



Student Garda Vetting

UCD Policy

Note

It is anticipated that the policy will require further minor amendments when the National Vetting Bureau Act 2012, is commenced. This Act will provide a legislative basis for mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable persons.

This policy would be implemented on approval and cover students :

- vetted for Sept 2015 entry and
- currently registered students vetted after Sept 2015

Academic Council: 07 May 15

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1. Background

University College Dublin (UCD) offers a number of programmes, particularly in the areas of Health and Social Sciences that require students to undertake clinical placements, professional placements or other activities, which will bring them into contact with children or vulnerable adults and situations of risk in the wider community. To promote the protection of the public and encourage public trust and confidence, UCD is committed to ensuring that these students are vetted and only suitable candidates are allowed to continue in their programme of study.

2. Scope

Students (or applicants in receipt of an offer) of programmes listed at www.ucd.ie/registry/admissions/vetting.html are required to undergo the vetting process.

Students intending to be engaged in activities involving UCD, (e.g. UCD Volunteers Overseas), where they may have unsupervised access to children and/or vulnerable adults will also be required to be vetted.

Students on certain programmes listed at www.ucd.ie/registry/admissions/vetting.html may not be vetted by UCD but by a partner organisation (e.g. hospitals) involved in their programme. In such cases, vetting will be carried out in accordance with the Garda Vetting policy of the partner organisation, in consultation with UCD.

3. General Principles

UCD uses information and disclosures provided by the Garda Central Vetting Unit to assess the suitability of applicants and students in working with children, vulnerable adults and the wider community.

In the event where applicants or students do not meet the vetting requirements of the University, registration on such programmes may be subject to final cancellation or cancellation for a period of time (where continuance of registration is conditional on meeting specified criteria). If information relating to a charge/prosecution and/or conviction is not given or is given in an incomplete form, the University reserves the right at any stage (including after an offer of a place has been made, or after registration) to reject the application or, where applicable, withdraw the offer or cancel the registration.

Each applicant/student must disclose to UCD all information required for the process of vetting including the completion of the vetting application.

If an applicant/student has resided outside Ireland¹ for a period of 6 months or more (after reaching the age of 15), he/she is normally required to furnish a Police Certificate from the country or countries of residence. Further details of Police Certificate requirements and process are outlined at www.ucd.ie/registry/admissions/vetting.html. In certain instances, a student affidavit may be requested by the University.

¹ Outside the 32 counties



4. Vetted Students with Charge(s)/Prosecution(s) and/or Conviction(s)

Having a charge/prosecution and/or conviction will not necessarily prevent an applicant from gaining admission to the relevant programme. However, the University will take any relevant charges/prosecutions or convictions of a prospective applicant or registered student into account when considering her/his application and reserves the right to refuse admission or cancel registration of a person admitted where his/her previous charge(s)/prosecution(s) or conviction(s) make it inappropriate for him/her to be a student of the relevant programme.

In reaching a decision regarding the admission or continuance of a student, the University will balance the interests of the student (and its ability to provide any appropriate support arrangements) with its responsibilities to provide a safe and secure environment for the public and its staff, students, visitors and others. In addition, the University will take into account the demands and requirements of relevant professional bodies and requirements under the law to protect special categories of people, for example children and vulnerable adults.

5. Students acquiring a charge/prosecution and/or conviction during their Course of Study

Students on any of the Programmes listed at www.ucd.ie/registry/admissions/vetting.html who acquire a charge/prosecution and/or conviction during their course of study are required to notify the UCD Authorised Signatory and will be subject to the provisions of this Policy. Non-disclosure may result in a cancellation of registration.

6. Vetting Process

The following sections outline the different stages of the vetting process and matters arising from it. UCD reserves the right to adapt this process from time to time, in general or in particular cases, having regard to the particular circumstances of a case or cases.

The vetting process is administered by UCD Registry – Admissions and the UCD Authorised Signatory is the UCD liaison between UCD and the Garda Central Vetting Unit.

The UCD Garda Vetting Review Committee will evaluate information received by the Garda Central Vetting Unit and assess each application as outlined in Section 6.4 and 6.5.

The UCD Garda Vetting Review Committee for each programme will comprise of the:

- UCD Authorised Signatory for Student Vetting
- And
- 1 or more of the following members:
 - Programme Director
 - Clinical or Placement Coordinator
 - Head of School (or nominee)
 - Programme Dean (or nominee)
 - College Principal (or nominee)



6.1 Stage 1 – Completion of Vetting Application

Applicants subject to vetting are required to complete the application process as detailed in www.ucd.ie/registry/admissions/vetting.html and provide all information necessary for full disclosure.

Where a prospective applicant or student fails to provide the required documentation, within a designated period of a final reminder, he/she is liable to have his/her registration cancelled.

An applicant who is under 18 years of age at the point of entering the University must complete and submit an additional Garda Vetting Parent/Guardian Consent Form.

6.2 Stage 2 – Validation by UCD Authorised Signatory

Once the UCD Authorised Signatory is satisfied that the application is duly completed, the application is forwarded to the Garda Central Vetting Unit individually or amongst a batch lot.

6.3 Stage 3 – Confirmation by Garda Central Vetting Unit

Following review of the subject's vetting application; the Garda Central Vetting Unit reverts in accordance with its own procedures. The current procedure is that it indicates one of the following responses, though this may be subject to change:

- No Convictions
- Non Convictions²
- Convictions
- Prosecutions are pending

If, for some reason, the Garda Central Vetting Unit discloses any other information which it feels necessary to disclose, the University will take such information into account in the vetting process.

6.4 Stage 4 – Evaluation of information

Once the information has been confirmed it is then reviewed by at least two of the UCD Garda Vetting Review Committee and classified as:

- No previous charges/ prosecutions or convictions³;
- Minor charges/prosecutions and/or convictions
- Serious charges/prosecutions or convictions

If during the vetting process, an applicant does not agree that the information supplied by the Garda Central Vetting Unit is correct and wishes to have it verified; the UCD Authorised Signatory with the applicant's consent can request the Garda Central Vetting Unit to review its information and confirm or amend its initial response.

Thereafter, the University will deal with the information as outlined in [section 6.5](#).

² Offences in respect of which a person is charged but subsequently not prosecuted or acquitted, where the circumstances give rise to a bona fide concern

³ UCD Authorised Signatory will classify on behalf of the decision making committee



6.5 Stage 5 - University response to Garda Vetting Disclosure

6.5.1. No previous charge(s)/prosecution(s) and/or convictions recorded

The UCD Authorised Signatory will provide written assurance to the relevant School that the student has been subject to vetting and deemed appropriate to undertake placement and have his/her registration continued.

6.5.2. Minor charge(s)/prosecution(s) and/or conviction(s)

In the cases of a minor charge/prosecution and/or conviction, which within the absolute discretion of the University are not considered to pose any risk to children, vulnerable adults or the wider community, they will be discussed with the student by one or more of the UCD Garda Vetting Review Committee. Following discussions, if the student's vetting has been cleared, the UCD Authorised Signatory will provide written assurance to the School that the student has been subject to vetting and has been deemed appropriate to have his/her registration continued and undertake placement where applicable. If the student has not been cleared, the case will be escalated and considered in accordance with [section 6.5.3](#) (Serious charge(s)/prosecution(s) and/or conviction(s))

6.5.3. Serious charge(s)/prosecution(s) and/or conviction(s)

In the case of a serious charge/prosecution and/or conviction, the nature of which could indicate a potential risk to children, vulnerable adults or the wider community, at least 2 members of the UCD Garda Vetting Review Committee, which will include the UCD Authorised Signatory, will seek to meet⁴ with the student to discuss the circumstances of the charge/prosecution and/or conviction. In consideration of a disclosure, the Garda Vetting Review Committee will be guided by factors that include but not limited to:

- The self-disclosure or non-disclosure of any such charge/prosecution and/or conviction by the student
- The nature and seriousness of any charge/prosecution and/or conviction which may be recorded in respect of the student
- The nature of any court result which may be recorded in respect of the student, taking account of any current suspended sentence;
- The age of the student at the time any such charge/prosecution and/or conviction was committed;
- The length of time elapsed since any such charge/prosecution and/or conviction was committed by the student;
- The conduct of the student in the time elapsed since the date of the charge/prosecution and/or conviction;
- Mitigating factors, if any, in favour of the student;
- Rehabilitative efforts undertaken by the student in the time elapsed since any such charge/prosecution and/or conviction was committed;
- Frequency of re-offense, if any, in the time elapsed since any such serious offence was committed
- Insurance, Health and Safety stipulations
- Any other information recorded relating to the commission of or involvement in the commission of a charge/prosecution and/or conviction,

⁴ unless there is a genuine concern for staff safety



which would give rise or would be likely to give rise to a bona-fide concern that the individual poses a risk to the safety of children, vulnerable adults or the wider community.

It is important to note that whilst the factors above shall be considered, the list is not exhaustive and the assessment shall be made taking into account all relevant factors and circumstances pertaining to the particular student and his/her programme.

Following review by the UCD Garda Vetting Review Committee, it will be decided if the student has cleared the vetting process and if s/he can continue with registration. If the Committee is of the view clearance has not been obtained, the case shall be escalated and the disclosure shall require further review in accordance with [section 6.5.4](#) (Further review of serious charge(s)/prosecution(s) and/or conviction(s)).

If the student has been cleared at this point, the UCD Authorised Signatory will provide written assurance to the School that the student has been subject to vetting and has been deemed appropriate to have his/her registration continued and undertake placement where applicable.

6.5.4. Further review of serious charge(s)/prosecution(s) and/or conviction(s)

If a further review is required, the assessment criteria outlined in [section 6.5.3](#), plus any other relevant factors or circumstances will be considered by at least 3 members of the UCD Garda Vetting Review Committee (including Head of School or nominee) and a further meeting with the student may be requested. It will be evaluated whether there are sufficient grounds on which the student can continue in their programme. If sufficient grounds do not exist, it will be decided that the student can no longer remain a registered student of UCD. This cancellation of registration will be final or will be imposed for a period of time (where continuance of registration at a future time is conditional on specified criteria).

Following the review the student will be advised of the decision in writing.

7. Appeals Mechanism

In the event that the student is dissatisfied with the decision of the UCD Garda Vetting Review Committee, they may appeal the decision within 20 days to the Registrar and Deputy President, to have his/her case reviewed by an Appeal Committee on Garda Vetting, appointed by the Registrar. The appeal process and terms of reference for the Appeal Committee are outlined at www.ucd.ie/registry/admissions/vetting.html.

8. Re-Vetting

Students should be aware that, given the duration of certain Programmes, the University reserves the right, at its discretion, to require certain groups of students or individual students to undergo a further Garda Vetting process during the course of their Programme. In addition, a student member may be re-vetted if information concerning suitability to work with children or vulnerable adults comes to the attention of the University.

