



## Garda Vetting Policy

### Legal Context

The **National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016** sets a statutory basis for the vetting of persons carrying out relevant work with children or vulnerable persons. The Act stipulates that a **relevant organisation** shall not permit any person to undertake **relevant work** or activities on behalf of the organisation, unless the organisation receives a vetting disclosure from the National Vetting Bureau (NVB) of the Garda Síochána in respect of that person.

The Act defines **relevant work** or **activities** as “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** or **vulnerable persons**”.

The legal definition of a **child** is anyone under the age of 18 year who is not or has not been married.

The National Vetting Bureau Acts 2012-2016, states the definition of a vulnerable **person** as; “a person other than a child, who-

- a) Is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- b) has an intellectual disability,
- c) is suffering from a physical impairment whether as a result of injury, illness or age, or
- d) has a physical disability, which is of such a nature or degree-
  - i. as to restrict the capacity of the person to guard himself or herself against harm by another person, or
  - ii. that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing”.

Within this legislation the Order of Carmelites (the Order) is a relevant organisation that undertakes relevant work with children and vulnerable persons, therefore must adhere to the National Vetting Bureau Acts 2012-2016.

The Carmelite Order is committed to adhering to this legislation and this Garda Vetting policy outlines the Order's procedures and principles that will be followed in order to comply with their legal obligations.

Note: '**Disclosure**' is the term used by the NVB in relation to the results of all vetting applications.

It is against the law to commence 'relevant work', that is, work that involves contact with children or vulnerable persons without first being vetted

### **Who must be vetted?**

- All members of the Carmelite Order, in public Ministry
- All visiting priests
- All staff and volunteers conducting 'relevant work' as defined in the Act<sup>1</sup>.

See the Carmelite Order Garda Vetting Role Matrix for more information on who is vetted. It is Carmelite Policy that everyone requiring vetting will be re-vetted every 3 years.

### **Recruitment and Selection Process**

Garda vetting is part of a wider recruitment and selection process to ensure that only appropriate people will have access to and contact with children and vulnerable persons.

In order to ensure the suitability of a person, the vetting disclosure must be considered in conjunction with the following: application form, interview process, references, declaration form, evidence of experience and qualifications etc. (refer to Recruitment and Selection Procedures, for further details)

### **Equal Opportunities**

The Carmelite Order are committed to fairness and creating equal opportunities for people and therefore a disclosure of a conviction, pending prosecution and/or specified information will not automatically exclude someone from being offered a position.

The Carmelite Order Garda Vetting Disclosure Policy (May 2021) has been developed to ensure a transparent and equal process when considering information disclosed by the National Vetting Bureau.

### **External Organisations using Carmelite Property**

External organisations using property/halls/centres owed by the Carmelite Order are responsible to ensure they are compliant with Garda vetting requirements and also that they have their own Child Safeguarding Statement, Policy and associated procedures in place. It is also essential they have appropriate insurance in place. (See Procedures for Use of Carmelite Property by External Groups)

### **Garda Vetting Process**

---

<sup>1</sup> Schedule 1 of National Vetting Bureau (Children and Vulnerable Persons) Act 2012 details what is considered 'relevant work'.

Applications for vetting are submitted electronically in a process known as E-Vetting. The applicant must first manually complete the Vetting Invitation Form (NVB1) **Appendix 1**. Ensuring that the form is signed, dated and the box is ticked giving consent for the vetting application.

**A copy of the guidelines for completing the Vetting Invitation Form is attached to each form.**

- The applicant must provide proof of identity as outlined in the Garda Vetting Verification of Identity Form (see Appendix 3). Different forms of identification are weighted with a sliding scale of points.
- The identity of the applicant must be verified by a local “responsible person” (for example, the Prior, Manager of Community Centre, Pilgrimage Leader/Director). This involves the responsible person viewing original identification documentation and signing the copies of the identification to verify the applicant’s identity. Original documents used for identification should not be submitted. The “responsible person” should also ensure that the form is appropriately signed, dated and consent box is ticked.

The identification for visiting priests from abroad must be verified by their Provincial/Superior.

- The “responsible person” (i.e. Prior, Manager etc) should then send the form (NVB1), along with signed copies of proof of identity to the Safeguarding Office, Gort Muire, Dublin, 16.
- The Nominated Liaison Person in the Safeguarding Office, will enter the details in the Garda Vetting System.
- Following this, the NVB send the applicant an email with a link attached inviting him/her to complete the vetting application online (Form NVB 2). The application must be completed in one sitting and there is a time limit of one hour per page. **This link will expire after 30 days. It is necessary to include postal codes for addresses in Northern Ireland.**
- When checks are complete the vetting disclosure is issued to the Safeguarding Office, Gort Muire. Vetting subjects will be provided a copy of their vetting disclosure.
- The applicant will be informed by NVB on the progress of the application and once the process has been completed and a disclosure issued by the NVB.
- Please note the Vetting Form (NVB 2) is only issued by the applicant. The Carmelite Order does not have access to these forms.

## **E-Mail**

The applicant must provide a valid e-mail address. If the applicant does not have their own e-mail address, they can provide any e-mail address that they are satisfied for their form to be sent to.

## **Foreign Addresses**

The NVB have arrangements in place with the Police Service Northern Ireland to check addresses in Northern Ireland. However, the NVB do not have similar arrangements with

other countries. An applicant who has resided outside Ireland and Northern Ireland for periods exceeding 6 months may be requested to provide security clearance for each jurisdiction in which they have resided stating that they have no convictions recorded against them while residing there.

### **Who is responsible for the Garda Vetting administration within the Order of Carmelites?**

Ms. Julie McCullough, Designated Liaison Person, the Safeguarding Office, Gort Muire, Ballinteer, Dublin, 16 is the Nominated Liaison Person within the Carmelites who is registered with the National Vetting Bureau. It is the role of this nominated liaison person to manage all Garda Vetting forms submitted to them and to receive information from the National Vetting Bureau. They can be contacted on (01) 2984014. Mob. 087 1947212

### **Storage of Garda Vetting Records**

- Information will be obtained and processed fairly
- Information stored on file will include the Vetting Invitation Form NVB1, copies of the applicants ID, the NVB disclosure and if relevant, information related the decision-making process in the cases of concerning information being disclosed.
- Information will be held on file for a specified, explicit and lawful purpose.
- Information is stored in a secure cabinet in the Safeguarding Office in Gort Muire.
- Information will be accurate, complete and up to date.
- It will be retained only while necessary for the purpose obtained. Vetting documentation will be held for 12 months after the individual's employment/contract ends with the Carmelite Order.
- Information received from the National Vetting Bureau will be shared with the individual at their request.
- All data is kept in accordance with the Data Protection Act by the Nominated Liaison Persons on behalf of the Order of Carmelites.
- Where a written agreement to share Garda vetting is in place with a Diocesan Bishop, confirmation of Garda vetting information can be shared with the designated person for the Diocese, as per the agreement and with the consent of the individual.
- Consent will be sought from vetting applicants who are staff/volunteers in Whitefriar St., to share vetting disclosures with Margaret Gallagher, General Manager. (See appendix 2 for Consent form)

(See Carmelite Order Data Protection Policy for more information)

Date: 31<sup>st</sup> May 2021

Review date: May 2022