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| Title: | Garda Vetting Policy |
| Approved by: | Board of Management, Millstreet Community School |
| Date: | 5th April 2022 |
| Responsibility for implementation: | Principal & Board of Management |
| Policy Review Date | June 2023 |

1. Policy

- 1.1 Millstreet Community School is committed to working to the highest standards in the recruitment and selection of staff, volunteers, and others to protect the wellbeing of all students and the integrity of the school. As part of this commitment, Millstreet Community School will comply with relevant legislation and recommended best practice in the recruitment and selection of staff, volunteers and others and will conduct Garda Vetting, where appropriate, as part of this process.
- 1.2 This policy has been drawn up in compliance with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012, DES Circular Letter 31/2016, Child Protection Procedures for post-primary schools and the General Data Protection Regulation.
- 1.3 This policy aims to ensure that safeguarding and promoting the welfare of students is an integral factor in recruitment and selection at Millstreet Community School and is an essential part of creating a safe environment for students.
- 1.4 Overall responsibility for this policy rests with the Board of Management of the school. The day-to-day responsibility for this policy is delegated to the Principal.

2. Purpose

- 2.1. The purpose of this Garda Vetting policy is to support the school in meeting its statutory requirements in respect of Garda Vetting.

2.2 The policy outlines the responsibilities of the Board of Management and Principal in respect of the:

- vetting of registered teachers, non-teaching staff, volunteers, student teachers, sports coaches, guest speakers, and students on work experience and host families.

It also provides guidance on:

- the Vetting Disclosure process.
- guidance on suitability for employment.

3. The National Vetting Bureau Act

3.1 The National Vetting Bureau Act provides a legislative basis for the mandatory vetting of persons who wish to undertake '**relevant work or activities**' relating to children or vulnerable adults. **Relevant work or activities** means any work or activity carried out by a person where a necessary or regular part of that work or activity consists mainly of the person having **access to, or contact with, children or vulnerable adults**.

3.2 The National Vetting Bureau of An Garda Síochána is responsible for issuing statutory Vetting Disclosures. The legislation requires a school authority to obtain a Vetting Disclosure **prior to** employment of, contracting of, permitting or placement of a person to undertake relevant work or activity with children or vulnerable adults. This applies to all appointments/placements of any duration, including full-time, part-time or substitute positions, paid or unpaid.

3.3 It is a **criminal offence** for a school authority to commence the employment/placement of a person to do relevant work or activities as specified above without first obtaining a Vetting Disclosure from the National Vetting Bureau in respect of that person. A school authority or person who contravenes their legal requirements shall be guilty of an offence (fine up to €10,000 or prison sentence of up to 5 years).

3.4 All vetting at Millstreet Community School will be carried out in accordance with the legislation, circular letter 31/2016 and child protection procedures.

The Board of Management will adhere to the statutory requirements in respect of Garda Vetting. A person will not be employed/engaged in a role in Millstreet Community School that involved 'relevant work' with children without the school having obtained a satisfactory Garda Vetting disclosure in respect of that person.

See Appendix 1: *Glossary of Terms and Definitions*

4. Scope

4.1 This policy applies to Millstreet Community School employees, volunteers and others who will carry out 'relevant work' with children and/or vulnerable adults as defined in the National Bureau (children and vulnerable persons) Act 2012.

4.2 Who should be vetted?

(i) All teachers, including PME student teachers, foreign language assistants, special needs assistants, principals, deputy principals, chaplains, clerical officers, caretakers, cleaners, bus escorts, external supervisors, coaches, mentors, paid and unpaid volunteers, contractors, and others where **a necessary and regular part of that work or activity consists mainly of that person having access to, or contact with, children or vulnerable persons.**

(ii) Transition Year/Leaving Certificate Applied/LCVP students (over 16 years of age) engaged in work experience which involves relevant work or activities with children or vulnerable adults. Garda Vetting is not conducted for children under 16 years of age.

(iii) Host families engaged in exchange programmes.

4.3 In line with the Department of Education guidelines, HSE and TUSLA staff who visit schools in the course of their duties, Department Inspectors, NEPS Psychologists and psychologists visiting schools under the Department's Scheme for the Commissioning of Psychological Assessments do not require vetting by the school.

4.4 Wider duty of care considerations;

The Board of Management will, at all times, be cognisant of its civil law duty of care to its students and recognises the need for prudent practice from a child protection perspective. In relation to the appointment of locally appointed superintendents for examination centres for state examination, Boards should follow the guidance issued by the State Examination Commission (SEC) regarding such appointments and Garda vetting (section 9 of Circular Letter 31/2016).

5. The responsibilities of the Board of Management include:

- (i) Ensuring the school's compliance with the Garda Vetting Policy.
- (ii) Assisting the Principal if required to make decisions on the suitability of candidates for employment following the disclosure of convictions via the Garda Vetting process.

- (iii) Not sanctioning the appointment of any person in any capacity who refuses to be vetted, who does not complete the NVB Form or who does not give the Principal access to *Digitary* (the Teaching Council's secure on-line portal).

6. Responsibilities of the Principal include:

- (i) Assessing Garda Vetting is necessary for each employment position/volunteer role i.e., the role involves “relevant work” with children or vulnerable adults as specified in the National Vetting Bureau (Children and Vulnerable Persons Bill) 2012 to 2016.
- (ii) Ensuring that candidates for employment positions/volunteer roles (other than teachers who are vetted through the Teaching Council) are provided with the correct Garda Forms and that the forms are completed accurately and in full by confirming/verifying that the following checks are carried out:
 - a) The vetting subject has consented, signed, and dated the NVB1 form to submit their details for e-vetting.
 - b) The identity of the person submitting the vetting application by using the 100-point check system (*Appendix 2*). Ensuring that identity documents provided for this purpose have been retained on the applicant's file.
 - c) If the vetting subject is 16 or 17 years old, a completed and signed NVB3 (parent/guardian consent) Form is submitted which includes the email address of the parent/guardian.
- (iii) Providing ACCS as the registered organisation with a confidential valid email for the purpose of receiving vetting disclosures.
- (iv) **Ensuring that as an additional safeguard a Statutory Declaration and Form of Undertaking is completed and provided to the school authority prior to making a teaching or non-teaching appointment of any duration.**
(*See Appendix 3, C/L 31/2016) Statutory Declaration and Form of Undertaking*).
- (v) Ensuring all personal information in relation to Garda Vetting is kept confidentially and in compliance with the school's Data Protection and Retention Policy.

7. Recruitment Procedures

- 7.1 The Board of Management recognises that thorough recruitment procedures are an essential element of child protection practice, including seeking and following up of references and ensuring that any unexplained gaps in employment records/curriculum vitae are satisfactorily accounted for. The Board also recognises that vetting does not take the place of good recruitment procedures but will be used as part of those procedures.

- 7.2 The Board will consider all the facts and information that may come to its attention through the vetting process, as part of the recruitment procedures or at a later stage which may call into question a person's suitability to work with children or vulnerable adults from a child protection perspective.
- 7.3 All decisions made as to the suitability of a candidate for employment/engagement in the school because of any **disclosure** received will be done with a commitment to fairness, the principles of natural justice and confidentiality. The decision-making process will only consider if the disclosure has a potential bearing on the suitability of the candidate for the position applied for. It is not a forum to pass judgment on the candidate's behaviour as a member of society.
- 7.4 As part of the recruitment procedure, in addition to vetting and as an additional safeguard, a Statutory Declaration and a Form of Undertaking must be completed and signed by the recommended candidate **prior** to the commencement of employment of any duration in accordance with circular letter 31/2016. Where a person changes employment from one school to another the Statutory Declaration is valid if made in the same or previous calendar year.
- 7.5 The provision of inaccurate information by an applicant (e.g., date of birth or address) on the NVB 1 Form, providing incorrect information or deliberately concealing any relevant facts, may result in disqualification from the selection process or where discovery is made after an appointment, in summary dismissal.
- 7.6 Failure to disclose a conviction will disqualify an applicant from employment in the school.
- 7.7 Millstreet Community School will require all its existing staff/volunteers and others to be re-vetted in line with its statutory obligations and Department of Education circular letters.

8. Teachers

- 8.1 The vetting of teachers is carried out through the Teaching Council. The prospective teacher must enable the school authority to access the Vetting Disclosure on the Teaching Council's *Digitary* (the Teaching Council's secure on-line portal).
- 8.2 **The following procedures apply:**
- (i) **The advertisement for teaching positions in the school** will state that the appointment is subject to the satisfactory outcome of vetting.
 - (ii) **The Application Form**, if used, will ask prospective employees to confirm that their appointment is subject to a satisfactory vetting outcome. The candidate's signature on that form will require the candidate to confirm

that they are aware of the school's policy on vetting and accepts the school's policy that satisfactory vetting is an essential requirement for appointment to a position in the school.

- (iii) **At appointment stage**, the successful candidate is required to enable the principal to **access** the Vetting Disclosure on-line, through *Digitary* (the Teaching Council's secure on-line portal), so that it can be **viewed, downloaded, and assessed**. If the candidate is not already vetted, s/he must apply to the Teaching Council to be vetted. The candidate must give the principal access to **view the disclosure** through *Digitary*. A copy of the Vetting Disclosure is not sufficient.
- (iv) **A copy of the Vetting Disclosure** will be downloaded and retained in the teacher's HR file.

- 8.3 Where a teacher is being **redeployed into the school**, the new employee will be vetted in line with the above process. This also applies **where a teacher is returning from career break or secondment of 2 years or more**.
- 8.4 The Teaching Council's determination as to whether a particular vetting outcome is satisfactory for its purposes is made within the statutory framework within which the Teaching Council works. **The Board (responsibility in most cases is delegated to the principal) will determine if the vetting outcome is acceptable for employment purposes.**

9. Re-Vetting of Teachers

- 9.1 The Teaching Council undertakes the re-vetting of all registered teachers on a three-year cycle. Teachers who hold a National Vetting Bureau Disclosure which is three years old will be issued a re-vetting request on a scheduled basis by the Teaching Council.

10. Non-teaching staff (SNAs, clerical officers, caretakers, cleaners, bus escorts, external supervisors/unregistered teachers/coaches/foreign language assistants), volunteers and other persons.

- 10.1 All vetting of non-teaching staff/volunteers/other persons will be carried out through the school's management body, the Association of Community & Comprehensive Schools (ACCS), as a registered organisation.
- 10.2 The Board is aware that it is not required to vet unpaid volunteers or persons **if the work or activity is not relevant and does not involve having access to or contact with children (i.e., a Board member, a member of the Parents Association)**. Therefore, unpaid volunteers/persons (e.g., guest speakers) who assist on an

occasional basis and who are not involved in the coaching, mentoring, counselling, teaching, or training of children or vulnerable persons will not be vetted.

10.3 The following procedures apply:

- i. When appointing non-teaching staff, **the advertisement** for the position will state that the appointment is subject to a satisfactory Garda Vetting outcome.
- ii. Applicants must confirm on the **Application Form**, if used, that their appointment is subject to a satisfactory outcome of vetting and the school may withdraw an offer if a satisfactory vetting disclosure is not received.
- iii. **At appointment stage** (after interview), the recommended candidate must complete a NVB 1 Form.

10.4. Where a non-teaching staff member is returning from a leave of absence of 2 years or more, they will be vetted in line with the procedures.

11. Student Teachers and Sports Coaches

11.1 Student teachers (PME students) and sports coaches are vetted through the school's management body, **unless** these individuals/persons have been vetted by the Vetting Bureau through their college, sporting organisation or the person's employer. In such instances, they must furnish to the school the disclosure from the Vetting Bureau to enable the school to determine if the disclosure amounts to satisfactory vetting in terms of the school's vetting policy. In this regard, the school will ensure that a **joint written agreement** is in place with the college/university/sporting organisation/employer to enable this sharing of information (disclosure), as provided by the Vetting Act (*Appendix 4, Template Joint Agreement*).

12. Transition Year/Leaving Certificate Applied/Leaving Certificate Vocational Programme Students and Work Experience

12.1 In accordance with the legislation, Transition Year/Leaving Certificate Applied and Leaving Certificate Vocational Programme students participating in work experience/placement doing 'relevant work or activities involving children or vulnerable adults (e.g., primary school, creche, healthcare facility)' must be vetted. Garda Vetting is not conducted for children under 16 years of age.

12.2 The documentation submitted at the time of enrolment will suffice in terms of verifying the identity of these students for vetting purposes.

12.3 The school will liaise with ACCS as the registered organisation to ensure that the vetting process is followed for students engaging in such work experience.

- 12.4 As provided for in the Vetting Act, the school may, at times, engage in a joint written agreement with the organisation (the work experience/placement organisation) so that either the school or the work experience organisation undertakes the vetting.
- 12.5 The Principal will ensure that a written Agreement is in place with the work experience/placement organisation (*Appendix 4, Template Joint Agreement*).

13. Host Families

- 13.1 As per Schedule 1 of the Vetting Act, relevant work or activities relating to children includes **‘the provision by a person, whether or not for commercial or other consideration, of accommodation for a child in his or her home’**.
- 13.2 The Board will ensure that **all persons over 16** residing at an address in Ireland that will be used to accommodate students engaged in exchange programmes will be garda vetted. The vetting of such host families is carried out by ACCS as the registered organisation.
- 13.3 For students going abroad on exchange programmes, and as part of the school’s risk assessment of exchange programmes, school management will seek clarification from partner schools abroad/local exchange agencies that checks have been carried out to ensure the suitability of host families that students will reside with abroad.

14. Vetting Disclosure Process and guidance on suitability for employment

- 14.1 Information about a Disclosure:

All outcomes of the vetting process are called ‘Disclosures’.

- (i) A vetting disclosure will include particulars of the **criminal record¹ (if any)** relating to the person, and a statement of the **specified information (if any)** relating to the person or **a statement that there is no criminal record or specified information, in relation to the person.**
 - (ii) “Specified information” or “soft information” in relation to a person who is the subject of an application for a vetting disclosure means 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.
- 14.2 Certain minor convictions which occurred more than seven years ago, and which are deemed *spent* in accordance with the relevant provisions of the Criminal Justice (Spent Convictions and Certain Disclosures) Act, 2016 may not be disclosed.

¹ The definition of a criminal record includes a record of any prosecutions pending against a person, whether within or outside the State, for any criminal offence.

- 14.3 The Principal/Board of Management will consider any information in a vetting disclosure which would render a person unsuitable for employment/engagement by the school.

15. Dealing with a disclosure:

- 15.1 The Board recognises that Garda Vetting does not provide clearance for persons to work with children. It simply provides to the registered organisation particulars of **any criminal record** and/or **specified information** in respect of the person concerned on the date the vetting is processed by the National Vetting Bureau. Where there is no criminal record or specified information the disclosure shall state this fact.
- 15.2 As all times, the primary criterion in assessing the significance of the information in a disclosure is its relevance to child protection.
- 15.3 An objective and balanced approach will be taken and the judgement as to the person's suitability rests with the school authority.
- 15.4 The Principal is authorised by the Board of Management, except for a disclosure of 'specified information', to determine if the outcome of the vetting of a candidate is satisfactory or not.
- 15.5 In this regard, the Principal/Board of Management, if required, will consider, and take into account all the information in a vetting disclosure when assessing the suitability of the person who is the subject of the disclosure to do relevant work or activities.
- 15.6 The Board recognises that the fact that a person has convictions does not automatically render that person unsuitable for work with children or vulnerable adults.
- 15.7 A copy of the Vetting Disclosure should be given to the applicant.

16. Dealing with other offences other than 'specified/soft information' (a criminal record)

- 16.1 The Principal will consider any information in a vetting disclosure which would render a person unsuitable for employment/engagement by the school. The Principal will consider all circumstances of the case, give due weight to all relevant factors, and afford fair procedures to the individual concerned before making a decision.

- 16.2 In deciding whether a particular criminal charge or previous conviction renders a candidate unsuitable for employment, decisions will be made on an individual basis using the following risk assessment:
- the nature of the offence and its possible relevance to the position.
 - when it happened (offences many years ago may be less relevant than more recent offences).
 - the age of the candidate at the time of the offence/conviction.
 - offences which are not sexual or violent in nature or drug related offences of a minor nature committed before the age of 18 will be assessed considering the age of the applicant at the time of the offence.
 - the pattern and number of convictions (a series of offences will be of more concern than an isolated minor incident).
 - the circumstances involved.
 - the sentence.
 - efforts to avoid re-offending.

See Appendix 5, Schedule of Categories of Offences for guidance purposes.

- 16.3 Where the vetting process discloses pending or unsuccessful prosecutions, such prosecutions will be assessed considering the nature, age, and frequency of the alleged offence(s) and of the age of the candidate at the time of the alleged offence(s).
- 16.4 The Principal is authorised by the Board of Management, except for a disclosure of 'specified information', to determine if the outcome of the vetting of a candidate is satisfactory or not.
Should the Principal deem it necessary, s/he may consult with the Chairperson of the Board of Management before reaching a decision in relation to a disclosure.
- 16.5 All disclosures will be held confidentially.

17. Dealing with 'specified' information' in relation to a person

Because of the nature of "specified information" and the requirements in the Act, including an appeal process available to the vetting applicant before "specified information" can be disclosed to the registered organisation, the Board of Management will determine whether a vetting applicant whose disclosure from the Bureau includes "specified information" is a suitable person to be employed in the school.

- 17.1 In such a case of the disclosure of 'specified information', the vetting applicant will be afforded an opportunity to make representation in writing to the Board of Management before the Board comes to a decision on the matter.

18 GDPR and Personal Data

- 18.1 All information in the Garda Vetting process including secure storage, handling and use of the Garda Vetting Disclosures will be processed in compliance with data protection law and relevant guidance issued by the DPC.

Signed: Mary Fitzgerald Date: 5th April 2022

Chairperson, Board of Management

Signed: Pat O'Leary Date: 5th April 2022

Principal & Secretary to the Board of Management

Date of Review: June 2023

Appendix 1: Glossary of Terms and Definitions

“Vetting Act” means the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 as amended by the Criminal Justice (Spent Convictions and Certain disclosures) Act 2016.

“National Vetting Bureau” means the National Vetting Bureau of An Garda Síochána which from 29 April 2016 will be responsible for issuing statutory vetting disclosures in accordance with the Vetting Act.

“Relevant organisation” has the meaning assigned to it in the Vetting Act and includes a person or organisation that employs, contracts, places or permits a person to undertake relevant work or activities relating to children or vulnerable persons.

“Child” means a person under the age of 18 years.

“Liaison person” is the person nominated by the relevant organisation (e.g., diocesan office, ETB or school management body) to liaise with the Bureau for the purposes of applying for and receiving vetting disclosures in accordance with the Vetting Act.

“Relevant work or activities” in the context of a school or centre for education means any work or activity carried out by a person where a necessary and regular part of that work or activity consists mainly of the person having access to, or contact with, children or vulnerable persons. However, it does not include work or activity in relation to vulnerable persons in a centre for education where that work or activity is merely incidental to work, or activities undertaken in relation to persons who are not vulnerable persons.

“Vetting disclosure” means a disclosure made by the Bureau in respect of the person in accordance with section 14 of the Vetting Act and which includes particulars of the criminal record (if any) relating to that person and/or a statement of the specified information (if any) relating to that person. A criminal record includes a record of the person’s convictions for any criminal offences or a record of any prosecutions pending against the person for any criminal offence but does not contain details of certain minor convictions as set out in section 14A of the Vetting Act.

“Specified information” or “soft information” in relation to a person who is the subject of an application for a vetting disclosure means 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.

“Vulnerable person” has the meaning assigned to it by the Vetting Act and means a person other than a child who is suffering from a disability, impairment or disorder which is of such a nature or degree as to restrict the capacity of the person to guard themselves against harm by another person or that results in the person requiring assistance with the activities of daily living.

Appendix 2: 100 Point Check

In order to establish your identity for vetting purposes, an individual must provide documentary proof of each of the following:

- Valid Photographic ID to include name and date of birth.
- Evidence of current address. (*Statements from store cards/catalogue companies or Mobile phone bills are not acceptable*).

Please note the following;

- Evidence of address provided must be dated within 6 months of the date of application.
- The name on the photo ID must match the name on your proof of address.
- There is no requirement on any individual to produce any specific document to prove their identity.

The Garda National Vetting Bureau is aware that establishing identity can be difficult for some people. In order to assist individuals and relevant organisations as they endeavour to establish the identity of vetting applicants, the following **100-point check** is an optional personal identification system which may be utilised by individuals and relevant organisations to verify identity for Vetting purposes.

When conducting Garda Vetting, organisations could require vetting subjects to present identification totalling 100 points to ensure they are checking the correct person. At least one form of photographic evidence must be gathered.

| Identification | Score | Tick |
|---|-------|------|
| Irish driving licence or learner permit (new credit card format) | 80 | |
| Irish Public Services Card (Please note that an organisation can only request or accept the PSC if it is a specified body under Schedule 5 of the Social Welfare Consolidation Act 2005 (as amended).) | 80 | |
| Passport (from country of citizenship) | 70 | |
| Irish certificate of naturalisation | 50 | |
| Birth certificate | 50 | |
| Garda National Immigration Bureau (GNIB) card | 50 | |
| National Identity Card for EU/EEA/Swiss citizens | 50 | |
| Irish driving licence or learner permit (old paper format) | 40 | |
| Employment ID | | |
| • ID card issued by employer (with name and address) | 35 | |
| • ID card issued by employer (name only) | 25 | |
| Letter from employer (within last two years) | | |
| • Confirming name and address | 35 | |
| P60, P45 or Payslip (with home address) | 35 | |
| Utility bill e.g., gas, electricity, television, broadband (must be less than 6 months old). Printed online bills are acceptable. Mobile phone bills are not acceptable | 35 | |

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| Public services card/social services card/medical card | 25 | |
| • With photograph | 40 | |
| Bank/Building Society/Credit Union statement (must be less than 6 months old). | 35 | |
| Credit/debit cards/passbooks (only one per institution) (must be less than 6 months old). | 25 | |
| National age card (issued by An Garda Síochána) | 25 | |
| Membership card | | |
| • Club, union or trade, professional bodies | 25 | |
| • Educational institution | 25 | |
| Correspondence | | |
| • From an educational institution/SUSI/CAO | 20 | |
| • From an insurance company regarding an active policy | 20 | |
| • From a bank/credit union or government body or state agency | 20 | |
| Children under 18 years (any one of the following) | | |
| • Birth certificate | 100 | |
| • Passport | 100 | |
| • Written statement by a principal confirming attendance at educational institution on a letter head of that institution | 100 | |
| Recent arrival in Ireland (less than 6 weeks) | | |
| • Passport | 100 | |
| Vetting Subject is unable to achieve 100 points** | | |
| • Affidavit witnessed by a Commissioner for Oaths | 100 | |
| TOTAL | | |

Appendix 3: Statutory Declaration and Form of Undertaking

Statutory Declaration

This statutory declaration must be completed prior to a person being appointed to any teaching or non-teaching position with a school authority unless the person being appointed has previously provided that school authority with a statutory declaration which was made during the same or previous calendar year. "I _____ of,

_____ in the county of _____ aged eighteen years and upwards do SOLEMNLY AND SINCERELY DECLARE as follows:-

that to the best of my knowledge and belief there is nothing, from a child protection perspective, in relation to my conduct, character or personal background of any nature that would adversely affect the position of trust in which I would be placed in relation to children or vulnerable persons by virtue of my appointment to any teaching or non-teaching position in any recognised primary or post-primary school or any other state funded centre of education for children or vulnerable persons.

I am aware that I am not now, or in the future, required to disclose to a school authority details of any conviction regarded as spent under the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016, but that, in accordance with section 10 of that Act, this does not however apply in the case of any conviction in respect of offences specified in Part 1 or 2 of Schedule 1 of that Act or those specified in Schedule 3 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Within a child protection context:

- I hereby confirm my irrevocable consent to each of the employing school authorities to the making of such enquiries as they deem necessary in respect of my suitability for the post(s) in respect of which the applications are made.
- I hereby accept and confirm the entitlement of each of the employing school authorities to reject my application or terminate my employment (in the event of a contract of employment having been entered into) if I have omitted to furnish the school authority with any information relevant to my application for the position or my continuing employment with the school authority.
- I understand that any false or misleading information submitted by me in relation to my application for a position or my continuing employment with each of the school 16 authorities will render me liable to automatic disqualification or render me liable to dismissal, if employed.



And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938.”

Signed: _____ Date: _____

Applicant

Print Name: _____

Declared before me [name in capitals] a [notary public] [commissioner for oaths] [peace commissioner] [practising solicitor]by _____

*who is personally known to me, or

*who is identified to me by _____ who is personally known to me,

Or *whose identity has been established to me before the taking of this Declaration by the production to me of passport no. [passport number] issued on [date of issue] by the authorities of [issuing state], which is an authority recognised by the Irish Government]

Or National identity card no. [identity card number] issued on [date of issue] by the authorities of [issuing state] [which is an EU Member State, the Swiss Confederation, or a Contracting Party to the EEA Agreement]

Or [Aliens Passport no. (document equivalent to a passport) [passport number] issued on [date of issue] by the authorities of [issuing state] which is an authority recognised by the Irish Government]

Or Refugee travel document no. [document number] issued on [date of issue] by the Minister for Justice, Equality and Law Reform]

Or 17 Travel document (other than refugee travel document) [document no.] issued on [date of issue] by the Minister for Justice, Equality and Law Reform at in the City/ County of on

the _____ day of _____ 20__

_____*Practising Solicitor / Commissioner for Oaths / Notary Public / Peace Commissioner * Delete as appropriate Note: Further



information in relation to Commissioners for Oaths and Peace Commissioners is available on www.citizensinformation.ie .

Form of Undertaking

For administrative ease, the Department’s payroll appointment forms will incorporate this undertaking. However, for any appointment (teaching or non-teaching) that does not require completion of a payroll appointment form, this Form of Undertaking must be completed prior to the person being appointed unless the person has previously provided this school authority with a Form of Undertaking and associated statutory declaration both of which were made during the same or previous calendar year.

I confirm that, since the date on which I signed the attached statutory declaration, to the best of my knowledge and belief there is nothing, from a child protection perspective, in relation to my conduct, character or personal background of any nature that would adversely affect the position of trust in relation to children or vulnerable persons in which I would be placed by virtue of my appointment to a teaching or non-teaching post in _____ (insert name of school authority).

I also undertake to inform the above school authority of any changes to the above stated position that may affect my suitability, from a child protection perspective, for continued employment with the school authority or for any subsequent employment with the school authority.

I am aware that I am not now, or in the future, required to disclose to a school authority details of any conviction regarded as spent under the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016, but that, in accordance with section 10 of that Act, this does not however apply in the case of any conviction in respect of offences specified in Part 1 or 2 of Schedule 1 of that Act or those specified in Schedule 3 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

I acknowledge and understand that any false or misleading confirmation as to my conduct, character or personal background or any failure of mine to inform the school authority of relevant changes that may affect my suitability, from a child protection perspective, will constitute a breach of my contract of employment and may be grounds for summary dismissal by the school authority.

Signed: _____ Date: _____

Prospective employee

Print Name: _____

Witnessed by: _____ Date: _____

(On behalf of school authority)

Print Name: _____



Appendix 4: Template Joint Agreement

AGREEMENT BETWEEN:

_____ [the "Organisation"]

AND _____ [the "School"]

IN RESPECT OF _____ [name of person]

In recognition of their respective obligations under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 ("the Acts"), the Organisation and the School agree the following:

1. The Organisation and the School agree that [_____]
(Name of person) shall attend the school on such dates during the School Year as may be agreed between the Organisation and the School for the purposes of [_____].
2. The Organisation confirms that it has received a Vetting Disclosure from the National Vetting Bureau in respect of the person named above. Prior to the person named above attending the school and the commencement of any relevant work or activities² for the purposes of the Acts, he/she will furnish the school with a copy of the Vetting Disclosure received by the Organisation from the National Vetting Bureau ("the Vetting Disclosure") and made available to the person by the Organisation under section 16(1) of the Acts.
3. The person named above will not be allowed to commence relevant work or activities until such time as the Vetting Disclosure has been received and considered by the School.
4. Where the Vetting Disclosure discloses no criminal record or specified information, the person named above will be allowed to commence relevant work or activities in the school on the starting date agreed between the Organisation and the School and may attend the school on such other dates as may be agreed between the Organisation and the School.
5. Where the Vetting Disclosure discloses any criminal record or specified information, the person named above will not be allowed commence relevant work or activities in the school unless a risk assessment for this placement is conducted by the Organisation and is considered acceptable to both the Organisation and the School.
6. Prior to attendance at the school, the person named above will be required to complete a Statutory Declaration in the form attached at Appendix 1 to this Agreement. The school reserves the right to request and verify references in respect of the person named above, prior to and following, the commencement of any relevant work or activities in the school.
7. This Agreement permitting the attendance of the person named above in the school may be terminated by the school at any time.

[Organisation]

[the school]

Date

Date

Appendix 5: Schedule of Categories of Offences for guidance purposes.

The schedule below sets out those offences or categories of offences or categories of offence which will disqualify candidates. It also sets out other offences or categories of offence which may disqualify.

The Board of Management considers the following as reasonable grounds to disqualify/withdraw an offer or opportunity of employment/volunteer role to an individual:

- The individual has been charged with or convicted of a sexual offence.
- The individual has been charged with, or has a conviction for, an offence that relates to the ill treatment of a child or a vulnerable adult.
- The individual has been charged with, or has a conviction for, the ownership, production, or distribution of child pornography.
- The individual has been charged with, or has a conviction for, a terrorist offence, serious assault.
- The individual has been charged with, or has a conviction for, possession of drugs for sale or supply.
- The individual has been charged with, or has a conviction for, false imprisonment or abduction.
- The individual has been charged with, or has a conviction for, possession and discharge of firearms or offensive weapons.

The Board of Management consider the following list of offences to be relevant and may or may not disqualify/withdraw an offer or opportunity of employment/volunteer role to an individual. Each case will be considered on an individual basis.

- Offences against the person, e.g., assault (minor), harassment.
- Offences against property e.g., arson, armed robbery.
- Theft.
- Possession of drugs.
- Intoxicated driving a vehicle.
- Dangerous driving causing death.
- Dangerous Driving.
- Careless Driving.
- General Road Traffic Offences (e.g., speeding).
- Drunkenness offences.

ACCS
10H Centrepoint Business Park,
Oak Drive,
Dublin 12



ACCS Ref:

Invitation Form NVB 1

Vetting Invitation

Section 1 – Personal Information

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.



| | |
|------------------------------|--|
| Forename(s): | <input type="text"/> |
| Middle Name: | <input type="text"/> |
| Surname: | <input type="text"/> |
| Date Of Birth: DD/MM/YYYY | <input type="text"/> / <input type="text"/> / <input type="text"/> |
| Email Address: | <input type="text"/> |
| Confirm Email Address: | <input type="text"/> |
| Contact Number: | <input type="text"/> |
| Role Being Vetted For: | <input type="text"/> |
| Current Address: | |
| Line 1: | <input type="text"/> |
| Line 2: | <input type="text"/> |
| Line 3: | <input type="text"/> |
| Line 4: | <input type="text"/> |
| Line 5: | <input type="text"/> |
| Eircode/Postcode: | <input type="text"/> |

Section 2 – Additional Information

Name Of School:

I have provided documentation to validate my identity as required and I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Please click on box

Applicant's
Signature:

Date: / /

Note: Applicant should type the requested information onto the form, print the form, sign the form and present to the School Principal.

The school should return the NVB 1 Form and Confirmation Form to the Association of Community and Comprehensive Schools at the above address. **An invitation to the eVetting website will then be sent to the applicant's email address provided above.**

ACCS
10H Centrepark Business Park,
Oak Drive,
Dublin 12



ACCS Ref:

**Invitation Form NVB 1
for students aged between 16 & 18
completing work experience**

Section 1 – Personal Information

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.



Forename(s):

Middle Name:

Surname:

Date Of Birth: DD/MM/YYYY / /

Email Address:
of Parent/Guardian

Confirm Email Address:
of Parent/Guardian

Contact Number:

Role Being Vetted For:
Title of Role must be clearly stated (e.g. teacher assistant, childcare worker)

Current Address:

Line 1:

Line 2:

Line 3:

Line 4:

Line 5:

Eircode/Postcode:

Section 2 – Additional Information

Name Of School:

I have provided documentation to validate my identity as required *and*
I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Please click on box

Applicant's Signature:

Date: / /

Note: Applicant should type the requested information onto the form, print the form, sign the form and present to the School Principal. The school should return the NVB 1 Form, NVB 3 Form and Confirmation Form to the Association of Community and Comprehensive Schools at the above address. **An invitation to the eVetting website will then be sent to the Parent/Guardian's email address provided above.**

AN GARDA SÍOCHÁNA



NATIONAL VETTING BUREAU

PARENT/GUARDIAN CONSENT FORM (NVB 3)

Applicant Details



Forename(s):

Surname:

Date of Birth: / /
DD/MM/YYYY

Parent/Guardian Details

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.

Forename(s):

Surname:

Email Address:

Relationship to applicant: Father: Mother: Guardian:

Address:

Line 1:

Line 2:

Line 3:

Line 4:

Line 5:

Eircode/Postcode

Parent/Guardian Consent

I, being the Parent/Guardian of the above named applicant, consent for the National Vetting Bureau to conduct vetting in respect of the above named applicant in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Parent/Guardian Signature:

Date: / /