



Student Garda Vetting Policy

Policy owner	UCD Registry – Admissions www.ucd.ie/admissions	Approval date and body	UPB 16 February 2023 ACEC 1 March 2023
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1. Background

University College Dublin (UCD) offers a number of programmes, particularly in the areas of Health, Education and Social Sciences that require students to undertake clinical placements, professional placements or other activities, which will bring them into contact with children or vulnerable adults and situations of risk in the wider community. To promote the protection of the public and encourage public trust and confidence, UCD is committed to ensuring that these students are vetted and only suitable candidates are allowed to continue in their programme of study.

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 www.irishstatutebook.ie/eli/2012/act/47/enacted/en/html commenced on 29th April 2016 and made it a legal requirement for any work or activities, carried out by a person, a necessary and regular part of which consists mainly of the person having access to or contact with children or vulnerable persons to be vetted by the National Vetting Bureau in An Garda Síochána.

2. Scope

Students (or applicants in receipt of an offer) of programmes listed at www.ucd.ie/vetting are required to undergo the vetting process.

Students intending to be engaged in activities involving UCD, (e.g. UCD Volunteer, Ph.D. research, Post Primary School workshops), where they may have access to children and/or vulnerable adults may also be required to be vetted, unless the contact with children and /or vulnerable adults is merely incidental. Supervisors of these students are required to advise which sections of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 apply to their activities.

Students not listed in the above categories should still become familiar with the Relevant Offence Risk Assessment Policy, which may be relevant to them.



3. General Principles

The term Student in this document refers to both students and applicants.

3.1 Responsibility

3.1.1 Admissions Office

The UCD Admissions Office is responsible for managing and operating the University student vetting process through the National Vetting Bureau's eVetting system.

The vetting process is administered by UCD Admissions and the UCD Liaison Person is the contact between UCD and the National Vetting Bureau. The current UCD Liaison Persons are the UCD Director and Deputy Director of Admissions & Enrolment Planning.

3.1.2 Student

Each student must disclose to UCD all information required for the process of vetting including the completion of the vetting application and any Police Certificates required as outlined in section 3.2.

3.1.3 Programme / School Unit

It is the responsibility of the relevant programme / school unit to ensure that no student carries out any work or activities, a necessary and regular part of which consists mainly of the student having access to or contact with children or vulnerable persons until their vetting process is successfully completed.

Details of relevant work or activities are outlined in part 1 and 2 of Schedule 1 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012

www.irishstatutebook.ie/eli/2012/act/47/enacted/en/html

3.2 Police Certificates

If a student has resided outside the island of Ireland for a period of 6 months or more (after reaching the age of 18), they are normally required to furnish a Police Certificate from the country or countries of residence. Further details of Police Certificate requirements and process are outlined at www.ucd.ie/vetting. In exceptional circumstances, other evidence may be accepted by the University in lieu of a Police certificate (e.g., Student Affidavits).

3.3 Vetting Disclosure

UCD uses the vetting disclosure returned from the National Vetting Bureau to assess the suitability of students. The disclosure can include particulars of the criminal record (if any) relating to the student or a statement that there is no criminal record in relation to the student or any prosecutions pending against them.



3.4 Specified Information

The vetting disclosure may also contain specified information in relation to a person who is the subject of an application for a vetting disclosure, meaning information concerning a finding or allegation of harm to another person received by the National Vetting Bureau from An Garda Síochána or a Scheduled Organisation pursuant to section 19 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

It is information that is considered to reasonably give rise to a bona fide concern that the vetting subject may

- i. harm any child or vulnerable person,
- ii. cause any child or vulnerable person to be harmed,
- iii. put any child or vulnerable person at risk of harm,
- iv. attempt to harm any child or vulnerable person, or,
- v. incite another person to harm any child or vulnerable person.

3.5 Vetted Students with Charge(s)/Prosecution(s) and/or Conviction(s) and/or Specified Information

In the event where students do not meet the vetting requirements of the University, registration on such programmes may be subject to final cancellation or temporary cancellation (where continuance of registration is conditional on meeting specified criteria). If information relating to a charge/prosecution and/or conviction is not given or is given in an incomplete form, the University reserves the right at any stage (including after an offer of a place has been made, or after registration) to reject the application or, where applicable, withdraw the offer or cancel the registration.

Having a charge/prosecution and/or conviction and/or specified information will not necessarily prevent an applicant from gaining admission to the relevant programme. However, the University will take any relevant prosecutions or convictions or specified information of a prospective applicant or registered student into account when considering her/his application and reserves the right to refuse admission or cancel registration of a person admitted where her/his previous charge(s)/prosecution(s)/ conviction(s) or specified information make it inappropriate for her/him to be a student of the relevant programme.

In reaching a decision regarding the admission or continuance of a student, the University will balance the interests of the student (and its ability to provide any appropriate support arrangements) with seeking to provide a safe and secure environment for the public and its staff, students, visitors and others. In addition, the University will take account of the demands and requirements of relevant professional bodies and requirements under the law to protect special categories of people, for example children and vulnerable adults.



3.6 Students acquiring a charge/prosecution and/or conviction during their Course of Study

Students on any of the Programmes listed at www.ucd.ie/vetting or students vetted as part of activities in UCD under section 2 above, who acquire a charge/prosecution and/or conviction during their course of study are required to notify UCD Student Vetting in the Admissions Office and also their School/Unit. They will be subject to the provisions of this Policy and the UCD Student Code may also apply in this circumstance. Non-disclosure may result in a cancellation of registration.

3.7 Vetting Sharing Agreement

In accordance with The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, UCD has a number of joint sharing agreements in place with organisations where student placements occur. These agreements cover the vetting process for both parties involved and avoid duplication of vetting applications for these students.

4. Vetting Process

The following sections outline the different stages of the vetting process and matters arising from it. UCD reserves the right to adapt this process from time to time, in general or, in particular cases, having regard to the particular circumstances of a case or cases.

4.1 Completion of Vetting Application

UCD Admissions place a vetting hold on all students' records who are part of section 2 above. The student vetting hold triggers an email to the student with instructions on how to begin the vetting process.

Students subject to vetting are required to complete the application process as detailed in www.ucd.ie/vetting and provide all information necessary for full disclosure.

A student who is under 18 years of age at the point of entering the University must complete and submit an additional National Vetting Bureau Parent/Guardian Consent Form.

4.2 Validation by UCD Vetting, –Admissions Office

Once UCD Admissions is satisfied that the application is duly completed, the application is forwarded to the National Vetting Bureau via the Online Vetting Service (eVetting).

4.3 Confirmation by the National Vetting Bureau

Following review of the subject's vetting application; the National Vetting Bureau reverts in accordance with its own procedures. A Vetting disclosure is issued directly to the UCD Liaison person which includes particulars of a criminal record (if any) and a statement of specified information (if any) relating to the person or a statement that there is no criminal record or specified information.



4.4 Evaluation of Information and University Response

The UCD Student Vetting Unit in UCD Admissions will evaluate information received from the National Vetting Bureau and assess each application. Thereafter, the University will deal with the information as outlined in section 4.5.

If during the vetting process, a student disputes the detail contained in a vetting disclosure from the National Vetting Bureau, they should outline the basis of her or his dispute, in writing, to the UCD Liaison Person. The UCD Liaison Person then submits the complete application file to the National Vetting Bureau for further checks.

4.5 University response to National Vetting Bureau Disclosure

4.5.1 If no previous charge(s)/prosecution(s) and/or convictions and/or specified information is recorded on the Vetting Disclosure:

The Vetting Disclosure is made available to both the student and the relevant school contact and the student is deemed appropriate to carry out any work or activities and have her/his registration continued. Provided all necessary Police Certificates are received, the vetting hold is removed from the student record and the vetting process is successfully completed.

4.5.2 If a previous charge(s)/prosecutions(s) and/or conviction is recorded on the Vetting Disclosure:

The prosecution(s) and/or conviction(s) will be categorised as Minor or Serious by the Vetting Liaison Officer in consultation with one other from the Vetting Review Committee.

The UCD Vetting Review Committee for each programme will normally comprise of the:

- UCD Liaison person

And

- 1 or more of the following members:
 - Dean of Students
 - Programme Director
 - Clinical or Placement Coordinator
 - Head of School (or nominee)
 - College Principal / Programme Dean (or nominee)
 - Associate Dean (or nominee)
 - UCD Legal

4.5.3 Minor charge(s)/prosecution(s) and/or conviction(s)

If after consultation between the UCD Liaison Person and a member of the Vetting Review Committee (this may also include consultation with the placement organisation) the charge/prosecution(s) are deemed minor and/or conviction(s) are not considered to pose any risk to children, vulnerable adults and the wider community, a meeting is arranged between the UCD Liaison Person and the student. If requested, a representative from the UCD Vetting Review Committee will also attend.



During the meeting, the UCD Liaison Person will discuss the disclosure with the student and if the offence has not been disclosed, the UCD Liaison Person will seek an explanation for the non-disclosure from the student.

Following the meeting, if the student's vetting has been cleared, the UCD Vetting Team will provide confirmation to the School that the student has been subject to vetting and has been deemed appropriate to have her/his registration continued and undertake relevant work or activities where applicable. The vetting hold will be removed from the student record.

If a satisfactory explanation is not received, the offence may be dealt with as for section 4.5.4 below (Serious charge(s)/prosecution(s) and/or conviction(s) and/or specified information).

A record of the meeting, which includes information on the categorisation of the Offence, discussion with the student and the outcome of the meeting will be kept by the UCD Vetting Team.

4.5.4 Serious charge(s)/prosecution(s) and/or conviction(s) and/or specified information

In the case of a serious charge/prosecution and/or conviction or specified information, the nature of which could indicate a potential risk to children, vulnerable adults or the wider community, at least 2 members of the UCD Vetting Review Committee, which will include the UCD Liaison Person, will seek to meet with the student to discuss the circumstances of the charge/prosecution and/or conviction and/or specified information. In consideration of a disclosure, the UCD Vetting Review Committee will be guided by factors that include but not limited to:

- The self-disclosure or non-disclosure of any such charge/prosecution and/or conviction by the student;
- The nature and seriousness of any charge/prosecution and/or conviction which may be recorded in respect of the student
- The nature of any court result which may be recorded in respect of the student, taking account of any current suspended sentence;
- The age of the student at the time any such charge/prosecution and/or conviction was committed;
- The length of time elapsed since any such charge/prosecution and/or conviction was committed by the student;
- The conduct of the student in the time elapsed since the date of the charge/prosecution and/or conviction;
- Mitigating factors, if any, in favour of the student;
- Rehabilitative efforts undertaken by the student in the time elapsed since any such charge/prosecution and/or conviction was committed;
- Frequency of re-offence, if any, in the time elapsed since any such serious offence was committed;
- Outcome of any consultation with the relevant placement organisation;
- Insurance, Health and Safety stipulations;



- Any other information recorded relating to the commission of or involvement in the commission of a charge/prosecution and/or conviction and/or specified information, which would give rise or would be likely to give rise to a bona-fide concern that the individual poses a risk to the safety of children, vulnerable adults or the wider community.

It is important to note that whilst the factors above shall be considered, the list is not exhaustive, and the assessment shall be made taking account of all relevant factors and circumstances pertaining to a student and her/his programme.

If the student has been cleared at this point, the UCD Vetting Team will provide written assurance to the School that the student has been subject to vetting and has been deemed appropriate to have her/his registration continued and undertake placement where applicable. The vetting hold will be removed from the students record.

If the Committee is of the view clearance has not been obtained, the case shall be escalated, and the disclosure shall require further review in accordance with section 4.5.5 (Further review of serious charge(s)/prosecution(s) /conviction(s) and/or specified information).

4.5.5 Further review of serious charge(s)/prosecution(s) conviction(s) and/or specified information

If a further review is required, the assessment criteria outlined in section 4.5.4, plus any other relevant factors or circumstances will be considered by at least 3 members of the UCD Vetting Review Committee (including Head of School or nominee) and a further meeting with the student may be requested. It will be evaluated whether there are sufficient grounds on which the student can continue in their programme. If sufficient grounds do not exist, it will be decided that the student can no longer remain a registered student of UCD. This cancellation of registration will be final or will be imposed for a period of time (where continuance of registration at a future time is conditional on specified criteria).

Following the review, the student will be advised of the decision in writing.

5. Appeals Mechanism

An appeal may be made to the University's Student Appeals Committee within 10 working days from the date of issue of the decision of the UCD Vetting Review Committee. Details of the appeal procedure can be found in the [Student Appeals Procedure](#).

Appeals may be made on the following grounds.

- New evidence: Information directly relevant to the decision, which for good reason was not available to the UCD Vetting Review Committee.
- Procedural irregularity: There is evidence that the procedures relating to a decision were not followed properly, which may have impacted on the Student Vetting Committee's decision.



The Student Appeals Committee may:

- Uphold the Appeal
- Reject the Appeal

6. Review of a Vetting Decision

If at some point further information comes to the attention of the University that calls a vetting decision into question, a stay will be put on the student's placement and the student shall be suspended from carrying out the work placement until such information has been considered by the Vetting Review Committee. In reaching a decision regarding the continuance of a student, the University will balance the interests of the student (and its ability to provide any appropriate support arrangements) with seeking to provide a safe and secure environment for the public and its staff, students, visitors and others. In addition, the University will take account of the demands and requirements of relevant professional bodies and requirements under the law to protect special categories of people, for example children and vulnerable adults.

7. Re-Vetting

Students should be aware that, given the duration of certain Programmes, the University reserves the right, at its discretion, to require certain groups of students or individual students to undergo a further Student Vetting process during the course of their Programme. In addition, a student member may be re-vetted if information concerning suitability to work with children or vulnerable adults comes to the attention of the University.

Should the National Vetting Bureau (Children and Vulnerable Persons) Acts change, making it a mandatory requirement to conduct re-vetting after a certain length of time, UCD will act in accordance with the changes issued in the Acts.

