

RATHFARNHAM EDUCATE TOGETHER NATIONAL SCHOOL**GARDA VETTING POLICY****1. Overview:**

Garda vetting of teaching staff is dealt with by the Teaching Council but since 29 April 2016, all non-teaching staff and volunteers with necessary and regular access to or contact with children who are working in a school will be required to have successfully completed the Garda vetting process prior to commencement of employment or other work. It is a statutory obligation that staff do not commence work in the school without having successfully undergone Garda vetting.

This requirement applies in respect of all types of appointment of any duration including full-time, part-time and substitute positions. A school authority that contravenes this requirement commits a criminal offence punishable by a fine of up to €10,000 or a prison term of up to 5 years or both.

An important new aspect of the vetting arrangements is the check for any relevant 'soft' information. This is information other than criminal convictions held by An Garda Síochána that leads to a bona fide belief that a person poses a threat to children or vulnerable persons.

As an Educate Together affiliate school, RETNS has an obligation to manage Garda vetting applications and disclosures in accordance with human rights, legislative and natural justice requirements. The school also has obligations under data protection legislation.

As noted in the RETNS child protection policy, RETNS will comply fully with the statutory requirements for Garda vetting, as outlined in Circular 0031/2016. http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0031_2016.pdf

It is important to note that the Garda National Vetting Bureau does not provide clearance for persons to work with children in a school. The function of the bureau is to provide Garda vetting disclosures in respect of applicants to a registered organisation. Most disclosures are "nil", that is,

no records were found of any criminal convictions or other information. Other disclosures may consist of details of convictions, together with ancillary or consequential orders and/or a record of any prosecutions pending and/or specified information.

It is essential to note that the RETNS Board of Management must make its own decision in relation to the suitability or otherwise of prospective employees or volunteers for employment. The fact that a person has gone through the Garda vetting process does not of itself mean that a person is suitable and it does not remove the necessity for the board to check thoroughly the background and references of an applicant.

This policy should be considered in conjunction with the RETNS child protection policy.

2. Rationale:

All members of the school community who have necessary and regular access to or contact with children must have successfully undergone Garda Vetting prior to commencement of employment or relevant volunteer work in the school. In the future staff will be re-vetted on a regular basis.

RETNS will use Garda vetting as part of a wider process to ensure the protection and safety of all members of the school community. The process of Garda vetting is carried out by the Garda National Vetting Bureau, NVB. The function of the NVB is to provide Garda vetting disclosures in respect of an applicant to a registered organisation. Disclosures can be 'nil' (no record found) or consist of details of convictions, together with an ancillary or consequential orders and/or a record of any prosecutions pending and/or specified information,

3. Goal:

The goal of this policy is to ensure that the school is a safe and secure environment for children.

4. Policy

All offers of employment to non-teaching staff and all relevant volunteer roles¹ are subject to satisfactory Garda vetting disclosures. Failure to complete the Garda vetting process will automatically disqualify the applicant. The provision of inaccurate information, such as an inaccurate date of birth or address, may also disqualify the applicant.

Applicants will be invited to a meeting regarding any disclosures of a criminal record or other information, including to address errors or cases of mistaken identity. In such cases, re-vetting will take place.

All returned Garda vetting disclosures will be handled in strictest confidence.

Garda vetting disclosures will only be retained by the school in the event of a successful appointment and will be appropriately sealed and retained in a secure location.

In all decisions, it is recognised that the school's priority is its responsibility to the children attending the school.

5. Policy Review:

This policy will be reviewed as necessary and particularly to comply with any relevant legislative changes.

Policy adopted by Board of Management on 8/12/2016

Pete Lunn (Chairperson).

1 Volunteer Roles which require vetting, as specified in the Act and in the DES Circular 0031/2016 include volunteers who assist the school on a regular basis (rather than occasional) and whose role involves coaching, mentoring, counselling, teaching or training of children. Roles which do not fall into these categories may not require vetting.

Insert ET Garda vetting form

<https://www.educatetogether.ie/support/garda-vetting>