

**1. Vetting Policy for** Scoil Mhuire, Ennistymon, Co. Clare

**2. Rationale:**

In the context of the school's Mission Statement and of its commitment to the care and protection of its students and of all who work in the school, the Board of Management has adopted the policy set out hereunder to govern its application of garda vetting as part of its recruitment practice.

The policy has been framed in compliance with:

DBS circular letter 0094/2006

The Child Protection Guidelines for Post Primary Schools (DES 2004)

The Data Protection Acts 1988 and 2003

Employment Equality Acts 1998 and 2004

Equal Status Act 2000

Industrial Relations Act 1990

The Garda Central Vetting Unit's Code of Practice

**3. Goals:**

To ensure that the school is a safe and secure environment.

To ensure that vetting of school personnel is carried out:

to the highest standards of good practice;

in compliance with all legal and ethical obligations;

in an open, transparent and just manner;

with an assurance to applicants for vetting that the highest standards of confidentiality are observed.

**4. The policy:**

In phase one, all new staff being recruited from 1st September 2006 or later who have not been employed in a recognised primary, or post-primary school, in a Youthreach, VTOS, Junior Education or Traveller Training Centre in this state at any time since 1st September 2003 must be vetted now (circular 0094/2006). AU new staff means all personnel working in a full-time, part-time, voluntary or student capacity who will have unsupervised access to children and vulnerable adults (para 2.3 of 0094/2006).

The extension of vetting to other school personnel will be notified to school management in due course.

At the completion of the selection process, when the preferred candidate has been selected, the candidate must complete a Garda Vetting Application Form.

All offers of employment will be in writing and will be "subject to satisfactory vetting".

Failure to complete the Garda Vetting Application Form will disqualify the candidate and no offer of employment will be made to him or her.

The provision of inaccurate information on the Garda Vetting Application Form, such as an inaccurate date of birth or address, may disqualify.

Failure to disclose a conviction will disqualify.

(Note that in this jurisdiction there is no such thing as a "spent" conviction)

The attached schedule sets out those offences or categories of offences which will disqualify candidates. It also sets out other offences or categories of offences which may disqualify. In deciding whether a particular conviction renders a candidate unsuitable for appointment, the school will have regard to:

- the nature of the offence and its possible relevance to the post;
- the age of the offence (offences many years in the past may be less relevant than more recent offences);
- the frequency of the offence (a series of offences will give more cause for concern than an isolated minor 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 judged in the light of the age of the applicant at the time of the offence.
- Where the vetting process discloses pending prosecutions or unsuccessful prosecutions, such prosecutions will be assessed in the light of the nature, age and frequency of the alleged offence(s) and of the age of Ac candidate at the time of the alleged offences.

#### **5. Roles and Responsibilities:**

The Principal will be designated as the Line Manager and will be responsible for the implementation of this policy

The Principal/Line Manager will conduct the process on behalf of the school in conjunction with the Joint Managerial Body (.1MB) and, through the JMB, with the Garda Central Vetting Unit (GCVU).

The Principal should meet the applicant in person and in privacy. The applicant will be informed of the nature of the disclosure and will be given an opportunity to respond to it. The Principal may wish to be accompanied to this meeting by the Chairperson of the Board or the Manager. In such an instance the applicant should be informed that the Chairperson or Manager will be present and the applicant should also be afforded the option of being accompanied to the meeting.

The Principal/Line Manager should be authorised to determine if the outcome of the vetting of a candidate has been satisfactory or not, the determination being made in accordance with the school's policy on vetting. Should the Principal/ Line Manager deem it necessary, he/she may consult the Chairperson of the Board of Management /Manager before reaching a decision.

The only circumstance in which a disclosure of convictions or prosecutions would be made known to the Board of Management would be where the applicant consents that they be consulted.

Where the applicant applies to the school for a copy of the garda vetting disclosure document, a copy will be given to him/her.

The Eight Rules of Data Protection will be strictly observed by the school.

#### **6. Implementation:**

This policy will be effective from the date of adoption by the Board of Management. The school's Vetting Policy will be made available to candidates for employment, paid or unpaid. It will be included on the school's Job Application Form(s), such that the candidate's signature

on that form confirms that he/she is 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 post in the school. The form should authorise the Principal/Line Manager to receive disclosure of the outcome of garda vetting and to have regard to it in determining if the candidate may be appointed to the post

### 7. Policy Review:

This policy will be reviewed as necessary and particularly to comply with any relevant legislative changes.

Policy adopted by the Board of Management

Signed: \_\_\_\_\_

Chairperson, Board of Management/Manager

Date:

Category/Type of Offence	Automatic disqualification from employment	May or may not disqualify	May be acceptable
<b>Homicide</b>	Murder	Manslaughter	
<b>Sexual offences</b>	Rape Rape under section 4 Unlawful carnal knowledge Sexual assault Sexual offences (other)		
<b>Assault</b>	False imprisonment Abduction Assault causing harm Non-fatal offences against the person including threats to kill, syringe attacks, endangering traffic	Assault (minor) Assault (other)	
<b>Theft/Burglary/Robbery</b>	Aggravated burglary	Theft from person Theft (other) Burglary Robbery of establishment/cash/goods Robbery from person	
<b>Criminal Damage</b>	Arson	Criminal damage	
<b>Drugs</b>	Possession of drugs for sale or supply	Simple possession	

<b>Firearms</b>	Possession of firearms Discharge of firearm Possession of offensive weapon		
<b>Traffic</b>		Intoxicated driving a vehicle Intoxicated in charge of a vehicle Unauthorised taking of a vehicle Dangerous driving causing death Hit and run ( leaving the scene of an accident)	Careless driving General road traffic offences
<b>Public Order Offences</b>		Drunkenness offences	
<b>Fraud offences</b>		Fraud offences	
<b>Explosives Offences</b>	Explosives offences		
<b>Money laundering</b>	Money laundering		
<b>Trafficking of illegal immigrants</b>	Trafficking of illegal immigrants		
<b>Terrorist Offences</b>	Terrorist offences		

#### Appendix 5: References/referees

To make the best use of referees, it is recommended that each referee nominated by the applicant be asked to complete a questionnaire. Roberts (2000) recommends that those questions are best which are specific and which elicit specific answers. These may include:

- The period of employment with specific job title(s)
- The nature of duties performed
- Work performance, usually providing a simple scale from poor to acceptable to good to very good to excellent
- Time lost through sickness or other absence
- Reason for leaving (if already left)
- A question on whether the employer would re-employ
- A catch-all question seeking any other relevant information and/or reasons why he or she
- should not be employed

It is strongly recommended that, rather than seek to use a single form for all types of post, a variety of forms be designed which relate to the skills and experience necessary for each type of post. At the very least it would seem desirable to have a form for teaching posts, for other classroom personnel such as SNAs, for secretarial/ clerical/ library posts and for caretaking/ cleaning etc.