

ISAI VETTING POLICY

This document details the Vetting Policy of the Ice Skating Association of Ireland ('ISAI'). The Garda vetting of existing members and as a part of the ISAI's recruitment and selection process helps, in line with best safeguarding advice, to protect against the risk of having someone unsuitable working with children and/or vulnerable adults.

Legislation

The National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016 commenced on the 29th April 2016. From that date, a statutory obligation was placed upon all organisations to Garda vet every person prior to taking up any role which involves working with a vulnerable person and/or a person under the age of 18 years.

The Act established the National Vetting Bureau ('NVB') to oversee the e-vetting services previously administered by the Garda Central Vetting Unit. It also created offences and penalties for persons who fail to comply with its provisions.

What is Garda Vetting?

Garda Vetting is the process by which the NVB gives a statement on whether a person has had any convictions - pending or completed - recorded against their name (subject to the Spent Convictions Act of 2016 which allows for certain convictions to become "spent"). In certain circumstances specified information may be disclosed.

The ISAI uses the services of the Federation of Irish Sport ('FIS') to access the NVB.

Who needs to be vetted?

Any person who carries out a role of responsibility which involves a vulnerable person or a person under 18 years of age must be vetted – *see below for examples*.

Sample list of ISAI roles that require vetting:

- Board Members
- Coaches
- Contact Person
- Photographer
- Safeguarding Officer

A vetting check will be required where a person undertakes relevant work or activities with children or vulnerable adults, where such involvement includes:

- Coaching, mentoring
- Teaching, training or instruction
- Care or supervision

It should be noted that the vetting process does not provide clearance for people to work with children and/or vulnerable adults it is a merely a check to ensure there is no known information that would mean the person was a risk to children/vulnerable adults.

Vetting should be considered as one step in the recruitment process and should be undertaken alongside the following:

- Completion of an application form by all prospective staff and volunteers;
- Carrying out of face to face interviews with all prospective staff and volunteers;
- The adoption of Safeguarding Policies

Exemptions from Vetting

Within the National Vetting Bureau Act 2012 to 2016 certain exemptions from vetting are outlined in Sect. 3 (1) (c):

Sect 3 (1) (c) states, persons giving of assistance on an occasional basis (i.e. at competitions etc..) would not be required to be vetted.

In such instances the person carrying out the occasional work must:

- at all times be supervised by an ISAI vetted person
- the person must sign the ISAI's Code of Conduct
- must be known to the ISAI Board/Officials/Senior Coaches
- the work can only be carried out a maximum of once per month

What if the applicant is under 18 years of age?

If a person under the age of 18 is identified as requiring vetting then a parental/guardian consent form (NVB 3 Form) must be completed. Vetting cannot be undertaken on anyone under 16 years of age.

Is it an offence if you are not vetted?

It is now a criminal offence, to permit any person to commence working with children or vulnerable persons without that person first obtaining a vetting disclosure from the National Vetting Bureau in respect of the role for which they have been recruited.

Re-Vetting

The ISAI mandates that all persons requiring vetting undergo re-vetting after 3 years or as determined by the ISAI.

Any person may be re-vetted if information comes to the attention of the ISAI that would potentially impact their suitability to work with children/vulnerable adults.

Residence Abroad

Any person who has been resident in Ireland for less than one year (from the date of their initial vetting application) will be asked to provide a police check from their previous country of residence and will be required to undergo a vetting recheck after 12 months.

Disclosure Information – Risk Assessment

The National Vetting Bureau provides the ISAI with details of all prosecutions, successful or not, pending or completed, and/or convictions. The ISAI Contact Person will verify any information received from the NVB with the vetting applicant.

A conviction, prosecution or case pending will not necessarily bar a person for consideration for engagement.

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 pornography
- 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/vulnerable adults
- Any charge brought concerning the abuse of a child or vulnerable adult

The above list is a guide and not an exhaustive list of all offences that may prevent a person from working with children/vulnerable adults.

If an application is returned from the NVB with information which gives cause for concern the Contact Person will confirm the vetting disclosure details with the applicant. If the applicant does not dispute the details then this is referred to the ISAI's Vetting Sub-Committee for consideration.

What if an applicant wishes to dispute the vetting disclosure?

Where an applicant disputes the accuracy of any detail contained in their Garda vetting disclosure, the following procedure should be followed:

1. The vetting applicant should outline in writing to the Contact Person the basis of their dispute.
2. The applicant will be requested to complete a new NVB 1 form. This form, together with their written statement of dispute, should be submitted by the Contact Person to FIS for re-vetting. The applicant will subsequently need to complete a second online NVB Vetting Application Form.
3. If a vetting disclosure is confirmed, then it is referred to the ISAI's Vetting Sub-Committee for consideration.

Vetting Sub-Committee

The Board delegates full authority to this sub-committee to make decisions on vetting disclosure issues advised by the NVB. Advice may be sought from other regulatory bodies, e.g. Participation Unit from Sport Ireland or Child Protection in Sport Unit from NSPCC or other independent advisors as this sub-committee considers appropriate. At no stage are either the NVB or the FIS involved in any decision on the suitability of an applicant.

The Vetting Sub-Committee will consist of three members:

- President of the ISAI
- 2 Board Members

The Contact Person will not form part of the vetting sub-committee and will not be involved in any decisions of this sub-committee.

In a situation where the information disclosed by the NVB and/or self-disclosed by the applicant deems the applicant to be unsuitable they should be informed of such and allowed to withdraw their application for involvement with the ISAI.

The Contact Person should provide anonymised data on the vetting applicant - at no stage should the vetting sub-committee be provided with the name or address of the applicant or any other details that would readily identify them.

Any assessment of the suitability of a person 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 disclosure of certain types of convictions/prosecutions or specified information will automatically disqualify a person from a position working with children and/ or vulnerable adults.

Federation of Irish Sport

Vetting is carried out by the NVB of An Garda Siochana. It cannot be accessed through local Garda Stations. The NVB does not deal with individual applicants or unregistered organisations. The Federation of Irish Sport is a registered organisation with the NVB for the purpose of conducting vetting on behalf of member organisations such as the ISAI.

The ISAI Contact Person with the FIS:

Yvonne Brett
finance@isai.ie

Data Retention

All information in the vetting process will be treated in line with the ISAI's Privacy Policy. The ISAI will retain a copy of the disclosure received from the NVB together with a copy of the completed NVB 1 Form, and NVB 3 Form if applicable, and identification provided for the shorter time period of (1) the person's involvement with the ISAI or (2) period of three years. Once the retention period has elapsed, the ISAI will ensure that any disclosure information is immediately destroyed.

The ISAI will only release information concerning the suitability of a person to those who need to know. In the event that a person withdraws either their application for a position or from their position, information concerning their suitability for working with young people will not be released.

No information regarding the content of any disclosure is recorded in any ISAI database. The disclosure document, decision process and outcome is securely kept in a locked cabinet with access only by the Contact Person.

Vetting Not Transferable

Vetting is not transferable from one organisation to another, for example if you have been vetted as a teacher it does not mean that you do not have to be vetted by a sporting body. Similarly, if you have been vetted by one sporting body, for example the ISAI, it is not transferable to another sporting body.

eVETTING PROCEDURE

The ISAI participates in the Federation of Irish Sport Garda Vetting Scheme. Any member that requires vetting will be contacted by the ISAI's Contact Person and requested to complete the following steps:

Federation of Irish Sport - eVetting Procedure:

Step 1 NVB 1 Form & Proof of ID:

The applicant completes **Section 1** and **Section 2** of **NVB 1 Form**. For applicants between the ages of 16-18 NVB 3 Form must be completed by their parent/guardian.

Proof of identification must be provided as detailed in the NVB 1 Form (100 points required, most likely 2 forms of ID). Hard copies of these forms must be forwarded to the address advised by the ISAI Contact Person.

Step 2 ISAI Contact Person:

The ISAI Contact Person completes **Section 3 of NVB 1 Form**, confirming the different forms of ID provided to the ISAI. The completed and signed NVB 1 Form is then posted to the Federation of Irish Sport.

Payment to FIS:

The ISAI will then pay, via bank transfer, the FIS the relevant fee for processing the vetting forms.

Step 3 NVB:

Once all documentation and the relevant payment has been received by the Federation of Irish Sport, the NVB 1 Form will be forwarded to the National Vetting Bureau (NVB).

NVB Vetting Application Form

The NVB will issue the applicant with the online NVB Vetting Application Form. This will be issued to the email address he/she provided in Section 1 – Personal Information (NVB 1 Form).

Please note that where the applicant is under 18 years of age the electronic correspondence be will issued to the Parent/Guardian.

The applicant completes their Garda vetting online. The result of the application will be sent to the Federation of Irish Sport who will then forward it to the Contact Person detailed in Section 3 of the NVB 1 Form.

FIS Data Retention

The Federation of Irish Sport Liaison Person will retain a copy of the applicant's disclosure for a period of 12 months. After this time the documentation will be disposed of and destroyed in a secure manner. All Data is kept in accordance with the Data Protection Acts 1988/2003.

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