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Diocese of Limerick

Safeguarding Children

Policy and Procedures Garda Vetting for Primary Schools (Affiliates)

March 2021

Nothing in this policy should be taken to be a legal interpretation of any legislation nor does it confer any obligation or liability on the Diocese of Limerick

Diocese of Limerick Vetting Policy and Procedure

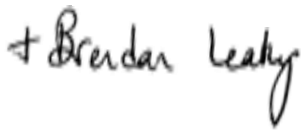
Foreword

Garda vetting is a key element of safe recruitment of all persons involved in relevant work or activity with children in schools

The Diocesan Vetting Service processes vetting applications for non-teaching personnel to Primary Schools which are under the patronage of the Bishop of Limerick and have a service agreement with the Diocesan Vetting Service.

The Diocesan Vetting Service provides only a processing service and any related advice is provided by St. Senan's Education Office.

It is the responsibility of the individual school to identify those persons who need to be vetted and make all decisions in relation to their involvement in the school.

A handwritten signature in black ink that reads "Brendan Leahy". The signature is written in a cursive style with a small cross at the beginning.

✠**Brendan Leahy**
Bishop of Limerick

Introduction

The National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016 (the “Acts”) makes it mandatory for relevant organisations, to vet certain persons through the National Vetting Bureau prior to allowing those persons to be involved in certain relevant work or activity with children or vulnerable persons.

The Diocese of Limerick is a ‘registered relevant organisation’ with the National Vetting Bureau and provides a vetting application processing service in respect of non-teaching personnel to primary schools that have signed a service level agreement with the diocese, so that the school may meet its vetting obligations under the Act.

The Diocesan Vetting Service is managed within the Diocesan Safeguarding Service and the diocese has nominated two Vetting Liaison Persons who are registered with the National Vetting Bureau. They are authorised to submit applications for vetting disclosures on behalf of primary schools that have signed service level agreements with the Diocese.

A school shall not, in law, employ, permit or contract with any person to provide relevant work or activities without receiving a vetting disclosure from the National Vetting Bureau. A person who contravenes this obligation shall be guilty of an offence.

At this time the Liaison Persons are Jemma O’Shea and Finola Downes and they can be contacted in respect of processing applications at vetting@limerickdiocese.org.

CPSMA provides a vetting advisory service to primary schools and should be contacted at 01 6292462 for any relevant advice or information in respect of vetting. Schools may also contact St. Senan’s Education Office on 061 347777.

Service Level Agreement between the Diocese of Limerick and Primary Schools for the provision of a Vetting Application Processing Service

In 2020 the Diocese of Limerick entered into a Service Agreement with Primary Schools for the provision of a vetting application processing service. The agreement outlines the terms and conditions under which the Diocese of Limerick, as a Registered Relevant Organisation, will provide a vetting application processing service to a School so that the school may meet its vetting obligations under the Act.

Key Roles Involved in Vetting in Primary Schools

School Principal (*Contact Person*)

The School Principal is the primary Contact Person nominated by the Board of Management for the purpose of preparing and submitting vetting applications to the Diocesan Vetting Service.

Chairperson of the Board of Management of a Primary School

The Chairperson of the Board of Management is the second Contact Person nominated by the Board of Management for the purpose of preparing and submitting vetting applications to the Diocesan Vetting Service. Where a Board of Management is not in place, the responsibility is with the School Manager at that time.

Key Roles involved in Vetting at Diocesan Level

Vetting Liaison Person

The Vetting Liaison Person is the person authorised by the Diocese to submit vetting application forms to the National Vetting Bureau and receive disclosures from the National Vetting Bureau.

Director of Safeguarding

The Director of Safeguarding is authorised by the Bishop to have overall responsibility for the Diocesan Vetting Service.

General

The procedures for processing vetting applications are set out in the Legislation and in guidance from the National Vetting Bureau. Changes particularly in the vetting application, Form NVB1, may be required from time to time and, therefore, the NVB Form(s) should be downloaded as required from:

Diocesan Safeguarding Website

<https://www.limerickdiocesesafeguarding.com/vetting/>

The National Vetting Bureau, in accordance with the provisions of the legislation, may disclose both particulars of a criminal record and a statement of certain specified information relating to the person who is the subject of the vetting application or a statement that no such record or specified information exists.

Specified information is information concerning a finding or allegation of harm to another person that is received by the Bureau from An Garda Síochána or certain scheduled organisations in respect of the person and which is of such a nature as to reasonably give rise to a *bona fide* concern that the person may:

- (i) harm any child or vulnerable person,
- (ii) cause any child or vulnerable person to be harmed
- (iii) put any child or vulnerable person at risk of harm
- (iv) attempt to harm any child or vulnerable person or
- (v) incite any other person to harm any child or vulnerable person

For the Purposes of the Vetting Legislation

“**child**” for the purposes of this legislation means a person under the age of 18 years

“**Relevant work or activity**” with children in the context of the Primary Schools includes for example:

- 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 in a school or centre of education, both within the meaning of the Education Act 1998;
- Any work or activity which consists of treatment, therapy or counselling provided to a child in a school or centre of education, by a person in the course of that work or activity
- Any work or activity which consists of care or supervision of children, in a school or centre of education, unless the care or supervision is merely incidental to the care or supervision of persons who are not children;
- Any work or activity which consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) in a school or centre of education or on behalf of that school or centre, to children unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children

- Any work or activity which consists of the provision of advice, guidance or developmental services (including by means of electronic interactive communications) in a school or centre of education or on behalf of that school or centre, to children unless the provision of the advice, guidance or developmental service is merely incidental to the provision of those services to persons who are not children
- Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs to children in a school or centre of education or elsewhere on behalf of that school or centre, unless such work or activity is merely incidental to the advancement of religious beliefs to persons who are not children
- Work as a driver of a public service vehicle which is being used only for the purpose of conveying children to or from a school or centre of education.

The Diocesan Vetting Services Provides

A vetting processing service in respect of non-teaching personnel to primary schools that have signed a Service Agreement with the Diocese for the Provision of a Vetting Application Processing Service.

Deciding Who Needs to be Vetted in a School

Vetting for Primary Teachers is provided through the Teaching Council of Ireland.

All other persons authorised either by the Board of Management of a School or Principal of a School. to be involved in “relevant work or activity” with children (see examples below), a necessary and regular part of which consists mainly of the person having access to or contact with children in a school are required to be vetted.

The Chairpersons of the Board of Management must be vetted by the Diocesan Vetting Service.

In respect of non-teaching personnel, it is the responsibility of the school to determine who needs to be vetted. All decisions in respect of the requirement for vetting and the suitability of vetting subjects for positions in the school are the sole responsibility of the School Board of Management. Each school should familiarise itself with the Department of Education circulars and guidance.

Examples of Roles that typically will require Vetting

- Chairperson of the Board of Management
- Special Needs Assistant
- School Secretary
- School Caretaker
- School Cleaner
- Parents volunteering for school initiatives involving children

CPSMA should be contacted for any relevant advice or information in relation to who should be vetted or in relation to the assessment and management of disclosures. Schools may also contact St. Senan's Education Office. The Diocesan Vetting Service does not provide an advisory service in relation to schools.

This service is specifically for the vetting of non-teaching staff employed by the Board of Management in a role that requires vetting or engaged as volunteers by the Board of Management in a role that requires vetting.

Persons must be subject to vetting if their role involves any work or activity, a necessary and regular part of which consists mainly of having access to, or contact with children and/or vulnerable persons in a school or centre of education, both within the meaning of the Education Act 1998. As each school/Board of Management is an individual employer, it must satisfy the vetting requirements i.e. each school must obtain a vetting disclosure before employing a person or permitting a person on school premises where they may have access to or contact with children or vulnerable persons.

The Diocese cannot provide a vetting facility for persons providing services to the school who are not employed by or engaged by the Board of Management of the school. Such persons include

- **Volunteers who are coming from other Organisations** - for example, the GAA.
- **Any External Contractor providing a service involving 'relevant activities'**
- **Students (post-primary or third level)** who are coming on any type of school placement/work experience to a primary school.

The school should consult with the relevant guidance from the Department of Education and CPSMA. Schools may also contact St. Senan's Education Office on 061 347777.

Use of school facilities by 3rd parties (e.g. before and after school care, childcare, sports club/Scouts &c.)

These groups must obtain vetting other than through the Diocese of Limerick. As part of the 3rd party license agreement, *authorised through St. Senan's Education Office*, the relevant organisation must provide written confirmation to the school that the operator has been vetted in accordance with current Garda Vetting requirements and the vetting does not contain any disclosure/specified information which would render those using the school facilities unsuitable to carry out relevant work/activities with children and/or vulnerable adults. A record of this should be maintained in the school.

How the Diocesan Vetting Process Operates

Applications for Garda Vetting are submitted electronically to the National Vetting Bureau in a process known as e-Vetting. This eVetting process removes the lengthy paper application and replaces it with an electronic form. As the process is online it requires that the applicant has access to a valid email address and access to the internet.

Vetting Invitation Form (NVB 1) (Appendix 1)

By completing the Vetting Invitation Form (NVB1) the applicant consents to the:

- Sharing of identification documentation or copies of such documents with the School Principal/Diocesan Vetting Service as appropriate;
- Making of the application to the National Vetting Bureau by the Diocesan Vetting Service;

- Disclosure of information by the National Vetting Bureau to the Diocesan Vetting Service
- Sharing of Disclosure of information by the Diocesan Vetting Service to the School Principal:

Process

- The Board of Management identify a person who needs to be vetted for a role in which they have access to or contact with children or vulnerable persons.
- A copy of the Vetting Invitation Form (NVB1) and associated guidance for completion should be provided to the applicant by the School Principal

This is available to download at

Diocesan Safeguarding Website <https://www.limerickdiocesesafeguarding.com/vetting/>

NVB1 Forms are regularly updated and you are advised to download forms as required and not to batch print. It is important to submit current forms to the Vetting Service.

Section 1 & 2 of the NVB1 Form must be completed by the Applicant

The applicant must:

- Read the Guidelines provided by the School Principal prior to completing Section 1 & 2
- Provide details which are legible and accurate
- Provide a valid Email Address
- A full description of the role being applied for must be supplied and not just “volunteer”, for example, ‘Special Needs Assistant’ etc.
- Provide *original documents of ***photographic proof of identification and proof of current address*** to the School Principal for validation on behalf of the Diocese. *(The School Principal will copy the documents and send with the original completed NVB1 Form to the Diocesan Vetting Service. Original documents will be returned to the applicant and the copies sent with NVB1 will be suitably retained for possible audit by NVB.)*

***Photographic proof of Identity & Current Address**

The applicant must produce at least one current original form of identification to the School Principal and one document evidencing current address so the identity and current address of the applicant can be validated. For example: -

- Photographic ID
i.e. current passport or new format driver’s license
- Proof of Current Address
i.e. original utility bill or bank statement (issued within the last six months)

If these documents are not available other forms of identification/proof of current address may be used as outlined in Section 3 of the Vetting Invitation Form (NVB1).

Section 3 of the NVB1 Form must be completed by the School Principal

On behalf of the Diocese the School Principal must:

- Validate the original documents of photographic identity and proof of current address provided by the applicant
- Take a copy of the documents and attached to the completed Vetting Invitation Form (NVB1).
- Return the original documents to the applicant
- Post the original NVB1 and attached copies of document to the Diocesan Vetting Service at the Limerick Diocesan Centre, St. Munchin’s, Corbally, Limerick

- Retain a copy of the NVB1 and attached to copies of documents on file at the school.

Diocesan Vetting Service

All communication from the Diocesan Vetting Service will come via email from vetting@limerickdiocese.org to the dedicated vetting email provided by the school in the signed Service Level Agreement and will be password protected.

All communication in relation to the processing of vetting applications will only take place between the Vetting Liaison Person(s) and the School Principal by email at vetting@limerickdiocese.org and the dedicated vetting email provided by the school in the signed Service Level Agreement.

The Vetting Service will

- Electronically process the NVB1 Form to the National Vetting Bureau
- Retain the original NVB1 and copies of documentation in a secure location at the Diocesan Vetting Service in line with the Data Retention Policy of the Diocese

National Vetting Bureau Communication with Applicant

The National Vetting Bureau will

- Email the applicant directly inviting them to verify their details, as entered by the Vetting Liaison Person, and to complete the on-line form NVB2. This is referred to as eVetting. *(eVetting must be completed on-line within 30 day or the link will become inactive. A significant number of people fail to complete the online form within the required 30 days and therefore the importance of this should be stressed to each applicant)*

The Garda vetting process will only begin when the NVB2 Form is submitted online directly to National Vetting Bureau.

A key feature of the eVetting system is that an applicant can track progress of their own vetting application online and can see when their application has been processed and returned to the Diocesan Vetting Service by the National Vetting Bureau.

National Vetting Bureau Communication with Diocesan Vetting Service

Once the applicant completes the online eVetting process the National Vetting Bureau will

- Notify the Vetting Liaison Person who will review the application and submit it for processing to the National Vetting Bureau.
- Process the application when it has been reviewed by the Vetting Liaison Person and notify Diocesan Vetting Service when the disclosure is available

There are two types of disclosures, the vast majority are NIL disclosures and some are Actual disclosures.

NIL Vetting Disclosures

A NIL Vetting Disclosure indicates that there is no criminal record or specified information in relation to the person

Actual Vetting Disclosures

Two types of information may be disclosed to Diocesan Vetting Service:

- Criminal record information
- Specified information

Diocesan Vetting Service Communication with the School Principal

The Diocesan Vetting Service will

- Email a NIL vetting disclosure to the School Principal when the disclosure is available from the National Vetting Bureau.
- Download a copy of an Actual vetting disclosure and send to the School Principal by registered post when the disclosure is available from the National Vetting Bureau

The Diocesan Vetting Service will retain Vetting Disclosures with the applicants NVB1 Form

Appeals and Management of Actual Disclosures

For advice and support in relation to the management of actual disclosures, schools should contact CPSMA (01 6292462). Schools may also contact St. Senan's Education Office (061 347777). The Diocesan Vetting Service does not provide advice on this matter.

Consent regarding Retention Personal Information by the Diocesan Vetting Service

In completing the NVB1 Form the applicant is:

- Confirming that they have been informed of the process involved in the making of the application for a vetting disclosure;
- Giving signed consent to the making of the application;
- Giving signed consent to the disclosure of information by the School Principal to the Vetting Liaison Person and by the National Vetting Bureau to the Vetting Liaison Person;
- Giving signed consent to the sharing of the disclosed information from the National Vetting Bureau with the School Principal.

Retention of Personal Information by the Diocese of Limerick

The retention of certain information by the Diocese is a requirement of the National Vetting Bureau in order that it can meet its functions of ensuring Diocesan compliance with the statutory process set out in the legislation.

Personal Information - People who remain engaged in relevant work or activity

While a person remains engaged in relevant work or activity the following documentation is retained by the Diocesan Vetting Service:-

- Original Form NVB1
- Copy of ID documents
- Copy of Vetting Disclosure
- Any documentation provided by the applicant to the School Principal and to the Diocesan Vetting Service in relation to the vetting application.

The documents will be retained securely by the Diocesan Vetting Service. The National Vetting Bureau and certain authorised personnel of the Vetting Service shall have access to the retained documents.

During this period, the Diocesan Vetting Service also has access to the history of each vetting application on the Garda eVetting System. This allows the Diocesan Vetting Service to see the procedural steps taken in respect of each vetting application. This information is available to the Diocesan Vetting Service for seven years from the date of vetting once the Garda vetting reference number is retained by the vetting service.

Retention of Actual Disclosures Information

In the event that the vetting disclosure provides actual information the following information will be retained by the Diocesan Vetting Service

- Original Form NVB1
- Copy of ID documents
- Copy of Vetting Disclosure
- Associated correspondence between the applicant and the Vetting Service

The documents will be retained securely by the Diocesan Vetting Service. The National Vetting Bureau and certain authorised personnel of the Vetting Service shall have access to the retained documents.

The Diocesan Vetting Service has access to the history of each vetting application on the Garda eVetting System. This allows the Diocesan Vetting Service to see the procedural steps taken in respect of each vetting application. This information is available to the Diocesan Vetting Service for seven years from the date of vetting once the Garda vetting reference number is retained by the vetting service.

Retention of Personal Information by a Primary School

It is the responsibility of the school to ensure that it complies with its obligations under the applicable data protection laws, regulations and circulars that may be in place from time to time. This includes, but is not limited to, ensuring the confidentiality of the vetting documentation and the appropriate retention of such documents by the school.

The Garda Vetting Bureau may audit the Diocesan Vetting Service and/or the School from time to time to ensure compliance with Garda vetting legislation. As part of this audit, the Garda Vetting Bureau and/or the Diocesan Vetting Service may request certain documentation from the School.

The School agrees as follows:

- (i) That it will retain the following documentation in relation to each vetting subject who is engaged in relevant work or activities (as defined in the Garda Vetting Bureau (Children and Vulnerable Persons) Act 2012 – 2016) with the School:
 - NVB 1 form;
 - NVB 3 form (where applicable);
 - copy documents used to prove the identity and address of the vetting subject;
 - copy of the vetting disclosure;
 - copy of any joint written agreement with another organisation relating to the placement of an individual in the School in accordance with Section 12(3A) of the Garda Vetting Bureau (Children and Vulnerable Persons) Act 2012 – 2016.
- (ii) That it will make the above documents available to either the Garda Vetting Bureau or the Diocesan Vetting Service within 21 days of a request in writing to do so.

Data Protection

Some of the information contained in the Garda Vetting Form NVB1, the identity documents, the vetting disclosure and related documents constitute personal data under the Data Protection Acts 1988 and 2018 and the General Data Protection Regulation, 2016. This personal data is processed by the school and the Diocesan Vetting Service in order that the school can comply with its obligations under vetting legislation. The information will be retained as set out in this policy and in accordance with the Diocesan Retention Policy. The personal data will be processed in accordance with Articles 6 (a), 6 (b), 6 (c), 6 (d) and 9 (2) (a), 9 (2) (b), 9 (2) (c) and 9 (2) (f) of the General Data Protection Regulation, 2016.

Re-Vetting

Section 20 of the Act will place a legislative requirement on Relevant Organisation's to conduct Re-Vetting in respect of personnel working with children and/or vulnerable persons.

Section 20 has yet to be commenced into law by the Department of Justice & Equality

Diocesan Vetting Service

- Executive responsibility is held by the Director of Safeguarding
- The Vetting Committee is advisory in relation to policy, procedures and organisation of the service

Quality Assurance

The Diocesan Vetting Service works collaboratively with the National Vetting Bureau to ensure best practice is maintained.

The Diocesan Vetting Liaison Person will

- Review every vetting application NVB 1 submitted by a school and ensure that all the necessary information is available prior to making a submission to the National Vetting Bureau.
- Maintain a vetting committee to support of the performance of the vetting service.

The Diocesan Vetting Service may inform St. Senan's Education Office of any relevant change in legislation, policy and procedures who in turn will inform the School Principal as appropriate.

Annual Quality Assurance Check (Appendix 2)

The Diocesan Vetting Service will remind schools on an annual basis of their obligations in relation to the retention of information relevant to vetting procedures.

Expired Vetting Invitations (Appendix 3)

On a monthly basis the Diocesan Vetting Service will conduct a quality assurance exercise to identify any vetting applications that have not been completed online by an applicant and have therefore expired. Each school principal will be informed of the expired applications relating to their school by email. If the principal/applicant wish to continue the vetting process the principal must email vetting@limerickdiocese.org requesting that the National Vetting Bureau re-issue a link to the applicant. This email should include the applicants name, date of birth and email address. The Vetting Service will then request the new link. If a request to re-issue a link to the applicant is not received within 14 days, the expired vetting applications will be returned by post to the relevant school principal.

Overview of Vetting Process for Primary Schools



A person is not permitted to carry out relevant work or activities until the Vetting Service confirm, to the Contact Person (outline above), that the persons vetting has been successfully completed

Appendix 1 Annual Quality Assurance Reminder



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To All School Principals

Date

A Chara,

We are writing to you in the context of the vetting records schools need to retain regarding the vetting service.

We wish to remind you that it is your responsibility to retain the following:

- List all persons involved in the school who have been Garda Vetted and identify their specific role;
- A copy of the completed Vetting Application Form NVB1, photographic identification and proof of current address in respect of each person listed and
- The vetting disclosure received from the Diocesan Vetting Service in respect of each person listed.

You will also note that it is your responsibility to ensure that only persons who have been the subject of a vetting disclosure are involved in relevant work or activity in your school.

Please note that a person is only vetted when the school has received a disclosure notification from the Vetting Service

Yours sincerely,

Ger Crowley
Director of Safeguarding

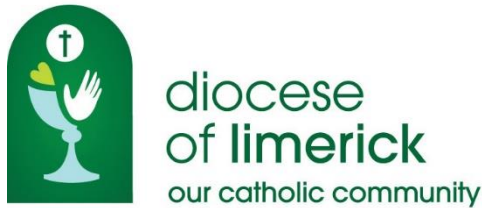
Limerick Diocesan Centre, St. Munchins, Corbally, Limerick.
Tel: (061) 350000 email: vetting@limerickdiocese.org
website: www.limerickdiocese.org

CRA 20014728

CHY 7140

"Come and see the works of God tremendous his deeds among us" - Ps. 66 (65)

Appendix 2 Expired Vetting Applications Letter Template



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Date

Re: Expired Vetting Invitation NVB 1

A Chara,

I refer to your recent NVB1 Application regarding vetting Ms/Mr
for the role of..... in your school.

The National Vetting Bureau provided a link to the online application via the email address the applicant provided on the NVB1 Form. The applicant did not complete this link within the 30-day allotted period and the link had now been made inactive by the National Vetting Bureau.

Therefore, this applicant has not been vetted.

If you wish the vetting link to be re-issued to the applicant, please:

- Check with the applicant that they have given a valid email address on their application.
- Make the applicant aware of the requirement to complete the re-issued link within 30-days of receipt of the link from the National Vetting Bureau.
- Email vetting@limerickdiocese.org requesting that the link be re-issued to the applicant

As the vetting service does not retain personal information regarding expired applicants this application will be returned to you by post if we do not receive a request to reissue same within 14 days of receipt of this correspondence.

You will be aware of your legal requirement and responsibility “not to allow” a person to be engaged in relevant work or activity as defined in the legislation without having completed the vetting process.

Yours sincerely,

Vetting Liaison Person

Limerick Diocesan Centre, St. Munchins, Corbally, Limerick.
Tel: (061) 350000 email: vetting@limerickdiocese.org
website: www.limerickdiocese.org

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CHY 7140

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