

APPENDIX II:

Garda Vetting Information

Garda vetting is one component of good practice in relation to recruitment and selection procedures and as such should be incorporated into an overall process as set out in this section. The Garda Central Vetting Unit, Thurles, Co Tipperary, conducts Garda vetting in respect of individuals who are applicants for positions, whether full-time, part-time, voluntary or student placement, within organisations by virtue of which they may have unsupervised access to children and/or vulnerable adults (Garda Vetting – Code of Practice 2009).

Garda vetting provides details regarding all prosecutions, successful or not, pending or completed, and/or convictions in respect of an individual applicant (i.e., paid employee or volunteer) to a registered organisation for Garda vetting.

The procedure for Garda vetting is as follows:

- ◆ The organisation provides the applicant with a Garda vetting form and requests that they complete it in full.
- ◆ The applicant returns the form and the authorised signatory ensures that it is completed correctly before forwarding the form to the GVCU in Thurles.
- ◆ Data protection legislation requires that each individual's information is treated in an appropriate manner. Every organisation has a responsibility to manage any data given to them by the Gardai as laid out in the Data Protection legislation. Each organisation should have a policy to manage information in accordance with the legislation.

Decision Making in respect of Garda Vetting Disclosures

As part of an overall selection process, organisations need to develop procedures to enable them to make decisions about the suitability of an applicant, taking into account information received in a Garda vetting disclosure (i.e., the information returned by the Garda Central Vetting Unit). Evidence of a criminal record need not disqualify an applicant from taking up either a paid or voluntary position. The nature of the offence, time elapsed since the offence, restorative justice, etc., should be taken into account as part of the process about deciding on the suitability of an applicant. The Code of Good Practice for Garda Vetting provides the following guidance:

- ◆ 'Details contained in a Garda Vetting disclosure should be verified with the vetting subject in advance of any decision being made which may affect them.
- ◆ A decision maker or decision making committee should be appointed within an organisation to assess Garda vetting disclosures received in respect of vetting subjects.

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- ◆ The decision making process in relation to Garda vetting disclosures should be established solely as a mechanism to assist the organisation in assessing the suitability of a vetting subject for a position within the organisation, vis-à-vis the details contained in their disclosure.
- ◆ Decisions in respect of the suitability of a vetting subject for a position within an organisation are the responsibility of the decision maker/ decision making committee within the organisation and the Garda Central Vetting Unit will have no input into any such decisions.'

International Police Checks

If an applicant has spent more than six months living in another jurisdiction they may be considered to have been a resident there and as such may require a police check from that country. The quality of the information, if available, provided in international police checks can vary considerably. In this instance the other elements of the screening and vetting process should be fully utilised.

Under 18s and Garda Vetting

It is now possible to access Garda vetting for 16 – 18 year olds with parental consent. Regardless of what decision an organisation takes in relation to this issue, it is important to remember that those who are under 18 should not be assigned to positions of major responsibility.†

† Revised Code of Good Practice for the Youth Work Sector (2011)