

Hibernia College Quality Framework

Procedure for Garda Vetting



HIBERNIA
COLLEGE

1 Introduction

The following procedure sets out the steps for Garda Vetting which is a requirement for all programmes where students and faculty will have access to children or other vulnerable groups as a part of their programmes of study.

The parent Policy is the Policy for Admissions with particular reference to section 3.4 in relation to Garda Vetting.

2 Responsibilities

a. Applicant Responsibilities

It is the applicant's responsibility to:

- i. Complete the Garda Vetting process as advised by the Admissions Office within the required timeframe.
- ii. Consider any circumstances that may impact their Garda Vetting application and their progression on the programme as a consequence of same.

b. Student Responsibilities

It is the student's responsibility to:

- i. Comply with all rules and regulations related to Garda Vetting as outlined in this procedure.
- ii. Inform the College of any conviction or case pending at the earliest possible opportunity at any stage that it occurs throughout the programme.
- iii. Accept any financial loss that arises if their progression on the programme is impacted by findings of a Garda Vetting process.

c. Staff Responsibilities

- i. The Garda vetting process is coordinated internally by the Admissions Office at Hibernia College in conjunction with Irish Vetting Services (IVS) and approved by the National Vetting Bureau (NVB).
- ii. Applicants and students must receive clear communication.

d. The College Garda Vetting Committee

- i. The Admissions Manager or nominee is responsible for coordinating the activity of the Garda Vetting Committee.
- ii. The Garda Vetting Committee is responsible for conducting its activity in line with this procedure.

3 Procedure

3.1 Procedure for Applying for Garda Vetting

a. Garda Vetting Application

- i. The Admissions Office will provide the applicant with:
 - The Garda vetting invitation form (provided by the NVB for that purpose) and
 - Guidance on how to complete it as well as information on the vetting process, the Procedure for Garda Vetting and the Policy for Admission.

This will be included with the correspondence setting out the offer of a place (subject to compliance with the terms and conditions) on the programme.

- ii. The applicant must return the completed form by the date stated in the offer letter.
- iii. Failure to return the completed Garda vetting form at this stage will result in a final reminder being issued and a revised deadline specified.
- iv. Failure to return the completed Garda vetting form by the revised deadline will result in the offer of a place being rescinded.

b. Internal Screening (NVB1)

- i. The Admissions Office screens all Garda vetting invitation forms to confirm full and proper completion. This is referred to as NVB1. (Please see section on *Accuracy of Garda Vetting Disclosure*)
- ii. Where internal screening identifies inaccurate or incomplete Garda vetting forms, the Admissions Office will return the form to the applicant with details of what is still required and a revised deadline for return of the completed form will be provided.
- iii. Failure to return the completed form by the revised deadline or failure to address the inaccuracies or incomplete parts of the form by the revised deadline will result in the offer of a place being rescinded within the cooling-off-period.

c. External Screening (NVB2)

- i. The College appoints Irish Vetting Services (IVS) to liaise on its behalf with the NVB.
- ii. All correctly completed forms will be forwarded to IVS for part two of the vetting process to commence. This is referred to as NVB2.
- iii. IVS initiate NVB2 and students complete this part online.
- iv. When a prospective student is vetted by the National Vetting Bureau, their criminal record (if any) is disclosed to IVS as the College's authorised liaison person.
- v. Where applicants have not completed NVB2 and IVS' efforts to contact them have been unsuccessful, IVS will refer these cases back to the College.
- vi. The College Admissions office will issue a final notification to the applicant informing them that their offer of place will be rescinded if they do not complete their NVB2.
- vii. Failure to complete NVB2 within one week of notification by the College will result in the offer of place being rescinded automatically.

d. Vetting Outcome and evaluation

- i. Once the NVB return the information, the Admissions Manager will review and evaluate the information.
- ii. The Admissions Manager will then classify the disclosure under the following headings and take the appropriate action:

- **NIL Outcome:** According to National Vetting Bureau records, there are no previous convictions recorded against the applicant. This is signified by 'Nil' appearing on the disclosure.
 - **Cases Pending:** The attached prosecutions are pending/ further investigations are ongoing or cases are yet to be assigned
 - **Convictions (Minor Offences)**
 - **Convictions (Serious Offences)**
- iii. Where a disclosure returns anything other than a NIL outcome, the IVS liaison person will return this information to the College as a matter of priority.
 - iv. Students who have satisfactorily completed Garda Vetting (and any other requirements of the registration process) will be deemed to have completed registration.

3.2 College Decisions and Actions on Outcomes arising from Garda Vetting

a. *NIL Outcome:*

- i. Where there are no previous convictions recorded by the National Vetting Bureau, the Garda Vetting process is complete and the student is identified as cleared.
- ii. The student will be issued with a copy of their disclosure and an accompanying letter for the purpose of work placements to confirm the student's suitability to participate on the programme and to confirm for any work placement provider that the vetting process is complete.

b. *Cases Pending:*

- i. Where there are cases pending or cases yet to be assigned, as featured on the disclosure, the student's place on the programme will be suspended until such a time as all outstanding cases have been concluded, in full.
- ii. In cases where the cooling-off period has not concluded, the student can opt out of the programme and obtain a refund of feeds paid, less the specified administration fee. Alternatively, if they do not seek to obtain a refund, their place will be postponed to a future intake. In cases where the cooling-off period has concluded, the student's registration will be suspended until such a time as all outstanding cases have been concluded, in full.
- iii. Once the case has concluded, the student will need to initiate another Garda Vetting application through the College so that the College can review the disclosure and any outcomes pertaining to these cases or any cases which may arise in the interim.
- iv. Any convictions which are disclosed will be dealt with in accordance with the terms of this procedure.

c. *Convictions (Minor Offences)*

- i. The Admissions Manager may classify a conviction(s) as minor if it is not considered to have involved a serious breach of trust or does not by its nature give rise to specific concerns in relation to contact with children, young people or other vulnerable groups, for example, very minor motoring offences (e.g. minimal penalty points, failure to display a tax disc), very minor public offences and other minor offences will not be included.
- ii. In cases of multiple minor convictions, or where there is evidence of repeat offending or recidivism, the Admissions Manager reserves the right to refer the case(s) to the Garda Vetting Committee (See Section 3.3 in relation to the Garda Vetting Committee).

d. Convictions (Serious Offences)

- i. The Admissions Manager may classify a conviction as serious if the conviction(s) are considered to have involved a serious breach of trust or by their nature give rise to specific concerns in relation to contact with children, young people or other vulnerable groups.
- ii. The Admissions Manager will refer any offences classified as serious to the Garda Vetting Committee for a decision on whether or not the student should be permitted to continue on the programme in light of the disclosures.

a. Implications for Professional Placements

- i. Students who have completed the Garda vetting process and have been deemed suitable for a place on the programme concerned will be provided with a copy of their vetting disclosure and a letter outlining this, which can be given to placement providers as confirmation.
- ii. Placement providers will also be asked to sign a Joint Sharing of Vetting Agreement. By signing this Hibernia College will share the Garda Vetting with the placement provider and do not need to carry out the Garda Vetting independently.
- iii. Where a placement provider does not wish to sign this document, they must carry out Garda Vetting of their own.

b. Failure of NVB to Return Completed Garda Vetting

- i. The timeframe within the NVB returns completed Garda Vetting forms is outside of the control of the College.
- ii. In the event of the NVB failing to return a completed Garda vetting for a student before commencement of the placement practice element of their programme, the student will not be authorised to undertake a professional placement including observation.
- iii. In the event of a professional practice placement being delayed, this can have implications for the student's wider programme of study.
- iv. As far as is practicable, the College will attempt to retain the student with their existing intake but in some cases the College will be required to transfer them to a future intake and, thus, extend the end date of their programme where other arrangements cannot be facilitated.

3.3 Ongoing Implications of Garda Vetting

a. Further Garda Vetting Processes

- i. Students should be aware, that given the duration of degree programmes, the College reserves the right, at its discretion, to require certain groups of students to undergo a further Garda Vetting process during the course of their degree programme.
- ii. In the event of any change in the student's status regarding criminal convictions or Garda Vetting, the student is required to immediately communicate the details of the change to the College Registrar and Head of School.

b. Failure to comply

- i. Failure to comply with this requirement will be considered a very serious matter and may result in the student's withdrawal from the programme.

3.4 Accuracy of Garda Vetting Disclosure

a. Disputing Accuracy

- i. Where the details within the vetting disclosure are disputed, the student will outline in writing, the exact basis for their dispute, to the Admissions Manager, who will ensure the report is sent to the NVB, for further checks.
- ii. In the event of a student disputing the details within the vetting disclosure provided by the NVB, the student's place remains conditional until the NVB advises on the accuracy of the vetting disclosure.
- iii. Where the NVB confirms the accuracy of the vetting disclosure the student will be advised and no further engagement on this outcome will be undertaken.
- iv. Where the NVB confirms inaccuracies in the vetting disclosure, the appropriate action will be taken based on the revised findings.

3.5 The Garda Vetting Committee

a. Student Notification

- i. The student is advised of the vetting outcome and advised that the disclosure will be referred to the Garda Vetting Committee.
- ii. The student is provided with a copy, and asked to confirm the accuracy, of the disclosure.

b. Student Attendance at Meetings of the Garda Vetting Committee

- i. The Garda Vetting Committee will assess the information and call the student to a meeting where it believes the student's attendance will assist the decision-making process.
- ii. Any student invited to attend a meeting of the Garda Vetting Committee does so to assist the decision-making process. If an invited student chooses not to attend, the meeting will proceed in absentia.
- iii. Any student who is not invited to attend a meeting will be invited to make a written submission to the Garda Vetting Committee.
- iv. At the meeting, the Student will be asked to discuss the circumstances of the offence/conviction.
- v. Garda Vetting Committee Meetings are not intended to be adversarial.
- vi. A student may opt to be accompanied by a friend or family member in a supportive capacity. However, where this person is a member of the legal profession, they cannot act in that capacity. Any person accompanying a student in a supportive capacity is in attendance as an observer.

c. Decision of the Garda Vetting Committee

- i. The Garda Vetting Committee is responsible for considering cases where criminal convictions are returned on the Garda Vetting disclosure and making a decision on the suitability of the applicant for the programme.
- ii. A decision in relation to the student's place on a programme will then be made by the Garda Vetting Committee, based on the information provided. The Garda Vetting Committee may consider a number of factors in making its decision including, but not limited to, the following:
 - The nature and seriousness of the offence and likelihood for the incident reoccurring;
 - The outcome, including any sentence or sanction imposed and the severity of this;
 - In the case of more than one offence, whether there is a pattern of recidivism or repeat offending;
 - The age and circumstances of the applicant at the time of the offence and the time elapsed since it occurred;

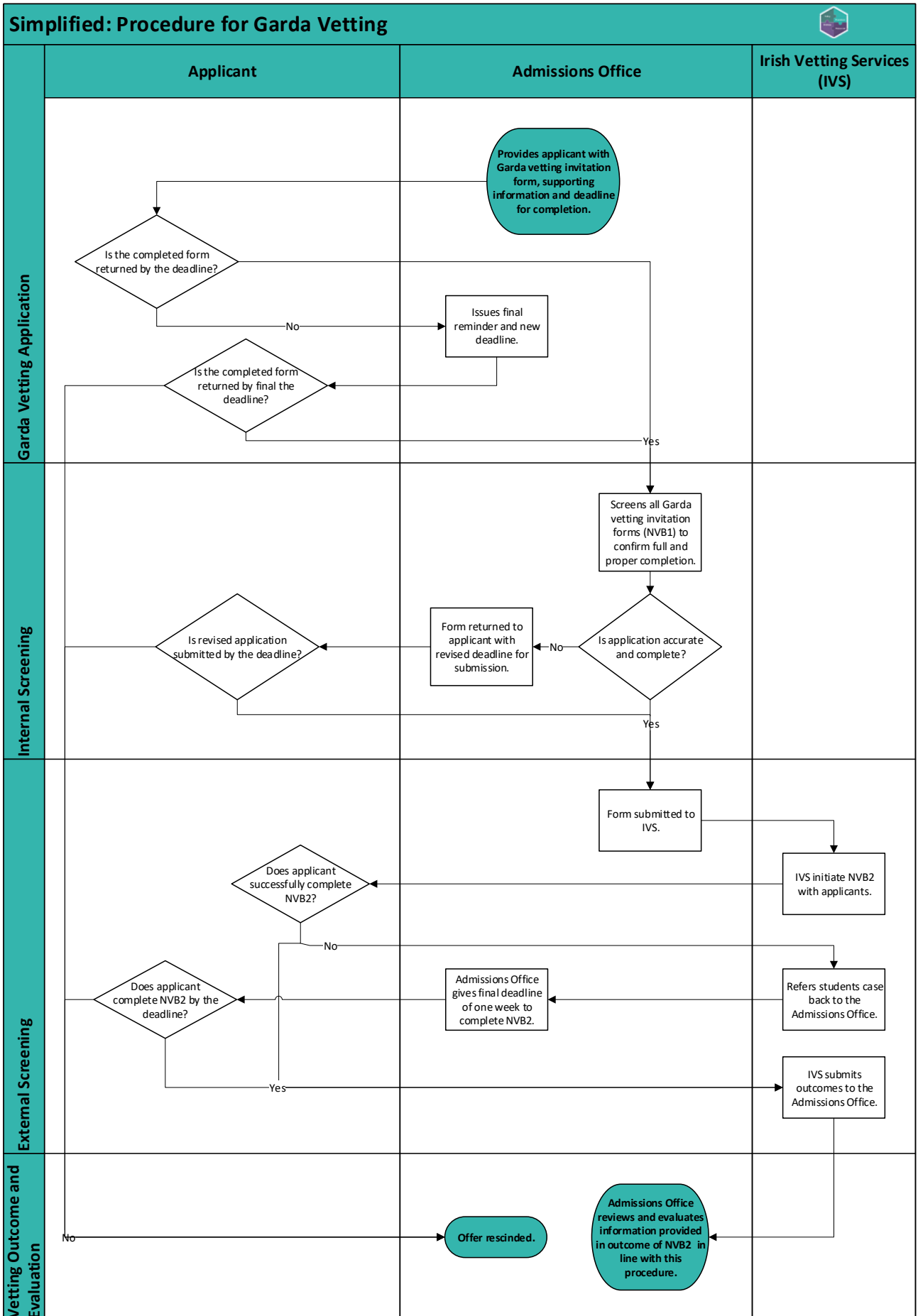
- The manner in which the applicant dealt with the proceedings. Where the applicant pleaded guilty or made admissions this may be taken into account;
 - Whether there was a serious breach of trust;
 - Whether the offence concerned by its nature gives rise to specific concerns in relation to the applicant's role in relation to contact with young people, children or vulnerable persons generally;
 - The extent to which the applicant has rehabilitated themselves, the level of insight and reflection shown and the manner in which they responded and communicated with the committee.
 - Whether the incident(s) were disclosed to the College by the applicant or student
 - Whether public confidence in the profession or the College is likely to be seriously damaged.
- iii. The Garda Vetting Committee will take particular note of offences or disciplinary issues of a sexual, violent, dishonest or drug related nature.
- iv. Furthermore, the Garda Vetting Committee may decide to withdraw the student from the programme with immediate effect unless it is satisfied that there is evidence that the student has changed their behaviour and evidence that they are trustworthy and do not pose a risk to the public.

d. Record of Meetings of the Garda Vetting Committee and Communication of Outcomes

- i. Where a meeting has taken place:
- The Garda Vetting Committee will complete a confidential report, documenting the information discussed at the meeting, any matters arising and the outcome of the meeting.
 - The Admissions Manager or nominee, on behalf of the chair of the Garda Vetting Committee, will notify the student in writing of the decision and the rationale for it.
 - Any decision made, including a decision to withdraw the student from the programme, in light of Garda Vetting disclosures will be notified to the student in writing.
- ii. Where applicable, the Admissions Manager or nominee will issue a letter to the student outlining that whilst their registration is confirmed, should any issues arise for work placements or subsequent employment that this is the sole responsibility of the student.

e. Right of Appeal

- i. The student may, within 5 working days of communication of the decision, appeal the decision in accordance with the Policy for Appeals.
- ii. The student will not be permitted to continue on the programme pending the outcome of the Appeal.



4 Document Control

Document Title	Procedure for Garda Vetting	
Author	Admissions Manager, QA Officer, Registrar	
Version Control	Version	Adoption Date
	V.1 (current)	29/08/2019
Expected Review Date	July 2020	
Related Policies	Policy for Admission Policy for Access, Transfer and Progression Policy for Public Information, Promotion and Recruitment of Students	
Related Procedures	Procedure for Application Procedure for Admission Interviews Procedure for Offers	
Related Resources		