

# National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 Revised December 2017

## Garda Vetting training

## South Dublin Volunteer Centre



Reasonable precautions have been taken to ensure information in this information is accurate. However it is not intended to be legally comprehensive; it is designed to provide guidance in good faith without accepting liability. If relevant, we therefore recommend you take appropriate professional advice before taking any action on the matters covered herein.

# Today's Agenda



## Today we'll cover the following:

- Overview of the legislation and its implications
- How to establish relevant work
- Details of how to access the Garda e-Vetting service the ACCS offer you

# What is Garda Vetting?



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The process by which the National Vetting Bureau (NVB) gives a statement (disclosure) on whether a person has any convictions - pending or completed - recorded against their name.

<http://revisedacts.lawreform.ie/eli/2012/act/47/revised/en/pdf>

# Terminology – Who is who?

- **Registered Organisation – ACCS.** We have a vetting relationship with the NVB and in the Act is referred to as a Registered Organisation
- **Relevant Organisation – Your School.** Those who are affiliated with Registered Organisations for vetting purposes
- **Liaison Person – Susan.** The person/s who the National Vetting Bureau (NVB) will only give disclosures to
- **Garda Vetting Officer – you.** The person in your **school** who we work with in relation to vetting
- **Vetting Subject** – the person you are requesting Vetting for

# About the Act



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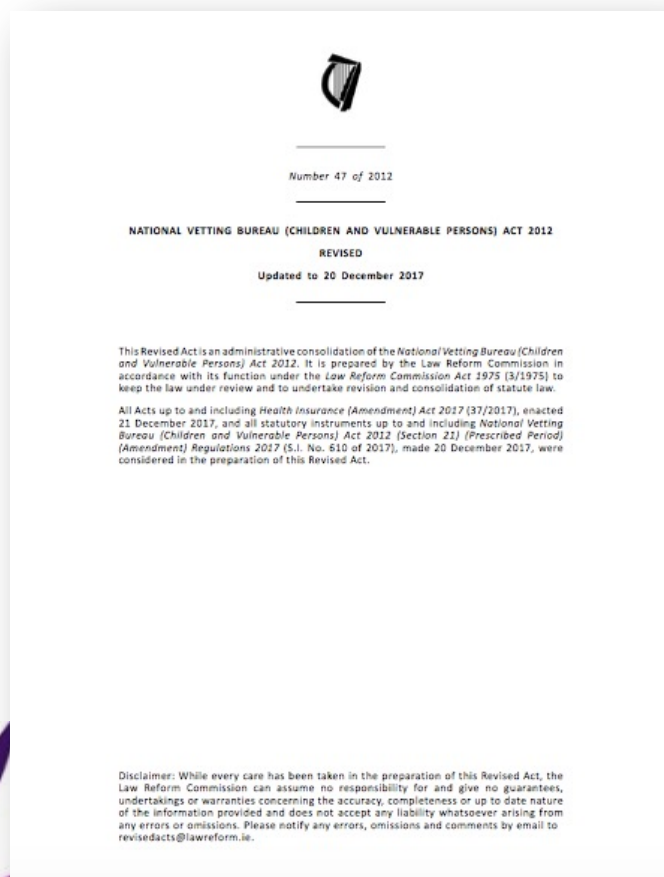
## Commenced 29 April 2016

The purpose of the Act is to provide a **legislative basis** for the **mandatory** vetting of persons who wish to undertake certain work, activities or services relating to children or vulnerable adults

Organisations had until 30 April 2018 to become compliant

## Download the Act

<http://revisedacts.lawreform.ie/eli/2012/act/47/revised/en/pdf>



volunteer.ie

# DES C/L 0031/2016

**The Department Circular sets out the statutory obligations for school authorities in relation to Garda Vetting.**

## **Statutory Declaration and Form of Undertaking**

**As an additional safeguard a Statutory Declaration and Form of Undertaking must be completed and provided to the school authority prior to making a teaching or non-teaching appointment of any duration.**

**Appendix to C/L**



# What is Relevant Work?

Schedule 1, Part 1 and Part 2  
defines relevant work:

- **Part 1:** relevant work or activities relating to **children**
- **Part 2:** relevant work or activities relating to **vulnerable persons**



# Who should be vetted?



- Any staff member/ volunteer /worker who will be doing **relevant work** as a **primary** and **regular** part of their role
- Relevant work should **not** be **incidental** to their role, i.e. happening as a minor or secondary part of their role



# Who should be vetted?

**Schedule 1, Part 1, Section 1:** Any work or activity which is carried out by a person, where a **“necessary and regular part of which consists mainly of the person having access to, or contact with children”** in any of the following locations:



- a) Pre-school services
- b) School or centre of education
- c) Hospital or health care centre which receives, treats or otherwise provides services to children
- d) Institution providing residential services to children
- e) Special care unit
- f) Children’s detention school
- g) Reception or accommodation providing residential accommodation services to applicants for asylum

# Who should be vetted?

**Part 2, Section 1:** Any work or activities, where a *“necessary and regular part of which consists mainly of the person having access to, or contact with vulnerable people”* in any of the following locations:



- a) School or centre of education, unless merely incidental to work or activities undertaken in relation to persons who are not vulnerable persons
- b) Hospital or care centre which receives, treats or otherwise which provides services to vulnerable persons
- c) Designated centre (within the meaning of section 2 of the Health Act 2007), providing residential services to vulnerable persons
- d) Approved centre within the meaning of Part 5 of the Mental Health Act 2001.

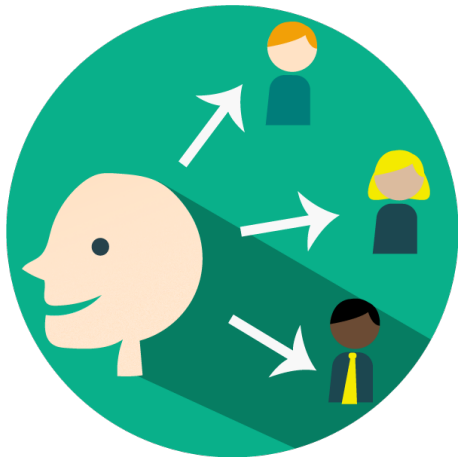
# What is a vulnerable adult?



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A vulnerable person means a person, other than a child,

- who is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- has an intellectual disability,
- is suffering from a physical impairment, whether as a result of injury, illness or age, or
- 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.





# TY/LCA/LCVP/PLC Students

Vetted through ACCS if doing 'relevant work or activities' in a primary school, creche, healthcare facility etc .

- Must be 16 years of age
- Must complete NVB1 and NVB3 forms
- Must give parent's e-mail and contact number

There is no obligation to obtain a vetting disclosure where the work experience **does not** involve relevant work

# Vetting of Host Families

As per Schedule 1 of the Act relevant work or activities relating to children includes:

9. The provision by a person, whether or not for commercial or other consideration, of accommodation for a child in his or her own home.

ACCS recommends that all persons over 16 residing at an address that will be used to accommodate students engaged in exchange programmes must be garda vetted.

# How do we make a decision?



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# Scenarios



## Which of the following roles with your school should be vetted?

- Guest external speaker for a class
- External Coach from GAA giving a program in school
- Social Media volunteer
- Board member
- Student going on placement to local charity shop
- Student going on placement to local day care Centre for elderly

# Under the legislation ...



- You must have the legal authority to carry out vetting i.e. in accordance with the law
- Important not to carry out an “illegal enquiry”
- Vetting subjects are required to be **vetted for each organisation** that they take volunteer/work in once work is relevant



# Can we share vetting

## Joint Agreement (Section 12)

- Two or more relevant organisations can enter into a joint written agreement to share information, so only one organisation is required to conduct vetting in respect of that person e.g. Student placements, GAA Coach

# DOE circular

## 7. Statutory Vetting where two or more relevant organisations are involved:

7.1 In the case of some persons undertaking relevant work or activities in a school (such as a sports coach, guest speaker, student teacher etc.), another relevant organisation (such as the sporting organisation in question, the person's employer or the third level college etc.) may also be required to have that person vetted prior to the person undertaking relevant work or activities with children or vulnerable persons.

7.2 The Vetting Act provides that in cases where two or more relevant organisations have jointly agreed in writing to the employment, contract, placement or permission of a person to undertake relevant work or activities, it shall be a defence in any prosecution under Section 12 of the Act to show that the other organisation who was a party to the agreement had received a vetting disclosure from the Bureau in respect of the person



# Template Agreement available from ACCS

AGREEMENT BETWEEN:

\_\_\_\_\_ [the  
“Organisation”] AND

\_\_\_\_\_ [the “School”]  
IN RESPECT OF \_\_\_\_\_ [name of person] In

recognition of their respective obligations under the National Vetting Bureau  
(Children and Vulnerable Persons) Acts 2012-2016 (“the Acts”), the  
Organisation and the School agree the following:



# Penalties!



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- An organisation or person who contravenes their legal requirements shall be guilty of an offence (*fine of €10,000 or prison sentences of up to 5 years*)
- To vet someone unnecessarily is a breach of Data Protection as potentially sensitive data has been disclosed with no legal basis to do so

# Vetting Disclosure

A vetting disclosure will be issued in respect of **each person** who is the subject of a vetting application



## The Vetting Disclosure will include:

- **particulars of the criminal record** (if any)
- **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
- **Nil & Nil** will appear - if there is **no criminal record or specified information** to disclose

# What is in a Disclosure?



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- a) a record of the **person's convictions**, whether within or outside the State, for any criminal offences, together with any ancillary or consequential orders made pursuant to the convictions concerned, or
- b) a record of any **prosecutions pending** against the person, whether within or outside the State, for any criminal offence

# Accessing disclosures for Teachers



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Digitary is the on-line solution used by the Teaching Council to allow teachers view and share their vetting disclosure (vetting result document) electronically with current and prospective school employers

<https://www.teachingcouncil.ie/en/publications/garda-vetting/digitary-accessing-your-garda-vetting-document.pdf>

<https://www.teachingcouncil.ie/en/faqs/vetting-1/digitary-faqs-for-schools-employers/>

# Section 14A of the Act



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## The following convictions will **NOT** be disclosed:



- **Convictions over 7 years for motoring offences** other than Section 53(2) of the Road Traffic Act 1961.
- District Court convictions for any other minor offence will not be disclosed after 7 years (unless there is a pattern of offending)



# Specified Information



- Information concerning a finding or allegation of harm to another person received by the NVB from An Garda Síochána or a scheduled organisation pursuant to section 19 of the Act
- Gives 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**

# Organisation required to notify

- 
- The Health Service Executive
  - The Teaching Council
  - The Medical Council
  - The Mental Health Commission
  - The Pharmaceutical Society of Ireland
  - The National Transport Authority
  - The Garda Síochána Ombudsman Commission

# Assessment of Specified Information

- Chief Bureau Officer will notify the vetting subject in advance of the intention to disclose the information.
- The vetting subject may make a **written submission** to the NVB in relation to the specified information concerned
- Appeals process – the vetting subject can appeal up to 14 days after notification
- You will not be informed that the above is taking place



# Overseas Vetting



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- Vetting is currently carried out across the **island of Ireland**
- Information on **convictions and crimes committed abroad by Irish Citizens** is returned to the Gardaí on an ongoing basis by Interpol and Europol
- Similarly - **Interpol and Europol may inform the Gardaí of foreign nationals living in Ireland** who have committed crimes in their own home country
- There is no guarantee that all convictions will be captured
- There is Legislation to allow for transfer of data between police forces is in place for EU countries and outside EU



# Police Certificates from other countries

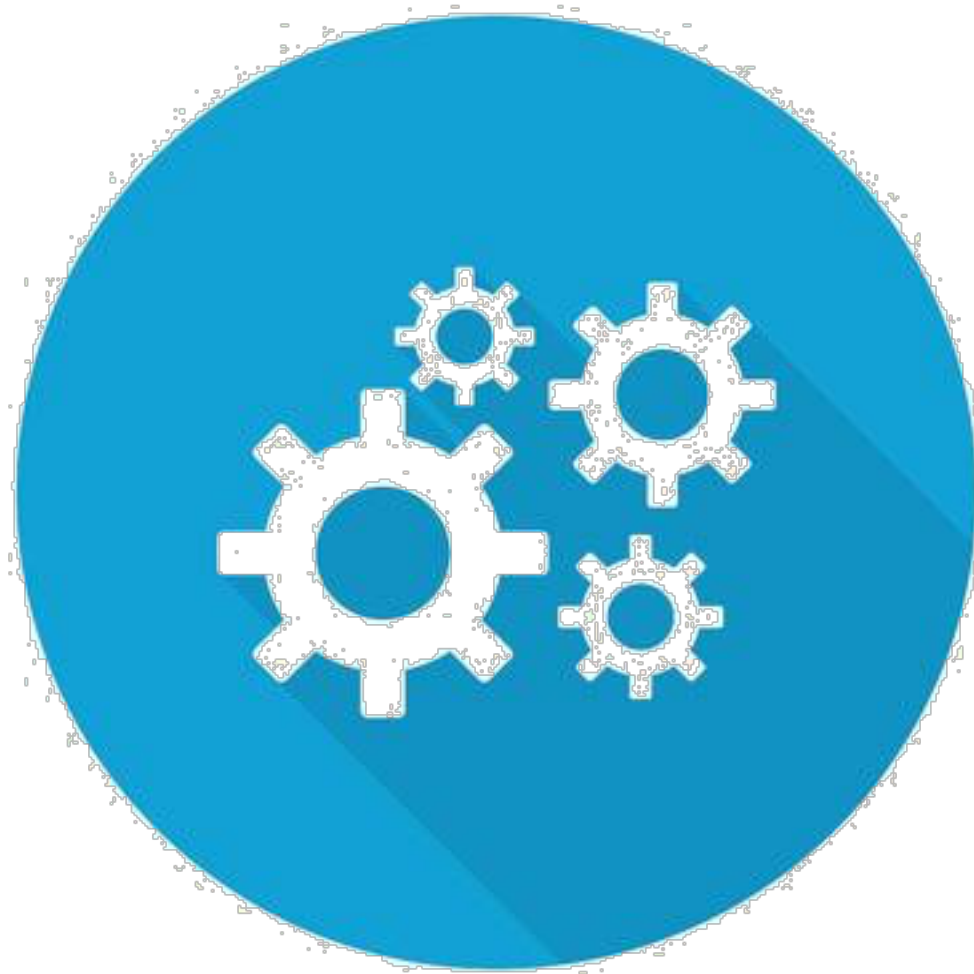
- Are a **condition of employment / volunteering** for some organisations
- Can be a **large cost** for the volunteer involved - and could be a barrier to volunteering
- The NVB would be **loathe to stand over the information** that is contained in Police Certificates.
- Once a person has a certificate in their possession - the **integrity of the information is no longer secure**
- Recommend a **common sense approach** be adopted (other screening methods)



# The Process of Garda Vetting



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# Step 1: Proof of Identity



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Garda Vetting Information Pack  
Version 1: March 2016

## Appendix 1: 100-point identification check <sup>1</sup>

The National Vetting (Children and Vulnerable Persons) Act 2012 to 2016 makes it a legal requirement to vet those involved in work or activity, where they will have regular access to or contact with children or vulnerable adults.

This information sheet has been developed to support organisations in verifying the identity of vetting subjects (those applying to be Garda Vetted). When conducting Garda Vetting, organisations should require volunteers or workers to present identification totaling 100 points to ensure they are checking the correct person.<sup>2</sup> At least one form of photographic evidence must be gathered.

Identification	Score	Tick
Irish driving licence or learner permit (new credit card format)	80	
Irish Public Services Card	80	
Passport (from country of citizenship)	70	
Irish certificate of naturalisation	60	
Birth certificate	60	
Garda national immigration bureau (GNIB) card	60	
National Identity Card for EU / EEA / Swiss citizens	60	
Irish driving licence or learner permit (old paper format)	40	
<b>Employment ID</b>		
• ID card issued by employer (with name and address)	35	
• ID card issued by employer (name only)	25	
<b>Letter from employer (within last two years)</b>		
• Confirming name and address	35	
P60, P45 or Pay slip (with home address)		
Utility bill e.g. gas, electricity, television, broadband (must not be less than 6 months old). Printed online bills are acceptable. Mobile phone bills are not acceptable)	35	
Public services card / social services card / medical card	25	
• With photograph	40	
Bank / Building Society / Credit Union statement	35	
Credit / debit cards / passbooks (only one per institution)	25	
National age card (issued by An Garda Síochána)	25	
<b>Membership card</b>		
• Club, union or trade, professional bodies	25	
• Educational institution	25	
<b>Correspondence</b>		
• From an educational institution / SUSI / CAO	20	
• From an insurance company regarding an active policy	20	
• From a bank/credit union or government body or state agency	20	
<b>Children under 16 years (any one of the following)</b>		
• Birth certificate	100	
• Passport	100	
• Written statement by a principal officer confirming attendance at educational institution on a letter head of that institution	100	
<b>Recent arrival in Ireland (less than 6 weeks)</b>		
• Passport	100	
<b>TOTAL</b>		

<sup>1</sup> This document was developed using information from the Volunteering Australia 100 Point Identification Check and from research conducted on verification of identity at Irish banking institutions, utility companies and the National Driver License Service. This document has not been approved by any external agency, body or authority and is only intended as a guide to verifying an individual's identity in Ireland.

<sup>2</sup> If a vetting subject doesn't have any of these forms of ID or does not reach the 100-point mark with ID that they have – they can go to a commissioner of Oaths and swear as to their name, address and date of birth. This then becomes a legally binding document that can serve as a valid form of ID for compliance purposes.

- **Proof of identity** of the vetting subject will be the responsibility of your organisation

1. Photo ID (e.g. passport)
2. Proof of current address (e.g. utility bill)

- **100 point identification check** is a very useful tool

# Step 2(a) Vetting Invitation Form (NVB1)

Organisation Address  
Something  
At Something  
Co Something

**Organisation  
Logo**

Your Ref (if applicable):

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:  /  /

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:  /  /

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.


Vetting Subject completes Vetting Invitation form which must contain:

- Forename / family name
- Date of birth
- Email address
- Contact number
- Role being vetted for
- Current address

Consent box **must** be ticked and the form **must** contain the vetting subject's signature



# Step 2(b): Parent / Guardian Consent Form (NVB 3)



**AN GARDÁ SÍOCHÁNA**      **NATIONAL VETTING BUREAU**

### PARENT/GUARDIAN CONSENT FORM (NVB 3)

**Applicant Details**

Forename(s):

Surname:

Date Of Birth:

**Parent/Guardian Details**

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):

Surname:

Relationship to applicant:      Father:       Mother:       Guardian:

Address:

Line 1:

Line 2:

Line 3:

Line 4:

Line 5:

Eircode/Postcode:

**Parent/Guardian Consent**

I, being the Parent/Guardian of the above named applicant, consent for the National Vetting Bureau to conduct vetting in respect of the above named applicant in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Parent/Guardian Signature: 



      Date:

**If vetting subject is 16 or 17 years old:**

- Parent / Guardian Consent Form (NVB 3) to be completed
- Email address on the Vetting Invitation Form must be that of the parent/guardian



# Submitting Vetting Applications

Garda Vetting Applicants should be told to expect an an e-mail from [evetting.donotreply@garda.ie](mailto:evetting.donotreply@garda.ie) inviting them to complete the process by submitting their addresses from birth, mother's maiden name, etc. To be able to access the invitation, they will have to click on the link on the e-mail and enter their date of birth and the e-mail address they supplied on the NVB1 Form. They should also be advised that a disclosure will be issued on completion of the process.

## Step 2: Recap / checklist



- Copies of ID
- Vetting Invitation form (NVB 1)
- Parent / Guardian Consent Form (NVB 3) (if 16 or 17 years)

To be kept securely on file for the duration of the **vetting subject's time with your organisation**, or until re-vetted

- Quality Assurance checks by NVB started in 2018.

# Step 3: Login to update



- Provide ACCS with the details of each vetting subject obtained from the Vetting Invitation Form (NVB 1)
- A password is required to request vetting

**Do not email or post us the Vetting Invitation form**

# Uploading NVB 1 data



- The online Garda Vetting login will be sent to the email address provided. It must be private (not info@)
- Computer access or literacy problems?
  - You can use your organisation's email address
  - They can use a friend/ family member's email address

# Role being vetted for



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## Remember

Role being Vetted for: must describe the relevant work

Email \* (?)

Confirm Email \* (?)

Role Being Vetted For \* (?)

Date of Consent \* (?)

Submit

# Vetting Subject Details

## Incorrect details submitted can:

- ✗ Cause errors and delays
- ✗ Send the online vetting form to the wrong email
- ✗ Invalidate the resulting disclosure (NVB has carried out their search based on incorrect information)



# Step 4: Online Application Form



- **Vetting Subject** receives an email with a link to login and complete the online Garda Vetting form (prompts should assist them)
- **Link is valid for 30 days.** If the link expires the process must start again
- Vetting subject can check the status of their application by clicking back into the link

**If the vetting subject is unable to complete the online form on their own it is your organisation's responsibility to assist them**



# Garda Vetting – next steps

## Step 6 – Application Reviewed

- The form is validated by the ACCS
  - ✦ Completed correctly: submitted to NVB
  - ✦ Details missing: rejected and returned to Vetting Subject to be re-completed

## Step 7 – Application Processed

- Application is processed by NVB

## Step 8 – Disclosure Issued

- The disclosure is made available to us (ACCS) (accessible for 30 days)
- We email the pdf disclosure to your Garda Vetting Officer
- Disclosure must be made available to vetting subject if requested
- Retain a copy of the disclosure for relevant period

# UNIQUE LINK AND PASSWORD

Each Teacher/Admin person I will have its own unique Garda Vetting Application Link to the Vetting Form

<https://www.tfaforms.com/4768296?Contid=0032p00002hN54G>

Each School will have its own unique Password

0012p00002epzeP



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## YOUR DETAILS

First Name \*

Surname \*

Your Email Address \*

School Name \*

Your Password \*

## VETTING SUBJECT DETAILS

First Name \*

Middle Name

Last Name \*

Address Line 1 \*

Address Line 2 \*

Address Line 3

Address Line 4

Address Line 5



Eircode

Insert Eircode if known

Phone \*

Email \*

Confirm Email \*

Date of Birth \*

DD/MM/YYYY

Date of Consent \*

DD/MM/YYYY

Role Being Vetted For \*

#### Declaration

**Please verify that you have conducted all of the necessary checks as follows:**

I confirm that the Vetting Subject has consented to subject their details for e-vetting \*

Yes

I confirm that I have verified the identity of the Vetting Subject \*

Yes

I confirm that it is my understanding that the position being vetted for is Relevant Work as per the [National Vetting Bureau \(Children and Vulnerable Persons Act\) 2012](#) \*

Yes

If the Vetting Subject is 16 or 17 years old, I confirm that I have received a completed and signed NVB3 (Parent/Guardian Consent) form from the relevant parent/guardian and the email address provided above is that of the parent/guardian.

The Vetting Subject is 18 years or older

NVB 3 form received and parent/guardian email address provided

Submit

Hello,

We have received a Garda vetting request from your school, **School Name** for **Applicants Name**.

You will receive a confirmation email when the vetting request has been processed.

If any of the below details provided are incorrect please get in touch ASAP:

Date of Birth: **0101/2014**

Email: **test123@gmail.com**

Contact number: **086123456**

Role being vetted for: **TY work experience in a school**

Current address:

**1 High Street  
Naas Road  
Dublin 1**

I confirm that the Vetting Subject has consented to submit their details for e-vetting:

I confirm that I have verified the identity of the Vetting Subject:

I confirm that it is my understanding that the position being vetted for is Relevant Work as per the [National Vetting Bureau \(Children and Vulnerable Persons Act\) 2012: 1](#)

If the Vetting Subject is 16 or 17 years old, I can confirm that I have received a completed and signed NVB3 (Parent/Guardian Consent) form from the relevant parent/guardian and the email address provided above is that of the parent/guardian:

Kind regards,

**Vetting Request Email  
received by School Vetting  
Officer**



**Vetting Invitation Processed  
Email received by School  
Vetting Officer**

Hello,

The Garda vetting application you requested for **Applicants Name** has been processed, they should receive their invitation via email within the next 30 minutes.

**Invitation not received**

If the vetting subject does not receive their invitation please ask them to:

1. Check their clutter/junk/spam
2. Carry out an email search for [evetting.donotreply@garda.ie](mailto:evetting.donotreply@garda.ie)
3. Confirm the email address you provided through Monaghan-Vet is correct: [gerantban@gmail.com](mailto:gerantban@gmail.com)

*If they are still unable to locate the invitation or the email address is incorrect please respond to this email.*

**Tracking an application**

You can track the progress of this application by clicking on [this link](#) and providing the following information:

Application ID: **ACC001-20210117-01155**

Date of Birth: **01/01/2004**

Kind regards



# TRACKING

As per the Vetting Invitation Processed email received by the School Vetting Officer you can track the status of the applicant

## Tracking an application

You can track the progress of this application by clicking on [this link](#) and providing the following information:

Application ID: **ACC001-20216117-01149**

← **Example**

Date of Birth: **01/01/2004**

# Common Questions



## Re-Vetting

- 3 years mandatory period being introduced in 2021
- Will lead to a lot of re-vetting in schools.



# Occasional Volunteering

**Occasional volunteering does not require vetting. In the Act it is defined as:**

“giving of assistance by an individual on an occasional basis and of no commercial consideration at a school, sports or community event other than where such assistance includes coaching, mentoring, counselling, teaching or training”

# The Suitability of Subjects



- Determined by your own Garda **Vetting policy**
- Be **fair and consistent** across the board
- Internal Recruitment and Selection Policy to help **make the right decisions**
- Have a **previous convictions matrix** in place to guide your decision

# Helpful Websites



- <https://vetting.garda.ie/Help/FAQ>
- <https://vetting.garda.ie/Track>
- <https://www.accs.ie/ms/evetting-of-non-teaching-staff?rq=Garda%20Vetting>



# ACCS Support and Training

The ACCS-VET Guide will be made available to the Nominated Garda Vetting Officer and ongoing support will be provided by the ACCS Garda Vetting Administrator.

## **SIGN UP PROCESS TO THE PILOT PROJECT**

- Undergo garda vetting training
- E-mail details of Designated Vetting Officer to [scunniffe@accs.ie](mailto:scunniffe@accs.ie)

# Thank you for your participation

**Tricia Nolan**  
Manager  
South Dublin County Volunteer Centre



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