

## Triathlon Ireland Vetting Policy

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## Introduction

The purpose of this document is to ensure best safeguarding practice and procedures exist to protect vulnerable members as well as facilitate and enhance the operations of Triathlon Ireland (hereafter referred to as TI) and its clubs. The procedures following are produced to ensure all TI staff, relevant volunteers and stakeholders have a clear understanding of the policy and how it applies to their role. This document will be reviewed on a regular basis.

These procedures were submitted and approved by the Safeguarding Committee. All previous procedures are superseded by this version with effect from *18<sup>th</sup> of June 2018*.

**Any issues arising from the transition between previous procedures and these shall be determined by the CEO, in consultation, where such issues are material, with the President.**

This document may be amended from time to time by the Safeguarding Committee. The definitive text of this document in force from time to time is the version contained on the TI internal server under *Safeguarding Policies*. Any printed text or electronic copy held elsewhere is only a snapshot of the text at the time it is printed, copied or downloaded.

Garda Vetting and Access NI checks are available for Triathlon Ireland (TI) members though Triathlon Ireland. Triathlon Ireland is registered with the National Vetting Bureau and with Access NI through the Northern Ireland Sports Forum.

Triathlon Ireland engage in vetting as part of our safeguarding standards to protect juniors and vulnerable adults in our sport.

## Who

Organisations have a duty of care to the children with whom they provide a service for. Part of fulfilling this duty means preventing unsuitable individuals from working with children.

In the Republic of Ireland (ROI) this is termed 'relevant work'.

In Northern Ireland (NI) this is termed 'regulated activity'.

In ROI, vetting is mandatory for all leaders/coaches/helpers (paid & voluntary) with regular and continuous access to young people and vulnerable adults. Vetting must be complete prior to taking up the role.

In NI It is against the law for a barred person to work or volunteer with children in 'regulated activity'. Where an organisation is accepting a volunteer or employee in regulated activity, whether for paid work or as a volunteer, they should request an enhanced disclosure check from Access NI, this will show if the individual is barred from working with children. If the disclosure certificate indicates that the individual is on the barred list, the organisation must not employ that person in regulated activity.

In addition, for both, anyone intending to accompany juniors on an overnight trip or who may be involved in decision making in relation to young people, e.g. Chair of Youth Committee must apply for vetting.

The full vetting process, including a confirmation email from TI, must be completed prior to taking up the role.

### **Under 18 vetting**

Those aged over 16 can be vetted but a parental consent form must be provided, and the parents email used.

### **How often**

Triathlon Ireland requires re vetting every 3 years and reserves the right to suspend a member from their role until their vetting is complete.

### *Residency Abroad*

Any individual resident for less than one year (taken from the date of the initial vetting application) in either Ireland or Northern Ireland will be checked again one year later and again after another 12-months. If a police check has been obtained from the individual's originating country (possibly accepted on submission of original information to the Liaison Person (LP) vetting will only be required after 6 months and again one year later (i.e.2 checks plus originating country police check in 18 months).

### **How**

Garda Vetting:

1. Applicant must complete the E- VITE and Identification (ID) proof form in full before posting to TI with copies of the ID.
2. Applicant will receive an email inviting them to complete the online vetting process. TI Liaison Person (LP) reviews and submits the application to the National Vetting Bureau(NVB).
3. A disclosure is made available to TI through the online system which may have information regarding convictions and/or Garda intelligence (specified information) or may be a NIL disclosure.

Access NI:

1. Applicant must complete the ID proof form in full before posting to TI with copies of the ID.
2. Applicant completes the online application.
3. TI LP checks and signs the form.
4. Form is sent to Authorised Signatory in the NI Sport Forum.
5. Authorised signatory submits the applicants' online application.
6. Authorised signatory contacts TI when disclosure is returned and confirms whether it is NIL or contains convictions. Applicant also receives disclosure.
7. If there are convictions contained in the disclosure TI will request that the applicant send the disclosure to TI for assessment within 7 days. If this is not received in 7 days the club Childrens Officer will be asked to follow up with the applicant.

### **Disclosures**

All applications (Garda Vetting & Access NI) result in a disclosure being issued which are dealt with in complete confidence.

- If a Nil disclosure is received the LP makes a decision regarding the applicant's suitability for the role and if suitability is determined the applicant is informed by the LP that they may begin their role once they have completed the further safeguarding requirements including signing a code of conduct, providing references and completing a Safeguard 1 course.

- If there is relevant intelligence (specified information) to be disclosed the NVB will first contact the applicant directly and give them an opportunity to appeal the disclosure of the intelligence to TI- this will cause a delay in the process however the LP will not be aware this is taking place.
- If there are convictions contained in the disclosure, then a process will begin to assess whether the applicant is a suitable candidate for working with junior athletes/vulnerable adults and the applicant may not begin their role. *Certain convictions will automatically preclude an applicant from a role working with juniors or vulnerable adults.*
- This process is completely confidential and discussed only by the TI Safeguarding committee of 3 people who have relevant training and experience.
- The applicant may be asked for further information regarding convictions and permission to obtain further information from the NVB.
- The safeguarding committee will then use the information available to them to make a decision regarding the role of the applicant.

## Disputes

Both the NVB and Access NI have mechanisms for disputes regarding disclosures. The applicant cannot begin a role while a dispute is pending. See links below:

[NVB disputes](#)

[Access NI disputes](#)

## TI Disputes

Any disputes regarding the decision made by TI about the suitability of an applicant for a role can be raised by written submission to TI within 2 weeks of the decision. The appeal will be dealt with by a panel who were not involved in the original decision. The panel will be given the facts only and anonymity of the applicant will be maintained.

## Fees

There is no monetary charge for Garda vetting or for voluntary coaches for an Access NI check. There is a charge of £33 for paid coaches to complete an Access NI check.

## Record keeping and storage

Vetting applications are stored in a locked cupboard and ID documentation is stored in a secure online file.

All data is kept in accordance with the General Data Protection Regulation, 2018 and held by the TI Liaison Person. All relevant information is kept in a secure location. The LP is the only code holder for the secure cabinet and the database is secure and can be accessed only by three people, the TI LP/NCO and one other member of TI staff, who is a clerk on the National Vetting Bureau system and the TI CEO who is also a LP.

## Sharing information

TI will only release disclosure information concerning the suitability of an individual to a person who needs to know in order to protect young people and where there is a specific purpose in doing so. If 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 without first consulting the applicant.

The TI Children's Officer maintain a database and Club Children's Officers and may request a list of those in their clubs who are vetted and when their vetting expires.

## Legislation and Information relating to Republic of Ireland

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 together with the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3 provides the legal framework for persons working in relevant work or activity to undergo a vetting check prior to working with young people.

### Relevant legislation

- Civil Service Commissioners Act 1956
- Child Care Act 1991 – Sections 5; 61; 65
- Children First Act 2015
- Data Protection Act 1988/2003 Children’s Act 2001 – Section 258 Private Security Authority Act 2004
- General Data Protection Regulation, 2018.
- National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3
- Criminal Law (Sexual Offences) Act 2006
- The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012 .
- The Protections for Persons Reporting Child Abuse Act 1998

## Legislation and Information relating to Northern Ireland

Part V of the Police Act 1997 delivers the legislation that makes it compulsory to check individuals working in a regulated activity with children and/or vulnerable persons with the Independent Safeguarding Authority (Now part of the Disclosure and Barring Service).

### Relevant legislation

- Access NI Code of Practice
- Part V of the Police Act 1997
- Rehabilitation of Offenders (Exceptions)(Northern Ireland) Order 1979 (as amended 2014)
- Safeguarding Vulnerable Groups (NI) Order 2007
- Protection of Freedoms Act 2012

[Please click here for links and further information on relevant legislation.](#)