

## LGFA Vetting Policy

**This LGFA Vetting Policy is effective from 1 August 2017 and shall be reviewed annually by the National Child Welfare and Protection Committee (NCWPC) or at any other time as may be deemed necessary.**

### INTRODUCTION

The LGFA provides a vetting or criminal background check for any of our members who may be working in a role of responsibility with children\* or vulnerable persons\*.

Such roles, also referred to as ‘relevant work or regulated activity’ in legislation, include the following but are not exclusive to these roles:

- Managing, training or mentoring teams that include players under 18 yrs. of age
- Those who officiate at our underage games
- Those who work with young children at LGFA Club Academies
- Cúl Camps and Club Camp personnel
- Staff and employment scheme workers who work with children and vulnerable persons
- Juvenile Committee members who make policy decision for children at Club and County level
- Other roles, identified at local level, may also come under the heading of roles of responsibility or relevant work and each Club or unit may decide on the merits or necessity for vetting people who fulfil such roles of responsibility.

The LGFA Vetting Policy also applies to our colleagues in GAA, Rounder’s, Handball and Camogie. By joint agreement our vetting services and the conditions of our vetting policy apply to the members of these Associations. We do not provide a vetting service for members of the public but where a non-member has been invited to provide a coaching or training role to under 18 yr. olds in the LGFA they may avail of our vetting services.

Inter organisational vetting agreements may be ratified by the LGFA with others, as deemed appropriate.

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#### **For the purpose of the LGFA Vetting Policy the following definitions shall apply:**

**\*Definition of a child:** “a person under the age of 18 years, excluding a person who is or has been married”

**\*\*Vulnerable persons** mean 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.

### **What is Vetting?**

Vetting or a criminal background check is a service conducted in respect of any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons. Vetting is carried out with the permission of the applicant by a registered organisation e.g. the LGFA, GAA, Camogie, through the National Vetting Bureau in Ireland and Access NI in Northern Ireland, to establish whether there is any criminal record or specified information relating to the applicant that may deem them unsuitable to work on our behalf with children or vulnerable persons.

### **Vetting Legislation**

▪ **Republic of Ireland:** The National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 - 2016 commenced on 29th April 2016 and from that date a statutory obligation was placed upon the LGFA to ensure that all persons who on our behalf, or on behalf of LGFA, and who undertake 'relevant work' with children and vulnerable persons in Ireland are vetted, prior to taking up any such role. Applications must be made through the LGFA at <http://ladiesgaelic.ie/lgfa-hub/clubs/child-welfare-protection/vetting/>

▪ **Northern Ireland:** The Disclosure and Barring Service (DBS) helps employers in Northern Ireland make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

It is an offence in Northern Ireland to permit someone to work with children or young people or adults at risk when they have been barred by the DBS from doing so. Organisations therefore must carry out background checks on any such individual so as to assess their suitability for their position applied. The Enhanced Disclosure Certificates are issued by AccessNI and all applications must be made through Ulster GAA at <http://ulster.gaa.ie/safeguarding/access-ni/>

### **LGFA - Registered to administer vetting**

The LGFA is a Registered Organisation with the National Vetting Bureau (NVB) for the purpose of vetting our members in the Republic of Ireland. A similar service is provided by Ulster GAA, on behalf of the Association, to enable members undertake the necessary background checks under Access NI.

All units of the Association, regardless of what jurisdiction in which they operate, must vet their personnel who work in roles of responsibility with children and vulnerable adults.

### **Who is required to be vetted in the LGFA?**

Responsibility has been placed on each organisation to determine who should be vetted in accordance with legislation. The National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016 defines these people as undertaking relevant work "any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the

person having access to, or contact with, children or vulnerable adults” while the term ‘regulated activity’ is referred to under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

In the LGFA the above terms of relevant work or regulated activity shall apply to:

- Coaching, managing or training underage teams, i.e. from U18s to Nursery/Academy level
- Coaching, managing or training adult teams that contains a player under 18 yrs.
- Membership of Committees, at Club, County and National level that manage, regulate or oversee the participation of children and young people under 18 yrs. of age or participants in such age category competitions
- All officers or appointed person who carry out roles of responsibility relating to child welfare and the safeguarding of children in the LGFA e.g. Children’s Officers, Designated Liaison Persons, Child Welfare related committee members etc.
- All persons officiating at LGFA underage games and activities e.g. for children and young people under 18 yrs. of age

Thereafter, each club/county may decide if additional roles merit a person being vetted.

While the primary purpose of the LGFA E-vetting system is to vet LGFA members who ‘undertake relevant work’ or work in a ‘regulated position’ with children or vulnerable persons the LGFA shall vet non-members if they are required to fulfil any such roles.

### **Vetting by GAA and by the Camogie Association**

Both the GAA and the Camogie Association undertake the vetting of their own members under our shared E-vetting system.

An agreement between the LGFA, GAA and Camogie permits each of the Gaelic Games Associations to recognise the vetting carried out by each other, i.e. the LGFA will accept and recognise the vetting disclosure for a coach who has been vetted by either GAA or Camogie and they will do likewise for each of the Gaelic Games Associations.

This agreement applies to vetting carried out under the old vetting procedures and also applies to e-vetting applications under Section 12 3 (a) of the National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016. The Act states that where 2 or more relevant organisations jointly agree in writing to the employment, contracting, permitting or placement of a person to undertake relevant work or activities, it shall be a defence in any proceedings brought against a person for an offence under subsection (2) to show that another relevant organisation who was party to the agreement received a vetting disclosure in respect of the employment, contract, permission or placement of the person concerned.

However, for those applying through Access NI, you must be vetted for each club that you are working with.

### **Vetting decision making**

The vetting process is but one of many recruitment considerations undertaken when a person is being considered for a role of responsibility or regulated role with children and vulnerable persons in the LGFA. (See Code of Best Practice).

In all matters relating to a vetting disclosure received from the National Vetting Bureau in Ireland the decision to issue an acceptance letter or to refuse any such letter is a matter for the National Children's Office on behalf of the LGFA.

The issuing of a vetting acceptance letter does not automatically grant an individual the right to work with children or vulnerable persons. Any such decision shall be made by the relevant club or unit having considered other criteria of suitability, including vetting.

Enhanced Disclosure Certificates issued by AccessNI that contain information are risk assessed by Ulster GAA, and the decision in relation to the applicant's suitability for the post applied is made by the Ulster GAA Case Management Team after consultation with the applicant. The decision is not made by the applicant's Club or by a Committee of the Club.

### **Vetting Acceptance**

When an applicant has completed their vetting application and it has been processed through the NVB or AccessNI the LGFA will be informed as to the nature if any of the convictions/prosecutions recorded against the applicant. If the levels of any convictions/prosecutions are deemed not to be of a level that might deem the applicant unsuitable they are issued with their LGFA vetting acceptance letter.

A copy of their vetting acceptance letter shall also be issued to the applicant' Club Secretary.

### **Vetting refusals**

Should consideration be given to refusing an application processed by the NVB or AccessNI the matter is discussed directly with the applicant who may appeal any such decision, to an independent Appeals Panel, and no discussion shall take place with the applicant's Club without their permission or until all processes relating to the application have been exhausted, including appeals.

The decision to reject or accept a vetting application is not made by the applicant's Club or by a Committee of the Club but made by the LGFA vetting authorities.

### **Vetting Appeals**

Where a decision has been made by the LGFA to restrict or refuse the participation of an individual in any role in the Association following concerns that arose during the vetting process the individual may appeal to the Code of Best Practice/code of Conduct Appeals Panel at [info@lgfa.ie](mailto:info@lgfa.ie) within 7 days of the decision being made. Decisions made by statutory authorities in relation to vetting may not be appealed to the LGFA.

### **Data Protection and Storage**

In accordance with the Data Protection Acts 1988/2003 and AccessNI Code of Practice regarding the storage, retention and disposal of application details and disclosures all vetting applications and disclosure documentation shall be retained no longer than is necessary so as to enable the Association comply with its obligations on the retention of valid vetting data.

All relevant vetting documentation shall be kept securely with access strictly controlled and limited to those who are entitled to see it as part of their roles and duties in the Association.

### **Break of service**

Any person, previously vetted by the LGFA but who for whatever reason may have ceased their regulated activity or work with children and or vulnerable persons in the GAA, LGFA or Camogie Association for a period of more than one year, shall be required to be re-vetted prior to commencing or re-commencing any regulated activity or work with children and or vulnerable persons in our Associations.

In addition to the above any person who may have resided outside of Ireland\* for more than one year or who may be a resident in Ireland for less than one year shall be obliged to obtain a police background check from the country of their last residence and/or country of origin at the discretion of a LGFA Vetting Liaison Officer.

### **Collating information on who is vetted in the LGFA**

For legal purposes, and to also ensure compliance with LGFA rules, each unit of the Association must be in a position to identify if those selected to work with children are suitably vetted. A list of persons whose vetting has been deemed acceptable may be made available to the Club or County Chairperson or Secretary via a LGFA secure email address, i.e. @lgfaclubs.ie, but only on request, so as to ensure that the relevant unit is in compliance with legislative requirements.

When a club applicant submits their vetting form on-line they and their Club Secretary shall receive an acknowledgement of their application. Similarly, when the application has been fully processed and where a vetting acceptance letter is issued the Club Secretary shall receive a copy of the acceptance letter. This is to ensure that we are compliant with our legal responsibilities to have personnel vetted and to enable the Club Secretary to collaborate with the relevant Children's Officer in ensuring that a record is kept of those who have been vetted or may require to be vetted.

### **Vetting of applicants under 18 yrs. of age**

LGFA vetting services are available to any person over 16 yrs. of age and under 18 yrs. of age who fulfil a role of responsibility when working with children or vulnerable adults in the LGFA. A parental consent form (NVB Parent/Guardian Consent Form) must be completed for applicants between 16 and 18 yrs. of age and the form must be uploaded and forwarded to the LGFA as part of the application process. The applicant must also use the email address of the parent/guardian when making the application.

### **Vetting services for under 18 yr. olds in Northern Ireland**

Similar to the NVB vetting process, any applicants between 16 and 18 yrs. of age completing an AccessNI vetting application must have a Parent/Guardian Consent Form completed and attached to their cover application form. This must be forwarded to the Ulster GAA as part of the application process.

### **Policy on those who live in Northern Ireland and coach in the LGFA in the Republic of Ireland and vice versa**

Vetting conducted in any other jurisdiction has no standing in law in the Republic of Ireland. In order to satisfy the requirements of the National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 to 2016 a coach who lives in Northern Ireland and coaches for the LGFA in the Republic of Ireland would require vetting through the National Vetting Bureau even if they have been previously vetted via AccessNI. Similarly, if the coach was also working with

a LGFA Club in Northern Ireland and resident in the Republic of Ireland they would have to be vetted under AccessNI even if they had been previously vetted via the National Vetting Bureau.

### **Re-vetting**

The Vetting Act provides for the re-vetting of all applicants with each organisation operating its own re-vetting policy and practices within an agreed time frame. The LGFA Vetting Policy stipulates that as part of our good practice procedures members shall be re-vetted **at a minimum** within a three-year time period. The LGFA vetting policy, as it applies to vetting through the National Vetting Bureau and AccessNI also states a member of the Association may be re-vetted at any time within that three year period in accordance with our good practice procedures.

Commencing in January 2018 each County subscribing the National Vetting Bureau services shall individually and in sequence be informed when their re-vetting period commences and ends. This process will apply to those who at that stage had been vetted up to three years previously. Applicants who applied to the GAA under the Evetting system will receive an email reminding them of the necessity to be re-vetted within that three-year period.

A vetting acceptance letter issued by the LGFA shall cease to be valid three years after the date of issue or if replaced by an updated letter received following a re-vetting within this time period

### **LGFA Evetting services**

Vetting for a member of the LGFA involves a number of easy steps to follow. Information on LGFA Evetting may be accessed at: <http://ladiesgaelic.ie/lgfa-hub/clubs/child-welfare-protection/vetting/>

Information on AccessNI vetting in the GAA, which must be made through Ulster GAA, carried out on behalf of the GAA by Ulster GAA, is available at <http://ulster.gaa.ie/safeguarding/access-ni/>

### **Review of LGFA Vetting Policy**

The LGFA Vetting Policy shall come into effect on 1 August 2017. It shall be reviewed in September 2017 and subsequently in September of each year thereafter by the National Child Welfare and Protection Committee.

**All enquires re vetting in the LGFA may be forwarded to [vetting@lgfa.ie](mailto:vetting@lgfa.ie)**

**\*Ireland: denotes the island of Ireland**