

## ***Garda Vetting Policy***

### **Introduction**

Garda Vetting became a requirement of membership of the Irish association of craniosacral therapists at renewal in October 2018. Since the introduction of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016, there is a now statutory requirement that people who carry out relevant work (i.e. work that involves regular and necessary access to and/or contact with children and/or vulnerable adults) must be vetted prior to commencing employment or relevant volunteer work. The decision to engage in vetting is part of the IACST's safeguarding standards to protect the welfare of children and vulnerable adults within our profession.

Garda Vetting in Ireland uses a centralised system, using a pre-designed form from the **National Vetting Bureau (NVB)**. The IACST deals with **Irish Vetting Services (IVS)**, who communicate with the NVB on our behalf.

### **Garda Vetting Committee**

A garda vetting committee is in place as a requirement for dealing with members who have a GV disclosure that may render them unsuitable for work as a Craniosacral therapist. This committee must consist of 4 persons, 3 IACST committee members (one to be the Chairperson) and one neutral professional.

The IACST will appoint one or more Authorised Signatories (**AS**), who will be required to sign a confidentiality agreement. The authorised signatory is the person authorised to communicate with the IVS or the NVB on behalf of the IACST. The information collected as part of the vetting process will be treated as *sensitive and strictly confidential*, on a need to know basis.

The IACST's nominated Authorised Signatory will:

- Act as liaison, ensuring smooth communication between Irish Vetting Services & applicants seeking Garda Vetting,
- Be responsible for distribution of all vetting application forms, submissions to and information received from IVS and NVB, both in paper and electronic form.
- Be responsible for safeguarding personal data received from individual members and from both the National Vetting Bureau (NVB) and Irish Vetting Services (IVS).
- Complete each 'batch header' confirming the identity and current address of all applicants.

A change of Authorised Signatory must be forwarded in good time to the IVS in order to ensure continuity of service. There will be a fee for this change.

## Benefits of Garda Vetting

- Protection of children and vulnerable adults.
- Protection of the IACST.
- Protection of the members of IACST.
- Management of risk in respect of former offences.
- Garda vetting is widely viewed as one of the key elements in the delivery of a comprehensive and robust child protection system in this country.

## Garda Vetting Process

An application for membership of the IACST will not be complete until garda vetting is complete. The purpose of garda vetting is to find out if there is any information with reference to convictions or prosecutions recorded against an individual. All information received is held in the strictest of confidence. **Authorised Signatory (AS) – person authorised to communicate with Irish vetting service on behalf of the IACST.**

- The applicant is sent a GV application form, **NVB1 form**, and step by step instructions on what documents are needed, as proof of identity and proof of address. **See attached.**
- The applicant must return the **Original Completed NVB1 form** and **Photocopies of personal identification and proof of address** to the Authorised signatory. Proof of address must be dated within the last 6 months.
- A payment of €18.45 must accompany the application.
- If for some reason an applicant wishes to complete the vetting process with a postal application, then a form, **NVB2** can be provided, however the fee for a postal application is €24.60 as opposed to €18.45 for the email process.
- **The Authorised Signatory** must verify the identification, address, and contact details of the applicants. Thereafter only the completed NVB1 form for each applicant will be required.
- The proof of identification documents will be retained safely by the AS and be available if they are required by the National Vetting Bureau for audit purposes.
- The A.S. records each applicant's details on a Batch Header Sheet, ensuring email address is legible, and post with original NVB1 forms to Irish Vetting Services.
- The A.S. will confirm the email address with the applicant before sending the Batch Header to IVS.
- Once the NVB1 forms are processed, applicants will receive an email from the National Vetting Bureau containing an e-vetting link for them to complete. This link expires in 30 days and if this deadline is missed the applicant can reapply within 5 months which incurs a further charge of €12.30.
- At this point the AS will send the applicant the Step 2 email to prompt the applicant to not delay in completing their application via the e-vetting link.
- When the vetting process has been completed the NVB issues a Vetting Disclosure to IVS who will forward this to IACST for retention in accordance with data protection legislation.
- As soon as is practicable the AS is required by current legislation to make a copy of the Garda Vetting Disclosure Certificate and forward this copy to the applicant by email or post.

- The applicant is reminded at this point that if they have lived in another country for more than 1 year and 1 day, it is their responsibility to furnish the IACST with a police clearance certificate from that country.
- It is the responsibility of the IACST and not the NVB to make the decision regarding suitability of the applicant to become a member.

## Dealing with a garda vetting disclosure:

### Return of Information.

If a member has prosecutorial data disclosed which may render them unsuitable to work as a Craniosacral Therapist:

- A meeting of the IACST Vetting Committee will be called, to discuss the relevance of the GV disclosure, with a quorum of 3 required, to include the neutral body and the Chairperson.
- The member will be notified (see Communication note below).
- The original vetting application form will be checked for each detail to ensure it is correct and that the disclosed information refers to the applicant (therapist).
- If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting authorities the decision must be made based on the type and nature of the offences disclosed.
- If deemed necessary the membership will be put on hold at this point (see 'Dealing with disclosed data' below).
- If the applicant has not self-disclosed and information is received from the authorities the information will be checked with the applicant.
- The GV committee will ensure that a proper record is kept of how the disclosure is dealt with.
- The disclosure will be fully dealt with, and a decision made within a time frame of 3 months from date of receiving the disclosure from the National Vetting Bureau.

### Communication.

When the AS is required to communicate with the Applicant for any reason the following protocol will be adhered to:

- Communication should be in writing/email.
- The AS will verify the person is the applicant.
- No messages will be left.
- No discussion will take place with any other person, spouse or partner.
- The AS will give an assurance of confidentiality.

If the AS is required to verify disclosed details, the applicant will be asked:

- Is there anything they remember concerning the time of the offence?
- Have they ever been to court?
- For any relevant information concerning the disclosed information.

- To consider the significance of the disclosure in relation to their work as a Craniosacral Therapist.

All responses should be noted. If any information is disputed the Disputes procedure in this policy (see below) must be followed.

### Dealing with the disclosed data.

Disclosure of certain types of convictions/prosecutions may automatically prevent an applicant from being a member of our Association, the IACST. The following list is not exhaustive.

- Any offence of a sexual nature.
- Any offence against a child, a vulnerable adult or of child abuse or pornography.
- Any offence that causes gross bodily harm.
- A series of continuous offending that might cause concern for the well-being of children or vulnerable adults.

All decisions on the suitability of an applicant (therapist), following a disclosure, to be a member of the IACST are a matter for the Association's Garda Vetting Committee and will be done on a strictly confidential basis. The committee will undertake to ensure an open, measured, and recorded discussion about any offence. The Committee will consider all relevant information in relation to disclosures and may call on relevant experts to seek guidance on a specific issue.

The member may be asked to attend a meeting if further clarity is required. The member may ask to meet with the GV committee. The member has a right to appeal the decision made by the IACST GV committee. (see the 'Appeals process' below).

The Authorised Signatory and GV committee members have a responsibility to observe professional standards and will be cautious to recognise their own values and personal ethics in evaluating the seriousness and the relevance of an offence.

### Disputes.

Both the Garda Vetting Bureau and Access Northern Ireland have procedures in place to deal with disputes. If an applicant believes the information disclosed about them is inaccurate, they should contact the Irish Association of Craniosacral Therapists.

- The exact basis of the dispute will be noted by the AS on communication with the individual.
- The original application form will be resubmitted to the Garda Vetting Bureau / ANI for a recheck - containing a covering report outlining the basis of the dispute as indicated by the individual.

If following a recheck the applicant still disputes the information, arrangements with the Garda Vetting Bureau or the ANI will be made for further identification procedures to be conducted to resolve the dispute.

## Appeal process.

- The member shall be notified of the right of appeal of the Committee's decision with regard to the disclosure.
- Any such appeal should be notified to the committee by email within 28 days of receipt of the Committee's decision.
- The appeal shall be heard by no more than 3 members of the Committee, one to include the Chairperson of the IACST Committee..
- The member may bring a representative with them to this meeting.

## Holding of Data for the purpose of Garda Vetting:

Vetting disclosures may only be used for the purpose for which they were provided to an organisation in accordance with the consent of the vetting subject. They cannot be further processed or disclosed to other parties. In relation to retention of vetting information, personal data must be destroyed when the purpose for which it was sought has expired.

The Office of Data Protection Commissioner states that "the consent given by an individual for vetting is specifically linked to the disclosure of their information to a specific registered organisation to allow the organisation to make an assessment decision about allowing that individual to take up a specific role within that organisation."

## Data Protection.

The Data submitted by the applicant and any responses from the Vetting Authorities is subject to Data Protection.

In accordance with the Data Protection Act 1988, the amended Act 2003 and the UK Data Protection Act 1998, the AS on behalf of the IACST will:

- Obtain and process information fairly.
- Keep this information only for one or more specified, explicit, and lawful purposes
- Use and disclose information only in ways compatible with these purposes.
- Keep information safe and secure.
- Keep information accurate, complete, and up to date.
- Ensure that any information is adequate, relevant, and not excessive.
- Retain information for no longer than is necessary for the purpose or purposes.
- Give a copy of his/her personal information, regarding the assessment, to the applicant on request.

## Commitment to Fairness:

All members of the Garda Vetting committee must in all cases behave without malice, and in every event must act fairly. They are entitled to reach a decision based on the information before them but may ask the prospective member for additional information.

## Confidentiality:

The information disclosed by a person wishing to be a member of the IACST must at all times remain confidential and be treated with the utmost respect.

All personal information received verbally or in writing will be treated as confidential.

It is important that the prospective member feels confident that the details pertaining to their convictions or prosecutions will not be disclosed to anyone outside the disclosure committee.

## Additional information.

- The IACST must pay an annual fee of €61.50 to Irish Vetting Services.
- There is an administration charge of €20 in respect of each vetting application, €18.45 of which to be paid to IVS.
- The cost of a postal application is €26, €24.60 to be paid to IVS.
- To reactivate an e-vetting link that was not completed within the 30-day period will cost the applicant €15, €12.30 of which to be paid to IVS.
- In accordance with best practice Garda Vetting should be sought in respect of each member every 7 years.
- Members residing in Northern Ireland can apply for garda vetting in the same way as residents of the Republic of Ireland.
- The Committee is permitted to charge a reasonable fee for administration related to the Garda Vetting Process.

This Garda vetting policy has been drawn up with reference made to current government legislation.

Dated August 2021

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