



Rowing Ireland Vetting Policy - Northern Ireland

(A) INTRODUCTION

RI Ulster Branch as a regional body of Rowing Ireland is a Registered Body with Access NI with one appointed Lead Signatory and one Counter Signatory.

Access NI is a vetting body set up to provide criminal record certificates using legislation. The Access NI Code of Practice must be read by everyone wishing to be vetted by RI Ulster Branch. It is available here

<https://www.nidirect.gov.uk/sites/default/files/publications/accessni-code-of-practice.pdf>

The legislation makes it compulsory to check individuals - applicants must be over 16 years - working in a Regulated Activity with children and/or vulnerable persons with the Disclosure Barring Service (DBS).

Legislation includes -

Part V of the Police Act 1997 + amendments

Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979 (as amended 2014)

Safeguarding Vulnerable Groups (NI) Order 2007

Protection of Freedoms Act 2012

Applicants both paid and voluntary must complete an ENHANCED Application via the Access NI on-line system.

(B) VETTING WITHIN NI CLUBS

Within the structure of Rowing Ireland many positions will have unsupervised access to young people and/or information that may be deemed sensitive or personal regarding young people.

Vetting is part of Rowing Ireland's recruitment and selection process and is a required by law for certain roles with access to or working with young people who are under the age of 18 and vulnerable adults.

The requirement for vetting is included in any job description (paid or voluntary) where vetting is essential. Vetting applies to both paid and voluntary roles within Rowing Ireland

The legislation together with this RI Vetting Policy - Northern Ireland means that vetting is mandatory for all members of affiliated Clubs with RI Ulster Branch seeking to engage with junior members and vulnerable adults.

The vetting process does not provide clearance for people, but provides information that may be relevant for Rowing Ireland to decide the suitability of an individual to carry out a certain role working with or having access to children and young people. Vetting is one of the measures to protect Rowing Ireland and its affiliated clubs against possible perpetrators of child abuse by being a barrier to an individual who is unsuitable to work with children.

All such positions (paid or voluntary) must be successfully vetted before an individual is legally allowed to take up their chosen position(s) or attend any relevant Rowing Ireland activity or course

All applicants requiring vetting must be aware of this policy - The RI Vetting Policy – Northern Ireland at the time of application.

Who is required to be vetted?

All persons applying for a role (both paid and voluntary) that provides an opportunity for unsupervised access to children must undergo the vetting process. These positions are referred to as regulated positions (ANI) defined within the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

For example - Individuals who must be vetted will include but not limited to the following:

- Committee member U18 Club
- Children's Officer
- Parent duty where the same individual parent provides duty for two or more sessions in any week
- Coach
- Teacher
- Tutor
- Team Manager /Chaperone
- Official (except timekeepers)
- National Committee
- Regional Committee
- Rowing Ireland employee
- Other personnel as may be considered

Vetting children and young people under 18

Any individual aged 16 years or over applying for any of the required positions must undergo vetting prior to taking up the position. Any person under 18 years of age completing a vetting application must obtain the permission of their parent/guardian

Re-vetting individuals

All individuals will undergo re-vetting as determined by Rowing Ireland by future circumstances.

Any existing Rowing Ireland member may be re-vetted if information concerning an individual's suitability to work with children comes to the attention of Rowing Ireland, Branch or a Club.

Vetting as part of an investigative process

Vetting or re-vetting an individual, with their permission, may be considered as part of an investigation or a requirement within the Rowing Ireland Complaints and Disciplinary process.

Vetting charges

There is no cost to volunteers – as members of an Rowing Ireland affiliated Club undergoing vetting. Access NI makes a charge for individuals being vetted for employment purposes. These charges are detailed on the Access NI website or through contacting the Access NI signatories.

Previous Residence outside Ireland

Any individual who has been resident in Northern Ireland for less than one year (taken from the date of the initial vetting application) will be asked to provide a police check from their previous country and will be required by Rowing Ireland to undergo a re-check after 12 months.

(C) HOW TO GET VETTED WITHIN NI CLUBS

Once an individual intends to apply for any position requiring vetting please speak to the Child Protection Officer or an administrator of the Club you wish to be employed by – either paid or voluntary and they will provide you with the RI Ulster Branch application form. This gives details of what you must be aware of pre application, the PIN access code and documents suitable for the ID check.

Applicants both paid and voluntary must complete an ENHANCED Application via the Access NI on-line system.

Clubs and Provincial committees - are responsible for ensuring recruited and appointed individuals are vetted in accordance with this policy – RI Vetting Policy – Northern Ireland

Employees - Rowing Ireland is responsible for ensuring employees, Associate members and any individuals operating at national level are vetted in accordance with this Policy

An appointment to a vetted position is subject to a successful vetting outcome.

All applicants should be aware that a criminal record will not necessarily be a bar to obtaining a position

RI Ulster Branch has a policy on the recruitment of ex-offenders. **See Appendix 1.**

RI Ulster Branch is the Registered Body for vetting in Northern Ireland and has one Registered Signatory: and a Counter Signatory

- 1 Registered Lead Signatory - Brenda Ewing
- 2 Counter Signatory – Jeremy Johnston

The Signatories are registered with Access NI (ANI) and act as liaison between ANI and Rowing Ireland. The Signatories are responsible for ensuring the identification forms are up to date and available, for processing online applications and dealing with information/disclosures as returned from ANI.

The Signatories are also responsible for maintaining the confidentiality of disclosed information and for using such in the best interests of young people and in accordance with this vetting policy.

Applicants should be aware of The RI Ulster Branch Policy for Secure Handling, Use Storage and Retention of Disclosure information. **See Appendix 2**

Return of information

Disclosure Certificates are only received by the applicant. No certificates are received by the Signatories. Applicants with disclosed information on their certificates are required to contact the Signatory in order that a decision can be made regarding their status. Until a decision is made the applicant is not eligible to undertake their role within Rowing Ireland.

Assessing suitability -

Rowing Ireland is responsible for making the decision regarding an applicant's suitability to be in the role.

Disposal

Once the retention period has elapsed, RI Ulster Branch will ensure that any Disclosure information is immediately destroyed by approved secure means.

(D) PROCESSING DISCLOSED INFORMATION FROM ACCESS NI

Any assessment of suitability depends on the relevance of any disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the disclosed information, the timing of the offence and any possible pattern of offences. The integrity of the applicant with regard to self-disclosure or lack of disclosure on the initial application form is considered important. The information disclosed is used for only the specific purpose for which it was obtained as part of a recruitment or appointment process within Rowing Ireland.

On receiving information that may potentially result in exclusion from taking up the regulated position any original documentation is checked to ensure it is correct and that the disclosed information refers to the applicant.

If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting body a decision will be made depending on the type and nature of the offences disclosed.

If the applicant has not self-disclosed and information is received from the vetting body this will be checked with the applicant.

Disclosures –

Disclosure of certain types of convictions/prosecutions or specified information automatically disqualify the applicant from a position working with children.

Examples of offences that will automatically disqualify an applicant are:

Any offence of a sexual nature

Any offence against a child or of child abuse or pornography

An offence that causes gross bodily harm

Any offence of murder or manslaughter

An offence of kidnapping

A series of continuous offending that might cause concern for the well-being of children

Any charge brought by the Director of Public Prosecutions (for Ireland and Northern Ireland) concerning abuse of a child

All decisions on the suitability of an applicant are a matter for Rowing Ireland. Access NI are not involved in such decisions.

Communication of information

If a Signatory is required to communicate with the applicant for any reason the protocol applied will be as per the AccessNI code of Practice – available here:

<https://www.nidirect.gov.uk/sites/default/files/publications/accessni-code-of-practice.pdf>

All responses are noted. If any of the information is disputed the disputes procedure in this policy (see below) must be followed.

Decisions regarding Disclosures

All decisions are made on an individual basis. Consideration is given to the nature of the disclosed information received from the respective vetting bodies and the initial self-disclosure, if any, by the individual.

Decisions will only be made on disclosed information that is verified and confirmed, preferably in writing.

If a decision is required that is not clearly dealt with in this vetting policy external advice is sought. In this case any identifying information on the disclosure will be removed. External advice may be sought from other regulatory bodies, e.g. Participation Unit from Sport Ireland or Child Protection in Sport Unit from NSPCC.

Where the applicant is suitable for the position currently held or applied for, this is communicated to the individual by issuing a letter accepting suitability to work within Rowing Ireland.

Where the information disclosed by the vetting organisation and/or self-disclosed by the applicant deems the individual to be unsuitable for the regulated position they are informed of such preferably in person. However this is not always possible. In the case where an individual cannot be informed in person they will be requested to contact the Signatory as a matter of urgency. The applicant is allowed the opportunity to withdraw from seeking any role or position.

Data Security

The data submitted by the applicant and any responses from the vetting organisations is subject to data security.

Rowing Ireland will only release information concerning the suitability of an individual to a person who needs to know. In the event that an applicant withdraws either their application for a position or from their position, information concerning their suitability for working with children will not be released.

In accordance with the rules laid down in the Data Protection Acts 1988/2003 and ANI Code of Practice the LP or Signatory on behalf of Rowing Ireland will:

- Obtain and process information fairly with permission
- Keep this information only for one or more specified, explicit and lawful purposes
- Use and disclose information only in ways compatible with these purposes
- Keep information safe and secure
- Keep information accurate, complete and up to date
- Ensure that any information is adequate, relevant and not excessive
- Retain information for no longer than is necessary for the purpose or purposes
- Give a copy of his/her personal information to an individual, on request

Disputes with Vetting Bodies

Rowing Ireland cannot dispute the information disclosed by ANI or NVB. Any individual disputing the disclosed information will need to follow the procedure for the relevant vetting body. The applicant will not be permitted to take up a position while any disclosure is under dispute.

If there was an error in the completion of the form this should be rectified by the applicant by completing a new application.

Disputing the Decision of Rowing Ireland

All decisions on the suitability of an applicant are based on the information released by the relevant vetting body, and subject to the direction of this policy with due attention to the fair and lawful treatment of applicants whilst also accounting for the paramountcy principle in the protection of children and young people within sport.

The LPs and Signatories have a responsibility to observe professional standards and will be cautious to recognise their own values and personal ethics in evaluating the seriousness and the relevance of any offence. Any dispute concerning the decision of an LP or Signatory should be submitted in writing to the CEO of Rowing Ireland.

Advice from independent advisors according to the jurisdiction will be taken, as guided by this vetting policy. This will be communicated to the individual in accordance with the protocol. The outcome of this decision will be final.

Brenda Ewing
Lead Signatory Access NI
RI Ulster Branch

Compliant October 2017



Appendix 1

RI Vetting Policy - Northern Ireland – ex offenders

1. Rowing Ireland Ulster Branch complies fully with the Code of Practice, issued by the Department of Justice, in connection with the use of information provided to registered persons, their nominees and other recipients of information by AccessNI under Part V of the Police Act 1997, for the purposes of assessing Applicant's suitability for employment purposes, voluntary positions, licensing and other relevant purposes. We undertake to treat all applicants for positions fairly and not to discriminate unfairly or unlawfully against the subject of a Disclosure on the basis of conviction or other information revealed.

2. This policy is made available to all Disclosure applicants at the outset of the recruitment process.

3. Rowing Ireland Ulster Branch are committed to equality of opportunity (see separate RI Equal Opportunities Policy) to following practices, and to providing a service which is free from unfair and unlawful discrimination*. We ensure that no applicant or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability political opinion or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.

4. Rowing Ireland Ulster Branch actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on those who meet the required standard of skills, qualifications and experience as outlined in the essential and desirable criteria.

5. Rowing Ireland Ulster Branch will request an AccessNI Disclosure only where this is considered proportionate and relevant to the particular position. This will be based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure is available to the position in question.

Where an AccessNI Disclosure is deemed necessary for a post or position, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that Rowing Ireland Ulster Branch will request the individual being offered the position to undergo an appropriate AccessNI Disclosure check.

6. In line with the Rehabilitation of Offenders (Exceptions)(Northern Ireland) Order 1979 (as amended in 2014), Rowing Ireland Ulster Branch will only ask about convictions which are defined as "not protected" for the purposes of obtaining a Standard or Enhanced disclosure.

7. We undertake to ensure an open and measured and recorded discussion on the subject

of any offences or other matters that might be considered relevant for the position concerned eg the individual is applying for a driving job but has a criminal history of driving offences. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of the conditional offer of employment.

8. Rowing Ireland Ulster Branch may consider discussing any matter revealed in a Disclosure Certificate. We are only able to discuss what is contained on a Disclosure Certificate , and not what may have been sent under separate cover by the Police, with the subject of that Disclosure before considering withdrawing a conditional offer of employment.

9. We ensure that all those in Rowing Ireland Ulster Branch who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g. the Rehabilitation of Offenders (Northern Ireland) Order 1978).

10. We undertake to make every subject of an AccessNI Disclosure aware of the existence of the Code of Practice, and to make a copy available on request

HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR YOU FROM WORKING WITH Rowing Ireland Ulster Branch. THIS WILL DEPEND ON THE NATURE OF THE POSITION, TOGETHER WITH THE CIRCUMSTANCES AND BACKGROUND OF YOUR OFFENCES OR OTHER INFORMATION CONTAINED ON A DISCLOSURE CERTIFICATE OR PROVIDED DIRECTLY TO US BY THE POLICE.

*We are only able to discuss what is contained on a Disclosure Certificate and not what may have been sent under separate cover by the Police

Brenda Ewing
Lead Signatory Access NI
RI Ulster Branch

Compliant October 2017



Appendix 2

RI Vetting Policy - Northern Ireland – Handling, Use, Storage and Retention of Disclosure information

1 General Principles

Rowing Ireland Ulster Branch uses Access NI to help assess the suitability of applicants for positions and complies fully with Access NI's Code of Practice regarding the correct handling, use, storage retention and disposal of Disclosure Applications and Disclosure information. We also comply fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, storage, retention and disposal of Disclosure information.

2 Storage and Access

Disclosure information is kept securely in lockable, non -portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

3 Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and note that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

4 Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

5 Retention

Once a recruitment (or other relevant e.g. regulatory or for licensing purposes) decision has been taken, we do not keep Disclosure information for any longer than is necessary. Information will not be retained but destroyed once a decision, recruitment or otherwise has been made.

6 Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any unsecured receptacle (e.g. waste-bin or confidential sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure or any other relevant non-conviction information supplied by police but not included on the Disclosure. However, despite the above, we do keep a record of the date of issue of a Disclosure, the name of the subject, the subjects date of birth, the type of Disclosure requested, the position for which the Disclosure was requested, the AccessNI unique reference number of the Disclosure Certificate and the details of the recruitment decision taken.

Brenda Ewing
Lead Signatory Access NI
RI Ulster Branch

Compliant October 2017