



Circular 0094/2006

To: The Management Authorities of all Primary Schools, The Management Authorities of Secondary, Community and Comprehensive Schools, The Chief Executive Officer of Each Vocational Education Committee

New arrangements for the vetting of teaching and non-teaching staff

1. Introduction

The Minister for Education and Science, Mary Hanafin, T.D. wishes to advise the authorities of all primary and post-primary schools and of Youthreach, VTOS, Junior Education or Traveller Training Centres of expanded arrangements for the vetting of persons with unsupervised access to children and vulnerable adults arising from the recommendations of the report of the Inter-Departmental Committee on Garda Vetting.

1.2 Vetting procedures are already in place for special needs assistants and bus escorts. The procedures for the vetting of such staff are being revised and the new arrangements are set out below. In addition, vetting is being introduced for the 2006/07 school year for new teachers and any other new appointees who will have unsupervised access to children and vulnerable adults. It will be extended to others later on.

2. Vetting arrangements for the 2006/07 school year

2.1 The Department, in consultation with the Garda Central Vetting Unit (GCVU), has decided that, as a first step in the expansion of the vetting services of the GCVU, the vetting of new teachers and ancillary staff to be employed in schools should be given priority. Vetting will apply initially to all new staff being recruited with effect from 1st September, 2006 or later.

2.2 New staff are defined as those referred to above who have not been employed in a recognised primary or post-primary school, in a Youthreach, VTOS, Junior Education or Traveller Training Centre, in this State at any time since 1st September, 2003. Where a person was employed in a school or centre listed above in the past, but not within the last three years, he/she must be vetted.

2.3 It is the responsibility of the relevant school authorities (Board of Management or Vocational Education Committee as appropriate) to ensure that any proposed new appointee, who has/may have unsupervised access to children or vulnerable adults, is vetted. However, school authorities should ensure that vetting is only sought in respect of a person to whom it proposes to make an offer of employment. Applications should not be sought prior to a decision being taken to offer appointment. Applications need not be submitted in respect of newly qualified teachers who are dealt with in the process set out in Paragraph 3.1 below.

2.4 The appropriate application form, together with guidelines on its completion, will be issued directly on request to registered Authorised Signatories by the GCVU. The proposed employee must give his/her consent to his/her being vetted. A person, who refuses to provide his/her consent, may not be appointed in any capacity.

3. Application process

3.1 New Teachers

As part of the process of registering new teachers for the first time, the Teaching Council has agreed that it will submit vetting applications in respect of such teachers to the GCVU. It will then have regard to the outcome of this vetting in making its decision in relation to registration. This will obviate the need for schools to directly approach the GCVU in respect of vetting of such newly qualified teachers.

It is expected that formal registration of teachers will not take place before the commencement of the 2006/07 school year. However, the vetting process will have commenced in advance of that and the Teaching Council will issue a letter to individual teachers indicating the outcome of the vetting application in respect of them. Schools should ensure that they request a prospective employee to present for inspection the letter from the Council **before** a decision to appoint is taken or a formal offer of appointment is made.

3.2 Non-Teaching Staff

In the case of non-teaching staff, the applications should be submitted by the Authorised Signatory (see Paragraph 4).

In the case of schools under Catholic patronage some Diocesan Offices have indicated that they will co-ordinate the submission of vetting requests from Authorised Signatories. Accordingly, those school authorities should contact the Central Office of the Catholic Primary Schools Management Association and the relevant Diocesan Office in relation to the procedure to be followed with regard to the submission of applications for vetting

The Church of Ireland Board of Education, has agreed to co-ordinate vetting applications for the schools that it represents. Accordingly, all applications from those schools should be forwarded by the Authorised Signatory to the Board of Education, for onward transmission by its nominated official to the GCVU.

Otherwise Authorised Signatories should submit vetting applications to the GCVU. The current practice of submitting applications for vetting in respect of special needs assistants and bus escorts via the Department is being discontinued.

3.3 The address of the Garda Central Vetting Unit (GCVU) is:-
Racecourse Road, Thurles, Co. Tipperary.

4. Authorised signatories

4.1 Each Board of Management or VEC, as appropriate, must nominate one person as the Authorised Signatory. That person's signature will be required to authenticate an application from the school or VEC.

5. Timely submission of applications

5.1 In order to be in a position to definitively offer a prospective employee a post arising from 1st September, 2006 onwards, school authorities should ensure that the vetting process has been satisfactorily concluded in good time. If the process is not satisfactorily completed before 1st September, 2006, or the effective date of appointment if later than that, the offer of a post can only be made on a provisional basis. The prospective employee should be formally notified of this and should confirm acceptance of this condition. If, on receipt of the result of the vetting application, the school authorities consider that the person concerned is not suitable for appointment, the provisional appointment should be terminated.

6. Training of Boards of Management

6.1 The GCVU is anxious to ensure that the vetting system operates as efficiently and effectively as possible. In order to achieve this, the GCVU is organising training sessions for persons engaged in the operation of the system. Training is being given to persons nominated by the Management Bodies who in turn will organise the necessary training for the nominees of the schools and centres.

7. Issue of result of vetting application

7.1 In response to each application, the GCVU will issue a statement directly to the Teaching Council, the Church of Ireland Board of Education or the Authorised Signatory as appropriate setting out the result of the search for criminal convictions made against its records. All convictions will be disclosed as part of this process.

8. Queries in relation to vetting

8.1 Queries in relation to vetting should be raised with the relevant management authority in the first instance. In the case of schools represented by the CPSMA, queries should be raised with the Diocesan Office in the diocese concerned.

9. Decision based on outcome of application

9.1 It is a matter for the Board of Management to determine whether any conviction disclosed as a result of the vetting application would render a prospective employee unsuitable for employment by the school. It is for the Board to make a judgement as to the person's suitability.

9.2 Vetting should not take the place of normal recruitment procedures, such as seeking and following up of references and ensuring that any unexplained gaps in employment are satisfactorily accounted for. Proper recruitment procedures are an essential element of child protection practice. Vetting is to be used as an addition to those procedures.

Because of the importance of child protection, school authorities should be conscious of their responsibilities in this regard when requested to furnish a reference in respect of a particular individual.

9.3 The fact that a person has a conviction does not automatically render him or her unsuitable for work with or access to children or vulnerable adults. A person's suitability should be looked at as a whole in the light of all the information available including the relevance of the nature of the offence in the context of child protection.

10. Dissemination of Circular

10.1 Please provide a copy of this circular to the appropriate representatives of parents and teachers for transmission to individual parents and teachers.

This circular may be accessed on the Department of Education and Science website at www.education.ie

Johnny Bracken,
Principal Officer.

June, 2006.