



**St Patrick's College
Drumcondra
Dublin 9**

Policy for Garda Vetting of Students

Adopted 2009

Policy for Garda Vetting of Students

Purpose

The purpose of this document is to outline the policies and responsibilities relating to the vetting of students for participation in environments where they will have unsupervised access to children and/or vulnerable adults at locations within and outside the College, as part of approved academic programmes. This document complements the College's Child Protection policy and procedures.

Scope

This policy applies to students who will have unsupervised access to children and/or vulnerable adults as part of their College programme, including but not confined to students on B.Ed, Graduate Diploma in Education, students undertaking research fieldwork in schools/ other educational establishments.

Definitions

Children	People under 18 years or age
Vulnerable adult	A person aged 18 years or over, who is in receipt of or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.
GCVU	Garda Central Vetting Unit. The Garda Central Vetting Unit deals with requests to vet certain prospective employees and students.
Authorised Signatory	Person authorised to communicate with GCVU on behalf of the College

Policy Statement

In pursuit of its mission in the field of education and humanities, St Patrick's College is committed to creating a community of learning which recognises the education and well-being of children as paramount. In seeking to uphold the highest standards in this regard, and in order to ensure the protection and confidence of the public, the College is committed to ensuring that only suitable candidates are allowed to participate in environments where they will have unsupervised access to children and/or vulnerable adults as part of their College programmes. Garda Vetting is one mechanism which the College uses to assist it in assessing the suitability of candidates for academic programmes. In some cases, the College may also require applicants to provide an enhanced disclosure by the completion of an affidavit or other such proof.

General principles

- The College is committed to ensuring that only suitable candidates participate in components of academic programmes where students may have unsupervised access to children or vulnerable adults and reserves the right, having due regard for natural justice and fair procedures to conduct a vetting procedure on any such student at any time or times during the student's period in College.
- Information relating to requirements for Garda vetting will be provided in a clear, consistent and timely manner to students.
- Each student is responsible for informing himself/herself of the need for Garda vetting to ensure suitability for specific programmes prior to embarking on specific components of programmes and of the requirements under this policy.
- The student must proactively disclose any relevant information relating to the process of Garda vetting to the College. This includes information relating to periods of residence outside the Republic of Ireland.
- Normally, a student may not participate in environments with unsupervised access to children or vulnerable adults until approval is obtained from the College. Such approval from the College may not necessarily guarantee a placement.
- Each student is responsible for providing information in a timely manner to the College of his/her suitability for specific academic programmes as required to complete the current Garda vetting application process.
- Students aged under 18 are required to have written permission from a parent/guardian before vetting procedures can be implemented.
- Costs incurred by the student in complying with this policy are borne by the student.
- Information collected as part of this vetting process will be treated in confidence, on a need-to know basis, but may be released to interested parties as deemed necessary by the College.
- Registration as a student of the College is deemed to be agreement with participation in this policy.
- Additional information is provided by the student to the College as requested and may include medical or other assessments or references relating to suitability for placement.
- Where discrepancies occur, students will be required to furnish a written explanation to the College.
- Failure to comply with College requirements in relation to this policy may make completion of the programme impossible and result in students being unable to obtain an award. Furthermore in courses where school placement is a requirement, confirmation of a student's registration is normally subject to Garda vetting procedures.

Authorised Signatory

- The College shall appoint one or more authorised signatories to liaise with the GCVU and shall ensure that any authorised signatory completes training with the GCVU before engaging with the authorising process.
- The authorised signatory shall screen all applications submitted to the College and submit complete and authorised applications to the GCVU
- The authorised signatory shall furnish all relevant details to include documents to the College Vetting Committee meetings.

College Vetting Committee

- The College shall appoint a College Vetting Committee to consider all available relevant information in relation to each applicant and make determinations on behalf of the College.
- The College Vetting Committee shall consist of members as follows:
 - Dean of Education (or nominee)
 - Dean of Humanities (or nominee)
 - Dean of Research (or nominee)
 - Director of Teaching Practice (or nominee)
 - Registrar (or nominee)
 - Authorised signatory for Garda vetting (or nominee)
- Meetings of the College Vetting Committee shall be convened by an authorised signatory. The committee may for technical or other reasons invite experts to be in attendance if deemed necessary. Not fewer than three members shall constitute a quorum.

The College Vetting Committee shall:

- Consider information on all students requiring participation in an environment with children or vulnerable adults as part of their academic programme on an individual case-by-case basis.
- Make determinations relating to participation of students in environments with children or vulnerable adults taking consideration of the factors listed in Appendix 2.
- Keep relevant records of decisions made.
- Reserve the right to seek character references or other relevant information from applicants for vetting, as deemed necessary by the committee.

The student shall:

- Inform himself/herself of the age limitation and time required to complete the vetting process.
- Complete application form in a complete, timely, honest and comprehensive manner.
- Return completed form as outlined in an explanatory document.
- Provide additional information if requested.
- Inform the College (an authorised signatory) of any changes to his/her Garda vetting status subsequent to receiving a Garda vetting letter from the College.

The College reserves the right (subject to the principles of natural justice and fair procedures being applied):

- To refuse registration of a student or to refuse permission to a student to engage in activities which involve unsupervised access to children and vulnerable adults, depending on the outcome of the deliberations of the College Vetting Committee.
- To withdraw registration of an existing registered student depending on the outcome of the deliberations of the College Vetting Committee.
- To refuse participation of students in environments with children or vulnerable adults, which may prevent registration on specific modules of specific courses depending on the outcome of the deliberations of the College Vetting Committee.
- To delay the participation of students in environments with children or vulnerable adults, depending on the outcome of the deliberations of the College Vetting Committee.

- To review previous decisions made relating to approval for participation of students in environments with children or vulnerable adults at any time.
- To require any student to re-apply for Garda vetting upon instruction.

Appeal process

- A decision of the College Vetting Committee may be appealed to a Vetting Appeals Committee set up for that purpose by Management Committee. The Vetting Appeals Committee shall consist of:
 - The College President (or nominee).
 - 3 other members of Academic Council.
 - One person external to the College.
- Not fewer than three members shall constitute a quorum of the Vetting Appeals Committee.
- No member of the Vetting Appeals Committee shall be a member of the College Vetting Committee.
- An applicant who opts to exercise his/her right to appeal the decision of the College Vetting Committee must present such an appeal in writing to an authorised signatory within 14 days of issue of the decision.
- Following receipt of an appeal, an authorised signatory shall convene a meeting of the Vetting Appeals Committee to take place within one calendar month of the closing date for receipt of appeals.
- The Vetting Appeals Committee shall consider the original decision of the College Vetting Committee, any further submissions from the applicant and hold an oral hearing where so requested. Having considered the application, the Vetting Appeals Committee shall issue a reasoned decision which will be communicated to the applicant by an authorised signatory normally within two weeks.
- Decisions of the College Vetting Appeals Committee shall be final and binding.

Procedure for vetting students for placement in environment with children or vulnerable adults

Procedure	Responsibility
The College appoints a person to act as an "authorised signatory" on behalf of the College for liaison with the GCVU.	College President
Information is made available in a consistent and accessible format in College publications. This policy is made available on the College website and is subject to revision over time. The date of the latest amendments will be indicated as appropriate.	Admissions Officer
The student is sent a Garda Vetting Application Form and the instructions for completion of the form.	Admissions Officer
The student completes the Garda Vetting Application Form and returns it at registration, or as otherwise advised. Students aged under 18 are required to have written permission from a parent/guardian.	Student
Where relevant, students are informed that confirmation of registration is subject to the Garda Vetting Procedures.	Registrar's Office
The authorised signatory shall screen each application, batch applications and send to the GCVU, making a formal request for Garda vetting on behalf of the College.	Authorised signatory
<p>The GCVU responds to the vetting request by ticking and signing one of the following sections of the form</p> <ul style="list-style-type: none"> • According to Garda records there are no previous convictions recorded against the above named applicant: • The attached convictions appear on Garda records • The attached prosecutions are pending • Further investigations are ongoing 	GCVU
The form and any attached documentation are returned in confidence to the authorised signatory.	GCVU
<p>Where the information supplied by the GCVU is inconsistent with the response from the student, the authorised signatory shall meet with the student to clarify whether:</p> <p>The information on the student supplied by the GCVU is accurate;</p> <p>The student does not agree that the information supplied by the GCVU is accurate in which case the authorised signatory shall request the GCVU to review their information and confirm or review their initial response.</p>	Student and an authorised signatory
Where relevant information was not originally disclosed by the student and subsequently was revealed by the GCVU, an authorised signatory shall meet with the student to clarify reasons for the discrepancy. In the case of non-disclosure or partial, misleading, inaccurate or deceptive information, a signed declaration by the student of the reasons for such non-disclosure or partial, misleading, inaccurate or deceptive information will be required.	Student and authorised signatory

<p>The information available will be considered by the College Vetting Committee and a determination will be made on each application.</p> <p>A quorum for a meeting of the College Vetting Committee is three members all of whom shall fully participate in each deliberation.</p> <p>Factors to be considered by the committee in its deliberations are listed in Appendix 2.</p>	College Vetting Committee
<p>Additional information may be requested if necessary by the College Vetting Committee.</p>	College Vetting Committee
<p>Depending upon the outcome of the vetting process, the College reserves the following rights:</p> <ul style="list-style-type: none"> • To refuse to register a student (in cases where placement is a requirement of the programme). • To remove an existing registered student (in cases where placement is a requirement of the programme). • To delay a student's placement on a specific course. • To refuse a student permission to participate in environments with children or vulnerable adults. 	Registrar's Office administrator
<p>A letter is distributed to each student informing him/her of the decision of the College Vetting Committee. Some sample letters are provided in appendix 1.</p>	Authorised signatory and Registrar's Office administrator
<p>Appropriate records of the deliberations of the College Vetting Committee will be retained.</p>	Registrar's Office administrator
<p>Student does not normally begin placement until approval is obtained from the College.</p>	Student
<p>The student may, within two weeks of the date of the letter, make an appeal to an authorised signatory to have their case reviewed by an Appeal Committee.</p>	Student
<p>The student is required to inform the College (authorised signatory) of any changes to Garda vetting status subsequent to receiving a copy of his/her letter from the College relating to Garda vetting.</p>	Student

Appendix 1

Samples of letters to be sent to students

Letter type A:

Sample of letter to student where no previous conviction(s) are recorded:

Note: This letter is to be handed to the student or mailed to his/her Dublin address.

Dear <name>

I refer you to College Policy on Garda Vetting. Further to your application for Garda vetting in regard to placement in an environment with children or vulnerable adults:

The College vetting committee has considered information provided by you and by the Garda Central Vetting Unit.

As there are no recorded convictions against your name, the College

for B.Ed/Grad Dip: <confirms your registration subject to all other requirements having been met.>

Or

for research/other students: <supports your application for placement in environments with children or vulnerable adults as part of your College programme.>

The information contained within this letter is provided in accordance with College policy and in strictest confidence and should not be disclosed to any third party without justification consistent with implementation of the College policy.

Please be advised that College policy requires any student to re-apply for Garda vetting upon instruction, regardless of the content of this letter.

In the event of any change in your status regarding criminal convictions or Garda vetting, you are required to immediately communicate the details of the change to the authorised signatory below. Failure to comply with this requirement will be considered a serious disciplinary matter.

Please retain this letter as you may be required to present it.

If you require any further information, please contact the undersigned at 01-8842070

Authorised Signatory

Letter type B:

Sample of letter to student where previous conviction(s) are recorded but notwithstanding this, the College Vetting Committee recommends registration/approval for placement:

Note: This letter is to be handed to the student or mailed to his/her Dublin address.

Dear <name>

I refer you to College policy on Garda Vetting. Further to your application for Garda vetting in regard to placement in an environment with children or vulnerable adults:

The College vetting committee has considered information provided by you and by the Garda Central Vetting Unit. The result of the investigation presented the following results

<Offence date>	<Offence type>	<Court>	<Result>
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Following consideration of the nature and type of issues identified, the College

for B.Ed/Grad Dip: <confirms your registration subject to all other requirements having been met.>

Or

for research/other students: <supports your application for placement in environments with children or vulnerable adults as part of your College programme.>

The information contained within this letter is provided in accordance with College policy and in strictest confidence and should not be disclosed to any third party without justification consistent with implementation of the College policy.

Please be advised that College policy requires any student to re-apply for Garda vetting upon instruction, regardless of the content of this letter.

In the event of any change in your status regarding criminal convictions or Garda vetting, you are required to immediately communicate the details of the change to the authorised signatory below. Failure to comply with this requirement will be considered a serious disciplinary matter.

Please retain this letter as you may be required to present it.

If you require any further information, please contact the undersigned at 01-8842070

Authorised Signatory

Letter type C:

Sample of letter to student where previous conviction(s) are recorded and the College does not recommend registration/approval for placement:

Note: This letter is to be handed to the student or mailed to his/her Dublin address.

Dear <name>

I refer you to College Policy on Garda Vetting. Further to your application for Garda vetting in regard to placement in an environment with children or vulnerable adults:

The College vetting committee has considered information provided by you and by the Garda Central Vetting Unit. The result of the investigation presented the following results

<Offence date>	<Offence type>	<Court>	<Result>
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Following consideration of the nature and type of issues identified, the decision of the College is that

for B.Ed/Grad Dip: <your registration is not confirmed and that you are required to withdraw from the programme with immediate effect.>

Or

for research/other students: <you may not participate in environments with children or vulnerable adults as part of your College programme.>

Please contact the undersigned Authorised Signatory for feedback and to discuss your current options.

Please note you have the right to appeal the decision of the vetting committee using College procedure.

If you require any further information, please contact the undersigned at 01-8842070

Authorised Signatory

Letter type D:

Sample of letter to student where a student applied for Garda vetting but has a case pending

Note: This letter is to be handed to the student or mailed to his/her Dublin address.

Dear <name>

I refer you to College Policy. Further to your application for Garda vetting in regard to placement in an environment with children or vulnerable adults:

The College vetting committee has considered information provided by you and by the Garda Central Vetting Unit. The result of the investigation presented the following results

<Offence date>	<Offence type>	<Court>	<Result>
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As you currently have a case pending, it is not possible to complete your vetting application at this time. Please re-apply when this court case is completed.

In the meantime, refrain from engaging yourself in environments with children and vulnerable adults as part of any College academic programme.

Please note you have the right to appeal the decision of the vetting committee using College procedure.

If you require any further information, please contact the undersigned at 01-8842070

Authorised Signatory

Appendix 2:

Factors to be considered by the College Vetting Committee in making its determinations:

- The nature of the offence
- The seriousness of the offence
- The sentence imposed
- In the case of more than one offence whether the offences disclose a pattern of recidivism or repeat offending
- The age and circumstances of the applicant at the time of the offence
- The time elapsed since the offence(s)
- The manner in which the applicant dealt with the proceedings in relation to the offence and in particular whether the applicant pleaded guilty and at what point in the proceedings
- Whether the offence involved a serious breach of trust
- Whether the offence is one which by its nature gives rise to specific concerns in relation to contact with children or young people generally
- The extent to which the applicant has rehabilitated himself or herself since the commission of the offence
- Whether the applicant originally disclosed the conviction on the Garda vetting form.

The College Vetting Committee shall take particular note of offences of a sexual, violent, dishonest or drug-related nature.

The assistance of the Teaching Council, Mary Immaculate College Limerick, and Institute of Technology Blanchardstown in the drawing up of this document is gratefully acknowledged.