



ANGLING COUNCIL OF IRELAND

GARDA VETTING POLICY

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As Adopted by



2010



Angling Council of Ireland

GARDA Vetting Policy

The Angling Council of Ireland is fully committed to safeguarding the well being of its members.

Every affiliated specific Angling National Governing Body, club, association and individual member in the organisation should at all times, show respect and understanding for members rights, safety and welfare and conduct themselves in a way that reflects the principles of the organisation and the guidelines contained in the code of Ethics and Good Practice for Children's Sport in Ireland.

Introduction

Garda Vetting (vetting) is now available to the organisation through the appointment of an Authorised Signatories and the registration of the ACI with the Garda Vetting Unit, Racecourse Road, Thurles, Co Tipperary.

The decision to engage in Garda Vetting for existing members and as part of the recruitment and selection process has been a voluntary one. However this practice is in line with the best safeguards available to protect the welfare of children within our organisation.

All members with access to children, either in a supervisory role or in a management role will be required to partake of the vetting process. At present there is no cost to the person vetted. ACI has also decided that there will be a requirement to be re-vetted on any change of position or after 5 years (whichever is sooner). The vetting process will take approximately 6 weeks dependant upon the prompt return of application forms. This must be taken into account when recruiting staff. The Garda Vetting Unit does not provide clearance for people to work with children and vulnerable adults.

Legislation impacting on Garda Vetting

- Civil Service Commissioners Act 1956
- Child Care Act 1991 – Sections 5; 61; 65
- Data Protection Act 1988/2003
- Children’s Act 2001 – Section 258
- Private Security Authority Act 2004
- Future legislation – to be updated



Why undertake Garda Vetting?

Garda Vetting is an extra measure now incorporated into our recruitment and selection procedure for recruitment of personnel with access to children and vulnerable adults within ACI at local, regional and national level.

It will make our organisation and clubs better protected against possible perpetrators of child abuse by being a barrier for an individual who is unsuitable to work with children.

Who will be required to be Garda Vetted?

All persons within ACI with access to children and those making decisions regarding the welfare of children at local, regional and national level will be vetted.

Target groups –

- All new employees and current employees including part-time and support staff used on national teams –
- Council members
- Affiliated Organisations National Executive Committees
- Coaches and Team Managers at national level
- Children's Officers, Designated Persons, Club Team Managers
- Standing and ACI Appointed Committees and Sub Committees
- Regional Councils
- Team Managers used at regional level
- Officers of Club Committees
- Other personnel i.e. Club Team Managers, Leaders

It is a precondition for the roll out of GARDA Vetting in an affiliated Federation that this policy is formally adopted by that Federation. The Hon Sec of ACI should be informed of the date of the Adoption of this Policy, in writing, before any roll out can begin

Any procedure enclosed in this document relating to existing personnel will only be relevant until all existing personnel have undergone the Garda Vetting process.

It is a recommendation that this policy is reviewed at that stage



Garda Vetting Procedure

The organisation has an Authorised Signatory (AS) –**DER CASEY**

In accordance with ACI policies he:

- Has been appointed and registered with Garda Vetting Unit (Unit)
- Will act as liaison between Garda Vetting Unit and ACI
- Will be responsible for distribution of all vetting application forms, submissions to and information received from the unit.
- Will be responsible for maintaining the confidentiality of information received from both the individual and the Unit

Personnel

No person under 18 years of age may undergo the Garda Vetting process

New Personnel – recruitment and selection

During the recruitment stage an individual will be given a Garda Vetting application form. This policy detailing the process and what prosecutions/convictions may affect appointment to a position must be communicated to prospective candidates at the time of application.

As part of the application process the individual will complete the vetting form and place it in a sealed envelope with their name, address and the position applied for. This is returned to the AS within the organisation.

If the applicant is successful, the completed form will be processed by ACI and submitted to the Unit. If the applicant is not successful the completed application form will be returned to the individual unopened.

Existing Personnel

The ACI Garda Vetting Policy will be available on the website together with the expected time frame for persons required to undergo the vetting procedure. Target groups will be notified in advance of the expected roll-out via the website and Club communications.

Existing personnel in the target groups will receive an explanatory letter together with FAQ-Garda Vetting Policy for ACI in accordance with the proposed time frame. Any existing



member in a target group will be required to undergo Garda vetting on reaching the age of 18.

Any individual will be required to be re-vetted on changing their position within the organisation. Exclusions to this are:

- An individual changing position but remaining on the same committee, e.g. moving from Chairperson to Treasurer within the same committee
 - An individual progressing their qualification but remaining in the same position within either club or private sector e.g. gaining Level 1 Coaching Qualification from an Introductory Level Coaching Qualification but coaching in the same position
 - An individual in an existing target group taking on a second target group position at Club or Regional level e.g. Secretary becoming a Team Manager; Chairperson being nominated to the Designated Person position. Any position within the target groups taken on at National level will require the individual to undergo vetting on selection to that position.
- All individuals will undergo re-vetting after 5 (five) years.

Completing the vetting forms

The Garda vetting application form is required to be fully completed; where a section does not apply the applicant should indicate as such. No time gaps can be left in the dates of residency at the declared addresses. The form must be signed and dated by the applicant

The identification verification form must be completed. Confirmation of an individual's identity must be verified by either the Club CO or if the individual is not a member of a Club by a Responsible Person (Guard/Principal/Manager/Doctor/Solicitor) who will also sign the form. Identity can be confirmed by a driving licence (with photograph), a passport or a utility bill showing the correct name and address

Any forms not wholly completed will be returned unprocessed - this will hold up the overall process

Residency Abroad

Any individual resident for less than one year (taken from the date of the initial vetting application) in either Ireland or Northern Ireland will be checked again after 6 months and again one year later (i.e. 3 checks completed in 18 months).

If a police check has been obtained from the individual's originating country (possibly accepted on submission of original information to the Authorised Signatory) Garda vetting will only be required after 6 months and again one year later (i.e. 2 checks plus originating country police check in 18 months).



Completed Application forms

On receipt completed application forms will be checked by the Authorised Signatory for errors or omissions and photocopied. For new personnel the information will be verified against that given in an application form or a CV; for existing personnel the Identification Form will verify the information on the Garda vetting form.

Applicants for Garda vetting will be entered on a separate database by the Authorised Signatory with the following information:

- Name
- Previous name
- PPS/RSI/NHS number
- Last address
- Identity verification conformation
- Batch number and date of submission to the Unit

All data is kept in accordance with the Data Protection Acts 1988/2003 by the Authorised Signatory on behalf of ACI. All information is kept in a secure cabinet in ACI's registered address The Authorised Signatory and the ACI Hon Sec are the only key holders for the secure cabinet.

Return of information

The original application form will be returned with any disclosed information to the AS.

On return the photocopied application form will be shredded.

Each application will be examined by the AS to determine the suitability of the applicant for the position applied for/presently in situ.

Processing the disclosed information

The assessment of suitability will depend on the nature of the position applied for/presently held, the self disclosure of any prosecutions or convictions and the seriousness, timing and any possible pattern that emerges of any information disclosed. The integrity of the applicant with regard to self disclosure or lack of disclosure on the initial application form will be considered.



On receiving information that may preclude the applicant, the original application form will be checked for each detail 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 unit the decision must 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 unit this requires to be checked with the applicant.

Disclosure of certain types of convictions/prosecutions will automatically preclude the applicant from a position working with children. These are listed in Appendix 11

Communication

When the AS is required to communicate with the applicant for any reason the following protocol will be adhered to:

- Communication should be by phone or in person if convenient
- The AS will verify the person is the applicant
- No messages will be left
- No discussion will take place with any other person, spouse or partner
- The AS will give an assurance of confidentiality

If the AS is required to verify disclosed details the applicant will be asked:

- Is there anything they remember concerning the time of the offence?
- Have they ever been to court?
- For any relevant information concerning the disclosed information
- To consider the significance of the disclosure in relation to the position applied for

All responses should be noted. If any of the information is disputed the Disputes procedure in this policy (see below) must be followed.

New Personnel

Where the applicant is suitable for the position applied for, this should be communicated to the individual and the person responsible for the recruitment – this will be done by letter as well, simply stating the applicant is suitable to work with children.



Where the information disclosed by the Unit and/or self disclosed by the applicant this deems the individual to be unsuitable they should be informed of such. The applicant should be allowed to withdraw their application.

Existing Personnel

An assessment must be made of the suitability of the individual to hold their present position. This decision will be made on an individual basis, based on the nature of the disclosed information and the initial self disclosure by the individual. No decision shall be made unless any disclosed information is verified in accordance with the procedure in communicating with the applicant. This verification shall be carried out preferably in the presence of both the Authorised Signatory and the Hon Sec.. If the individual is deemed not suitable to work with children they will be afforded the opportunity to withdraw from their current position.

Where the individual is deemed suitable for their position this will be communicated to the individual in accordance with the communication procedure and this will be recorded on the vetting database.

Data Security

The data submitted by the applicant and any responses from the Unit is subject to data security.

ACI will only release information concerning the suitability of an individual to a person who needs to know. In the event that an applicant withdraws either their application for a position or from their position, information concerning their suitability for working with children will not be released.

In accordance with the rules laid down in the Data Protection Acts 1988/2003 the Authorised Signatory on behalf of ACI will:

- Obtain and process information fairly
- Keep this information only for one or more specified, explicit and lawful purposes
- Use and disclose information only in ways compatible with these purposes
- Keep information safe and secure
- Keep information accurate, complete and up to date
- Ensure that any information is adequate, relevant and not excessive
- Retain information for no longer than is necessary for the purpose or purposes
- Give a copy of his/her personal information to an individual, on request



Disputes

Disputing Disclosed Information

The Unit has a dispute mechanism in place in event of an individual contesting the disclosed information.

In the case of any disclosure being disputed by the applicant the following procedure will be applied:

- The exact basis of the dispute will be noted by the AS on communication with the individual
- The original application form will be resubmitted to the unit for a recheck - containing a covering report outlining the basis of the dispute as indicated by the applicant

If on examination of the original form there was an error in the completion of the form this should be rectified by the applicant by completing a new application. The original and the new application forms will be submitted together with a request for a recheck.

If following a recheck the applicant still disputes the information, arrangements with the Unit will be made for further identification procedures to be conducted in order to resolve the dispute.

Until all disputes have been settled the individual will not be able to take any position within the target group. If the dispute involves existing personnel it is recommended that supervision is put in place until the dispute resolved.

All decisions on the suitability of an applicant following a recheck are a matter for ACI and its affiliated Federations and An Garda Síochána will not be involved in such decisions.

Disputing the Decision of the Authorised Signatories

The Authorised Signatories have a responsibility to observe professional standards and will be cautious to recognise their own values and personal ethics in evaluating the seriousness and the relevance of an offence.

Any dispute concerning the decision of an Authorised Signatory should be submitted in writing. Advice from a 'Children First' Advice and Information Officer from the HSE as an independent advisor will be taken and this will be communicated to the individual in accordance with the protocol. The outcome of this decision will be final.



APPENDIX 1

Examples to illustrate this policy in operation

- (i) An individual applies for a position in a Club; it is noted that the individual does not possess a driving licence. On the vetting return the individual declares a conviction for driving under the influence of alcohol, this information is duly disclosed by the Unit showing a ban for one year. The details would be confirmed with the individual by the AS, and if there is no responsibility for the transport of children involved in the position it is probable this individual would be deemed suitable to work with children.
- (ii) An individual is prosecuted at the age of 19 for taking part in a rally where the individual, along with others, is charged with disorderly conduct and prosecuted. The individual, now in their thirties, has no further disclosures on record and fully disclosed all information concerning the prosecution. It is likely that this individual would not be prevented from working with children.
- (iii) An individual has two parking offences disclosed on the return from the Unit. These were not shown on the original application form. The AS made contact to check if the offences related to the individual. It is clear during the conversation that the individual was not aware that these offences would be deemed prosecutions or convictions and therefore did not think about disclosing them. It is probable that this individual would be deemed suitable for a position working with children.
- (iv) An individual applies to become a Club Children's Officer. The return of the information from the Unit shows a conviction of fraud, resulting in a suspended sentence. This information was not disclosed and denied by the individual. The Garda recheck the information and identify the information and the individual as being correct – this individual would not be suitable for a target group position.



APPENDIX 11

OFFENCES

List of Crimes/Convictions/Pending Charges for which “ACI Child Protection Committee” will automatically consider debarring individuals from working with children and vulnerable adults

Crimes of youth (under 18 yrs.) are exempt

Includes charges against any individual awaiting trial

- Murder, manslaughter
- Rape, attempted rape
- Any conviction leading to inclusion in the Sex Offenders Register
- Illegal Possession of fire arms or an offensive weapon
- Domestic Violence
- Any crime involving aggression/assault
- Fraud or dishonesty

Crimes/Convictions/Pending Charges that require special consideration by the “ACI Child Protection Committee”

- Drugs related
- Drink Driving (does he/she have a drink problem?)
- Dangerous driving
- Public order offence
- Shop lifting, credit card theft (question of trust – can you trust this person to be in charge of children, money?)

“Crimes of deception need careful consideration” – i.e. these people are not trustworthy



“working with children and vulnerable adults”

This phrase is taken to refer to all positions listed below and any other positions which the ACI Executive, in consultation with it’s affiliated Organisation’s executive committees, may from time to time specify.

- Tutors,
- Coaches
- High-Performance Anglers,
- Team Managers,
- Team Chaperones
- Committee Members.
- Club, federation and ACI Children’s Officers
- Waterkeepers



APPENDIX 111

Terms of Reference for the CO subcommittee acting as Child Protection Committee ("CPC")

1. The National Children's Officer of the Angling Council of Ireland (ACI) shall be the ex officio chairman of the CPC. Where the NCO is deemed not to be independent of the CP case to be heard then the Executive of ACI shall appoint a suitably qualified individual as Chairperson of the CPC ("the CPC Chairperson"). The CO subcommittee shall appoint upon the recommendation of the CPC Chairman a minimum of 2 and a maximum of 4 further persons to serve as members of a CPC established to consider CP Cases.
2. The CPC Chairperson shall select two CPC members independent of the CP case, referred to it, to consider that CP case, having taken into account the particular facts of that case and the expertise of the individual members.
3. The CPC Chairperson shall have the ability to invite an independent lawyer to act as adviser to the CPC.
4. The CPC shall meet in person or by telephone or video conference. The quorum for every meeting is three CPC members and decisions shall be taken by a majority.
5. The CPC shall have the ability at its sole discretion, having reviewed the documents, to request individuals involved in the case to attend the CPC meeting to clarify particular issues. If new evidence is adduced which has not been commented upon by other relevant individuals involved in the case, the CPC shall put that evidence to those other individuals.
6. If a child is asked to attend a CPC meeting, the CPC shall ensure that the child is treated in an appropriate manner in relation to its age and the nature of the evidence in question. If necessary, the CPC Chairperson shall take advice in relation to the involvement of any child attending a meeting.
7. The CPC shall have the power to take decisions in accordance with the CP procedures of the ACI.



8. The Executive of ACI shall determine the policy on payment of fees and expenses for CPC members from time to time.
9. The CO subcommittee shall have the power to advise each constituent Federation generally on matters of child protection policy, strategy and procedure.
10. Each Federation has the right and responsibility to formulate and to adopt its own policies and structures around Child Protection
11. The CPC shall report on its decisions to the ACI executive and to the relevant Federation executive. For the avoidance of doubt neither the ACI executive nor the Federation Executive shall be able to override a decision of the CPC. Either Executive may choose to use agreed formal procedures (To be drawn up if necessary) to appeal a decision of the CPC.
12. The Federation executive shall alone have the responsibility to impose whatever sanctions are appropriate, having regard to the policies of that Federation. The Hon Sec of the Federation shall inform, in writing, the Chairman of the CPC of the decision of the Federation Executive and this letter will form part of the CPC file on the CP case.
13. The files of CPC's will be stored securely at ACI offices, and the files will be held under restricted access. Normally only the Chairman, Hon Sec and NCO of ACI will have access. This access can only be changed by a decision of the ACI Executive



APPENDIX 111

ACI Vetting Acceptance Letter

Ref: (as per vetting form)

XXXXXXXXXX

XXXXXXXXXX

Glasnevin

Dublin 9

2nd March 2010

Re: Garda Vetting Application

A chara,

I refer to your Garda Vetting application to the Angling Council of Ireland (ACI) and I am pleased to inform you that following our processing of your application with the Garda Central Vetting Unit your application has been accepted and I look forward to your continued role in promoting Angling Activities with your federation.

As part of our Recruitment and Selection procedures I would request that you present this letter to the relevant person in your club e.g. the Children's Officer in your Club, or your manager or employer, as may be deemed appropriate. On a random basis our members may be re-vetted as we pursue our objectives to implement best practice in our work with and on behalf of children and young people.

The ACI is committed to creating and maintaining the safest possible environment for young people and children and your role will be central to us in achieving this aim. On-going training opportunities and supports will be provided at club and national level to assist those working with us and with our more vulnerable members and I would urge you to avail of such training and support initiatives as they arise.

I thank you again for your valued contribution to angling and wish you well in the future.

Yours in Angling,

Der Casey

(National Children's Officer of ACI)

