

GUIDANCE 2

GARDA VETTING (REPUBLIC OF IRELAND)

THE NATIONAL VETTING BUREAU ACT (CHILDREN AND VULNERABLE ADULTS) 2012 TO 2016

The National Vetting Bureau Act (Children and Vulnerable Adults) 2012 to 2016 sets out the circumstances that require vetting as: Any work or activity which is carried out by a person, a **necessary and regular** part of which consists mainly of the person having **access to or contact with, children and/or vulnerable adults**.

The Act also requires vetting in respect of any work or activity as a **minister or priest or any other person engaged in the advancement of religious beliefs, to children and vulnerable adults**, unless such work or activity is merely incidental to the advancement of religious beliefs to persons who are not children or young people or vulnerable adults.

A person is also required to be vetted if their ministry, work, or activity is deemed relevant to children or young people or vulnerable adults. Relevant work includes the provision of training, education, treatment, supervision, therapy, counselling, transporting, or conveying, giving advice or guidance, cultural, recreational, leisure, social or physical activities.

INTERPRETING THE ACT FOR THE CHURCH CONTEXT

From the sections of the Act cited above, persons requiring vetting fall into three main categories. It should be noted that anyone who is 18 or over and has any contact with children or young people or vulnerable adults which is more than incidental as part of their ministry must be vetted (see note below).

Category 1: A person must be vetted if they are a minister, priest or other who engages in the advancement of religious beliefs to children or young people and vulnerable adults.

Category 2: A person must be vetted if he/she has necessary and regular contact with children or young people or vulnerable adults through his/her ministry, work or activity in a diocese, parish, school, or diocesan agency, or an agency of the Order.

Category 3: Vetting is also required for those whose ministry, work or activity includes the coaching, mentoring, counselling, teaching, or training of children or young people or vulnerable adults. This applies regardless of whether this ministry, work or activity is occasional or regular and necessary.

Note: Vetting is not required for a person if his/her ministry, work or activity with children or young people is merely incidental to his/her ministry, work or activity with others who are not children or young people or vulnerable adults. In other words, vetting is not required for church personnel who may come into contact with, but do not minister or work directly with, children or young people or vulnerable adults, excluding those who fall into Category 1 – 3 above.

MINORS

The legislation is directed at applicants aged 18 years or over at the date of signing the form. However, applications can be made for those aged 16 and 17 years of age. The decision to vet 16- and 17-year-olds is a policy decision for the organisation in question and this is not a legal requirement.

Where an application is being made for a 16- or 17-year-old the consent of the parent/carer/and/or legal guardian must also be obtained. This is done by asking them to fill out the form, Parent/Guardian Consent Form (NVB 3). In addition, the email address and telephone number provided on the e-vetting invitation form is the email address and telephone number of the parent/carer and/or legal guardian, (not the young person). Proof of identity must also be obtained for the parent/carer and/or legal/guardian and the young person.

EXAMPLES OF ROLES THAT TYPICALLY WILL REQUIRE VETTING (THIS LIST IS NOT EXHAUSTIVE)

1. Clergy (priests, deacons, visiting clergy who provide short to long term cover)
2. Sacristans
3. Youth group leaders responsible for youth choirs, parish run youth clubs, Pope John Paul II Award leaders, youth liturgy groups
4. Supervisors of altar servers
5. Ancillary staff in schools, e.g., SNA s, caretakers
6. Leaders of *Do This in Memory Communion* programme who have contact with children outside the Sunday liturgy
7. Leaders of the *You Shall Be My Witnesses Confirmation* programme
8. Eucharistic ministers who have been commissioned to bring the Eucharist to homes, hospitals, care homes and other institutions where there may children or young people and or vulnerable adults present.
9. Other roles that bring a person into direct contact with children or young people or vulnerable adults through his/her ministry, work, or activity.

EXAMPLES OF ROLES THAT TYPICALLY WILL NOT REQUIRE VETTING:

1. Church/Parish secretaries
2. Collectors
3. Car park attendants
4. Those present in the sacristy who don't have an official role with children or vulnerable adults (However these adults should never be left unsupervised with children or vulnerable adults)
5. Readers of the Word unless they have a dual role which directly involves contact with children or young people or vulnerable adults
6. Eucharistic ministers who only distribute the Eucharist within the main body of the church during public Mass or other liturgical celebrations.
7. Other roles whose contact with children or young people or vulnerable adults is incidental while carrying out their ministry, work, or activities with adults.

VETTING PROCESS

Vetting applications for individual members of the Province, staff and volunteers and/or visiting Franciscans must be done through the Provincial's Office.

Applications for vetting are now submitted electronically in a process known as e vetting.

A vetting invitation form (NVB 1) will be issued and should be completed by the applicant. This is then returned to the Provincial's Office along with the required forms of ID.

PROOF OF IDENTITY

At least two forms of identification must be produced to validate the identity of the applicant when completing the E-Vetting Invitation Form (NVB 1). One of these should be photographic. There is a points system for the verification of identity where 100 points must be reached. Different forms of identification are weighted with a sliding scale of points please see www.vetting.garda.ie for Proof of Identity Check List.

Where an individual cannot reach 100 points an affidavit witnessed by a Commissioner for Oaths will suffice. The identity is verified locally by the Provincial Office. If the applicant does not have access to an electronic device one should be provided for them for the purpose of completing their application.

EMAIL

If the applicant does not have an email address, the Franciscan Provincial clerk will issue a manual form and complete e-vetting on their behalf.

RE-VETTING

Vetting is required at least every three years.

VETTING DISCLOSURE

All vetting Disclosures are stored securely in the Safeguarding Office. (See Policy re-vetting disclosures)