

21 LVC Garda Vetting Policy

Initial Document Prepared By: John Cotterell

Initial Document Approved By: Harry McCarthy and Amaka Mercy Okonkwo

Updated: 31/01/2017

Statement of Policy

Louth Volunteer Centre, as part of its service to support and promote volunteering, acts as an authorised signatory for garda vetting for organisations within the Louth area who do not have access to an authorised signatory within their own organisation.

Garda Vetting is the process by which a Garda Vetting Application authorises An Garda Síochána to furnish a statement to a prospective employer or organisation for an individual who plans to undertake paid employment or volunteer in certain work or activities.

The National Vetting Bureau (Children and Vulnerable Persons) Bill 2012, makes it a legal requirement for organisations to vet those involved in “any work or activity which is carried out by a person where a necessary and regular part of which consists mainly of the person having access to, or contact with children and/or vulnerable adults.”

This statement provided by An Garda Síochána advises there are no convictions recorded against the individual, or details of all convictions and/or prosecutions, successful or not, cases pending or completed, in the State that are not subject to the administrative filter. This filter allows for certain minor convictions over 7 years old such as minor road traffic offences to be removed from disclosures. The purpose of this filter is to allow a more balanced, relevant and proportionate approach to Garda Vetting.

Non convictions will be considered for disclosure where the circumstances of an offence gives rise to a bona fide concern that the person concerned may harm a child or vulnerable person.

You should not be discouraged if an organisation requires you to be Garda vetted as this represents best practice and shows that the organisation cares for its clients and volunteers.

Remember, too, that prosecution and convictions do not necessarily preclude people from volunteering. Depending on demand, it can take several weeks for an organisation to obtain Garda Vetting on an individual from the time the application is sent to the Garda Central Vetting Unit.

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Procedures

1. Garda Vetting Service to Not for Profit organisations

1.1. LVC will provide a service for voluntary organisations to acquire Garda Vetting. This service will only be provided to organisations and is not available to individuals to acquire garda vetting.

1.2. LVC provides this service for organisations that do NOT have access to an authorised signatory through their own organisation (ie they are not a Registered Organisation). Organisations from whom LVC provide this service are referred to as 'Affiliate organisations'

1.3. Organisations who have access to a Garda Vetting Liaison Person must go through their own parent body to access vetting for their staff and volunteers.

1.4. On an initial meeting with each group, LVC reserves the right to explore organisational structures with each organisation in order to ascertain whether they may have access within their own structures to a Garda Vetting Liaison Person.

1.5. All organisations requiring volunteer vetting must first be registered with LVC.

1.6. LVC is registered for eVetting and encourages affiliate organisations to utilise this service. Additional costs will be incurred if the Affiliate wishes to use NVB2 paper forms.

2. Data Protection

2.1. LVC uses the Garda Central Vetting Unit (GCVU) Vetting Service to obtain information, which enables the assessment of an applicant's suitability for volunteering.

2.2. LVC complies fully with the National Vetting Bureau code of practice regarding the secure storage, handling, use, retention and disposal of disclosures, disclosure information and with its legal obligations under the Data Protection Act.

2.3. Copies of the LVC Data protection policy are available on request.

2.4. Copies of the LVC Access Request policy are available on request.

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3. Storage and Access

3.1. Completed Garda Vetting Application Forms and data from inviter forms will be stored securely with access limited to those who are entitled to see it as part of their duties, this includes the LVC Liaison Person and nominated GV Data Clerks.

3.3. A vetting disclosure will be issued in respect of **each person** who is the subject of a vetting application. This document is shared with the nominated Garda Vetting Officer (See 4, below)

3.4. Where a volunteer has provided us with their personal data, they have a right to be given a copy of their personal data in accordance with section 4 of the Data Protection Acts subject to certain exceptions. The conditions on and procedures for making a request are outlined in the Louth Volunteer Centre Access Request Policy, which is available upon written request.

4. Nominated Garda Vetting Officer

4.1. There must be one named person within the voluntary organisation to whom LVC will pass on relevant material on potential volunteers.

4.2. For the purposes of record keeping, this person will be named as the "Garda Vetting Officer"

4.3. The nominated Garda Vetting officer must be available to meet with potential volunteers along with LVC should any issues arise with the volunteers vetting form.

4.4. The nominated Garda Vetting officer within the organisation must agree to participate in individual training and support sessions with LVC. The level of support and training needed will be determined by the volunteer centre liaison person on initial meetings with the nominated Garda Vetting officer.

4.5. It is the responsibility of the nominated Garda Vetting officer to furnish their volunteers with Garda vetting inviter forms (available from the volunteer centre) and to ensure that these forms are returned to LVC.

4.6. It is the responsibility of the affiliate organisation to ensure that vetting subjects complete their Garda Vetting form within the National Vetting Bureau timeframe (30 days). If a form expires prior to completion and submission to the NVB it is deemed to be closed and the affiliate will have to commence the

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process again by submitting a new inviter form.

4.7. It is the responsibility of the affiliate organisation to obtain appropriate ID from the vetting subject and to retain this on file, with the physical inviter form, for the duration the individual volunteers with the organisation. These documents should be destroyed if the individual departs from the organisation.

5. General procedures

5.1. Vetting and inviter forms will NEVER be returned directly to the volunteer centre by the volunteer but will be processed using LVC online forms by the Affiliate organisation, where eVetting is in place or directly to LVC offices by the nominated Garda Vetting Officer.

5.2. Whereas LVC will hold on file the volunteers vetting details in a confidential manner in accordance with our Data Protection Policy, it will always remain the responsibility of the local organisation to decide whether a volunteer is suitable to volunteer with their organisation.

5.3. All organisations must have a confidentiality policy in place internally to ensure that all information gathered in the vetting process is used in a correct and appropriate manner.

5.4. Invoices are issued to Affiliate organisations on a monthly basis. 'Feedback' from the garda vetting process is issued on a weekly basis by the Liaison person(s). Feedback will be withheld from an Affiliate organisation

- a) If they are newly registered and have not paid their first invoice on receipt
- b) If they are a registered affiliate and payment has not been receipt within 30 days of invoice being issued

6. Retention

6.1. Once a recruitment (or other relevant) decision has been made, GCVU disclosed information will not be stored for longer than is necessary. This is generally for a period of up to six months to allow for consideration and resolution of any disputes or complaints.

6.2. If, in exceptional circumstances, it is considered necessary to keep such information for longer than six months, consideration will be given to the Data Protection rights of the individual.

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6.3. Once the retention period has elapsed, LVC will ensure that any GCVU disclosed information is destroyed and while awaiting destruction, the information will be kept securely.

6.4. A record of the date of issue of a disclosure, the name of the subject, the type of disclosure, the position for which the disclosure was requested, the unique reference number of the disclosure and the names to whom disclosed information has been revealed will however be securely stored for monitoring purposes.

7. Discontinuation of Services

7.1. The volunteer centre will reserve the right to discontinue this service for any organisation that the volunteer centre deems not to have abided by agreed good practice procedures including data protection legislation.

8. Feedback

8.1. Constructive feedback on this Policy is always welcome. It must be given to the Louth Volunteer Centre Manager who will ensure that the Management Committee considers it.