

## GUIDANCE ON GARDAVETTING PROCEDURES

### KEY TERMS

**Affiliate-** A Diocese or parish who wish to process vetting checks with the Church of Ireland Safeguarding Board

**Authorised Signatory-** A person designated by the affiliate in a Service Level Agreement to process and sign vetting forms

**Contact Person-** A person designated by the affiliate in a Service Level Agreement to be a point of contact for the Church of Ireland Safeguarding Board for vetting applications

**GNVB-** Garda National Vetting Bureau

**SLA-** Service Level Agreement signed by each affiliate and the Church of Ireland Safeguarding Board to outline the processing of data for processing vetting applications

**Vetting Liaison Person (LP)-** The person in the Vetting Team at the Church of Ireland Safeguarding Board who has registered with the GNVB to process vetting applications from affiliates

**Vetting Team-** The Church of Ireland Safeguarding Board staff team who process vetting applications for affiliates

### INTRODUCTION

The Church of Ireland (COI) has been undertaking Garda Vetting of its bishops, clergy, staff and volunteers since 2006. The processing of vetting applications is conducted through the Church of Ireland Safeguarding Board.

The National Vetting Bureau Acts (Children and Vulnerable Persons) 2012-2016 provides the legislative basis for the mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable adults. It places vetting on a statutory basis, making it a criminal offence for organisations not to "receive a vetting disclosure from the Bureau in respect of that person" for individuals who undertake "relevant work or activities" with children or vulnerable adults.

Following the commencement of the National Vetting Bureau Acts 2012-2016, the processing of vetting applications for COI bishops, clergy, staff and volunteers is conducted via the online Garda vetting application system.



## WHO NEEDS TO BE VETTED?

The Church of Ireland Safeguarding Board has worked with the Garda National Vetting Bureau (GNVB), and a list of acceptable roles has been agreed. The description of a role which requires a vetting check, must match one on the approved list available here <https://safeguarding.ireland.anglican.org/garda-vetting/>.

The Church of Ireland Safeguarding Board has produced this list based on a common understanding of roles within the Church of Ireland. However, roles may differ in various contexts. It is important that each role is assessed according to the categories set out in legislation to determine whether vetting is necessary.

If you believe that there is a role that meets the requirements, but is not on the approved list, please contact the Vetting Team for advice by emailing [vetting.admin@rcbcoi.org](mailto:vetting.admin@rcbcoi.org).

The list of approved roles will be revised frequently, so please ensure that you are using the most up to date list, available on the Church of Ireland Safeguarding Website.

The diocese or parish must be in receipt of the vetting disclosure before applicants are permitted to undertake the role that requires a vetting check.

Each diocese or parish must first complete and return a Service Level Agreement (SLA), signed by the Bishop, Incumbent or a person designated by the Bishop or Incumbent before a vetting service can be provided by the Church of Ireland Safeguarding Board.

The legislation requires a new vetting application to be submitted to the GNVB in respect of each employment. Parishes and dioceses will be viewed as separate entities requiring a new vetting application for all bishops, clergy, staff, and volunteers in each setting, except where there is a shared agreement for joint events.



## E-VETTING PROCESS

### STEP 1

The vetting applicant receives a Vetting Invitation Form (**NVB 1**). This form must be completed, signed, and dated by the vetting applicant and the declaration box must be ticked. It is then **returned to the authorised signatory** (usually the Bishop or Incumbent) accompanied by the documents necessary for identification verification.

### STEP 2

The authorised signatory verifies the ID and completes the Identity Document Validation Form. The copy of the ID documents and the Identity Document Validation Form must be kept by the affiliate with the **original** signed NVB1 form for the lifetime of the vetting.

Two different forms of ID must now be provided, one for each section, as indicated below.

Category	Document Type
Photo Identification	Passport from country of citizenship
	Irish Driver's License or Learner Permit (new credit card format only)
	Irish Certificate of Naturalisation
	National Identity Card
Category	Document Type
Proof of Address	Credit Institutions – Bank Statement from a recognised bank (not private money lenders of Revolut)
	Building Society Statement
	Credit Union Statement
	Credit Passbook
	Utility Provider Bill – such as gas, electricity, television, broadband, waste, TV licence – issued within the past 6 months Mobile phone provider bills are not acceptable
	Correspondence from government departments*
	Letter from Local Council confirming residency



\*In terms of correspondence from government departments for proof of address the following documents **ARE** accepted as proof of address:

- Private Residential Tenancy Board
- Irish Water correspondence
- Ireland State Savings
- Intreo correspondence
- HSE correspondence
- Revenue correspondence – except those forms of correspondence listed in the **NOT** list below
- National Driver Licence Service

The following documents are **NOT** accepted as proof of address:

- Department of Education pay slips
- Motor Tax
- Vehicle Registration Certificates
- Local Property Tax
- Correspondence from the following:
  - An Garda Síochána
  - Polling Cards
  - Jury Service
  - Private Hospital Correspondence
  - Home Insurance

Original documents **must** be presented **in person** to the affiliate, where a copy is then taken by the affiliate. Photocopies presented to the affiliate cannot be accepted unless the original is also provided for verification purposes.

Organisations found to be breaching this may be removed from the Garda vetting system.

If you are unsure if an identity document is acceptable, please check with the Vetting Team.



**In the case of applicants aged between 16- and 18-years-old**, two forms of identity documents must now be provided – these can be from the table on page 3 and if the applicant cannot provide these, they can use the following:

Identification – 16–18-year-olds
Birth Certificate
Written statement by a school principal confirming attendance (on school letterhead)

The affiliate **must** retain the verified copies of the ID on their records for the lifetime of the vetting.

### STEP 3

The authorised signatory emails a **copy** of the **NVB1** form together with a copy of the Identity Document Validation Form to [vetting.admin@rcbcoi.org](mailto:vetting.admin@rcbcoi.org), or posts a **copy** to the Vetting Liaison Person, Church of Ireland Safeguarding Board, Church of Ireland House, Church Avenue, Rathmines, Dublin 6, D06 CF67, **retaining the original** signed invitation form, Identity Document Validation Form and photocopy of ID documents.

### STEP 4

The Liaison Person (LP) reviews the forms and if completed correctly, the applicant is emailed a unique reference number and link inviting them to complete and submit a vetting application form online.

### STEP 5

The applicant completes the online application form, and it is submitted to the LP on the online system for review. If the application is in order, the LP submits the application to the GNVB.



## STEP 6

The GNVB processes the application and emails a vetting disclosure (final vetting document) to the Church of Ireland Safeguarding Board.

## STEP 7

The Church of Ireland Safeguarding Board LP forwards the vetting disclosure to the authorised signatory or the nominated contact person as per the SLA in the affiliate. A copy of the vetting disclosure must be provided by the affiliate to the vetting applicant on request.

The affiliate will be obliged to retain a copy of the vetting disclosure in line with GDPR and *Safeguarding Trust* guidelines, **for the lifetime of the vetting**, (when the applicant concerned leaves the position or is re-vetted).

## VETTING OF 16- AND 17-YEAR OLDS

The 16/17-year-old must complete the Vetting Invitation Form (**NVB1**). Please note that the email address and the contact number **must be that of the parent or guardian**.

The form must be completed, signed, and dated by the vetting applicant and the declaration box must be ticked.

The parent or guardian must complete a Parent/Guardian Consent Form (**NVB3**) to accompany the (**NVB1**) Form and return both forms to the authorised signatory accompanied by the documents necessary for identification verification.

The authorised signatory verifies the ID and completes the Identity Document Validation Form, and emails a copy of the forms to [vetting.admin@rcbcoi.org](mailto:vetting.admin@rcbcoi.org), or posts **a copy** to the Vetting Liaison Person, Church of Ireland Safeguarding Board, Church of Ireland House, Church Avenue, Rathmines, Dublin 6, D06 CF67, **retaining the original** signed invitation forms, Identity Document Validate Form and photocopy of ID documents.



## WHAT WILL BE INCLUDED IN THE VETTING DISCLOSURE?

The vetting disclosure will include:

Particulars of a criminal record (if any) and/or pending prosecution 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 Act should be disclosed, or state that there is no criminal record or specified information in relation to the person. A Vetting Disclosure which discloses no criminal record, pending prosecution or specified information is described as a Nil Disclosure.

Certain convictions, to which section 14A of the National Vetting Bureau Act apply, shall be excluded from the vetting disclosure made by the Bureau in respect of the person. This section applies to District Court convictions only.

Specified information is information that is considered to give rise to a bona fide concern that the vetting subject may harm, attempt to harm, or put at risk a child or vulnerable person or both. If such information is going to be disclosed to a relevant organisation relating to one of their applicants, the Chief Bureau Officer must in advance notify the vetting subject of the intention to disclose the information. An appeals process is in place in relation to the disclosure of specified information.

## ASSESSMENT OF DISCLOSURE RECEIVED

A vetting disclosure is received after completion of every vetting application.

In the event of a disclosure of a conviction, pending prosecution or specified information arising from the Garda Vetting procedure, the LP will contact the authorised signatory to advise on next steps. The Parish Panel should assess this information to inform their decision as to whether to appoint the applicant or not.

It is important to note that a disclosure of a conviction/prosecution or specified information, as a result of Garda Vetting, will not necessarily prevent a vetting applicant from being appointed to a certain role. Each disclosure will be assessed on a case-by-case basis.

If the vetting applicant disputes the details in the vetting disclosure, the applicant should outline in writing to the LP in the Church of Ireland Safeguarding Board the exact basis of their dispute. The LP should submit the Applicant's report to the GNVB. Further checks will be carried out by the GNVB who will correspond with the LP.



## CONVICTIONS / PROSECUTIONS / SPECIFIED INFORMATION

Disclosure of certain types of convictions/prosecutions will automatically preclude an applicant from working with children in the COI. Examples of offences that will automatically prohibit an individual from working with children in the COI are:

- Any offence of a sexual nature
- Any offence against a child or of a child abuse or pornography
- An offence that causes serious 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 and/or vulnerable adults
- Any charges concerning child abuse or child pornography pending trial by the Director of Public Prosecution
- Any other offence or specified information that might give the Parish Panel reason to believe that the applicant is unsuitable to work with children and/or vulnerable adults.

Following the decision-making process, the Parish Panel will determine the application as follows:

- Appointment approved - Having reviewed all the available information the Parish Panel is satisfied that the individual is suitable to work with children and/or vulnerable adults.
- Appointment subject to restrictions - Having reviewed all the available information the Parish Panel is satisfied that the individual is suitable to work with children and/or vulnerable adults but should avoid any areas where there may be an opportunity to re-offend. If an appointment is approved subject to any restrictions, the acceptance and terms of the restriction should be confirmed in writing in the volunteer agreement or staff contract
- Appointment refused - Having reviewed the available information, the Parish Panel recommend that the vetting subject is unsuitable to work with children or vulnerable adults. The Parish Panel's decision will be made in writing to the vetting subject.



## OVERSEAS POLICE CLEARANCE

The legislation provides that a vetting disclosure must be obtained in respect of all bishops, clergy, staff, and volunteers undertaking relevant work and this includes individuals from outside the State that have never resided in the State. In instances where an applicant discloses foreign addresses, the applicant will be required to complete a Worker from Abroad form and self-declare convictions, if any, while residing abroad. This will be in addition to obtaining a vetting disclosure for that person.

## SHARED VETTING

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 does not permit an organisation to share a vetting disclosure with another organisation. However Section 12(3) (A) of the Act provides that where there is a joint agreement in writing between two relevant organisations (as defined in the Vetting Act), agreeing to the employment, contracting, permitting or placement of a person, it is a *defence* in any prosecution under the Vetting Act to show that the other organisation had received a vetting disclosure from the GNVB, in respect of that person's employment, contracting or placement. This provision of the Act may be utilised in circumstances where parishes are working together on a children's activity, or a diocese is organising a children's event involving several parishes.

An agreement (see appendix) can be entered into between the two parishes organising a joint event whereby in advance of the event, one parish can confirm to the other that it has received a vetting disclosure for an individual that will be undertaking relevant work at the event. Best practice would be that the copy of the shared agreement document is shared and placed on the records of both parishes, in order that there is a copy available if required in future.

An agreement can be entered into between a parish and the Diocese where a diocesan event is being held whereby in advance of the event the Parish can confirm to the Diocese that they have received a vetting disclosure from an individual that will be undertaking relevant work at the event. Advice on these shared vetting agreements can be sought from the Safeguarding Officer.



## RE-VETTING REQUIREMENT

At the time of writing there is no enacted piece of legislation regarding time periods for re-vetting, and the Church of Ireland current policy is to require this every 4 years. The GNVB have advised that legislation will be implemented imminently, which requires re-vetting every 36 months. In anticipation of this change many affiliates have already moved to a re-vetting policy of every 36 months.

Parish Panels should notify staff and volunteers when re-vetting is due. The diocesan office shall ensure that bishops and clergy are notified when re-vetting is due.

There is an obligation on a bishop, clergy, volunteer, or staff member to inform the parish/dioceses of any actual or pending conviction or prosecution since they were last vetted and therefore, they will be re-vetted.

## Example Agreement to share vetting Information

### Introduction

Sharing of vetting information for those purposing to carry out the same role in two different organisation is permitted under Section 12 (3) of National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016. In these circumstances, it is recommended that an agreement is developed between the organisations which sets out the sharing of the disclosure. It must be understood that sharing of such information can only be done with the permission of the subject of the disclosure alongside the agreement of the two organisations who wish to share vetting information.

### Section 1- this should be completed by the two organisations who wish to share vetting information

This agreement sets out the arrangements for sharing of Garda vetting disclosures, as covered under Section 12.3 (A) of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 between:

(A) INSERT NAME OF ORGANISATION WHO HAS CONDUCTED THE VETTING CHECK

And

(B) INSERT NAME OF ORGANISATION WHO WISHES TO ACCESS VETTING INFORMATION FROM

And

(C) INSERT PERSON WHO IS THE SUBJECT OF THE VETTING DISCLOSURE

1. The person who is the subject of the vetting check completes Section 2.
2. (A) confirms to (B) that a vetting disclosure has been received from the National Vetting Bureau in respect of the person named above.
3. (C) will not be allowed to commence relevant work or activities until such time as the Vetting Disclosure has been received and considered by (B).
4. Upon receipt of the disclosure (B) shall be responsible for assessing the suitability of the applicant for the stated relevant work and informing them of the outcome.

### Signature of representative of Organisation A

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Date.....

### Signature of representative of Organisation B

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Date.....

**Section 2- To be completed by the person who is the subject of the disclosure**

I [NAME OF APPLICANT]\_\_\_\_\_gave my consent for a Garda vetting check to be conducted to enable me to carry out relevant work relating to children and vulnerable adults as defined in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016).

I understand that (A) is sharing Garda vetting with (B) and I give my consent for the disclosure to be shared with appropriate representatives of (B) when considering my application to carry out relevant work.

**Signature of applicant**

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**Date**.....

**Signature of witness**

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**Date**.....