



# ICHAS

## Section 5 - Policies and Procedures associated Access, Transfer & Progression

Subject:	Policy on Garda Vetting		
Applicable Standard	QQI	Core	Programmes of Education and Training
Date Approved by Academic Council:			June 2021
Policy Version	1/2021	Date due for Revision	February 2024

### CONTEXT

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 commenced in April 2016, resulting in statutory obligations for the College concerning new/existing staff members and students with respect to Garda Vetting. The Act therefore provides a legislative basis for mandatory vetting for persons who wish to undertake “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 (a person under the age of 18 years) or vulnerable adults.”

The Act defines “vulnerable person” as follows:

“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”

This requirement applies to anyone who will have regular access to children and/or vulnerable persons in the course of their employment or work placement. While students and staff may engage in several activities outlined in the act the most pertinent for the purpose of this policy is as follows:

“Any research work or activities (howsoever described) carried out in a university, institute of technology or other establishment at which third level education is provided where a necessary and regular part of the research work or activity involves contact with or access to children.”

And similarly,

“Any research work or activities (howsoever described) carried out in a university, institute of technology or other establishment at which third level education is provided where a necessary and regular part of the research work or activity involves contact with or access to vulnerable persons.”

The Acts therefore provide a statutory basis for mandatory vetting of persons who wish to undertake a work placement and/or activities that bring them into contact with children and/or vulnerable adults. ICHAS is committed to ensuring that predefined and published regulations and legislation are consistently adhered to. The purpose of the Garda Vetting Policy is to ensure clarity.

## **POLICY STATEMENT**

The principles and goals underlying the Garda Vetting Policy are:

- To ensure that ICHAS is compliant with legislative requirements
- To ensure that all staff members and learners are fully informed of the purpose and process of Garda vetting within the College.
- To ensure the protection of the college community and members of the public
- To provide clarity and transparency in relation to Garda vetting procedures at ICHAS.

## **SCOPE**

<b>Applies To</b>	<b>Staff</b>	<b>Students</b>	<b>Both</b>	
			✓	
<b>Responsible for Implementation</b>	Garda Vetting Officer			
<b>Responsible for Monitoring &amp; Review</b>	Vice President (Academic Affairs)	Lecturer	Programme Director	Registrar
	✓			

## **Definitions**

**Vetting Subject:** staff member, learner

**Vetting Officer:** College Liaison person dealing with the Garda Vetting Process

## RELEVANT GUIDELINES/ POLICIES INFORMING THIS POLICY

- NATIONAL VETTING BUREAU (CHILDREN AND VULNERABLE PERSONS) ACT 2012, revised 2016
- QQI Validation Policy and Criteria, QQI Validation template Quality and Qualifications Ireland (2016) Statutory Quality Assurance Guidelines developed by QQI for use by all Providers
- European Association for Quality Assurance in Higher Education (ENQA) et al (2015) Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).
- Quality and Qualifications Ireland (2016) Sector Specific Statutory Quality Assurance Guidelines Developed By QQI For Independent/Private Providers Coming To QQI On A Voluntary Basis
- Government of Ireland (2012) Qualifications & Quality Assurance (Education and Training Act).

## Linked Policies and Procedures

<b>Linked Policies</b>	Policy on Work Based Learning Policy on Fitness to Practice Policy on Appeals Policy on Access, Amplicons and Admissions Policy on Transfer and Progression Policy on Staff Recruitment, Management and Development
<b>Linked Procedures</b>	Procedure Associated with Garda Vetting Procedure Associated with Work Based Learning Procedure Associated with Fitness to Practice Procedure Associated with Appeals Procedure Associated with Access, Amplicons and Admissions Procedure Associated with Transfer and Progression Procedure Associated with Staff Recruitment, Management and Development