



## **Garda Vetting Policy**

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provide a statutory basis for the vetting of persons carrying out relevant work with children or vulnerable persons. The Act also creates offences and penalties for persons who fail to comply with its provisions.

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.

Vetting is conducted on behalf of registered organisations such as Athletics Ireland only and is not conducted for individual persons on a personal basis. If you are seeking employment or intending to volunteer with Athletics Ireland by providing relevant work to children or vulnerable persons, you will be asked by your club to complete the vetting process before commencing such work.

The purpose of Garda Vetting is to provide details regarding all prosecutions, successful or not, pending or completed and/or convictions in respect of an individual applicant to an organisation which is registered for Garda Vetting.

Athletics Ireland is committed to the protection and welfare of children and vulnerable persons. As part of this commitment Athletics Ireland complies with relevant legislation and recommended best practice in recruitment and selection procedures for volunteers and volunteers and will conduct Garda Vetting as part of the process. Athletics Ireland provides vetting services to the Irish Schools Athletic Association and Park Run Ireland.

### **AAI Vetting Obligations**

- All those engaging with persons under the age of 18 & Vulnerable persons
- All AAI Children's Officers, Designated Liaison Person, Chairpersons & Secretaries
- Coaches involved with individuals or teams competing in any age up to and including Under 18's
- Anyone working or Volunteering with children and vulnerable persons on behalf of AAI

- All AAI Committee Members
- Vetting is not transferrable between sporting associations
- Sports leaders under 18 may also be required to complete the vetting process. To apply for vetting there must be a completed parental consent. This form is available from your Club Children's Officer. Vetting cannot be conducted for a person under the age of 16.

### **Benefits**

- Protection of children and vulnerable adults
- Protection of the Association and Club
- Protection of coaches and volunteers
- Management of risk
- Garda Vetting is one of the key elements of the safe recruitment process

### **Completing the Form**

The AAI Garda Vetting Liaison works with Clubs to ensure that all coaches have up to date vetting as per the National Vetting Bureau Act 2012. The vetting application form will be maintained by Athletics Ireland and any amendments or changes in legislation will be made by AAI and notified to all clubs.

Vetting with Athletics Ireland must be refreshed **every three years** by submitting a new eVetting application form to the Liaison Person. Athletics Ireland complies fully with good practice regarding the secure storage, handling and use of the Vetting Bureau disclosures and personal vetting information as per Data Protection Policy and legal obligations under Data Protection Legislation.

The onus is placed on each Clubs Children's Officer to check the identity of the applicant as specified on Section 3 of the Application Form. The Children's Officer must tick the appropriate box for the form of ID that was used to verify the identity of the applicant.

***Please note we require Proof of current address, such as a utility bill, bank statement, correspondence (dated within the last 6 months) AND photographic ID.***

The vetting subject completes an Athletics Ireland eVetting Invitation & ID Validation form. They then present their original ID's with photocopies to their Club Children's Officer for validation. The vetting subject then posts their eVetting Invitation form along with photocopies of the ID used to the Liaison Person at Athletics Ireland, 19 Northwood Court, Northwood Business Campus, Santry, Dublin 9.

### **Athletics Ireland eVetting steps**

Forms are received by post to Athletics Ireland, and each form is checked for the following -

-Section 1 & Section 2 fields are Mandatory. Check that all personal details are completed including a phone number and e-mail address.

-Role Being Vetted for is a mandatory field. Juvenile Coach is the most relevant role descriptor for our coaching network.

-We require an original signature on Section 1 Declaration. ***Scanned or photocopies cannot be accepted***

-Declaration's must be dated within 6 months and signed only by the CCO or Chair

-Each form should be posted with relevant in date ID and Bills should be dated within 6 months

The Identity Document Validation Form must be completed fully for an application to be submitted. This should be completed by the Club Chair or Childrens Officer who will be responsible for posting the form to the Liason Person in Athletics Ireland.

Athletics Ireland input the application to the e Vetting portal, and an email link is issued to the applicant to complete online within 30 days. Once submitted the Liaison Person reviews online, and the application is referred to the National Vetting Bureau for processing.

The National Vetting Bureau processes the application and forwards a vetting disclosure through the eVetting Portal where it is reviewed by to the Athletics Ireland Liaison Person.

The disclosure will confirm –

1. that there are no convictions within the ROI or elsewhere or
2. a statement of all convictions and or prosecutions, successful or not, pending or completed in the state or elsewhere.

Should the vetting disclosure contain no convictions recorded against an individual a Vetting Acceptance letter is emailed to the applicant who should copy this letter to their Club Children's Officer.

It may contain specified information in relation to the applicant. This means information concerning a finding or allegation of Harm to another person received by the Bureau from An Garda Siochana or a scheduled Organisation pursuant to section 19 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016. Please note the National Vetting Bureau will notify the applicant **before disclosing specified** information to the Relevant Organisation. A copy of the vetting disclosure will be made available to the

applicants on request. Disclosures which return a Nil result are filed for the life of the vetting period.

### **Disputes**

In instances where a disclosure returns a response it will be shared with the applicant. The applicant can dispute details contained on a Garda Vetting Disclosure outlining the exact basis of his/her dispute in writing to the Liaison Person who will submit it to the Garda Vetting Unit for review.

If, following further checks, the applicant still disputes details of the disclosure, arrangements will be made for further validation procedures.

At the conclusion of the dispute resolution process, decisions on the suitability of the applicant will be the responsibility of the Review Committee.

Disclosures which return a conviction, or any other information will be risk assessed. A conviction, prosecution or case pending will not necessarily bar an applicant for consideration for engagement. The following criteria will be considered.

- The nature and number of any convictions
- The frequency of any convictions
- The post for which the person is seeking engagement
- The self-disclosure of the conviction/case pending by the applicant
- The time lapse since the conviction

Athletics Ireland will employ a Natural Justice framework in dealing with any disclosures of convictions. In accordance with the guidelines issued by the National Vetting Bureau, the CEO of Athletics Ireland will establish a Decision-Making Committee. This Committee is comprised of up to six members, one representative of each of the five regions and a chairperson. A minimum of three must be present for any meeting. All applicants have a right to natural justice and can choose to waive their anonymity and meet the decision-making committee to present their case should they choose to do so.

### **Review Meetings**

Consideration for holding a review meeting will occur when an application is returned from the NVB with information which gives cause for concern. The Liaison Person will verify all information received from the NVB with the applicant.

Any assessment of suitability of an applicant depends on the relevance of any conviction/disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the offence/disclosed information, the timing of the

offence and any possible pattern of offences. The information disclosed is used for only the specific purpose for which it was obtained as part of a volunteering or recruitment process within Athletics Ireland. On receiving information that may potentially result in exclusion from taking up the regulated position any original documentation is checked to ensure it is correct and that the disclosed information refers to the applicant. If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting body a decision will be made depending on the type and nature of the offences disclosed. If the applicant has not self-disclosed and information is received from the vetting body this will be checked with the applicant. The applicant will be asked to provide background information on all offences in writing as part of the risk assessment process.

Disclosure of certain types of convictions/prosecutions or specified information will automatically disqualify applicants from a position working with children and young people.

Examples of offences that will automatically disqualify an applicant are:

- Any offence of a sexual nature
- Any offence against a child or of child abuse or child abuse images
- An offence that causes grievous bodily harm
- Any offence of murder or manslaughter
- An offence of kidnapping
- A series of continuous offending that might cause concern for the well-being of children
- Any charge brought by the Director of Public Prosecutions (for Ireland and Northern Ireland) concerning abuse of a child or vulnerable person

This is a guide and not a complete list of barring offences. All decisions on the suitability of an applicant are a matter for the Decision-Making Committee of Athletics Ireland or its affiliates. The NVB and ANI are not involved in such decisions.

All risk assessment decisions are made on an individual basis. Consideration is given to the nature of the disclosed information received from the respective vetting bodies and the initial self-disclosure, if any, by the individual. Decisions will only be made on disclosed information that is verified and confirmed, preferably in writing. If a decision is required that is not clearly dealt with in this vetting policy external advice is sought. In this case any identifying information on the disclosure will be removed. External advice may be sought from other regulatory bodies, e.g. Participation Unit from Sport Ireland or Child Protection in Sport Unit from NSPCC. Where the applicant is suitable for the position currently held or applied for, this is communicated to the individual by issuing a letter accepting suitability to volunteer/work within Athletics Ireland. Where the information disclosed by the vetting organisation and/or self-disclosed by the applicant deems the individual to be unsuitable for

the regulated position they are informed of such preferably in person, however this is not always possible. In the case where an individual cannot be informed in person, they will be requested to contact the LP/signatory as a matter of urgency. All applicants are allowed the opportunity to withdraw from seeking any role or position. The principles of natural justice concern procedural fairness and ensure a fair decision is always reached by objective & unbiased decision makers.