

# GARDA Vetting Policy

Version 1.0 – May 2014



The Garda vetting policy is concerned with **Blarney Brass and Reed Band's** role as a provider of services in relation to the eligibility and recruitment of staff and volunteers working with children or / and vulnerable adults.



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## Revision History

<b>Date of this revision: May 2014</b>	<b>Date of next review: May 2016</b>
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Version Number/Revision Number	Revision Date	Summary of Changes
1.0	20/05/2014	Original Document Approved by BBRB Committee

This policy shall be reviewed and updated every two years or as required.

1. Responsibility for approval of policy	Blarney Brass and Reed Band Committee
2. Responsibility for implementation	Blarney Brass and Reed Band Committee
3. Responsibility for ensuring review	Blarney Brass and Reed Band Committee

## 1. Policy Statement

The Garda vetting policy is concerned with **Blarney Brass and Reed Band's** role as a provider of services in relation to the eligibility and recruitment of staff and volunteers working with children or / and vulnerable adults.

## 2. Purpose

- 2.1. To ensure best practices in recruitment and selection procedures whereby eligibility to work/volunteer is contingent upon the successful completion of appropriate Garda vetting checks through the Garda Central Vetting Unit.
- 2.2. To identify conditions whereby individuals may be deemed inappropriate for employment/volunteering at **Blarney Brass and Reed Band**.

## 3. Scope

This policy applies to **Blarney Brass and Reed Band** employees and volunteers who will have unsupervised access to children or vulnerable adults.

## 4. Glossary of Terms and Definitions

- 4.1. Garda Central Vetting Unit (GCVU) - provides a volunteer vetting service for most large community and voluntary organisations.
- 4.2. Authorised signatory - the liaison person between the requesting organisation and the GCVU.

## 5. Principles

- 5.1. Responsibility for organising Garda vetting lies with the organisation.
- 5.2. An individual cannot work/volunteer with children unless they have been Garda vetted. Individuals can in certain circumstances work/volunteer with vulnerable adults whilst the Garda vetting process is ongoing. However such individuals must be supervised.
- 5.3. Having a criminal record should not automatically exclude someone from employment/volunteering unless they related to the offences outline in 8.1. Employment decisions should take into account the individuals potential for change and reflect balanced judgement. A objective assessment should be held which considers and recognises:
  - 5.3.1. The individuals abilities, skills , experiences and qualifications;
  - 5.3.2. The nature of the conviction and its relevance to the job;
  - 5.3.3. The length of time since the offence took place;
  - 5.3.4. the risk to the service users, employees and organisation;
  - 5.3.5. training which may have occurred while the individual was in prison<sup>1</sup>

## 6. Process

- 6.1. All applications shall be processed by an 'authorised signatory' who is trained by the Garda Vetting Unit in the management of Vetting applications and disclosures. **Blarney Brass and Reed Band** has access to an 'authorised signatory' through the following consortium: **Cork Volunteer Centre**. When the results come back from the GCVU, s/he provides confirmation to the employer.
- 6.2. There must be one named person within the organisation to whom the consortium will pass on relevant material. This person will be named as the 'Garda Vetting Officer' (GVO). This individual must comply with the policies of the vetting consortium relative to information and support.
- 6.3. It is the responsibility of the GVO to make sure staff/volunteers completes the relevant Garda vetting forms, and that forms are sent to the authorised signatory. Garda vetting forms should:
  - 6.3.1. Be completed in full otherwise the process will be delayed;
  - 6.3.2. Be accompanied by a 'batch header' which should accompany forms sent.

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<sup>1</sup> Chartered Institute of Personnel and Development (2001) *Employing People with Criminal Records*, London, CIPD

- 6.4. The standard Garda vetting form only covers addresses in the Republic of Ireland and Northern Ireland. Individuals who resided overseas for a period of 6 months or more may be required to provide proof of non convictions from their country of prior residence. In the event that the individual is unable to provide a certificate from the country in which they were resident, it must be shown that all efforts have been made to receive this. Such situations may include individuals who have travelled on J1 working holiday visas, or individuals who are from countries where police clearance certificates may be difficult to obtain.
- 6.5. If the individual being vetted is over the age of 16 and under the age of 18, they are required to have a completed parent/guardian consent form.
- 6.6. The certification process and vetting results are not portable for the individual. Each new employer must apply separately, even if engaging an individual already vetted elsewhere.
- 6.7. Vetting is also time sensitive; it is only valid at the time it is done. **Blarney Brass and Reed Band** reserved the right to initiate Garda rechecking depending on the circumstances.

## 7. Confidentiality

- 7.1. All information in the vetting process will be held in a manner consistent with the organisations confidentiality policy.
- 7.2. The consortium with the authorised signatory is responsible for the security and safeguarding of any records that are kept, under the strict provisions of Data Protection laws. Records are generally kept for no longer than 3 months once the employer is satisfied with the veracity of the results.

## 8. Circumstances for the Withdrawal of the offer to Work/Volunteer.

- 8.1. **Blarney Brass and Reed Band** considers the following as reasonable grounds to refuse an individual access to employment within the organisation:
  - 8.1.1. The individual has been charged with, or convicted of a sexual offence;
  - 8.1.2. 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;
  - 8.1.3. The individual has been charged with, or has a conviction for, the ownership, production or distribution of child pornography.
- 8.2. **Blarney Brass and Reed Band** considers the following list of offences to be relevant, and each case will be considered in a case by case basis:
  - 8.2.1. Offences against the person, e.g. assault, harassment, coercion;
  - 8.2.2. Breaches in trust, e.g. fraud, theft, larceny;
  - 8.2.3. Offences against property e.g. arson, armed robbery;
  - 8.2.4. Domestic Violence;
  - 8.2.5. Offences against the state.
- 8.3. **Blarney Brass and Reed Band** is conscious of not initiating policies that prohibit needlessly against rehabilitated individuals. Such cases will be objectively determined on a case by case basis in accordance with the criteria outlines in 5.3.
- 8.4. Risk assessments should also be specific to the particular roles, for example risk concerning fraud is more likely to pose a risk for someone with financial responsibility. The level of risk relative to the position should be determined by management.

## 9. Appeal Process

- 9.1. While the focus is on protecting children and vulnerable adults, there are also safeguards and due processes for those being vetted, including the right to appeal.
- 9.2. Appeals should be made in writing to the authorised signatory within 14 days of issue of the decision.