Dyslexia Ireland

POLICY COVERSHEET

This policy does not form part of the employment contract. Dyslexia Ireland may amend this policy from time to time at its sole discretion. Dyslexia Ireland may also vary the policy, as appropriate in any case.

Name of Policy and Version:	**VETTING POLICY v8.0**
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Dyslexia Ireland is committed to taking all necessary steps to ensure all individuals who access our service are safe and protected from harm as far as is reasonably possible. Our vetting policy is one of many policies that help us to achieve a high standard in child welfare and safeguarding within the organisation. As such, this policy should not be considered in isolation but in the context of the full range of Dyslexia Ireland policies and procedures, including our Health and Safety Statement, Recruitment Policy and procedures, Volunteer Policy, Child Protection Policy and Child Safeguarding Statement.

This vetting policy has been developed with these in mind, as well as best practice within the education and non-profit sector, our legal obligations, and the values that underpin our work.

Since the introduction of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016, there is now a 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 carrying out relevant volunteer work.

At the outset, it is important to note that having a criminal record will not automatically exclude an individual from employment or volunteering with Dyslexia Ireland. Factors that will be considered in such circumstances include:

- the potential risk to service users, volunteers, employees and the reputation of the organisation;
- the paramountcy principle of the protection of children and young people within our service.
- conduct of the person before and after the offence
- the nature of the conviction(s) and sentence(s) imposed;
- disclosure of the offence(s) by the person;
- the length of time since the offence(s) took place;
- the age of the person when the offence(s) was/were committed.

What is Vetting?

Vetting is a criminal background check undertaken by an organisation on prospective new employees, volunteers, students, and others carrying out relevant work. It is carried out with the permission of an applicant to establish what, if any, criminal record, pending or completed, relating to them is held by the Gardaí which may deem them unsuitable to work with children or vulnerable adults.

Vetting will also include a check for any relevant “specified information” - which is information other than criminal convictions held by the Gardaí that leads to a genuine belief that a person poses a threat to children or vulnerable persons.

If specified information is going to be disclosed to Dyslexia Ireland, the National Vetting Bureau (NVB) must, in advance, notify the person of their intention to disclose this.

What is included in a vetting disclosure?

A vetting disclosure will include the following information:

- The criminal record (if any) relating to the person and a statement of specified information (if any) relating to the person which the Chief Bureau Officer has determined in accordance with Section 15 of the Act should be disclosed.
  OR
- State that there is no criminal record or specified (soft) information in relation to the person.

Information of a conviction that falls under the Spent Convictions Act (2016) will not be included in a disclosure. The following convictions will always be disclosed:

- Offences against the person (except minor public order offences)
- Sexual offences
- Convictions on indictment that go to circuit court or higher court.

As the Garda Vetting procedure only applies to those who have had addresses in the Republic of Ireland and Northern Ireland, Dyslexia Ireland reserves the right to seek further assurances from those that have lived abroad. An applicant who has lived overseas for a cumulative period of 3 years or more after the age of 18 must provide a certified copy of police clearance for each country in which they have resided. These clearance certificates must cover the entire period of residence in each country.

Only certified copies of police clearance documentation should be submitted. Applicants should note that uncertified documents and photocopies will not be accepted.

Why we undertake vetting

Vetting is undertaken primarily to ensure that the people who access our services are safe and protected within the organisation. Vetting is one of many steps that we take during the recruitment and selection process to help ensure that only those suitable to work with the young people and vulnerable adults that access our services are given the opportunity to do so. All organisations working with children, young people and vulnerable adults have an obligation under law to undertake vetting.

By law, Dyslexia Ireland cannot rely on vetting disclosures conducted by a previous employer, nor shall it forward on disclosures of past staff or volunteers to their new or prospective employers.

Who is responsible for vetting?
It is the responsibility of the Board of Directors to ensure that the correct policies are in place to facilitate vetting within the organisation. Day to day operational management of vetting and the design of specific vetting processes has been delegated to the CEO who is one of the Designated Liaison Persons in the organisation. The Vetting Liaison Persons are the Services Coordinator and the CEO, who process all vetting applications.

Who should be vetted?
The Vetting Act defines people who should be vetted as: "any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults".

Paid Staff: By virtue of Dyslexia Ireland being an organisation that works primarily with and for children, young people and some vulnerable adults, all relevant staff who have regular and ongoing contact with children, young people or vulnerable adults are required to be vetted, without exception.

Volunteers: All volunteers who have regular and ongoing contact with children, young people or vulnerable adults will be vetted in advance of them taking up their position. Dyslexia Ireland occasionally avails of volunteers, parents, or helpers for once-off events. The Act does not apply to persons who assist on an ad-hoc or occasional basis, with the exception of mandated persons. This would include persons who assist on an occasional basis at fundraising events and community events. Should the responsibility of the volunteer include the coaching, mentoring, counselling, teaching, training or supervision of children, young people or vulnerable persons then they must be vetted, without exception.

Board Members: As Board Members do not have regular and ongoing contact with children, young people or vulnerable adults, they are not permitted to be vetted under the current legislation.

Vetting of Applicants under the age of 18: The National Vetting Bureau permits the vetting of those over the age of 16 years of age. Where an application is being made for a 16/17-year-old, consent of the parent/guardian must also be obtained. All applications for people under 18 years old must be accompanied by a Parent/Guardian Consent form.

Re-vetting and retrospective vetting
In line with the requirement of national vetting legislation, it is the practice of Dyslexia Ireland to re-vet all relevant individuals every three years.

HOW DOES VETTING HAPPEN?

E-Vetting Process: All vetting is done via the eVetting online service run by an Garda Síochana. The eVetting process is explained to vetting subjects prior to them beginning the process by their line manager.

Step 1 – Identification Check: Identification of the vetting subject will be verified by their line manager. Only the documents listed below will be accepted . Two documents must be submitted in all cases, one to support identification and one to support proof of address.

Applicants Aged 18 and older

Category	Document type
	PHOTO IDENTIFICATION
	Passport from country of citizenship
	Irish/EU/UK Driving Licence or Learner Permit
	Irish Certificate of Naturalisation
	National Identity Card (EU/EEA/Swiss Citizens)
	PROOF OF ADDRESS
Credit Institutions	Bank Statement from a recognised bank (not private money lenders or Revolut)
	Building Society Statement
	Credit Union Statement
	Credit Union Passbook
Utility Providers	Utility Bill (the only utility bills accepted are: gas, electricity, television, broadband, waste & TV licence)
Government Bodies	Correspondence from government departments
Local Authorities	Letter from Local Council confirming tenancy

Applicants Under 18

In circumstances where an applicant under the age of 18 **does not have documentation outlined in the accepted documentation table above** the following will be accepted.

IDENTIFICATION
1. Birth Certificate
2. Written statement by a principal or an accredited third level institution confirming attendance and address.

Step 2 – Complete a Vetting Invitation Form: Next the vetting subject shall be required to complete the current Dyslexia Ireland vetting invitation form (NVB1 Form), giving permission for the vetting check on them. This form should be completed in full and the particulars entered must match those provided at step 1. This form should be returned to the Services Coordinator. All Vetting Forms must be completed in full, and signed and dated within 6 months of the date of submission. Incomplete forms will be returned to the applicant. It is important that all Garda Vetting Forms are filled out correctly and that any past convictions of an offence are disclosed in full on the form being submitted to Dyslexia Ireland. Incomplete disclosures will be considered as a false disclosure and viewed very seriously.

The original Vetting Invitation Form and accompanying Identity Verification Form will be stored in a secure location (either in a locked filing cabinet or on our secure server) in line with Dyslexia Ireland's data protection policies.

A functioning email address is required for the e-vetting procedure and should be entered onto the Vetting Invitation Form. The Vetting Liaison Person shall input this data into the online e-vetting system which will generate an email to the vetting subject inviting them to complete their vetting form online.

Step 3 – Online Data Entry: When the applicant receives their email, they must go online and complete their online vetting form. It will be pre-populated with information given in previous steps (i.e. from the NVB1 Form). The vetting subject must complete this new online form with additional details such as place of birth, all previous addresses, passport number and where applicable, any previous criminal record. This information is submitted directly to the NVB where it will be processed.

The information provided by the vetting subject will be reviewed against Garda records. Once completed, the NVB will issue a vetting disclosure to the Vetting Liaison Person for review.

Step 4 – Vetting Disclosure: A vetting disclosure will either be:

- a statement from the NVB that there is no criminal record or specified information in relation to the person (subject to the Spent Convictions Act 2016), or
- a statement from the NVB detailing a criminal record(s) and/or specified information related to the applicant.

If specified information is to be disclosed to Dyslexia Ireland, the NVB's Chief Bureau Officer will have, in advance, notified the vetting subject of the intention to disclose such information. The vetting subject will have had an opportunity to make an appeal against that decision.

Should a disclosure of a criminal record be made, Dyslexia Ireland shall as soon as practicable give the vetting subject an opportunity to verify the information. They may be asked to provide additional details of the incident(s) relating to any offence committed. Any discussion should be noted, particularly where a conviction was not disclosed by the vetting subject in advance.

The vetting subject should be given details of the disclosure made against them and told of their right to dispute the disclosure with the NVB. They should also be informed of the vetting decision-making process.

Disputing a vetting disclosure

Where a vetting subject disputes the details contained in a vetting disclosure from the National Vetting Bureau, they may dispute the disclosure in one of two ways.

In relation to disputes around a criminal record they may refer the issue to the National Vetting Bureau dispute process. This process is activated by the vetting subject and the following procedure should be implemented:

1. The vetting subject should outline the exact basis of their dispute and submit it in writing to Dyslexia Ireland's CEO within 5 working days of them becoming aware of the disclosure.
2. The CEO will submit the report received from the vetting subject, along with the vetting subject's original Garda Vetting Application Form to the National Vetting Bureau for further checks to be conducted.
3. If the vetting subject indicates there were errors or omissions made by them while completing the original application form, they should be requested to complete a new application form; and both the original and the new application forms should then be submitted together with the request for further checks to be conducted by the NVB.
4. If, following the result of further checks, the vetting subject still disputes any detail in the Garda Vetting Disclosure issued in respect of them, arrangements will be made for further validation procedures to be undertaken in order to resolve the matters at issue in the dispute.
5. At the conclusion of the dispute resolution procedure, decisions in respect of the suitability of the vetting subject for a position are solely the responsibility of Dyslexia Ireland.

6. In relation to disputes around specified information a vetting subject should follow the process as outlined in section 18 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 and 2016. Further details on this can be found at the following website: https://vetting.garda.ie/Disputes/Appeal

Vetting decision-making: The vetting process is one of the factors to take into account when an individual is being considered for a role in Dyslexia Ireland. Where there are no disclosures of a criminal record or specified information, Dyslexia Ireland will proceed with the recruitment process as prescribed by our relevant policies.

In all matters relating to a vetting disclosure being received from the National Vetting Bureau, or self-disclosure by an individual, the decision to issue an offer of employment/volunteer position or the continuation of their position, is a matter for Dyslexia Ireland.

Minor charge(s)/prosecution(s) and/or conviction(s): In the case of a previously unknown to Dyslexia Ireland minor charge/prosecution and/or conviction, which within the absolute discretion of Dyslexia Ireland are not considered to pose any risk to children, young people, vulnerable adults or the wider community, they will be discussed with the vetting subject by one or more of the Dyslexia Ireland Safeguarding Sub Committee (comprised of the CEO, the Chair of the Board and at least one other Board member).

Following discussions, if the vetting has been cleared, a written assurance shall be submitted to the line manager that the vetting subject has been subject to vetting and has been deemed appropriate to take up/retain their position.

If the vetting subject has not been cleared, the case will be escalated and considered in accordance with serious charge(s)/prosecution(s) and/or conviction(s).

Serious charge(s)/prosecution(s) and/or conviction(s): In the case of a previously unknown serious charge/prosecution and/or conviction, the nature of which could indicate a potential risk to children, vulnerable adults or the wider community, a Safeguarding Sub-Committee (comprised of the CEO, the Chair of the Board and at least one other Board member) will be convened that will seek to meet with the vetting subject to discuss the circumstances of the charge/prosecution and/or conviction. In consideration of a disclosure, the members of the Committee will be guided by factors that include but are not limited to:

- the potential risk to service users, volunteers, employees and the reputation of the organisation
- the paramountcy principle of the protection of children and young people within our service
- the conduct of the person before and after the offence

- the nature of the conviction(s) and sentence(s) imposed
- disclosure of the offence(s) by the person
- the length of time since the offence(s) took place
- the age of the person when the offence(s) was/were committed

It is important to note that whilst the factors above shall be considered, this list is not exhaustive, and the assessment shall be made taking into account all relevant factors and circumstances pertaining to the particular vetting subject and their current/prospective position.

The Safeguarding Sub-Committee will comprise the CEO, the Chair of the Board and at least one other Board member.

Following review by the Safeguarding Sub-Committee, it will be decided if the vetting subject has cleared the vetting process and if they can continue with their (current/prospective) position. If the Committee is of the view clearance has not been obtained, the case shall be escalated and the disclosure shall require further review to determine whether the employment can commence/continue.

If the vetting subject has been cleared at this point, the Committee will provide written assurance to the line manager that the vetting subject has been subject to vetting and has been deemed appropriate to take up/retain their position.

Appeals Mechanism: In the event that the vetting subject is dissatisfied with the decision of the Safeguarding Sub Committee, they may appeal the decision within 10 days by writing to the CEO, asking to have their case reviewed by the Board of Directors.

Confidentiality and Data Protection: All information in the vetting process will be held in a manner consistent with Dyslexia Ireland's confidentiality and data protection policy. Dyslexia Ireland also complies fully with good practice regarding the secure storage, handling and use of the Vetting Bureau disclosures and personal vetting information as per Data Protection Policy and legal obligations under data protection legislation.