

Hockey Ireland Garda Vetting Policy

REPUBLIC OF IRELAND

Introduction

There are two types of vetting checks available to hockey – Garda Vetting and Access NI. Hockey Ireland (“HI”) is registered with the National Vetting Bureau (“NVB”) and has appointed Authorised Liaison Persons. The Ulster Hockey Union is registered with Access NI and has an appointed a Lead Signatory. If an individual is filling a position in hockey involving regular contact with children or vulnerable persons in the Republic of Ireland, Garda Vetting is implemented. If an individual is filling such a position in Northern Ireland, Access NI checking is implemented. For anyone involved at national level, Garda Vetting with the NVB must be implemented.

The focus of the remainder of this document is on HI’s policy for the Republic of Ireland in line with the NVB Act 2012-2016. For more information on Access NI checks for Northern Ireland, see Ulster Hockey’s website.

Reasons for undertaking vetting

HI is fully committed to safeguarding the wellbeing of its participants. Every individual in hockey should at all times show respect and understanding for participants’ rights, safety and welfare, and conduct themselves in a way that reflects the principles of the organisation and the guidelines contained in Sport Ireland’s *Code of Ethics and Good Practice for Children’s Sport*. In working with young people in hockey our first priority is the welfare of young people and we are committed to providing an environment that will allow participants to perform to the best of their ability, free from abuse, neglect, bullying and intimidation.

Vetting is just one part of HI’s overall Recruitment and Selection Policy, the aim of which is to ensure that children and vulnerable people playing our sport do so in safe and fun environment. Vetting also provides protection by providing a barrier for an individual who is unsuitable to work with children.

Definition of Garda Vetting and the National Vetting Bureau Act

Garda vetting is the checking of an applicant’s background for criminal convictions, prosecutions or Specified Information which might be relevant to the role they will fulfill. The NVB Act provides a legislative basis for the mandatory vetting of individuals who wish to undertake certain work or activities involving regular contact with children or vulnerable persons.

Policy application

HI, as National Governing Body for the sport of hockey, is registered as a ‘relevant organisation’. As a result the Garda National Vetting Bureau will provide vetting services to HI on behalf of its members. This policy applies to all members of HI including all clubs based in the Republic of Ireland, the branches (Leinster, Connacht and Munster), the Irish

Hockey Umpires Association, the Irish Universities Hockey Association and the Irish Colleges Hockey Association.

Policy application to affiliated schools

This policy does not apply to schools. Affiliated secondary schools are required to follow the 'Child Protection Procedures for Primary and Post-Primary' as set out by the Department of Education and Skills and Circular 0063/2010 Recruitment Procedures - Requirements for Garda Vetting. HI does not provide individuals with a letter confirming that s/he has been vetted as this process is carried out via members (clubs, branches etc.). Accordingly, vetting must be arranged by the school authority via its relevant registered organisation e.g. relevant diocesan office, management body or VEC etc.

Definition of those requiring vetting

The National Vetting Bureau Act details the type of work and/or activities that require vetting. This includes the *provision of leisure or physical activities to children or vulnerable persons* on a regular basis.

This includes, amongst others, the activities of Sports Leaders, Coaches, Managers, Mentors, Children's Officers, Designated Persons etc. (in a paid or voluntary capacity).

The act does not apply to persons who occasionally and on a voluntary basis (in certain activities/events, be they school, sport or community related) work with children or vulnerable persons. This provision recognises the occasional but necessary involvement or assistance of parents or other persons in certain activities in which children or vulnerable persons are participating.

The above exemption only applies where someone is involved on an occasional basis, for example, someone who helps out at a blitz one day in a season. Any individual involved on a more frequent basis is required to be vetted.

All individuals providing leisure or physical activities to children or vulnerable persons, regardless of when they took up their post, must be vetted (see Retrospective Vetting below for more).

Responsibility

It is the responsibility of the club/branch/HI/organisation which employs or engages the individual (on a paid or voluntary basis) to ensure that vetting is carried out. Under the National Vetting Bureau Act it is an offence to fail to vet an individual who is providing certain work or activities relating to children or other vulnerable persons unless that person has been subject to the vetting procedures under the Act.

HI will only accept vetting applications via member organisations. Individual applications will not be accepted and will be returned to the individual. This approach is in place for a number of reasons:

- a) in the majority of instances the relationship is between the club/branch/organisation and the individual, not between HI and the individual
- b) the club/branch/organisation is required to verify the identity of the individual

- c) HI is made aware of the club/branch/organisation in which the individual is engaged and has a link to the club/branch/organisation if required

The process for carrying out Garda Vetting is detailed at the end of this document.

Awaiting information

As laid out in the National Vetting Bureau Act, HI/the club/branch/organisation shall not:

- (a) employ (whether under contract of employment or otherwise) any person to undertake relevant work or activities,*
- (b) enter into a contract for services with any person for the provision by that person of services which constitute relevant work or activities,*
- (c) permit any person to undertake relevant work or activities on behalf of the organisation (whether or not for commercial or any other consideration),*
- (d) in a case where the relevant organisation is a provider of any course of education, training or scheme, including an internship scheme, place or make arrangements for the placement of a person as part of such education, training or scheme, if a necessary and regular part of such placement requires the participation by the person in relevant work or activities,*

unless the organisation receives a vetting disclosure from the Bureau in respect of that person.

Where Garda Vetting is applied, this means that an individual may not be employed, contracted or permitted to take on a role with HI/the club/branch/organisation without receiving confirmation from HI that the individual is 'deemed acceptable' to fill the position from a Garda Vetting perspective.

Definition of a child

A person under the age of 18.

Definition of a vulnerable person

The definition of a vulnerable person according to the National Vetting Bureau Act is 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 as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

Vetting of Umpires

Umpiring Associations are required to vet their members. Umpiring Associations are also required to vet any individuals that will be providing services such as workshops, training

seminars to mentoring to young people or vulnerable persons. Clubs are required to vet club umpires.

Vetting of HI/Club/Branch Committees

Any persons involved in the running of youth activities or activities for vulnerable persons is required to be vetted. This includes, for example, a Youth or Junior Committee. Children's Officers and Designated Persons must also be vetted. It is recommended as best practice for committees to also be vetted e.g. club/branch committee.

Summer Camps or Hockey Camps

All individuals involved in the overseeing, organisation and delivery of Summer Camps or Hockey Camps must be vetted as this includes the provision of leisure or physical activities to children or vulnerable persons. Camp operators external to HI will not be vetted via HI and will need to source access to vetting elsewhere.

Portability

The Data Protection Act prevents the use of 'sensitive personal information' for purposes other than the purpose for which the data was collated. Therefore a person who has completed vetting within one sporting organisation cannot be considered to have been vetted for all sporting activities. This means that an individual will need to be vetted by each organisation that engages them. For example, if a coach has been vetted as a result of their role in rugby and they subsequently get involved with U18s or vulnerable persons in hockey, the person must be vetted by hockey.

If an individual moves to another organisation within hockey (for example, a coach who is involved with U18s in more than one hockey club) AND has been previously Garda Vetted by hockey, the individual does not need to complete a Garda Vetting Application Form again. However, the individual is required to complete a Hockey Ireland Previously Garda Vetted Form. The process is the same for the Previously HI Garda Vetted Form as for Garda Vetting Application Forms (see Process for implementation of Garda Vetting). Where an individual has completed the Garda Vetting process through HI previously the organisation engaging the individual is required to seek a Self-Declaration form as part of a Recruitment and Selection process.

Re-vetting

Re-vetting applies to those individuals who have been vetted in the past by the same organisation. Individuals must be re-vetted every 5 years. In the interim and in line with the Hockey Ireland Code of Ethics, individuals must sign a Self-Declaration Form each season or upon renewal of their contract/agreement with HI/the club/branch/organisation. This will be reviewed and may be altered in line with legislation.

Retrospective vetting and its implementation

Retrospective vetting refers to individuals who are already operating as part of a club, branch, HI etc and is now a legal requirement. It is in the best interest of the child that all individuals providing hockey to children and young people are vetted. As a result, all individuals providing leisure or physical activities to children or vulnerable persons regardless of when they took up their post must be vetted.

Accountability

It is the responsibility of the club/branch/HI/organisation which employs or engages the individual (on a paid or voluntary basis) to ensure that vetting is carried out. It is the responsibility of the HI Welfare Committee to oversee and ensure implementation of the legislation.

Return of Information

Hockey Ireland's Authorised Liaison Person(s) act(s) as a liaison between the NVB and HI. They are responsible for receiving information from the NVB and for maintaining the confidentiality of information received. If the application is returned without a disclosure, conviction or specified information (in line with upcoming legislation), the applicant will be 'deemed acceptable to fill the position solely from a Garda Vetting perspective' and the club/branch/organisation will be informed. The applicant will not be informed directly by HI. It is the ultimate responsibility of the club/branch/organisation to decide if the individual is best placed to fill the role taking a thorough Recruitment and Selection policy into account.

If the Garda Vetting form includes a disclosure from the applicant or is returned with a disclosure, conviction or specified information from the NVB, a meeting of HI's Garda Vetting Review Committee will be convened. It is the responsibility of the Authorised Liaison Person to form the Garda Vetting Review Committee which will be governed by its Terms of Reference. This committee will have at least 3 members including the Authorised Liaison Person, the National Designated Person and member(s) of the Welfare Committee. The committee has the right to seek external independent advice if required. The applicant will also be informed that a disclosure, conviction or specified information has been received and that the committee has been formed. Relevant third parties may also be contacted if additional information is sought in order for the Review Committee to make its decision. If the committee deems the applicant as 'deemed acceptable to fill the position solely from a Garda Vetting perspective', the applicant and the club/branch etc. will be informed.

Alternatively, the committee may, e.g. impose restrictions on the role of the applicant, deem the applicant as not acceptable to fill the role or bar the applicant as a member of the club/branch/organisation. The applicant may choose to appeal the decision of the Garda Vetting Review Committee upon which the Garda Vetting Appeals Committee will be formed. It will be governed by its Terms of Reference. This committee will have at least 3 members and will be comprised of the National Children's Officer, the Chair of the Board and the Chair of the Welfare Committee.

The decision of the Garda Vetting Review Committee and/or Garda Vetting Appeals Committee will be communicated to the applicant. It will also be communicated to the club/branch/organisation; however the details of disclosure, conviction or specified information will not. The Garda Vetting Review Committee and/or Garda Vetting Appeals Committee will instruct the club/branch/organisation, where required, as to its course of action.

HI may bar any individual from hockey and the Association if the individual is deemed not to be acceptable following vetting procedures carried out in respect of the individual. In this instance the decision will be ratified by the Board of Management.

Record Keeping

Under the Data Protection Acts a vetting disclosure would constitute 'sensitive personal information'. Section 2 of the 1988 Act requires that such data shall be kept for 'no longer than is necessary'. Whilst a database of all individuals who have completed Garda Vetting will be retained by HI (name, date of birth, current address), paperwork will be destroyed. Where a conviction or specified information has been disclosed, records will be kept for no longer than 5 years or as long as deemed necessary by the Review Committee or Appeals Committee (in cases which have gone to appeal).

Process for implementation of Garda Vetting: No Disclosure Included or Received

The process below refers to the club. However the same process is in place for any other organisation (branch, Umpiring Association etc.) which will follow the same process.

Step 1:

The club identifies the positions that require Garda Vetting. The club also identifies who will oversee the process on behalf of the club (recommended to be the Club Liaison Person). Each vetting applicant is issued a HI Garda Vetting Form by the club. This form must be completed in full by the applicant and collected locally by the Club Liaison Person. Identity of the Vetting Subject must be checked when the form is being collected. All vetting forms must be handled securely and confidentially by the Club Liaison Person. Each form must be checked for accuracy by the Club Liaison Person prior to its submission to HI. Any incomplete forms must be returned to applicants who will need to resubmit the form to the club.

Vetting forms received from individuals will be returned.

Step 2:

Prior to submitting the forms to HI the Club Designated Person is required to complete a 'Hockey Ireland Garda Vetting Batch Header'. This provides an overview of all forms to be submitted as well as the Club Designated Person's details if further correspondence is required.

Step 3:

All forms are then to be sent (by post or email) to:

Authorised Liaison, Hockey Ireland, Newstead, UCD, Dublin 4;

Or email nationalchildrensofficer@hockey.ie.

All forms must be sent to HI for processing and not to An Garda Síochána.

Hockey Ireland's Authorised Liaison will then process all correctly completed forms with the NVB. Processed forms will on their return contain a statement that there are no convictions

recorded against the individual in the Republic of Ireland or Northern Ireland, or a statement of all convictions and/or prosecutions, successful or not, pending or completed, in the State or Northern Ireland, as the case may be. They will also state whether there is any Specified Information disclosed relevant to the role. Under the National Vetting Bureau Act, convictions and specified information will be provided to the Authorised Liaison Person.

Step 4:

Where a form is returned with no convictions/prosecutions (pending or completed) or specified information, the applicant will be 'deemed acceptable to fill the position solely from a Garda Vetting perspective'. The Authorised Liaison Person will inform each Club Liaison Person individually by letter with a list of Vetting Subjects who fall into this category. Vetting Subjects will not receive a letter from HI. The club/branch/organisation will also be informed that it is the ultimate responsibility of the club/branch/organisation to decide if the individual is best placed to fill the role taking a thorough Recruitment and Selection policy into account.

Process for implementation of Garda Vetting: Disclosure Included or Received

Step A:

If the Garda Vetting form includes a disclosure from the applicant or is returned with a disclosure from the NVB, the Garda Vetting Review Committee will be formed. A letter will be issued to the applicant with a copy of the information from the NVB offering them the opportunity to submit further information.

Step B:

In line with the terms of reference for the Review Committee, all information will be reviewed prior to a decision being taken. If the applicant is 'deemed acceptable to fill the position solely from a Garda Vetting perspective' by the Review Committee, the applicant will be issued with a 'HI Vetting Acceptance Letter'. The club will also be informed of this decision.

Step C:

Alternatively, the Review Committee may decide the applicant is not acceptable for the position or that there may be restrictions on the position involved. If this is the case, a letter to this effect will be issued to the applicant by the Authorised Liaison Person. The applicant will be afforded an opportunity to appeal this decision within 7 days and the process of appeal will be outlined to the applicant. If the applicant does not submit an appeal, the decision of the Committee will be communicated to the club. If required, a specially appointed Garda Vetting Appeals Committee will hear this appeal and will issue their findings directly to the applicant.

Step D:

If the Appeals Committee decides that the applicant is 'deemed acceptable to fill the position solely from a Garda Vetting perspective', Step B comes into effect.

Step E:

If the Appeals Committee upholds the recommendation of the Review Committee, the applicant will be informed. The club will also be informed, however details of the disclosure, conviction or specified information will not be passed on.

Step F:

The Garda Vetting Review Committee or Garda Vetting Appeals Committee may bar any individual from hockey and HI if the individual is deemed to be unsuitable following vetting procedures carried out in respect of the individual. In this instance the decision will be ratified by the Board of Management.

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