoing Garda Vetting may be registered, or may undertake the specific placement or internship.

5.7 Online Vetting Procedure

- 5.7.1 Upon receipt, by the Garda Vetting Liaison Officer, of a completed invitation form from the student, the Garda Vetting Liaison Officer will ensure that the details provided on the form are entered on the [NVB](#) e-Vetting Portal.
- 5.7.2 The student will then receive an email from the [NVB](#) inviting them to complete an e-Vetting Application form.
- 5.7.3 This form is accessible via a link provided in the email.
- 5.7.4 As the link will expire within 30 days, it is essential that the form is accessed and completed as soon as possible.
- 5.7.5 The vetting process cannot be carried out unless the form is completed and responsibility for ensuring completion rests with the student undergoing Garda Vetting.
- 5.7.6 The student will be asked to input personal biographical details, including the postal addresses of all locations where they have lived since birth. They will also be asked if they have a criminal record⁶. If the answer is YES, they will be asked to provide details.

5.8 Completion of Vetting

⁶ See [“What is a Criminal Record” under GV FAQ’s](#)

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- 5.8.1 Once the student enters the relevant details and submits their e-vetting application online, it will be reviewed by the Garda Vetting Liaison Officer.
- 5.8.2 The application will then be processed by the [NVB](#).
- 5.8.3 When the application has been processed by the [NVB](#), the vetting applicant will receive an email from the [NVB](#) stating that their vetting disclosure has been issued to MIE.
- 5.8.4 Upon receipt of a disclosure from the [NVB](#) the Garda Vetting Liaison Officer will forward a copy of the disclosure to the student.
- 5.8.5 The Garda Vetting Liaison Officer will also inform the student of their right to have their disclosure referred to the [NVB](#) dispute process and that, in order to invoke that process, the student must write to the Garda Vetting Liaison Officer outlining the basis of their dispute. The student will also be informed that if no request to invoke the dispute process is received from them within five working days, the disclosure will be referred to the Vetting Panel.
- 5.8.6 Upon receipt of a request from a student to invoke the process to dispute a disclosure the Garda Vetting Liaison Officer will forward the full application to the [NVB](#) along with a copy of the document received from the student outlining the basis for their dispute in writing.

6 MIE Response to Vetting Disclosure

6.1 NIL Disclosure

- 6.1.1 With regard to a NIL Disclosure, a copy of the vetting disclosure is uploaded to the DocBox section of the student's personal [MAESTRO](#) page.

6.2 Disclosures other than NIL Disclosures

- 6.2.1 In any case where a disclosure, other than a NIL disclosure, is received from the [NVB](#) the provisions of this section shall apply. Upon receipt of the disclosure from the [NVB](#) the Garda Vetting Liaison Officer will upload a copy of the disclosure to the DocBox section of the student's personal MAESTRO page.
- 6.2.2 The Garda Vetting Liaison Officer will also inform the student of their right to have their disclosure referred to the [NVB](#) dispute process and that, in order to invoke that process, the student must write to the Garda Vetting Liaison Officer outlining the basis of their dispute.

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- 6.2.3 The student will also be informed that, if they do not wish to dispute the detail of the disclosure, they may send written submissions to the Garda Vetting Liaison Officer making any comment that they may wish to make in relation to the vetting disclosure, which submission will be sent, along with the vetting disclosure to the Vetting Panel, by the Garda Vetting Liaison Officer.
- 6.2.4 The student should be informed that they have five working days from the date of the notice either to write to the Garda Vetting Liaison Officer to invoke the process to dispute the vetting disclosure, or to provide a submission as specified in the preceding section and that, if no reply is received from them by the expiration of the time limit, the disclosure will be referred to the Vetting Panel without further notice to the student.
- 6.2.5 Upon receipt of a request from a student to invoke the process to dispute a disclosure, the Garda Vetting Liaison Officer will forward the full application to the [NVB](#) along with a copy of the document received from the student outlining the basis for their dispute in writing.
- 6.2.6 No report will be forwarded to the Vetting Panel in respect of a disclosure until either:
- i. A period of five working days has elapsed and the student has not written to the Garda Vetting Liaison Officer to invoke the process to dispute the vetting disclosure with the [NVB](#) nor provided a submission for forwarding to the Vetting Panel along with their disclosure; or,
 - ii. The student having invoked the process to contest the vetting disclosure, the [NVB](#) has either affirmed the original disclosure or provided an amended disclosure, but has not returned a NIL disclosure.
- 6.2.7 In any case to which (ii) above applies, the student should be informed that their right to provide a submission to the Vetting Panel, to accompany the disclosure, may now be invoked by writing to the Garda Vetting Liaison Officer within five working days setting out such submission.
- 6.2.8 The Garda Vetting Liaison Officer shall, subject to the provisions of this section, as soon as practicable, forward a copy of the disclosure along with any submissions made by the student to the Vetting Panel.
- 6.2.9 Upon receipt of the vetting disclosure and any submissions by the student, the Vetting Panel, chaired by the Dean of Education: Policy, Practice and Society, will,

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by written notice, inform the student that they will meet (either in person or using video or audio-conferencing technology) to consider the disclosure, at a date, time and place set out in the notice, and that the student may, if they wish, participate on that date and may be accompanied by such person as they see fit at the meeting, such as their Tutor⁶, provided the Vetting Panel is notified in writing of the intention to bring such person no later than five working days in advance of the meeting.

6.2.10 At the specified date and time, the Vetting Panel will meet to consider the vetting disclosure and any submissions by the student and determine whether, in light of all of the information then to hand, the student is suitable to undertake the relevant course or placement.

6.3 Following the meeting, the student will be advised, in writing, of the decision and, in any case where it has not been determined that the student is suitable to undertake the relevant course or placement, they will be advised of their entitlement to appeal that decision to the Garda Vetting Appeal Committee (see [Section 7](#)).

7 Making an Appeal to the Decision

7.1 The student may, within ten working days of the date of the letter, make an appeal to the Vice President for Education & Strategic Development to have their case reviewed by an Appeal Committee, comprising of the Vice President for Education & Strategic Development and two members of the Governing Body⁷.

7.2 The Appeal Committee will consider any further submissions by or on behalf of the student, who will be in attendance, before reaching a decision and may affirm, vary or quash the decision regarding the suitability of the student.

7.3 Should the applicant be dissatisfied with the outcome of their appeal, they have the right to escalate their case to the appropriate authority, for example Túsla, the Teaching Council, Education and Training Boards Ireland, etc. The appropriate authority differs depending on the programme the student is following, the nature of the information disclosed and the nature of the placement setting.

8 Disclosure Information

⁶ See [Tutor System Policy](#) and [Tutor System Procedure](#)

⁷ See [Code of Governance](#) and [Matters Reserved for the Governing Body of MIE](#)

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- 8.1 Students who have completed the vetting process will be informed of the result of the vetting disclosure and a copy will be published on the DocBox section of their [MAESTRO](#) personal page.
- 8.2 MIE reserves the right at its discretion and/or in accordance with the [Vetting Act](#), to require certain students to undergo re-vetting.

9 Responsibility

- 9.1 Ensuring that vetting disclosures for students are obtained is the responsibility of the Registrar and Vice President of Academic Affairs.
- 9.2 Students are responsible for ensuring that their vetting form is fully completed and all requested information is provided.

10 Related Documents

- 10.1 [Safeguarding Policy: Children](#)
- 10.2 [Child Safeguarding Statement](#)
- 10.3 [MIE Child Safeguarding - Risk Assessment](#)
- 10.4 [Safeguarding Policy: Vulnerable Persons](#)
- 10.5 [MIE Vulnerable Persons – Risk Assessment](#)
- 10.6 [NVB \(Children and Vulnerable Persons\) Act 2012](#)
- 10.7 [NVB Vetting Guide](#)
- 10.8 [NVB FAQs](#)
- 10.9 [MIE Privacy Statement](#)
- 10.10 [Code of Governance](#)
- 10.11 [Matters Reserved for the Governing Body of MIE](#)
- 10.12 [Tutor System Policy](#)
- 10.13 [Tutor System Procedure](#)

11 Appendices

Appendix 1: Vetting Panel Members

- 11.1 Garda Vetting Liaison Officer (secretary non-voting; member of the [Registrar's Office](#))

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11.2 Relevant Course Leader

11.3 Admissions Officer

11.4 Dean of Education: Policy, Practice and Society (Chair)

Appendix 2: NVB 1 – Vetting Invitation Form

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Marino Institute of Education
 Griffith Avenue
 Dublin 9



Your Ref: (Office Use Only)

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An Associated College of
 Trinity College Dublin, the University of Dublin

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

Forename(s):	
Middle Name:	
Surname:	
Date Of Birth:	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:	

Section 2 – Additional Information

Name Of Organisation:

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 Person pursuant to Section 13(4) (e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. Please tick box

Applicant's Signature:		Date:	D	D	/	M	M	/	Y	Y	Y	Y
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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.

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Appendix 4: Sample Letter to Applicant/Student where a criminal record and/or specified information is disclosed by the NVB, and MIE does not Recommend Registration/Approval for Placement

Note: this letter should be sent by registered post to the address listed as the permanent address of the applicant/student.



Dear <insert name>,

Thank you for meeting with the Vetting Panel to discuss your vetting disclosure.

In line with the Garda Vetting of Students: Policy and Procedure and considering the nature and type of issues identified, the decision of the Vetting Panel is that for <insert course name>, your registration is not confirmed and you are withdrawn from the course with immediate effect.

Please note that you have the right to appeal the decision of the Vetting Panel. Please refer to the Vetting for Students: Policy and Procedures document. If you require any additional information on the Appeals process, please contact the undersigned at <insert contact details>

Garda Vetting Liaison Officer

Marino Institute of Education