



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Questions & Answers On Garda Vetting & References

**This document was drafted from questions
submitted from the HSE, OMCYA &
National Voluntary Childcare
Collaborative.**

1. Are all staff in a Pre-School Service required to have Garda Vetting?

All staff employed after September 2007 are required to have Garda Vetting.

2. When Will Garda vetting be in place for staff in position prior to Sept 2007?

The Garda Central Vetting Unit's aim is to commence vetting existing staff from 2010.

3. What is advised for seeking Garda Vetting outside the Jurisdiction?

International applicants should provide a certificate from their country of origin. With regard to Irish applicants who have worked abroad for 6 months or more, they should provide a police clearance with respect to those addresses.

4. What should employers do when the International Vetting is unobtainable?

The following steps are undertaken;

- employers must demonstrate that a reasonable attempt to pursue the vetting has been made, evidenced by the correspondence
- request the employee to sign a declaration which will state as to whether they have a criminal conviction.
- process the employee under the Garda Vetting system.

Currently this is an acceptable practise for countries where police vetting information is unavailable. Every effort to rectify this situation is on going.

5. Is it acceptable that umbrella organisations hold the Garda vetting centrally in their head offices?

Yes, where the Garda vetting records are held centrally by an organisation the pre-school service where the care assistant works must retain a letter from the umbrella organisation stating that the care assistant has been Garda vetted.

6. Can Garda Vetting be transferable where a childcare assistant employed by an organisation (i.e. Enable Ireland) is allocated to several children in different schools?

Yes, once each school has a letter from the organisation stating that the Garda vetting has been completed.

7. Is Garda vetting transferable where a childcare assistant is employed by a number of organisations? (i.e. Baranados & Enable Ireland)

No, each organisation is currently required to process their own staff in regard to Garda vetting which will necessitate that some persons are returned to the Garda vetting unit more than once.

8. Is it necessary for the childcare provider to apply for garda vetting when a student is placed in their service?

It is the general accepted practice that colleges apply for the Garda Vetting prior to placement. The college issue to the service provider a letter stating that the student has received vetting and it is held centrally. This refutes the need for the provider to apply again. Inspectors need to be mindful that it may not be feasible or practical to seek Garda vetting for students on a very short placement. In such cases the student is never left unsupervised with the children.

9. Is Garda Vetting available for HSE Inspectors?

All HSE employees are now subject to Garda vetting. Staff in position prior to the introduction of mandatory Garda Vetting who have access to children are currently being examined.

10. Is Garda Vetting required on visitors or support staff who visit pre-schools to give specialized classes?

No, but general safety measures should be in place to safeguard the pre-school children such as not permitting such visitors unsupervised access to individual children.

11. Who in the childminders household is required to have Garda Vetting?

The members of the household who have unsupervised access to the pre-school children attending or who work directly with the childminder are required to have Garda vetting.

12. Is Garda Vetting available for parents on outings?

It is not required; parents on outings should work in a supportive role to the childcare workers. They should not be allowed unsupervised access to other people's children.

13. Do persons under 18 years of age require Garda Vetting?

Persons of 16 years of age and over who have substantial unsupervised access to children require vetting. Garda Vetting will only be conducted in respect of persons between the ages of 16 years and 18 years, but only when the vetting application form is accompanied by an appropriately completed Parent / Guardian consent form.

14. What responsibility has the Inspectorate beyond seeing that the Garda Vetting is in place?

The Inspectors look at the totality of the recruitment process regarding suitability of the staff. Garda Vetting is one component of that process. Inspectors are advised that when they have any concern of a returned trace that they discuss it with their line manager.

15. What happens if the authorised signatory e.g. Barnardo's, receive a vet result and there is a trace?

It is the employer's responsibility to consider the result. If an organisation detected information which leads to a concern **regarding children** they should notify the H.S.E's local Childcare Manager.

16. What is the current time frame for processing vetting applications?

Once received to the Garda Central Vetting Unit it should take no longer than 6 to 8 weeks.

17. Should personnel be employed before the Garda vetting is completed?

No, however if exigencies demand that they are employed they should not be permitted unsupervised access to the children. Note that it will be identified on Inspection as a non compliance in regard to Regulation 8 in the Pre School Regulations 2006.

References

18. Clarification is required on who needs references? Is all staff employed in services irrespective of the length of time they have been in the service required to have references?

Only staffs employed since the 3rd September 2007 are required to have two references which are then validated by the provider. However it will be recommended to all providers that all staff should be encouraged to submit references.

19. The Regulations state that it must be from reputable sources for students and volunteers. What constitutes a 'reputable source?'

It could be from someone in a position to form an opinion of the person and who is known to the student or volunteer. The references can be from the college, previous employment or work experience or from any independent person in the community.