

UCD Athletic Union Council Vetting Policy

Background

In order to comply with Children First Act 2015, UCD Sport has in place a Keeping Children Safe Plan. As per the UCD Sport, UCD Sport & Fitness and UCD Student Centre Keeping Children Safe Plan, all those working (whether paid or unpaid) with UCD sports clubs, who undertake activities that may bring them in to contact with children or vulnerable adults, must be Garda Vetted. Those working include but are not limited to coaches, leaders, managers, doctors, physiotherapists and massage therapists.

To ensure the protection of the public, promote public trust and confidence, the UCD Athletic Union Council (governing body of sports clubs in UCD) is committed to ensuring that only suitable candidates are recruited by clubs to work/volunteer. Consequently, all those seeking to work/volunteer with a club must first complete garda vetting and be deemed suitable by the UCD Athletic Union Council (AUC) to work/volunteer with a UCD club before they are permitted to commence work/volunteer with a UCD club.

It is understood that those individuals being put forward by a UCD club for vetting, have already been through a robust recruitment process undertaken by the respective UCD club (see AUC's Club Operation Manual for process). However, the appointment of any person to work with a UCD club, is conditional on the UCD AUC deciding that the vetting disclosure does not affect the suitability of the applicant for the position in question. Furthermore, the vetting subject acknowledges that UCD AUC's decision in this regard is final and consents that the offer of working/volunteering with a UCD club will be withdrawn if UCD AUC decides this is appropriate in the circumstances.

As the activities of the UCD AUC and its affiliate clubs are primarily operated in UCD Sport, UCD Sport & Fitness and UCD Student Centre and as the UCD AUC can not be registered as an Access Garda Vetting Facility, nor are those engaged by clubs employees of the University, it has been agreed that the Ireland Active Access Garda Vetting Facility available to UCD Sport & Fitness will be utilised by the UCD AUC for the purposes of vetting those engaged by clubs.

As an affiliate organisation using this vetting facility, UCD Sport & Fitness has nominated a contact person who is authorised to deal with the National Vetting Bureau (NVB)

Information collected as part of this vetting process will be treated in confidence. The contents of a vetting disclosure shall not be used by UCD AUC or UCD Sport & Fitness other than to assess the suitability of the applicant for the position in question.

1. UCD AUC eVetting Steps

Step 1

The vetting subject completes an Ireland Active eVetting Invitation & ID Validation form. They then present their original ID's with photocopies to the AUC Executive Secretary for validation. The AUC Executive Secretary then sends the eVetting Invitation form along with photocopies of the ID used for the vetting subject to a liaison person in Ireland Active.

Step 2

Ireland Active then sends the vetting subject an e-mail inviting him/her to complete the online eVetting Application Form. The vetting subject will have 30 days to complete this vetting invitation.

Step 3

The vetting subject completes a eVetting Application Form online and submits it to Ireland Active.

Step 4

The Ireland Active Liaison Person reviews the Vetting Application Form and submits it to the NVB for processing.

Step 5

The NVB processes the application and forwards a vetting disclosure to the Ireland Active Liaison Person, who forwards this to the UCD Sport & Fitness contact person.

Step 6

Where a response other than a nil disclosure is returned, the UCD Sport & Fitness contact person provides the disclosure to the AUC Executive Secretary who reviews the vetting disclosure and as soon as is practicable provides a response to the vetting subject.

Where a Nil disclosure is returned the UCD Sport & Fitness contact person provides the AUC Executive Secretary with the vetting number of the individual and the individual receives an e-mail from the Executive Secretary accepting their suitability to work/volunteer with a UCD club.

2. AUC Executive Secretary - Validation of applicants Identity

The AUC Executive Secretary must check the identity of the applicant against an original valid form of identification as specified on the eVetting & ID Validation form. The AUC Executive Secretary must tick the appropriate box for the form of ID that was used to verify the identity of the applicant. The 100 point rule for ID validation must be observed - for example a driver's license (credit card type) carries 80 points and therefore must be accompanied by an additional form of ID totalling 100 points. Children under 18 may not have appropriate ID; therefore the 100 point rule is allocated differently. The AUC Executive Secretary completes the ID validation form and signs it confirming that they have verified the identity of the applicant.

3. Vetting for under 18's

Sports leaders under 18 may also be required to complete the vetting process. To apply for vetting there must be a completed parental consent. This form is available from the AUC Executive Secretary. Vetting cannot be conducted for a person under the age of 16.

4. Disputes

In instances where a vetting subject disputes any detail contained on a Garda Vetting Disclosure, issued to the AUC Executive Secretary in respect of him/her, the following procedure will apply:

- The Vetting Subject should outline the exact basis of his/her dispute and submit it in writing to the AUC Executive Secretary.
- The AUC Executive Secretary will submit the applicant's submission in writing, to the UCD Sport & Fitness contact person who will forward the documentation to the Ireland Active liaison person for the NVB to review.
- If, following further checks, the applicant still disputes details of the disclosure, arrangements will be made for further validation procedures.
- At the conclusion of the dispute resolution process, decisions on the suitability of the applicant will be the responsibility of the Review Committee.

5. Risk Assessment Guidelines

A conviction, prosecution or case pending will not necessarily bar an applicant for consideration for engagement. The following criteria will be considered;

- The nature and number of any convictions
- The frequency of any convictions
- The post for which the person is seeking engagement
- The self disclosure of the conviction/case pending by the applicant
- The time lapse since the conviction

6. The Review Committee

The AUC will employ a Natural Justice framework in dealing with any disclosures of convictions. In accordance with the guidelines issued by the NVB, the President of the AUC will establish a Decision Making Committee. This Committee is comprised of up to four officers of the AUC. A minimum of three must be present for any meeting. All applicants have a right to natural justice and can choose to waive their anonymity and meet the decision making committee to present their case should they choose to do so.

7. Consideration of Holding a Review Meeting

The NVB provide details of all prosecutions, successful or not, pending or completed, and/or convictions. Consideration for holding a review meeting will occur when an application is returned from the NVB with information which gives cause for concern attached. The AUC Executive Secretary will verify any information received from the NVB with the applicant.

Any assessment of suitability of an applicant depends on the relevance of any conviction/disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the offence/disclosed information, the timing of the offence and any possible pattern of offences. The information disclosed is used for only the specific purpose for which it was obtained as part of a volunteering or recruitment process within UCD Athletic Union Council's affiliated clubs.

On receiving information that may potentially result in exclusion from taking up the regulated position any original documentation is checked to ensure it is correct and that the disclosed information refers to the applicant. If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting body a decision will be made depending on the type and nature of the offences disclosed.

If the applicant has not self-disclosed and information is received from the vetting body this will be checked with the applicant. The applicant will be asked to provide background information on all offences in writing as part of the risk assessment process.

Disclosure of certain types of convictions/prosecutions or specified information will automatically disqualify applicants from a position working with children, young people or vulnerable adults.

Examples of offences that will automatically disqualify an applicant are:

- Any offence of a sexual nature
- Any offence against a child or of child abuse or child abuse images
- An offence that causes grievous bodily harm
- Any offence of murder or manslaughter
- An offence of kidnapping
- A series of continuous offending that might cause concern for the well-being of children
- Any charge brought by the Director of Public Prosecutions (for Ireland and Northern Ireland) concerning abuse of a child or vulnerable person

This is a guide and not a complete list of barring offences. All decisions on the suitability of an applicant are a matter for the Decision Making Committee of UCD Athletic Union Council. The NVB is not involved in such decisions.

All risk assessment decisions are made on an individual basis. Consideration is given to the nature of the disclosed information received from the respective vetting bodies and the initial self-disclosure, if any, by the individual. Decisions will only be made on disclosed information that is verified and confirmed, preferably in writing.

If a decision is required that is not clearly dealt with in this vetting policy external advice is sought. In this case any identifying information on the disclosure will be removed. External advice may be sought from other regulatory bodies, e.g. UCD Legal, Participation Unit from Sport Ireland or Child Protection in Sport Unit from NSPCC.

Where the applicant is suitable for the position currently held or applied for, this is communicated to the individual by issuing an e-mail accepting suitability to volunteer/work within the specified UCD Athletic Union Council club.

Where the information disclosed by the vetting organisation and/or self-disclosed by the applicant deems the individual to be unsuitable for the regulated position they are informed of such preferably in person, however this is not always possible. In the case where an individual cannot be informed in person they will be requested in writing to contact the AUC Executive Secretary as a matter of urgency. Once contact has been made by the applicant with the Executive Secretary, the club will then be informed that the person has been deemed unsuitable to work/volunteer with them, unless the applicant wishes to withdraw from seeking the role.

All applicants are allowed the opportunity to withdraw from seeking any role or position. Such withdrawal must be done in writing to the AUC Executive Secretary. The principles of natural justice concern procedural fairness and ensure a fair decision is reached by objective & unbiased decision makers at all times.

8. Retention and Disposal of Data

The NVB1 form and NVB3 form (if under 18) and copies of ID are submitted to Ireland Active by the AUC Executive Secretary. In exceptional circumstances a disclosure or any information pertaining to a disclosure may be retained for the duration of the persons role with a club but only where warranted for a specific purpose. Thereafter they are disposed of in a secure manner.

The online vetting system which Ireland Active has access to for affiliates, and which is operated by the NVB, stores records of vetting applications for 7 years.

When the NVB1 form of NVB 3 form are presented to the AUC Executive Secretary for validation, they are processed and stored in a locked cabinet until sent to Ireland Active for processing. No copies of documentation are held on file. A database including the name, address, club, position, date of birth, email and vetting number is held by the AUC Executive Secretary and the UCD Sport & Fitness Contact Person of all those who have submitted and NVB1 Or NVB3 form. This file is password protected and personal details are held for the period of re-vetting (three years) by the AUC and the UCD Sport & Fitness Contact person and then destroyed within 1 year thereafter as recommended by the Data Protection Commissioner.

9. Confidentiality

The Ireland Active Garda Access Vetting Facility is committed to protect Information collected as part of this vetting process will be treated in confidence.

The contents of a vetting disclosure shall not be used by UCD Athletic Union Council or UCD Sport and Fitness other than to assess the suitability of the applicant for the position in question.

The contents of the vetting disclosure will only be discussed with the vetting subject and the members of the Review Committee, where applicable.

10. Club Compliance

Clubs should be cognisant that all those engaged by the club must successfully complete vetting before they commence work (paid or voluntary) with the club this is both a legal requirement and a requirement of the AUC.

Furthermore, a clubs grant from the AUC shall be withheld and access to facilities withdrawn until all those the club wishes to engage successfully complete vetting.

All members of a club committee will be held liable for the adherence to this policy. Ignorance of this policy can not be used a defense and any breaches will be subject to the AUC's Disciplinary Process.

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