



## **Rowing Ireland Vetting Policy – for Republic of Ireland and Northern Ireland**

### **(A) INTRODUCTION - RESPONSIBILITY**

Rowing Ireland is responsible for processing applications in through the relevant bodies in the Republic of Ireland and Northern Ireland.

There are two types of vetting checks available to Rowing Ireland – through the National Vetting Bureau and Access NI; both checks are applicable to members of Rowing Ireland.

#### **(1) Republic of Ireland**

Rowing Ireland is a Registered Organisation with the National Vetting Bureau (NVB) with two appointed Liaison Persons and one Clerical Officer.

Legislation and Information relating to Republic of Ireland -

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016  
Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3  
Civil Service Commissioners Act 1956 Child  
Care Act 1991 – Sections 5; 61; 65 Data  
Protection Act 1988/2003  
Children’s Act 2001 – Section 258 Private Security Authority Act 2004

#### **(2) Northern Ireland**

RI Ulster Branch, as a regional body of Rowing Ireland, is a Registered Body with Access NI (ANI), with one appointed Lead Signatory and a Counter-signatory.

Access NI is a vetting body set up to provide criminal record certificates using legislation.

The Access NI Code of Practise 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 young people 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

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Protection of Freedoms Act 2012

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

### **(B) VETTING POLICY – WHY?**

Vetting is part of Rowing Ireland's recruitment and selection process and is a requirement for certain roles working with young people who are under the age of 18.

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 required by law, with certain differences in each jurisdiction. The legislation together with this Rowing Ireland Vetting Policy means that vetting is mandatory for all members of Rowing Ireland – Board, Staff, Sub-Committees, Branches, Affiliated Clubs and any person seeking to engage with young people.

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 young people.

Vetting is one of the measures to protect Rowing Ireland and its Affiliated Clubs against possible perpetrators of abuse by being a barrier to an individual who is unsuitable to work with young people.

**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 – RoI and NI at the time of application.

### **(C) VETTING POLICY – WHO?**

All persons applying for a role that provides an opportunity for unsupervised access to young people must undergo the vetting process. These positions are referred to as regulated positions (ANI) defined within the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 or as undertaking relevant work or activity (NVB) defined in the National Vetting Bureau (Children and Vulnerable Adults) Act 2012 to 2016.

**Individuals who must be vetted will include but not limited to the following:**

- Committee member U18 Club
- Children's Officer / Designated Liason Person /
- Parent duty where the same parent provides duty for two or more sessions in any week
- Coach
- Teacher
- Tutor
- Officials eg at junior training camps
- Board Members
- Sub Committees
- Working Groups
- Branch Committee
- Rowing Ireland employees

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- Others – as deemed necessary

All the above required positions must be successfully vetted before an individual is legally allowed to take up their chosen position(s) or attend the relevant course.

The requirement for vetting must be included in any job description. The terms within this policy may affect the employment position and therefore this policy must be available to prospective employees / members at the time of application. Once an individual intends to apply for any vetted position a vetting application must be submitted for processing.

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

### **Vetting young people under 18 years old**

Any individual under 18 years of age in the Republic of Ireland or aged 16 years or over in Northern Ireland and 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.

### **Previous Residence**

Any individual who has been resident in the Republic of Ireland and/or 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 to undergo a recheck after 12 months.

### **Re-vetting individuals**

All individuals will undergo re-vetting after three years or as determined by Rowing Ireland as required 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 a Club, Branch or Rowing Ireland.

### **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.

## **(D) VETTING POLICY – PROCESS**

If you are required to be vetted by Rowing Ireland you will be asked by the CEO, Committee Chairs or Secretaries, Club Liason Person etc to make an application and directed to the Rowing Ireland Vetting Policy – RoI and NI for information and to the forms for Garda Vetting and Access NI Vetting.

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

### **Vetting charges**

At present there is no cost to volunteers undergoing vetting in the Republic of Ireland or Northern Ireland. Access NI makes a charge for individuals being vetted for employment purposes. These charges are detailed on the Access NI website.

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## **Republic of Ireland - National Vetting Bureau**

Rowing Ireland have two Liaison Persons (LP) registered with the NVB:  
National Children's Officer – Tom Fennessey  
Administration Officer – Denis O'Regan

The LP is responsible for ensuring the application forms are up to date and available, for processing online applications and dealing with information/disclosures as returned from NVB. The LP is 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.

All applications to the NVB are processed by the LP through the NVB on-line application system on receipt of consent and identification verification from an individual seeking to be vetted through an E-Vet ID Form. The requirements of the process are mandatory by legislation.

## **Northern Ireland – Access NI**

RI Ulster Branch is the Registered Body for vetting in Northern Ireland and has one Registered Signatory: and a Counter Signatory –  
Registered Lead Signatory - Brenda Ewing  
Counter Signatory – Currently being changed

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.

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

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

### **Processing time**

The time taken to complete the vetting process is dependent on the prompt submission of accurately completed forms / ID checks carried out / on-line submission completed by Rowing Ireland.

### **Return of Information**

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.

Rowing Ireland is 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.

### **Processing Disclosure Information - Assessing suitability**

Rowing Ireland is responsible for making the decision regarding an applicant's suitability to be in the role. The information disclosed by the NVB and Access NI is used.

All decisions are made on an individual basis. Consideration is given to the nature of the disclosed

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information received from the respective vetting bodies and the initial self-disclosure, if any, by the individual. Disclosed information must be verified and confirmed by the Applicant before any decision is made.

Any assessment of suitability depends on the relevance of any conviction/disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the offence/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.

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. The NVB and ANI are not involved in such decisions.

**Disclosures - Communication with Applicant**

If Rowing Ireland is required to communicate with the applicant for any reason, the Signatory will do so by the following protocol -

- Communication may be by phone, letter marked 'Private and Confidential' or in person if convenient
- The LP/Signatory verifies the identity of the applicant
- No messages are left
- No discussion takes place with any other person, spouse or partner
- The LP/Signatory gives an assurance of confidentiality

If the Signatory is required to verify disclosed details the applicant is asked relevant questions, for example:

- Is there anything they remember concerning the time of the offence?
- Have they ever been to court?
- Is there any relevant information concerning the disclosed information?
- Does the applicant have an understanding of the relevance of the disclosure to the position/role

applied for?

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

### **Disclosures – seeking external advice**

If a decision is required that is not clearly dealt with in this vetting policy external advice must be 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.

### **Disclosures – Suitability**

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.

### **Disclosures – Un-suitability**

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.

## **(E) RECORD KEEPING / INFORMATION STORAGE / DISPOSAL**

Rowing Ireland – will store the vetting ID documents for the time necessary for the vetting process. All data submitted by the Applicant and any responses from the Vetting Bodies are 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 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

Once a decision is made regarding the suitability of an applicant the outcome is recorded on the database record as accepted or withdrawn. The status ‘withdrawn’ relates to an applicant who has been deemed ineligible for Rowing Ireland or where an applicant has withdrawn their request for vetting.

No information regarding the content of any disclosure is recorded on the database. The disclosure document, decision process and outcome is securely kept in a locked cabinet with access only by an LP.

Data in the Republic of Ireland is kept in accordance with the Data Protection Acts 1988/2003 by LP on behalf of Rowing Ireland. All information is kept in a secure cabinet, with restricted access in Rowing Ireland Head Office. The LPs are the only key holders for the secure cabinet.

Data in Northern Ireland is stored as per the RI Ulster Branch Policy for Secure Holding, Use, Storage and Retention of Disclosure Information. See Appendix 2. Access NI Audit confirms compliancy.

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

#### **(F) DISPUTES**

##### **With the National Vetting Bureau and Access NI**

Rowing Ireland cannot dispute the information disclosed by Access NI 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.

##### **With 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 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.

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1.0	1 <sup>st</sup> August 2017	H. Adams	New Version
1.1	20 Jan 2020	Board RI	Up dates



ULSTER BRANCH

### 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

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## 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.

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