

Dublin City University



Policy for Student Vetting

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1. Background

Dublin City University (DCU) offers a number of educational programmes that require students to undertake placements, with external agencies, which will bring them into contact with the public and in which they will assume positions of trust. To ensure the protection of the public, and justify public trust of confidence, the University is committed to ensuring that only suitable applicants are allowed to undertake these programmes.

DCU is required by section 12(4)(d) of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to operate a system of Garda vetting in respect to those students who will undertake work or activities which involves unsupervised access to children or vulnerable persons as part of their programme of study.

DCU uses the National Vetting Bureau service to obtain a vetting Disclosure which is used to assess the suitability of such applicants and may also require applicants to provide an enhanced disclosure by the completion of a sworn declaration.

DCU requires students to complete the vetting process in order to make a determination about their suitability for the programme prior to finalising their registration as a student of the University. The list of programmes where vetting is a mandatory element of the student registration process can be found at <http://www.dcu.ie/registry/undergrad.shtml>.

Students who accept places in programmes which require vetting will be sent the necessary information by DCU. Information about the National Vetting Bureau service and vetting Disclosure is available on the website of An Garda Síochána (Irish Police Force) www.garda.ie

2. Purpose

The purpose of this document is to outline the policies and responsibilities relating to the vetting of students for participation in environments where they will

have unsupervised access to children and/or vulnerable persons at locations within and outside the University, as part of approved academic programmes. This document complements the University's Child Protection policy and procedures. <http://www4.dcu.ie/policies/index.shtml> There is a separate Vetting Policy for staff which is available at <http://www4.dcu.ie/policies/index.shtml>

3. Scope

This policy applies to students who will have unsupervised access to children and/or vulnerable persons as part of their University programme.

4. Definitions

Children	Persons under 18 years of age.
Vulnerable Person	A person aged 18 years or over, who is in receipt of or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.
National Vetting Bureau	The National Vetting Bureau (NVB) deals with requests to vet certain prospective employees and students and issues vetting Disclosures.
Liaison Person	Person authorised by Dublin City University to communicate with NVB on behalf of the University and located in the Registry.

5. Policy Statement

In pursuit of its mission in the field of education, Dublin City University is committed to creating a community of learning which recognises the education and wellbeing of children as paramount. In seeking to uphold the highest standards in this regard, and in order to ensure the protection and confidence of the public, the University is committed to ensuring that only suitable candidates are allowed to participate in environments where they will have unsupervised access to children and/or vulnerable persons as part of their University programmes. Vetting is one mechanism which the University uses to assist it in assessing the suitability of candidates for academic programmes. In

some cases, the University may also require applicants to provide an enhanced disclosure by the completion of a statutory declaration or other such proof.

6. General principles

- The University is committed to ensuring that only suitable candidates participate in components of academic programmes where students may have unsupervised access to children or vulnerable persons and reserves the right, having due regard for natural justice and fair procedures, to conduct a vetting procedure on any such student at any time or times during the student's period in University.
- Information relating to requirements for vetting will be provided in a clear, consistent and timely manner to students.
- Each student is responsible for informing himself/herself of the need for vetting to ensure suitability for specific programmes prior to embarking on specific components of programmes and of the requirements under this policy.
- The student must proactively disclose any relevant information relating to the process of vetting to the University. This includes information relating to periods of residence outside the Republic of Ireland.
- A student may not participate in environments with unsupervised access to children or vulnerable persons until approval is obtained from the University. Such approval from the University may not necessarily guarantee a placement.
- Each student is responsible for providing information in a timely manner to the University of his/her suitability for specific academic programmes as required to complete the current vetting application process.

- All applicants who have been convicted of a criminal offence must disclose this to DCU.
- The provision of false, inaccurate or misleading information will disqualify applicants from the selection process and for existing students may result in disciplinary action (up to and including withdrawal of registration and exit from their programme).
- If during the course of the application/registration process it transpires that an applicant has a criminal conviction (either by way of Garda Vetting or by applicant disclosure) full details of the conviction will be sought and the Garda Vetting process will commence.
- Students aged under 18 are required to have written permission from a parent/guardian before vetting procedures can be implemented.
- Costs incurred by the student in complying with this policy are borne by the student.
- Information collected as part of this vetting process will be treated as sensitive and strictly confidential.
- Acceptance of an offer of a programme and/or provisional registration as a student of the University is deemed to be agreement with participation in the vetting process as detailed in this policy.
- Confirmation of a student's registration is subject to vetting procedures and the University reserves the right to suspend or cancel a registration if a student does not comply with University vetting requirements and complete the vetting process.

7. Police Certificates

An applicant (both EU and non-EU) who has resided outside of Ireland and students who have resided outside Ireland for a period of time (after the age of 18) are required to provide the following supporting documentation when submitting their Vetting Application form:

- An original Police Certificate from the jurisdiction(s) of previous residence covering the dates of residency in that jurisdiction.
- If the Police Certificate is not issued in English the student must provide a certified translation.

Where an applicant or student cannot provide a Police Clearance Certificate/disclosure record, supporting documentation will be sought by DCU from the student as to why a Police Clearance certificate cannot be obtained. DCU reserves the right to seek a statutory declaration where a satisfactory police/criminal records disclosure cannot be obtained.

Please note that the said declaration may be accepted by DCU in the following restricted circumstances only:

- where DCU is aware that police clearance is only obtainable by residents of the country concerned;
- the applicant resided in the country for a period of less than six months;
- the applicant was travelling through the country and had no fixed address;
- the applicant resided in the country more than 10 years ago;
- the country is at war or experiencing political upheaval; or
- the applicant has provided correspondence demonstrating that police clearance cannot be obtained.

Notwithstanding the above, DCU reserves the right to refuse admission or cancel a registration in the absence of a satisfactory police clearance certificate/criminal record disclosure.

8. Liaison Person

The University shall appoint one or more Liaison Persons to liaise with the NVB and shall ensure that any Liaison Person completes training with the NVB before engaging with the authorising process.

The Liaison Person shall screen all applications submitted to the University and submit complete and authorised applications to the NVB.

The Liaison Person shall furnish details on all disclosures (other than NIL Disclosures) to the Chairperson of the University Student Vetting Committee. The Chairperson, having reviewed the disclosure, will determine whether the nature of the disclosure requires consideration by the University Student Vetting Committee.

The Liaison Person shall furnish all relevant details to include disclosures to the University Student Vetting Committee meetings.

9. University Student Vetting Committee

The University Student Vetting Committee will consider all relevant information in relation to disclosures (other than NIL Disclosures) and make determinations on behalf of the University. Meetings of the University Student Vetting Committee shall be convened by the Chairperson. No fewer than three members shall constitute a quorum. In addition, the University Student Vetting Committee may call on relevant academic programme experts to seek guidance on any programme specific issues.

The University Student Vetting Committee shall consist of members as follows:

- Chairperson : DCU Admissions Officer
- Dean of each relevant Faculty (or nominee)
- Dean of Graduate Studies (or nominee)
- Relevant Head of School (or nominee)
- Associate Dean for Placements and Related Partnerships (or nominee)
- A representative of the Clinical Partners for Nursing and Health Care Programmes

The University Student Vetting Committee shall:

- Consider information on student disclosures requiring participation in an environment with children or vulnerable persons as part of their academic programme on an individual case by case basis.
- Make determinations relating to participation of students in environments with children or vulnerable persons taking consideration of the factors listed in Appendix 2.
- Keep relevant records of decisions made.
- Reserve the right to seek character references or other relevant information from applicants for vetting, as deemed necessary by the committee.

The University reserves the right (subject to the principles of natural justice and fair procedures being applied):

- To refuse registration of a student or to refuse permission to a student to engage in activities which involve unsupervised access to children and vulnerable persons, depending on the outcome of the deliberations of

the University Student Vetting Committee.

- To withdraw registration of an existing registered student depending on the outcome of the deliberations of the University Student Vetting Committee.
- To refuse participation of students in environments with children or vulnerable persons which may prevent registration on specific modules of specific courses depending on the outcome of the deliberations of the University Student Vetting Committee.
- To delay the participation of students in environments with children or vulnerable persons, depending on the outcome of the deliberations of the University Vetting Committee.
- To review previous decisions made relating to approval for participation of students in environments with children or vulnerable adults at any time.
- To require any student to reapply for vetting upon instruction.

10. Appeal process

- A decision of the University Student Vetting Committee may be appealed by the student within 14 days of the issue of the decision. The appeal should be made in writing to the University Registrar.
- The Appeal will be heard by a group Chaired by a Senior DCU Representative (nominated by the University Registrar).
- None of the original decision-makers shall hear the appeal.

- Full details of the appeal application will be considered and a decision will be communicated to the applicant by the Liaison Person.
- This decision shall be final and binding.

11. Grounds for Appeal

A candidate may appeal against the decision of the University Student Vetting Committee on the following grounds only:

- There is new evidence that was not available to the University Student Vetting Committee which might reasonably have resulted in a different decision.
- There were procedural or administrative errors such as might give rise to reasonable doubt as to whether the University Student Vetting Committee would have reached the same decision had they not occurred.
- The University Student Vetting Committee departed from the provisions of the University Policy in a manner prejudicial to the interests of the candidate.

12. Roles and Responsibilities

Liaison Person, Registry - Person authorised by DCU to communicate with the NVB on behalf of the University.

Student – Responsibility to complete the Garda Vetting process

National Vetting Bureau - The National Vetting Bureau deals with requests to vet certain prospective employees and students.

[Chairperson of University Student Vetting Committee, Registry](#) – Reviews Disclosures with Convictions to determine whether the nature of the Disclosure requires consideration by the University Student Vetting Committee.

[University Student Vetting Committee](#) – Considers all relevant information in relation to Disclosures with convictions and makes determinations on behalf of the University.

13. Related Documentation

[Appendix 1](#) – Samples of letters to be sent to students.

[Appendix 2](#) – Factors to be considered by the University Vetting Committee in making its determinations.

[Procedure for Garda Vetting of Students](#)

<http://www4.dcu.ie/registry/undergrad.shtml>

<http://www.dcu.ie/registry/postgraduate.shtml>

14. Contacts

Registry, Liaison Person, 700 5564

Details for the Procedure for Garda Vetting of Students can be found at

<http://www4.dcu.ie/registry/undergrad.shtml>

<http://www.dcu.ie/registry/postgraduate.shtml>

15. Policy Review

Policy review will take place every three years or as required if changes are made to The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016

Version Control

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Appendix 1 Samples of letters to be sent to students

Letter type A

Sample of letter to student where previous conviction(s) are recorded and the University does not recommend registration/approval for placement:

***Note:** This letter will be sent by registered post to the student to his/her home address.*

Dear <name>

I refer you to the University Policy on Student Vetting. The University has considered information provided by you and by the National Vetting Bureau. The result of the investigation presented the following results:

<Offence date> <Offence type> <Court> <Result>

Following consideration of the nature and type of issues identified, the decision of the University is that for *Programme Name*, your registration is not confirmed and that you are withdrawn from the programme with immediate effect.

Please note you have the right to appeal the decision of the Vetting Committee. Please refer to Section 10 of the Vetting Policy. If you require any additional information on the Appeals process, please contact the undersigned at 01 700 5564

Liaison Person

Letter type B

Sample of letter to student where a student applied for Garda vetting but has a case pending

Note: *This letter will be handed to the student or mailed to his/her home address*

Dear <name>

I refer you to the University Policy on Student Vetting and I am writing to you about your application for Garda vetting in regard to placement in an environment with children or vulnerable persons:

The University Student Vetting Committee has considered information provided by you and by the National Vetting Bureau.

As you currently have a case pending, it is not possible to complete your vetting application at this time. Please re-apply when this court case is completed.

In the meantime, please be advised that you are not permitted to engage in environments with children and vulnerable persons as part of any University academic programme.

Please note you have the right to appeal the decision of the Vetting Committee. Please refer to Section 10 of the University Student Vetting Policy. If you require any additional information on the Appeals process, please contact the undersigned at 01 700 5564

Liaison Person

Appendix 2:

Factors to be considered by the University Vetting Committee in making its determinations:

1. The nature of the offence
2. The seriousness of the offence
3. The sentence imposed
4. In the case of more than one offence whether the offences disclose a pattern of recidivism or repeat offending
5. The age and circumstances of the applicant at the time of the offence
6. The time elapsed since the offence(s)
7. The manner in which the applicant dealt with the proceedings in relation to the offence and in particular whether the applicant pleaded guilty and at what point in the proceedings
8. Whether the offence involved a serious breach of trust
9. Whether the offence is one which by its nature gives rise to specific concerns in relation to contact with children or young people generally
10. The extent to which the applicant has rehabilitated himself or herself since the commission of the offence
11. Whether the applicant originally disclosed the conviction during the vetting process
12. The University Student Vetting Committee shall take particular note of offences of a sexual, violent, dishonest or drug-related nature. Under Section 26 of the Sex Offenders Act 2001 it is an offence for a convicted sex offender to apply for a position, to enter into a contract of employment or to continue to work or study in an area either knowing, or if they ought reasonably to have known, that a necessary and regular part of that work/placement involves unsupervised access to, or contact with children, without informing their employer of their conviction. All prospective applicants or

registered students must inform DCU of any such conviction at the earliest possible opportunity.

End.