

Contents

Section 1:	Legal Basis, Purpose and Scope.....	2
Section 2:	Garda Vetting and RISLI	3
Section 3:	Vetting Disclosures.....	3
Section 4:	Vetting Process	4
Section 5:	Presence of Previous Convictions	5
Section 6:	Appealing Garda Vetting Decisions.....	5
Section 7:	Access to Information, Storage & Data Protection.....	6
Section 8:	Garda Vetting Renewal or Re-Vetting Policy	6
References:	7
Appendix 1:	Register Form NVB 1	8

Section 1: Legal Basis, Purpose and Scope

- 1.1 The purpose of Garda Vetting is to protect the public, particularly children and vulnerable people.
- 1.2 The introduction of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 introduces a statutory requirement for Garda Vetting in relation to people who work with children, or vulnerable persons.¹
- 1.3 RISLI is a 'relevant organisation' under the same Act, which is defined to include bodies which represent for the purposes of the vetting procedures under the Act, another person, trade, profession or body, organisation or group or other body of persons that undertakes relevant work or activities.²
- 1.4 The Act defines those who should be vetted as: *“any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons”*.³
- 1.5. The Act also defines a child as a person under 18 and a vulnerable person as a person, other than a child who:
 - a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia;
 - b) has an intellectual disability;
 - c) is suffering from a physical impairment, whether as a result of illness, injury or age, or;
 - d) has a physical disability;which is of such a nature or degree:
 - i. as to restrict the capacity of the person to guard himself or herself against harm by another person or;
 - ii. that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.
- 1.6 The purpose of the RISLI Garda Vetting Policy is to ensure:
 - a) that the Garda Vetting policies and procedures which apply to applicants and registrants on the Register of Irish Sign Language Interpreters are set out for the information of all parties; and
 - b) the protection of children and vulnerable persons (as defined above) using the services of registered interpreters (“registrants”);
- 1.7 All registrants must undergo the Garda Vetting Process.

¹ Houses of the Oireachtas, *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* (Ireland, 2012); available from <http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/print.html>, part 1(2), (c) (d).

The consolidated NVB Act is available at <https://revisedacts.lawreform.ie/eli/2012/act/47/front/revised/en/html>

² Houses of the Oireachtas, *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* (Ireland, 2012); available from <http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/print.html>, part 1(2), (c) (d).

The consolidated NVB Act is available at <https://revisedacts.lawreform.ie/eli/2012/act/47/front/revised/en/html>

³ The relevant definitions from the Act are in Part 1 (2) of the Act, where “child” means a person under the age of 18 years and “vulnerable person” means a person, other than a child, who (a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia, (b) has an intellectual disability, (c) is suffering from a physical impairment, whether as a result of injury, illness or age, or (d) has a physical disability, which is of such a nature or degree (i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or (ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing. For a list of relevant work or activities relating to children and vulnerable persons, see Schedule 1, parts 1 & 2. Houses of the Oireachtas, *National Vetting Bureau (Children and Vulnerable Persons) Act 2012*.

Section 2: Garda Vetting and RISLI

- 2.1 Vetting is a criminal background check undertaken by an organisation on people who carry out relevant work. It is carried out to establish what, if any, criminal record, pending or completed, relating to them is held by the Gardaí, which may impact on their suitability to work with children or vulnerable persons.
- 2.2 Vetting will also include a check for any relevant “specified information” - in other words, soft information or information other than criminal convictions or pending prosecutions held by the Gardaí which leads to a genuine belief that a person poses a threat to children or vulnerable persons.
- 2.3 The National Vetting Bureau is responsible for carrying out Garda Vetting. Garda Vetting cannot be accessed through local Garda Stations, and the National Vetting Bureau does not deal with individual applicants.⁴
- 2.4 Due to the relatively small number of registered interpreters, RISLI (via a **Liaison Person**) engages the National Recruitment Federation to access the services of the National Vetting Bureau.
- 2.5 The Liaison Person is a contact person appointed by RISLI to administer the vetting process. The Liaison Person maintains strict confidentiality regarding applicant details. The Liaison Person will undergo training by the National Recruitment Federation. It is envisioned that the role of Liaison Person will typically be carried out by the Quality Development Officer.

Section 3: Vetting Disclosures

- 3.1 Once the Garda Vetting process has been completed, Garda Vetting applicants receive a **Vetting Disclosure**. A Vetting Disclosure is either:
 - a) a statement from the National Vetting Bureau that there is no criminal record or specified (‘soft’) information in relation to the person being vetted (subject to the Spent Convictions Act 2016); or
 - b) a statement from the National Vetting Bureau detailing a criminal record(s) (convictions or prosecutions) and/or specified information (if any) relating to the person being vetted, which the Chief Bureau Officer has determined in accordance with Section 15 of the Act should be disclosed.
- 3.2 The following **convictions** will always be disclosed:
 - a) offences against the person (except minor public order offences);
 - b) sexual offences;
 - c) convictions on indictment that go to circuit court or a higher court.
- 3.3 If specified information is going to be disclosed to RISLI, the National Vetting Bureau must, in advance, notify the person of their intention to disclose the information.
- 3.4 The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 allows for certain convictions to become “spent” after a period of time has elapsed (generally 7 years). Information of a conviction that falls under that Act will generally not be included in a disclosure.⁵

These convictions become spent 7 years from the date the sentence became operative, as long as you have complied with the sentence or order imposed.

The Act does not apply to any conviction for a sexual offence or an offence which was tried in the Central Criminal Court. These offences cannot become spent convictions.

⁴ An Garda Síochána, ‘Garda National Vetting Bureau (GNVB)’, *An Garda Síochána Website*, 2020; available from <https://www.garda.ie/en/about-us/specialist-units/garda-national-vetting-bureau-gnvb-/>; accessed 14 February 2020.

⁵ Houses of the Oireachtas, *Criminal Justice (Spent Convictions and Certain Disclosures) Act*, 2016; available from <http://www.irishstatutebook.ie/eli/2016/act/4/enacted/en/html>.

Section 4: Vetting Process ⁶

- 4.1 The registrant or applicant will be sent a **Vetting Application (NVB 1) Form** (see Appendix 1). The registrant or applicant manually completes and signs the Form and Declaration. The completed form, together with a copy of the photo ID and proof of address is sent to **Register of Sign Language Interpreters, c/o Sign Language interpreting Service, Thomas Mahon Building, Deaf Village Ireland, Ratoath Road, Cabra, Dublin D07 W94H**. Failure to complete the Garda Vetting process may lead to suspension or removal of a registrant from the Register, or lead to a new applicant being refused entry onto the Register.
- 4.2 The NVB 1 Form is checked by the Liaison Person, appointed by RISLI and trained by National Recruitment Federation. Incomplete or illegible NVB 1 Forms are returned to the applicant or registrant, with a cover letter requesting the form's correction and resubmission.
- 4.3 When a complete and legible NVB 1 Form with appropriate documentation is received, the Liaison Person validates the applicant or registrant's proof of identity, signs the NVB 1 form, and sends the information received on the NVB 1 form to the National Recruitment Federation (NRF) on a Batch Header.
- 4.4 An e-mail inviting the registrant to complete a Vetting Application Form, with a link to the form attached, is then sent by the NRF to the applicant or registrant, with an application tracking number. The applicant or registrant completes the Vetting Application Form online, and submits it to the NRF, within the period specified.
- 4.5 The NRF reviews the Vetting Application Form and submits it to the National Vetting Bureau.
- 4.6 The National Vetting Bureau processes the application. They forward a Vetting Disclosure to the NRF.
- 4.7 The NRF receives the Vetting Disclosure and as soon as is practicable, forwards it to the RISLI Liaison Person.
- 4.8 When the returned Vetting Disclosure is received by RISLI, its arrival will be noted and the Disclosure immediately forwarded to the registrant/applicant, irrespective of content.
- 4.9 Where Vetting Disclosures reveal no previous convictions, pending convictions or other specified information, the Registration Sub-Committee will be notified of this.
- 4.10 If a Vetting Disclosure reveals a previous criminal conviction, pending conviction, or other specified information, the case will be referred to the Registration Sub-Committee for consideration.
- 4.11 The Registration Sub-Committee will make a final decision in relation to the registration of the interpreter in view of the details within the Vetting Disclosure, following the criteria in Section 5.3.
- 4.12 If a registrant/applicant wishes to dispute the detail in their Vetting Disclosure, they should submit a summary of the basis for the dispute to admin@risli.ie. RISLI will send the complete application file to the **National Vetting Bureau to be re-checked.**⁷

⁶ National Recruitment Federation, 'Garda Vetting Procedure', *NRF Website*, 2020; available from <https://nrf.ie/garda-vetting-procedure/>; accessed 14 February 2020.

⁷ An Garda Síochána, 'How to Dispute a Disclosure', *National Vetting Bureau Website*, 2020; available from <https://vetting.garda.ie/Disputes/Disclosure>; accessed 17 February 2020.

Section 5: Presence of Previous Convictions

- 5.1 All applicants must **declare any and all previous convictions** during the Garda Vetting process, with the exception of any spent convictions (see section 3.4).
- 5.2 A Vetting Disclosure revealing a previous or pending conviction or prosecution may affect the continued registration status of a registrant or a registration application. However, having a criminal record will not necessarily bar an applicant from being registered. This will depend on an assessment of the risks involved by the Registration Sub-Committee.
- 5.3 **The Registration Sub-Committee will assess** whether there are sufficient grounds on which the registrant can continue in their registration or registration application. If sufficient grounds do not exist, it will be decided that the registrant cannot continue in their registration or with their registration application. The following points will be considered by the Registration Sub-Committee in its assessment:
- a) the nature of the conviction(s);
 - b) the sentence(s) imposed;
 - c) the seriousness of the offence, and its relevance to being a registered sign language interpreter;
 - d) the self-disclosure or otherwise of the conviction / prosecution, or pending conviction / prosecution, by the registrant;
 - e) the length of time since the offence occurred;
 - f) the age and circumstances of the person when the offence(s) was/were committed;
 - g) whether the offence was a one-off or part of a pattern of offending;
 - h) the conduct of the person before and after the offence;
 - i) the individual's abilities, skills, experiences, and qualifications;
 - j) the potential risk to service users, volunteers, employees and the reputation of RISLI;
 - k) any relevant information offered by the registrant/registration applicant about the circumstances;
 - l) any other relevant information, including the response and insight of the registrant / applicant.

The above list of factors is not exhaustive. Assessment of the registrant's case shall take into account all relevant factors and circumstances pertaining to the particular registrant/applicant and their current/prospective position.

- 5.4 The registrant may be asked to appear before the Registration Sub-Committee at a **Garda Vetting Meeting** to discuss their case.
- 5.5 A final decision will be taken by the Registration Sub-Committee in relation to the registrant remaining on the register of interpreters or the registration application. A **Garda Vetting Decision** will be sent from the Registration Sub-Committee to the applicant notifying them of their decision

Section 6: Appealing Garda Vetting Decisions

- 6.1 If a registrant/applicant wishes to appeal the decision of the Registration Sub-Committee in relation to their Vetting Disclosure, they can submit an **appeal to the Appeals Sub-Committee**.

Section 7: Access to Information, Storage & Data Protection

- 7.1 If a decision is made to remove a registrant from the register/or not to register an applicant, any copy of the registrant's Vetting Disclosure will not be retained for longer than is necessary. A registrant's online profile on risli.ie will be deleted.
- 7.2 The Liaison Person and the Registration Sub-Committee follows processes which adhere to the utmost confidentiality. All information pertaining to the processing of Garda Vetting applications by registrants will be stored securely in the offices Sign Language Interpreting Service, in order to protect the security and confidentiality of the information collected in respect of every individual. RISLI will destroy or delete their copies of Vetting Application (NVB 1) Forms and Garda Vetting Disclosures one year after they are received, except in exceptional circumstances. Such circumstances may include where there has been consideration by the Registration Sub-Committee of a Garda Vetting disclosure.
- 7.3 SLIS and RISLI comply with the **Data Protection Act 2018** and the **General Data Protection Regulations**. Please see the *GDPR and Privacy Policy*.

Section 8: Garda Vetting Renewal or Re-Vetting Policy

- 8.1 It is the policy of RISLI that all registered interpreters are re-vetted every 3 years.

References:

An Garda Síochána. 'Garda National Vetting Bureau (GNVB)'. *An Garda Síochána Website*, 2020. <https://www.garda.ie/en/about-us/specialist-units/garda-national-vetting-bureau-gnvb-/>.

National Vetting Bureau. 'How to Appeal Specified Information'. *National Vetting Bureau Website*, 2020. <https://vetting.garda.ie/Disputes/Appeal>.

National Vetting Bureau. 'How to Dispute a Disclosure'. *National Vetting Bureau Website*, 2020. <https://vetting.garda.ie/Disputes/Disclosure>.

BeLonG To Youth Services. *Vetting Policy*, April 2018. <http://belongto.org/wp-content/uploads/2018/01/Vetting-Policy.pdf>.

Early Childhood Ireland. 'Guidelines on Developing a Garda Vetting Policy'. *Early Childhood Ireland Website*, 2020. <https://www.earlychildhoodireland.ie/work/operating-childcare-service/garda-vetting/guidelines-developing-garda-vetting-policy/>.

Houses of the Oireachtas. *Criminal Justice (Spent Convictions and Certain Disclosures) Act*, 2016. <http://www.irishstatutebook.ie/eli/2016/act/4/enacted/en/html>.

National Vetting Bureau (Children and Vulnerable Persons) Act 2012. Ireland, 2012. <http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/print.html>.

National Recruitment Federation. 'Garda Vetting Procedure'. *NRF Website*, 2020. <https://nrf.ie/garda-vetting-procedure/>.

Appendix 1: Register Form NVB 1

Guidelines for completing Vetting Invitation Form (NVB 1)

Please read the following guidelines before completing this form.

- The form must be completed in full using BLOCK CAPITALS and writing must be clear and legible.
- The form should be completed using a ball point pen.
- Photocopies will not be accepted.
- All applicants will be required to present documents to Register of Sign Language Interpreters
c/o Sign Language interpreting Service, Thomas Mahon Building, Deaf Village Ireland, Ratoath Road, Cabra, Dublin D07 W94H

Section 1: Personal Details

- Insert details for each field, allowing one block letter per box.
- For 'Date of Birth' field, allow one digit per box.
- Please fill in your email address, allowing one character/symbol per box. This is required as the invitation to the e-vetting website will be sent to this address.
- Please allow one digit per box for your contact number.
- The 'Current Address' means the address you are now living at.
- The address fields should be completed in full. No abbreviations.
- 'Role Being Vetted for': The role being applied for ("Registered Irish Sign Language Interpreter") must be clearly stated.

Section 2: Declaration of Application

The applicant must confirm their understanding and acceptance of the two statements by signing the application form at Section 2 and ticking the box provided.

Section 3: Verification of Identity

For completion by the Liaison Person on presentation of identification documents.

Your Ref:

Form NVB 1

Vetting Invitation

Section 1 – Personal Information

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.

Forename(s):																															
Middle Name:																															
Surname:																															
Date Of Birth:	D	D	/	M	M	/	Y	Y	Y	Y																					
Email Address:																															
Contact Number:																															
Role Being Vetted For:																															

Current Address:

Line 1:																														
Line 2:																														
Line 3:																														
Line 4:																														
Line 5:																														
Eircode/Postcode:																														

Section 2 – Additional Information

Name Of Organisation:

I have provided documentation to validate my identity as required *and*
 I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4) (e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. Please tick box

Applicant's
Signature:

Date: / /

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.