Procedure for Vetting of ATU Students

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1. Purpose

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 provide a statutory basis for the mandatory vetting of individuals who engage in "Relevant Work or Activities" specified wide array of work and activities that involve contact with or access to children and/or vulnerable adults. Schedule 1 of the Act sets out a list of what specifically constitutes "Relevant Work or Activities."

ATU provides academic programmes, placements, outreach, and other activities that may require students to undertake relevant work or activities as defined in the Acts.

This procedure supports *AQAE078 ATU Student Vetting Policy*.

2. Scope

This procedure applies to all students who, during their studies or university-related activities, may engage in or be exposed to relevant work or activities. ATU shall identify programmes and situations involving such activities and will require students in these cases to undergo Garda Vetting.

Continued registration and the ability to meet learning outcomes on some programmes of study is contingent upon clearing the Garda Vetting process and being deemed eligible to participate in all elements of the programme. Students who are deemed ineligible may be required to delay their practice placement and/or reconsider their program choice.

As some courses do not requiring vetting to take place until year 2 or Year 3 of a course depending on placement dates, applicants with criminal convictions are required to notify the Garda Vetting office (vetting@atu.ie) as soon as they register to have vetting carried out following registration. Failure to do so may affect programme progression and the ability to meet learning outcomes.

3. Reference Documents

- National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016

4. Procedure

4.1 Management of the Vetting Process

To manage the various stages of student vetting process, ATU has created an administration structure as follows:

1. **ATU Garda Vetting Liaison Person/s ("Liaison Person/s")**: staff member/s responsible for submitting applications for vetting on behalf of ATU-Student to the National Vetting Bureau (NVB) on a national basis, and for managing all subsequent disclosures within relevant legislation and regulations. The Liaison Person/s will be registered with the NVB and be provided with registered numbers and security passwords. The Liaison Person/s must undergo mandatory in-person training with the NVB.

2. **University Student Vetting Review panel:** Comprising the Vice President for Students, Liaison Person, relevant Head of Department (or their nominee) and nominee from Deans of Faculty.

3. **University Appeal Committee on Vetting Process:** Registrar and Chief Academic Officer (or their nominees) and two Heads of School appointed by the University.

Please note that where in this procedure reference is made to any named University officeholder, such reference is to be read as including reference to their appointed nominee.

4.2 Joint Agreement with Relevant Organisations

ATU may enter into joint agreements with external organisations to allow a single vetting process to apply. However, organisations may still wish to undertake independent vetting, and students participating in placements are required to meet this request.

Joint Agreements will be negotiated with relevant organisations by Placement Officers through the completion of the University Vetting Report Form. Consent from students for the sharing of their vetting disclosure shall be obtained by completion of the Student Consent Form. Both forms may be found under Vetting in the Student Hub.

ATU will request the NVB to vet all students registered on programmes that require placements with external agencies wherein most of the work involves contact with children and/or vulnerable adults.

4.3 Understanding Disclosures

When a prospective student is vetted by the NVB, their criminal record (if any) is disclosed to the authorised Liaison Person. A vetting disclosure will include details of either:

- A statement that there is no criminal record or specified information relating to the person being vetted, this is obtained through the completion of a Nil Disclosure Letter which may be found under Vetting in the Student Hub

OR

All convictions and pending prosecutions and a statement of specified information through the completion of a Disclosure Letter w/ Criminal Report which may also be found under Vetting in the Student Hub. Specified information (also known as 'soft' information) is information other than criminal convictions where such information leads to a bona-fide belief that a person poses a threat to children or vulnerable people.[1] [2]

4.4 Procedure for Student Vetting

A process flow diagram for the Garda Vetting Procedure is provided in Appendix 1.

4.4.1 Stage 1: Completion of Forms

1. Students who accept and register on a programme that requires vetting are directed to fill out a Vetting Invitation Form (NVB 1) which may be found under Vetting in the Student Hub. This form contains the students' consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the ATU Liaison Person During this process, students have the requirement to verify their identity by providing ATU with two forms of identification and the importance of full disclosure.

2. If a student is under 18 years of age, a parent/guardian is required to complete an NVB3-Parent/Guardian Consent Form which may be found under Vetting in the Student Hub. In this case, the electronic correspondence will be issued to the parent/guardian and should be completed by the same.

3. Students who have resided outside of the Republic of Ireland for a period of 6 months or more (**from the age of 18 years**) shall also be required to furnish a Police Clearance Certificate from their country or countries of residence. This certificate should confirm if a student has any convictions recorded against them while resident there. If a student is unable to obtain a Police Clearance Certificate, they will be required to obtain a legal declaration (Affidavit) in the presence of a Commissioner of Oaths or a Solicitor confirming that they have no

[1] Under the Acts, certain single minor stand-alone convictions over 7 years old are NOT included in the disclosure but are reactivated in the event of another conviction of any type.
[2] Spent convictions: Under Section 258 of the Children Act 2001, if someone committed an offence when aged under 18 for which they have been found guilty, the offence can be automatically expunged from the record as if never committed once certain conditions are met.

criminal convictions, current or pending, this may be obtained through the completion of Overseas Clearance Declaration form which may be found under Vetting in the Student Hub. Any costs incurred in seeking a Police Clearance Certificate are borne by the student/applicant.

4. Verification of Identity and Address: The completed and signed Vetting Invitation NVB 1 form along with a copy of two documents (Proof of Identity and Proof of Address) to verify identity are submitted to the Clerk User/Liaison Person. Identity and proof of address must be verified by the student in person. The Vetting Invitation NVB 1 form may be found under Vetting in the Student Hub.

5. Completing e-vetting application: If satisfied that all sections of the form are duly completed and ID is verified, the Verification of Identity Form is completed by the Liaison Person/Clerk and the applicant's details are entered into the e-vetting system.

4.4.2 Stage 2: Invitation by NVB to Student

1. The NVB reviews the request and sends an email to the applicant's ATU email address with a link to the online E-Vetting application. Instructions on how to complete the application are included, and applicants are given 30 days to do so. A reminder email will be sent after 21 days if the application has not been completed. If the application is not completed within 30 days, the process must start over.

2. The applicant completes and submits the application for Garda Vetting online. Once the form is submitted, the Liaison Person will receive notification that the form is ready for review.

3. The form is reviewed by the Liaison Person and submitted electronically to the NVB, using the Garda Vetting e-system.

4. The application form is processed by the NVB.

4.4.3 Response from the NVB

The NVB responds to the vetting request by returning either:

i. A vetting disclosure with details of all convictions and pending prosecutions and a statement of specified information* (if any) relating to the person being vetted
   a. OR
ii. A statement that there is no criminal record or specified information relating to the person being vetted.

Statements/disclosures are returned in confidence to the Liaison Person. Liaison Person saves the disclosure in a secure and confidential location. The University will maintain a

secure and confidential record of all vetting applications and disclosures. Each record shall include student name and ID, programme or activity requiring vetting, date of application, date of disclosure, and outcome of the vetting process. Disclosures are available to download for 30 days from the NVB site.

Students can track the status of their vetting application while it is being processed.

4.4.4 Evaluation of Information Disclosed

The Liaison Person will classify disclosures as follows:

- No previous convictions/specified information disclosed.
- Previous/pending convictions/specified information disclosed.

i. If no information of concern is disclosed, the student will be deemed to have cleared the vetting process and are eligible to participate in all elements of the program (see below for University response). This will be recorded on the students' record in the student record system. Once reviewed, the Liaison Person/Clerk User will send a copy via email to the student ATU email address to ensure the security and confidentiality of personal data under GDPR.
ii. If previous/pending convictions/specified information is disclosed, the Liaison Person will seek confirmation of the disclosure from the student. The Liaison Person will review any discrepancies between student disclosure and NVB findings.

If the student does not agree that the information supplied by the NVB is correct, the student shall outline the basis of their disagreement, in writing, to the ATU Student Garda Liaison Person who is conducting the vetting. The ATU Student Garda Vetting Liaison Person will then request the NVB to review the application and confirm or review their initial response.

If errors or omissions were made by the student while completing the original application form, they should be requested to complete a new application form; and both the original and the new application forms should then be submitted together with the request for further checks to be conducted.

4.5 ATU Response to Information provided by the NVB

4.5.1 No previous convictions recorded

The Liaison Person will provide the students with an electronic copy of their disclosure letter via their ATU student email account. The relevant Head of Department (HoD) (or their nominee) can request a report from the Liaison Person of students who have successfully completed the Vetting process. If requested, the HoD (or their nominee) will

provide written assurance to the placement agency that students have been subject to ATU's Student Vetting process and have been deemed appropriate for placement.

4.5.2 Minor Offence and Convictions

All students with previous/pending convictions/specified information will be referred to the ATU Student Vetting review panel.

Regarding minor offences, and convictions which, within the absolute discretion of the University, are not considered to pose any risk to children or vulnerable adults, or any other significant risk relevant to the programme of study, the ATU Student Vetting review panel will act as follows:

If a satisfactory explanation is received, and the ATU Student Vetting review panel deems the student suitable to go on placement, then the Head of Department (or nominee) will, if requested, provide written assurance to the placement agency that the student has been subject to ATU's Student Vetting process and has been deemed appropriate for placement.

4.5.3 Serious Offences and Convictions

Regarding serious offences and convictions, i.e., offences, the nature of which could potentially indicate a risk to children or vulnerable adults or other members of the public, or another risk relevant to the programme of study, the student will be required to meet with the Student Vetting Review Panel.

- Pending the deliberations of the Student Vetting review panel, if there has been evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the student since the event took place, then the student may be advised they will be allowed to continue in the programme. If requested, the Head of Department (or their nominee) will provide written assurance to the placement agency that the student has been subject to ATU's Student Vetting Process and has been deemed appropriate for placement (Appendix.
- If there is no evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the student, the student will be advised that owing to the nature of their conviction(s) they cannot continue in that programme of study.

The Student Vetting review panel will complete a confidential report, documenting the outcome of the meeting (University Vetting Report Form will be used and can be found under Vetting in the Student Hub).

Following the meeting, the student will be advised in writing of the University's decision by the Liaison Person. The student may, within 10 working days of the date

of the letter, make an appeal to the Chief Academic Officer & Registrar to have the outcome of the Student Vetting Review Panel considered by the Appeal Committee for Student Vetting.

4.6 Re- Vetting

The University reserves the right, at its discretion, to invite certain groups of students to undergo the Vetting process at a subsequent time or alternatively to provide an enhanced disclosure by the completion of an affidavit during their degree programme. Placement Agencies reserve the right to request re-vetting of students after a certain period (for example, 3 years).

In the event of any change in the student's status regarding criminal convictions or Student Vetting, the student is required to immediately communicate the details of the change to the Liaison Person. Failure to notify the University will be considered a breach of *AQAE006 Student Code Policy* and will be dealt with under *AQAE007 Procedure for Dealing with Allegations of Non-Academic Breaches of the Student Code (Disciplinary Procedure).*

5. Documents Related to this Procedure

5.1 Policies

- *AQAE078 Student Vetting Policy*
- *ATU Child Protection Policy*
- *ATU Data Protection Policy*
- *AQAE037 Access, Transfer and Progression Policy*
- *AQAE006 Student Code Policy*

5.2 Procedures

- *AQAE007 Procedure for dealing with Allegations of Non-Academic Breaches of the Student Code (Disciplinary Procedure)*

6. Measurement of Effectiveness of this Procedure

Not Applicable.

7. Revision History

Revision No	Description of Change	Approval Date
000	New Procedure	19/10/26

Appendix 1: Process Flow Diagram for Garda Vetting Procedure

