

 Killorglin Community Childcare Centre CLG			<b>GARDA VETTING POLICY</b>		
POLICY NO.:	<b>GP No. 9</b>	REV. NO.:	<b>7</b>	REV. DATE:	<b>01.04.2025</b>

<b>PREPARED BY:</b>  Centre Manager	<b>Date:</b> 30/3/25
<b>APPROVED BY:</b>  Board of Directors	<b>Date:</b> 16/5/25

Scamps and Scholars is a member of the Early Childhood Ireland Garda Vetting Consortium through which we can avail of Garda vetting. The Early Childhood Ireland Garda Vetting Consortium acts as our Authorised Signatory.

#### WHAT IS GARDA VETTING:

Garda Vetting is a procedure through which An Garda Síochána is asked, with a person's permission, to disclose any information held on Garda file.

Within current disclosure policy, details of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere as the case may be, are disclosed to the authorised liaison person (the Authorised Signatory) in the registered organisation.

#### WHAT STAFF WILL BE VETTED:

It is based in legislation that Garda vetting be conducted in respect of any person working with the children in our care in a full-time, part-time, voluntary or student placement capacity in any position in the centre, through which they may have unsupervised access to children.

This centre carries out garda vetting on all staff who will be operating in any role within this childcare setting. A delayed return of garda vetting may require your role to be modified where no direct unsupervised access is permitted with children. This can be modified on return of your garda vetting from the vetting office.

All existing staff/volunteers will be re-vetted in general, after a period of 3 years. The centre may also carry out random re-vetting of staff/volunteers at times that it deems appropriate.

#### NOMINATED GARDA VETTING CONTACT PERSON:

The Nominated Garda Vetting Contact Person is employed by Early Childhood Ireland. It is their role to manage all Garda vetting applications submitted by our centre.

#### GARDA VETTING PROCEDURE:

The Manager or Deputy Manager will distribute Garda vetting forms to applicants. Once completed the forms will be checked for completeness by the Manager or Deputy Manager. In the event of an incomplete form, the form will be returned to the applicant to complete.

The forms are then sent to the Authorised Signatory in Early Childhood Ireland for processing.

The candidate will utilise e-vetting which allows the vetting office to engage directly with the candidate via an emailed/online system. The final vetting will be then sent to the employing organisation via email from the garda vetting office.

Please note that it is necessary to enclose proof of address and photo proof of ID with the garda vetting application.

#### **DOES THE CENTRE MAKE COPIES OF FORMS / WHERE ARE THEY STORED:**

Once vetted, the original Garda Vetting application forms together with any disclosures are held in the person's personnel file as required by the childcare regulations. These forms will be retained for the person's full duration of employment and 7 years thereafter.

#### **DISPUTES:**

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

The vetting Subject should outline in writing to the Manager or Deputy Manager the exact basis on their dispute. The Manager or Deputy Manager should submit this along with the original application form to the Authorised Signatory/Early Childhood Ireland.

In any case where there has been an error in completing the original application form, the Vetting subject should complete a new form and both the new and original forms should be submitted to the Authorised Signatory/Early Childhood Ireland.

The Authorised Signatory will submit the Vetting Subject's report along with the original application form to the GCVU (Garda Central Vetting Unit) for further checks.

If following further checks, the Vetting Subject still disputes the accuracy of any detail contained in their disclosure, arrangements will be made for further enquiries to be conducted as appropriate.

#### **DECISION MAKING:**

The Decision Maker/Decision Making Committee (Manager, Deputy Manager and/r Board member(s)) will assess the suitability of applicants for positions within the centre regarding any Garda vetting disclosures that may be received in respect of them.

Any conviction in relation to the following will disqualify the individual from being employed, volunteering or gaining work experience in the centre:

- Any form of child abuse or concerns
- Any form of vulnerable person abuse conviction
- Any listing of the person on the sex offender's list
- Any conviction for a violent crime

#### **FURTHER AREAS FOR CONSIDERATION AFTER A NEGATIVE DISCLOSURE:**

The disclosure needs to be assessed in relation to the applicant's intended role within the centre/setting. The following further points will be considered:

- The seriousness or nature of any offence and its relevance to being an employee or volunteer.
- The length of time since the offence occurred.
- The number and frequency of any convictions.

- Any relevant information offered by the applicant about the circumstances, for example influence of domestic or financial difficulties.
- The self-disclosure of the conviction/prosecution or pending conviction or prosecution by the applicant.
- Whether the offence was a one-off or part of a history of offending.
- Whether the applicant's circumstances have changed since the offence took place.
- Serious road traffic offences such as drunk driving, dangerous driving, hit and run, no insurance and car theft.
- The degree of remorse, and motivation for change, expressed by the individual, if this information is provided.
- The references received.
- Any other relevant information

The details of the disclosure will be verified with the vetting subject, who may be requested to provide further details relating to the incident(s) pertaining. If further information is required the Manager or Deputy Manager will request same from the Authorised Signatory who will make enquiries with the Garda Central Vetting Unit. The Vetting Subject will be informed.

## **ASSESSING DISCLOSURES:**

The decision maker/makers will assess the information provided by the disclosure process and will make a recommendation on whether or not the applicant should be appointed. If disclosures have been received, the decision maker will request in writing that the applicant furnish further information on these disclosures or attend a meeting to discuss these disclosures and the circumstances surrounding them.

The function of this meeting is to gain more information from the applicant for the decision maker in order to assess the disclosures. Where such a meeting or written statement is not provided, the decision maker will assess the application on the information available to them. The decision maker will have three options open to them:

**Appointment Approved:** If after reviewing all the available information the decision maker is confident that the applicant is able to work within the organisation/setting, then the remainder of the recruitment process should be followed in the usual way and the appointment confirmed.

**Restricted Appointment:** After reviewing all the available information, the decision maker may feel that the applicant is suitable to work within the centre, but should avoid any areas where there may be an opportunity to re-offend. For example, a person with a recent conviction involving drink driving could be issued with a restricted appointment excluding them from driving children on trips or school collections. If an application for the applicant position is accepted subject to any restrictions, the acceptance and terms of the restrictions should be confirmed in writing to the employee.

**Appointment Denied:** If after reviewing all the available information, the decision maker/makers may feel that the application should be denied, the applicant should be informed of this in writing.

Throughout the procedure it is important that the applicant is kept informed and that the information provided is kept confidential to those directly involved in the process. The applicant will then be notified in writing on the final decision made by the decision maker.

**Commitment to Fairness:** All decision makers must in all cases behave without malice, and in every event must act fairly. They are entitled to reach a decision on the basis of the information before them, but may ask the prospective employee for additional information.

**DATA PROTECTION:**

Confidentiality is paramount. Any personal information relating to an applicant will be treated with the utmost care. Applicants will be treated with dignity and respect at all times. The centre is committed to protect the rights and privacy of individuals and is in compliance with the Data Protection Acts 1988 and 2003. The Data Protection Acts 1988 and 2003 (the "Data Protection Acts") lay down strict rules about the way in which personal data is collected, accessed, used and disclosed.

The Data Protection Acts permit individuals to access their personal data on request and gives individuals the right to have their personal data amended if found to be incorrect.

Any data received from the Garda Central Vetting Unit via Early Childhood Ireland, in respect of any individual is for the sole use of the centre. All data disclosed will be managed and protected within the statutory provision of the Data Protection Act and any other legislation that may be enacted in respect of Data Protection.

**RE-VETTING:**

Scamps and Scholars are committed to re-vetting inline with the Early Years and Regulatory Framework once every 3 years.

**ATTACHMENTS:**

Early Childhood Ireland Garda Vetting Application Form (NVB1)