



**TUS**

**Technological University of the Shannon:  
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:  
Lár Tíre Iarthar Láir

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**TUS Student Garda Vetting Policy and Procedure 2024 - 2029**



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## 1.0 Introduction

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016<sup>[1]</sup> provide a statutory basis for the Garda Vetting of persons carrying out relevant work with children or vulnerable persons. The Acts also create offences and penalties for persons who fail to comply with its provisions.

The Acts stipulate that a relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation, unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. Section 2 of the Act defines a relevant organisation to include:

*“a provider of courses of education or training, including internship schemes, for persons and, as part of such education or training or scheme, places or makes arrangements for the placement of any person in work experience or activities where a necessary part of the placement involves participation in relevant work or activities”* [[National Vetting Bureau \(garda.ie\)](http://garda.ie)].

The TUS Child Protection Policy<sup>[2]</sup> notes that TUS *“has adopted appropriate measures, in line with legislative requirements, for the vetting of staff, and students whose work/programme of study brings them into contact with children”*. TUS offers a number of programmes that require Garda Vetting as an entry requirement and/or involve students carrying out relevant work which will bring them into contact with children and/or vulnerable persons. It is TUS policy to maintain and uphold all obligations in respect of Garda Vetting under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016<sup>[1]</sup>

## 2.0 Purpose of the Policy and Procedure

The purpose of this Policy is to set out the TUS approach to fulfilling its requirements in respect of Student Garda Vetting and to specify the procedures for processing of Garda Vetting of TUS students accordingly. The Policy and associated procedures provide a framework to enable TUS to provide relevant organisations with information to enable them to make informed decisions with respect to TUS students participating in relevant work or activities with children or vulnerable persons.

## 3.0 Scope

Students who are registered on TUS programmes who undertake relevant work or activities (including Placement) relating to children and/or vulnerable persons will require National Garda Vetting.

In accordance with Section 2 of the Technological Universities Act 2018<sup>[3]</sup>, "*student, in relation to an institute or technological university, means-*  
*(a) a person registered as a student by the institute or technological university, or*  
*(b) a full-time officer of the student union who was first elected to his or her office while he or she was registered as a student by the institute or technological university;*"

This policy and procedure applies to registered undergraduate, postgraduate taught and postgraduate research students of TUS who:

- 1) are required to undergo Garda Vetting as part of their programme of study;  
and/or
- 2) are involved in relevant work or activities that are organised by TUS.

Such students are required to undergo Garda Vetting in accordance with the national Garda Vetting procedure.

TUS requires students to successfully complete the Garda Vetting procedure before the student commences relevant work or activities (including Placement) relating to children and/or vulnerable persons (See [Section 5.0](#) for Definitions). The requirement for students to undergo Garda Vetting arises if:

- a) the programme is designated as having Garda Vetting as an Entry Requirement (for example, associated with a mandatory Placement);
- b) students who are engaged in programmes of study, including research programmes, that may, as part of their programme, have an opportunity to engage in 'relevant work or activities' with children or vulnerable persons;
- c) students who engage in volunteer activities that involve undertaking relevant work or activities relating to children and/or vulnerable persons that are organised by the University must undergo vetting prior to engaging in any such 'relevant work or activities'.

The Head of Department, or their nominee, shall inform the TUS Garda Vetting Liaison Person of the requirement for Garda Vetting.

#### 4.0 Statutory Rights

Nothing in the procedures set out in this TUS Student Garda Vetting Policy and Procedure can overrule the statutory rights of an individual. In implementing this Policy, TUS will be mindful of its obligations to students under relevant legislation including:

- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016<sup>[1]</sup>;
- Equal Status Acts 2000-2015<sup>[4]</sup>;
- Employment Equality Acts 1998-2015<sup>[5]</sup>;
- Data Protection Acts 1988 to 2018<sup>[6]</sup>; and the
- General Data Protection Regulation (EU) 2016/679<sup>[7]</sup>.

## 5.0 Relevant Definitions

The following relevant definitions are sourced from the [National Vetting Bureau \(garda.ie\)](http://garda.ie):

Term	Definition
National Vetting Bureau (NVB)	NVB is the single point of contact in An Garda Síochána to conduct National Vetting. Its primary objective is to provide an accurate and responsible vetting service which enhances the protection of children and vulnerable persons.
Child	A person under the age of eighteen years (in accordance with the Child Care Act, 1991 <sup>[8]</sup> )
Vulnerable Person	A person, other than a child who: is suffering from a disorder of the mind, whether as a result of mental illness or dementia; has an intellectual disability; is suffering from a physical impairment, whether as a result of injury, illness or age; or has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.
Relevant Work	Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons.
Relevant Organisation	A person (including a body corporate or an unincorporated body of persons) who employs, enters into a contract for services or permits any person to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons.
TUS Garda Vetting Liaison Person	The person or persons authorised to communicate with the NVB on behalf of TUS.
Clerk User	The authorised person or persons to work with the Liaison Person and who is authorised to administer student vetting applications on behalf of the University.
Criminal Record	Record of the person's convictions, whether within or outside the State, for any criminal offences, together with any ancillary or consequential orders made pursuant to the convictions concerned, or record of any prosecutions pending against the person, whether within or outside the State, for any criminal offence.
Specified Information	Information other than criminal convictions held by the An Garda Síochána that leads to a bona fide belief that a person poses a threat to children and/or vulnerable persons.
Vetting Disclosure	A vetting disclosure shall include particulars of the criminal record (if any) relating to the person, and a statement of the specified information (if any) relating to the person or a statement that there is no criminal record or specified information, in relation to the person.

## 6.0 TUS Garda Vetting Policy Statement

TUS will maintain and uphold all obligations in respect of Garda Vetting under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016<sup>[1]</sup> for students engaging with children or vulnerable persons as part of their programme of study. Accordingly:

- a) continued registration on some programmes of study is contingent upon completing Garda Vetting and students could subsequently be invited to withdraw, or be withdrawn, if applicants do not meet the Garda Vetting requirements.
- b) if a student is not successfully vetted, the student cannot participate in any 'relevant work or activities', including placement, and responsibility for any programme learning, assessment and progression consequences lies with the student.
- c) TUS reserves the right to suspend or deregister a student from a programme or part of a programme of study (including any placement) where, under this policy, a student is not deemed appropriate to carry out relevant work with children or vulnerable persons, or until an alternative course of action is decided upon by the University.

TUS also reserves the right to temporarily suspend a student from engaging in volunteer activities until the University is satisfied that the student is deemed appropriate to carry out relevant work with children or vulnerable persons or until an alternative course of action is decided upon by the University.

- e) TUS reserves the right to suspend a student from a programme or part of a programme of study (including any placement) pending the outcome of the Garda Vetting procedure.
- f) TUS reserves the right to require a student who has been successfully vetted to repeat the vetting procedure at any stage during the student's programme of study. Indicative reasons for requiring re-vetting, include but are not limited to:
  1. a student who is absent/takes leave from their programme of study may be required to repeat the vetting process.
  2. if a student makes a disclosure or if information arises that gives cause for concern in relation to Garda Vetting, TUS reserves the right to repeat the Garda Vetting procedure.
  3. if a student acquires a conviction or are charged with any offence during their course of study, they are required to notify the Head of Department and will be subject to the provisions of this policy including repeating the Garda Vetting Procedure.
- g) TUS will maintain Garda Vetting records of students, as described under the Acts for the duration of the of the student's registration on their programme.
- h) If a student has resided outside of the island of Ireland for a period of 6 months or more (from the age of 18 years) they will be required to furnish a Police Clearance Certificate from their country or countries of residence. This Certificate should confirm if a student has

any convictions/prosecutions pending recorded against them while residing there.

If a student is unable to obtain a Police Clearance Certificate, they will be required to obtain a legal declaration (Affidavit) in the presence of a Commissioner of Oaths or a Solicitor confirming that they have no criminal convictions, current or pending.

## 7.0 Responsibilities

### 7.1 Responsibilities of TUS

It is the responsibility of TUS to ensure that:

- 1) the TUS Garda Vetting Policy and Procedure is
  - a) published and publicly available
  - b) reviewed and updated as required;
- 2) disclosure records are retained in accordance with the TUS Data Protection Policy<sup>[9]</sup> TUS Data Retention and Records Management Policy<sup>[10]</sup>;
- 3) ensure that the vetting disclosures are shared in accordance with GDPR and the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016<sup>[1]</sup>;
- 4) an Agreement is in place with placement providers and/or other relevant organisations, to facilitate the sharing of information obtained during the Garda Vetting process (in accordance with Section 12 (3A) of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016<sup>[1]</sup>;
- 5) consent is obtained from the student for the sharing of information with placement providers and/or other relevant organisations obtained during the Garda Vetting process;
- 6) the relevant programme admission criteria and all relevant marketing materials clearly stipulate the requirement for Garda Vetting to any prospective programme applicants.

### 7.2 Responsibilities of the TUS Student Garda Vetting Liaison Person

It is the responsibility of the TUS Student Garda Vetting Liaison Person to ensure that:

- 1) relevant academic departments are advised in writing of any updates or changes to Garda Vetting requirements.
- 2) records are maintained in accordance with data protection regulations and to only hold information in relation to Student Garda vetting for the purpose for which it is obtained.
- 3) the outcomes of a vetting disclosure are shared in accordance with GDPR and the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.<sup>[1]</sup>
- 4) relevant academic departments/programme boards are advised in writing, in a timely manner, where a student is not compliant with the stated Garda Vetting Procedure.



### 7.3 Responsibilities of Students

It is the responsibility of each student to:

- 1) familiarise themselves with this Policy and Procedure and the specific requirements of their programme of study;
- 2) complete the National Garda Vetting Procedure as specified in the admission criteria for their programme;
- 3) provide proof of identity, as outlined in of Garda Vetting Procedure (See [Section 10](#));
- 4) complete the National Vetting form(s) in an honest and truthful manner and adhere to any deadlines set by the University;
- 5) disclose any (and all) knowledge of charge(s)/prosecution(s) and/or criminal conviction(s) they have held, or pending prosecution(s), in Ireland or outside the jurisdiction;
- 6) disclose any (and all) knowledge of charge(s)/prosecution(s) and/or criminal conviction(s), or pending prosecution(s) in Ireland or outside the jurisdiction, that are acquired during their registration on their programme;
- 7) provide TUS with consent for the sharing of data with placement providers and/or other relevant organisations obtained during the Garda Vetting process;

Failure to complete the Garda Vetting process, or to do so falsely or by withholding relevant information, can result in the initiation of Procedures as set out in Section 10.

### 8.0 Communication of the Policy

- a) Where relevant, the Department shall bring students' attention to this TUS Student Garda Vetting Policy and Procedure.
- b) Notice of this TUS Student Garda Vetting Policy and Procedure will be included in the relevant programme handbook.
- c) The TUS Student Garda Vetting Policy and Procedure shall be brought to the attention of relevant TUS staff and external parties that students of listed programmes engage with as part of their studies.
- d) The operation of this TUS Student Garda Vetting Policy and Procedure is relevant to prospective students who may seek to be registered on a programme that requires Garda Vetting as an Entry Requirement and should be brought to the prospective student's attention as part of programme promotion.

## 9.0 TUS Garda Vetting Procedure

### 9.1 Persons/Committees Involved in the Procedures

The persons/committees involved in the procedures as outlined in this TUS Garda Vetting Policy and Procedure are outlined in Table 1.

*Table 1. Persons/Committees Involved in the Procedures*

<b>Person/Committee</b>	<b>Definition</b>
Student	A registered Student who requires Garda Vetting.
National Vetting Bureau	NVB is the single point of contact in An Garda Síochána to conduct National Vetting. Its primary objective is to provide an accurate and responsible vetting service which enhances the protection of children and vulnerable persons.
Head of Department	The Head of Department, or their nominee, of the department in which a student is registered, involved managing issues arising from disclosures of Garda Vetting and/or in the Garda Vetting Review Panel.
Dean of Faculty/School	The Dean of Faculty/School, or their nominee, of the department in which a student is registered, involved managing issues arising from disclosures of Garda Vetting and/or in the Garda Vetting Review Panel.
TUS Student Garda Vetting Liaison Person	A person or person(s) nominated by TUS as a relevant organisation, registered, and required to attend training with National Vetting Bureau and authorised to communicate with the NVB on behalf of TUS and to co-ordinate aspects of this Garda Vetting Procedure.
Garda Vetting Review Panel	A panel appointed by TUS to review Garda Vetting Disclosures.  The composition of the Garda Vetting Review Panel is specified in <a href="#">Section 10.0 (2)</a> .
Programme Coordinator Placement Coordinator Clinical Allocations Manager	TUS Staff potentially involved managing issues arising from disclosures of Garda Vetting and/or in the Garda Vetting Review Panel.
Garda Vetting Appeals Board	An Appeals Board appointed by TUS to review the outcomes of a Garda Vetting Review Panel on application by a student.  The composition of the Appeals Board is specified in <a href="#">Section 10.3 (3)</a> .

A process flow diagram for the Garda Vetting Procedure is provided in [Appendix 1](#).

## 9.2 Application and Processing by National Vetting Bureau

TUS processes all vetting applications using e-Vetting online system.

### a) Verification of personal identification

To comply with National Vetting requirements the TUS Student Garda Vetting Liaison Person is required to check and confirm the applicant's identity. The student must provide at least two forms of identification, one of which should be photographic, and all applications are required to reach 100 points on the Verification of Identity points scale ([Appendix 2](#)).

### b) NVB Invitation Form (NBV 1)

NVB 1 is to be completed by student ([Appendix 3](#)). This form contains the students consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the TUS Liaison Person. This form is retained on file by TUS until the vetting process is complete. An applicant who is under 18 years of age must have a Parental Consent Form signed in order to complete vetting ([Appendix 4](#)). Details contained on NVB 1 form will be entered into the NVB system.

### c) Invitation to Complete

The NVB will contact the student using their TUS student email account and invite them to complete the vetting process online. This invitation is live for 30 days. A reminder email will be sent after 21 days if the application has not been completed. If the application is not completed within the 30 days, the process has to start over.

### d) Application is Processed by NVB

The TUS Garda Vetting Liaison Person is notified when this process is complete, and Disclosures are available for downloading for 30 days.

## 9.3 Vetting Disclosure by National Vetting Bureau

- a) A disclosure will be issued to the TUS Student Garda Vetting Liaison Person for each application.
- b) Disclosures are downloaded/printed and retained by TUS for the duration of the student's registration on their programme.
- c) The TUS Student Garda Vetting Liaison Person records the outcome on internal system.
- d) A copy of the Disclosure is emailed to the student.
- e) The Vetting Disclosure will include:
  - Nil criminal record or Nil specified information.
  - or
  - Details of criminal record (if any) as defined in [Section 5.0](#) and a statement of specified

information (if any) as defined [Section 5.0](#) relating to the person

- f) Specified Information may be received by the National Vetting Bureau from:
- An Garda Síochána;  
or
  - A scheduled organisation as defined in the Acts.<sup>[1]</sup> Such organisations required to notify specified information to National Vetting Bureau are:
    - 1) The Health Service Executive
    - 2) The Teaching Council.
    - 3) The Medical Council.
    - 4) The Nursing and Midwifery Board of Ireland.
    - 5) The Dental Council.
    - 6) The Health and Social Care Professionals Council.
    - 7) The Mental Health Commission.
    - 8) The Pharmaceutical Society of Ireland.
    - 9) The Pre-Hospital Emergency Care Council.
    - 10) The Health Information and Quality Authority.
    - 11) The National Transport Authority.
- g) If the disclosure contains details of a criminal record and/or specified information, the TUS Student Garda Vetting Liaison Person will contact the student concerned to confirm if the information is correct.
- h) If the student does not agree that the information supplied by the NVB is correct, the student shall outline the basis of their disagreement, in writing, to the TUS Student Garda Liaison Person who is conducting the vetting. The TUS Student Garda Vetting Liaison Person will then request the NVB to review the application and confirm or review their initial response.

#### 10.0 Managing Garda Vetting Disclosures

- 1) Information received during the Garda Vetting procedure will be classified by TUS as follows (in accordance with [Section 10.1](#) and [Section 10.2](#)):
  - a) No previous charge(s)/prosecution(s) and/or convictions and/or specified information is recorded on the Vetting Disclosure
  - b) Previous Charge(s)/Prosecutions(s) and/or Conviction and/or specified Information is Recorded on the Vetting Disclosure
    1. offences not considered to pose any risk to children or vulnerable persons;
    2. offences that could reasonably give rise to a bone fide concern of any potential risk to children or vulnerable persons.

- 2) Each student undergoing Garda Vetting is required to sign a Consent Form to enable TUS to share data obtained during the Garda Vetting process with Placement providers and/or other relevant organisations ([Appendix 5](#)).

#### 10.1 No Previous Charge(s)/Prosecution(s) and/or Convictions and/or Specified Information

Where no charge(s)/prosecution(s) and/or convictions and/or specified information disclosure is recorded by the TUS Student Garda Vetting Liaison Person:

- a) the Vetting Disclosure is made available to both the student and relevant TUS staff including, but not limited to, the Head of Department, Clinical Allocations Manager, Programme/Placement Coordinator, and others, as appropriate.
- b) the student is deemed appropriate to carry out relevant work or activities and the Garda Vetting information is conveyed to the Placement provider and/or other relevant organisations, in accordance with relevant agreements, to enable them to make an informed decision with respect to students participating in relevant work or activities with children or vulnerable persons.

#### 10.2. Previous Charge(s)/Prosecutions(s) and/or Conviction(s) and/or Specified Information

- 1) Each TUS programme requiring Garda Vetting shall establish a Garda Vetting Review Panel to manage cases where there are Previous Charge(s)/Prosecutions(s) and/or Conviction(s) and/or Specified Information.
- 2) The Garda Vetting Review Panel shall comprise the:
  - a) TUS Student Garda Vetting Liaison Person;
  - b) Programme Co-ordinator or Placement Coordinator;
  - c) Head of Department (or their nominee) or Clinical Allocations Manager (or their nominee);
  - d) Dean of Faculty/School.
- 3) On confirmation of a disclosure, the TUS Student Garda Vetting Liaison Person shall consult with the relevant TUS staff including, but not limited to, the Head of Department, Clinical Allocations Manager, Programme Coordinator, and others, as applicable.
- 4) If the offence(s) had not been disclosed in the Garda Vetting Application by the student, the TUS Student Garda Vetting Liaison Person and the Head of Department (or their nominee) will meet with the student to seek an explanation for the non-disclosure. Following the meeting with the student, the disclosure may be referred to the TUS Garda Vetting Review Panel ([Section 10.2.2](#)).
- 5) If a student makes a false statement for the purpose of obtaining a vetting disclosure, the matter will be referred to the Garda Vetting Review Panel ([Section 10.2.2](#)).

- 6) With respect to the information in the disclosure, the Student Garda Vetting Liaison Person shall review the information in the disclosure and consult with the Head of Department, other members of the Garda Vetting Review Panel (and if appropriate a placement provider and/or other relevant organisation).

#### 10.2.1 Offences Not Considered to Pose any Risk to Children or Vulnerable Persons

- 1) If after such consultation (as outlined in [Section 10.2 \(3\)](#) above), the charge/prosecution(s) and/or conviction(s) are, at the discretion of TUS, not considered to pose any risk to children or vulnerable persons, the student is deemed appropriate to carry out relevant work or activities and the Garda Vetting information is conveyed to the Placement provider and/or other relevant organisations, in accordance with relevant agreements, to enable them to make an informed decision with respect to students participating in relevant work or activities with children or vulnerable persons.

#### 10.2.2 Offences That Could Reasonably Give Rise to a Bona Fide Concern of Any Potential Risk to Children or Vulnerable Persons

- 1) If after such consultation (as outlined in [Section 10.2 \(3\)](#) above) the charge/prosecution(s) and/or conviction(s) are, at the discretion of TUS, deemed that they could reasonably give rise to a bona fide concern of any potential risk to children or vulnerable persons, the TUS Student Garda Vetting Liaison Person will liaise with the Head of Department to convene a Garda Vetting Review Panel.
- 2) The Garda Vetting Review Panel shall consider the information disclosed which may pertain to charge(s)/prosecution(s) and/or conviction(s) and/or specified information, the nature of which could indicate a potential risk to children or vulnerable persons.
- 3) An indicative list of factors that may be considered by the Garda Vetting Review Panel in making its determinations is provided in [Appendix 6](#).
- 4) The Garda Vetting Review Panel may seek to meet with the student to discuss the circumstances of the charge(s)/prosecution(s) and/or conviction(s) and/or specified information.

The Student is entitled to be supported by an accompanying person at all associated meetings. The Student shall inform the Chairperson, no later than 3 working days before the meeting, who will accompany them.

- 5) The Garda Vetting Review Panel may consult with relevant organisations including placement providers, as applicable.
- 6) On completion of its deliberations, the Garda Vetting Review Panel may decide:
  - a) the student is considered not to pose a potential risk to children or vulnerable persons;
  - b) the student is considered to pose a potential risk to children or vulnerable persons.

- 7) If the student is considered not to pose a potential risk to children or vulnerable persons (6 (a)), the student is deemed appropriate to carry out relevant work or activities and the Garda Vetting information is conveyed to the Placement provider and/or other relevant organisations, in accordance with relevant agreements, to enable them to make an informed decision with respect to students participating in relevant work or activities with children or vulnerable persons.
- 8) If the student is considered to pose a potential risk to children or vulnerable persons (6 (b)), the Garda Vetting Review Panel may decide one or more of the following actions, taking account of the particular circumstances:
  - a) refer the matter for consideration under another TUS Policy, including but not limited to the, *TUS Student Code of Conduct and Discipline*<sup>[11]</sup>, and/or the *TUS Policy on Fitness to Study for Listed Programmes which Lead to Practise in Regulated Settings*<sup>[12]</sup>.
  - b) recommend for the provision of alternative learning option/arrangement if in line with programme requirements;
  - c) recommend that the student is offered a transfer to an alternative programme of study, if appropriate;
  - d) withdrawal of the student from Placement;
  - e) recommend to the Registrar for the suspension of the student from some or all of the programme;
  - f) recommend to the student to voluntarily withdraw from their programme;
  - g) recommend to the Registrar for the deregistration of the student from their programme;
  - h) such other action as is deemed appropriate by the Garda Vetting Review Panel in the circumstances.

### 10.3 Appeal by the Student to the Garda Vetting Appeals Board

- 1) The purpose of the Appeal is, on application by the student, to:
  - a) consider and review the Garda Vetting Review Panel findings;
  - b) assess if the process, decisions and actions taken were reasonable in the circumstances;
  - c) aim to reach a final internal decision under this TUS Policy, which is fair and just.
- 2) The appeal should be submitted to the TUS Student Garda Vetting Liaison Person in writing, using Garda Vetting Appeal Application Form ([Appendix 7](#)). This should be submitted within 10 working days of receipt of the outcome of the Garda Vetting Review Panel. The student should detail the reasons for requesting the findings to be reviewed.

- 3) The Vice President of Academic Affairs and Registrar, in conjunction with the Dean of Faculty/TUS Student Garda Vetting Liaison Person, shall arrange the appointment of a Garda Vetting Appeals Board.
- 4) The Garda Vetting Appeal Board shall comprise of:
  - a) a Chairperson, who shall be Dean of Faculty/School different from that of the student (and not involved in the Garda Vetting Review Panel);
  - b) two members of staff from a different Department/Faculty;
  - c) an external independent member, normally a senior manager from another Higher Education Institution, appointed by the Vice President of Academic Affairs and Registrar;
  - d) a representative of TUS Student Union.
- 5) The Chairperson shall convene a meeting of the Garda Vetting Appeals Board, normally within 10 working days of receipt of the request.
- 6) As part of its review, the Garda Vetting Appeals Board will have access to all prior records and documents relating to the Garda Vetting Review Panel.
- 7) The Appeals board may request to meet with all parties involved, including the student, relevant Heads of Department, Dean of Faculty/School, the Garda Vetting Review Panel and other relevant TUS staff, individually or collectively as appropriate.
- 8) The Garda Vetting Appeals Board shall take account of the indicative list of factors that were available to the Garda Vetting Review Panel in making its determinations, as provided in [Appendix 6](#).
- 9) The Student is entitled to be supported by an accompanying person at all associated meetings. The Student shall inform the Chairperson, no later than 3 working days before the meeting, who will accompany them.
- 10) Having completed its review, the Garda Vetting Appeals Board will make a determination which may include one or more of the following:
  - a) upholding the original decision of the Garda Vetting Review Panel;
  - b) modifying the original decision of the Garda Vetting Review Panel;
  - c) overturning the decision of the Garda Vetting Review Panel;
  - d) making a further determination with respect to the decision and actions as specified in [Section 10.2.2 \(6\) \(7\) & \(8\)](#).
- 11) The Garda Vetting Appeals Board shall send written confirmation of the Board's determinations within 5 working days of the conclusion of the appeal to the relevant parties, including the student, the relevant Dean of Faculty/School, Head of Department and other TUS staff as appropriate.
- 12) The decision of the Garda Vetting Appeals Board shall be the final internal TUS decision under this policy. This outcome does not interfere with the Statutory Rights of any parties.



## 11.0 Referral to the National Ombudsman's Office

If a Student feels that they have been unfairly treated, or dissatisfied with the TUS decision, they are free to contact the Office of the National Ombudsman. By law, the National Ombudsman can investigate complaints about any of the TU's administrative actions or procedures. The National Ombudsman provides an impartial, independent and free dispute resolution service.

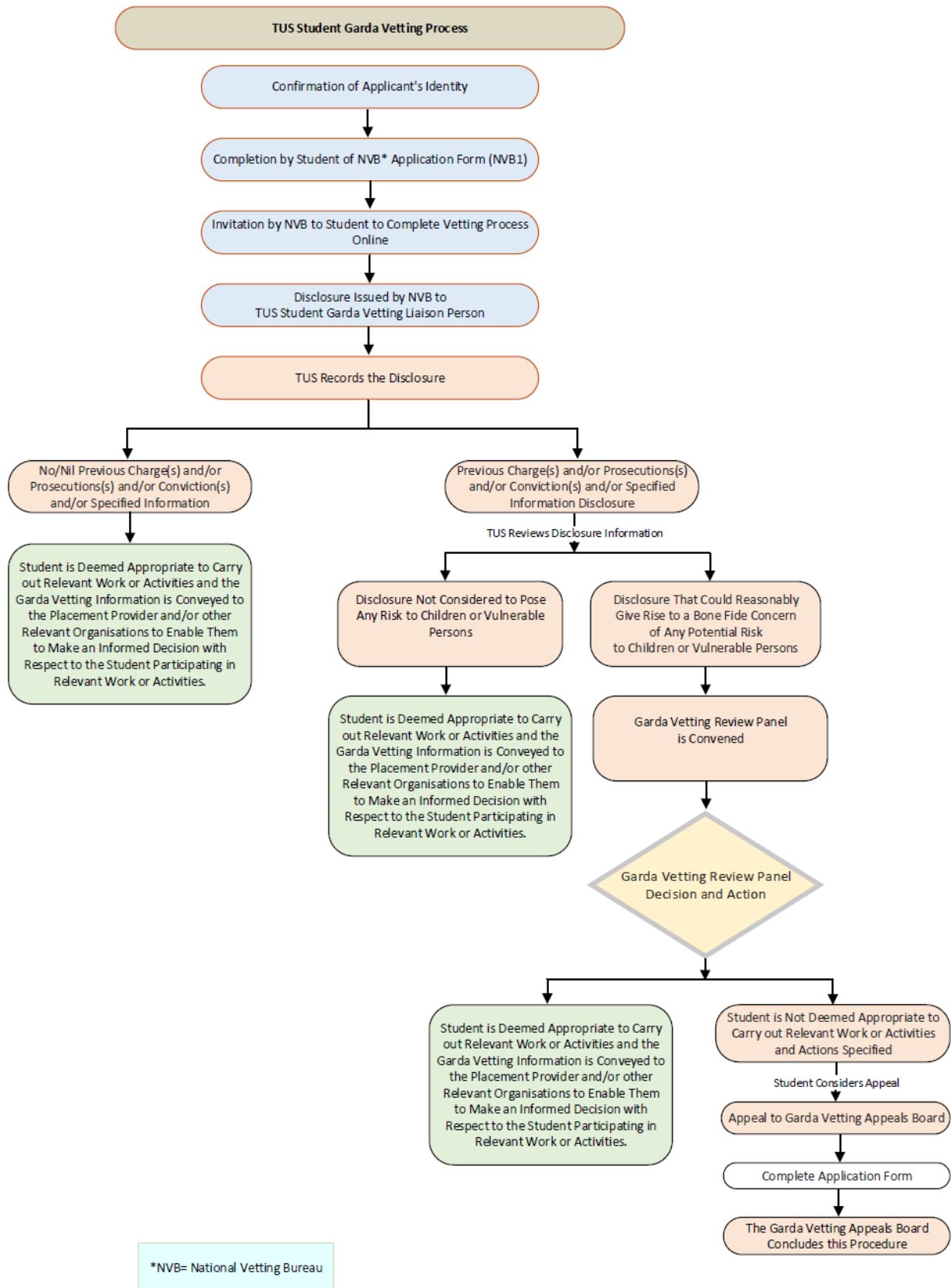
- a) The time limit for making a complaint to the Ombudsman is 12 months from the date the action complained of occurred, or the date that the complainant becomes aware that action occurred (whichever is later).

## 12.0 References

- 1) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
- 2) TUS Child Protection Policy. [TUS Academic Quality Assurance Enhancement Handbook](#)
- 3) [Technological Universities Act 2018](#)
- 4) [Equal Status Acts 2000-2015](#)
- 5) [Employment Equality Acts 1998-2015](#)
- 6) [Data Protection Acts 1988 to 2018](#)
- 7) [General Data Protection Regulation \(EU\) 2016/679,](#)
- 8) [Child Care Act, 1991](#)
- 9) [TUS Data Protection Policy](#)
- 10) [TUS Data Retention and Records Management Policy](#)
- 11) TUS Student Code of Conduct and Discipline. [TUS Academic Quality Assurance Enhancement Handbook](#)
- 12) TUS Policy on Fitness to Study for Listed Programmes which Lead to Practise in Regulated Settings. [TUS Academic Quality Assurance Enhancement Handbook](#)

# Appendices

## Appendix 1, Process Flow Diagram For Garda Vetting Procedure



## Appendix 2, Verification of Applicant's Identity

In order to comply with National Vetting requirements the Garda Vetting Liaison Person is required to check and confirm the applicant's identity. At least two forms of identification, one of which should be photographic, must be produced to meet this requirement.

Applicants are required to reach 100 points on the Verification of Identity points scale.

<b>National Vetting - Verification of Identity Check List</b> <b>Documents provided must total 100 points minimum</b>		
<b>Identification</b>	<b>Score</b>	<b>Tick</b>
Irish driving license or learner permit (new credit card format)	80	
Irish Public Services Card	80	
Passport (from country of citizenship)	70	
Irish certificate of naturalisation	50	
Birth certificate	50	
Garda National Immigration Bureau (GNIB) card	50	
National Identity Card for EU/EEA/Swiss citizens	50	
Irish driving license or learner permit (old paper format)	40	
Employment ID		
• ID card issued by employer (with name and address)	35	
• ID card issued by employer (name only)	25	
Letter from employer (within last two years)		
• Confirming name and address	35	
P60, P45 or Payslip (with home address)	35	
Utility bill e.g. gas, electricity, television, broadband (must not be less than 6 months old. Printed online bills are acceptable. Mobile phone bills are not acceptable)	35	
Public services card/social services card/medical card	25	
• With photograph	40	
Bank/Building Society/Credit Union statement	35	
Credit/debit cards/passbooks (only one per institution)	25	
National age card (issued by An Garda Siochana)	25	
Membership card		
• Club, union or trade, professional bodies	25	
• Educational institution	25	
Correspondence		
• From an educational institution/SUSI/CAO	20	
• From an insurance company regarding an active policy	20	
• From a bank/credit union or government body or state agency	20	
<b>TOTAL</b>		

I attach documents, as indicated above, to the minimum of 100 points

Student Name:	<i>Insert Block Capitals</i>
Student ID Number	
Student Signature	
Date: ____/____/____	

### Appendix 3, Form NVB 1 Vetting Invitation

Under Section 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure

Section 1 – Personal Information	
Forename(s):	<input type="text"/>
Middle Name:	<input type="text"/>
Surname:	<input type="text"/>
Date Of Birth:	<input type="text" value="D D / M M / Y Y Y Y"/>
<u>Student Email Address:</u>	<input type="text"/>
Contact Number:	<input type="text"/>
Role Being Vetted For:	<input type="text"/>
Current Address:	
Line 1:	<input type="text"/>
Line 2:	<input type="text"/>
Line 3:	<input type="text"/>
Line 4:	<input type="text"/>
Line 5:	<input type="text"/>
Eircode/Postcode:	<input type="text"/>

Section 2 – Additional Information	
Name Of Organisation:	<input type="text" value="Technological University of the Shannon"/>

I have provided documentation to validate my identity as required *and*  
 I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. **Please tick box**

Applicant's Signature:

Date:

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.

Section 2 – Additional Information	
Name Of Organisation:	<input type="text" value="Technological University of the Shannon"/>
I have provided documentation to validate my identity as required <i>and</i> I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. <b>Please tick box</b> <input type="checkbox"/>	
Applicant's Signature:	<input type="text"/>
Date:	<input type="text" value="D D / M M / Y Y Y Y"/>

Form NVB 1 Vetting Invitation Version to be Completed (Where Parent/Guardian Consent is Required).

Form NVB 1

**Vetting Invitation**

**Section 1 – Personal Information**

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.

Forename(s):																									
Middle Name:																									
Surname:																									
Date Of Birth:	D	D	/	M	M	/	Y	Y	Y	Y															
<b>Parent/Guardian Email Address:</b>																									
<b>Parent/Guardian Contact Number:</b>																									
Role Being Vetted For:																									
Current Address:																									
Line 1:																									
Line 2:																									
Line 3:																									
Line 4:																									
Line 5:																									
Eircode/Postcode:																									

**Section 2 – Additional Information**

Name Of Organisation:

I have provided documentation to validate my identity as required *and* I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. **Please tick box**

Applicant's Signature:  Date:  /  /

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.

# Appendix 4, Parent/Guardian Consent Form (NVB 3)

AN GARDA SÍOCHÁNA



NATIONAL VETTING BUREAU

## PARENT/GUARDIAN CONSENT FORM (NVB 3)

### Applicant Details

Forename(s): [Grid]

Surname: [Grid]

Date Of Birth: D D / M M / Y Y Y Y

### Parent/Guardian Details

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.

Forename(s): [Grid]

Surname: [Grid]

Parent/Guardian Email Address: [Grid]

Contact Number: [Grid]

Relationship to applicant: Father: [ ] Mother: [ ] Guardian: [ ]

Address:

Line 1: [Grid]

Line 2: [Grid]

Line 3: [Grid]

Line 4: [Grid]

Line 5: [Grid]

Eircode/Postcode: [Grid]

### Parent/Guardian Consent

I, being the Parent/Guardian of the above named applicant, consent for the National Vetting Bureau to conduct vetting in respect of the above named applicant in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Parent/Guardian Signature: [Signature Box]

Date: D D M M Y Y Y Y



#### Appendix 5, Student Consent Form to Sharing Garda Vetting Information<sup>1</sup>

- *TUS requires students to successfully complete Garda Vetting before the commencing relevant work or activities with children or vulnerable persons, in accordance with The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.*
- *In accordance with Section 12 (3a) of the [National Vetting Bureau \(Children and Vulnerable Persons\) Act 2012 to 2016](#), TUS have an Agreement encompassing Data Sharing in place with placement providers and/or other relevant organisations to facilitate the sharing of data obtained during the Garda Vetting process, subject to consent of the vetting applicant.*

Student Name:	
Student ID Number	
Programme Title	
TUS Academic Department	

I understand that TUS shares the outcome of Student Garda Vetting with Placement providers and/or other relevant organisations to enable them to make informed decisions with respect to TUS students participating in relevant work or activities with children or vulnerable persons.

I give my consent for the disclosure to be shared with appropriate representatives of Placement providers and/or other relevant organisations when considering my application to carry out relevant work, as defined in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Signature of Applicant	
Date	Click or tap to enter a date.

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<sup>1</sup> This Student Consent Form must be completed by each Garda Vetting Applicant.





#### Appendix 6, Factors that may be considered by the Garda Vetting Review Panel

The factors that may be considered by the Garda Vetting Review Panel in making its determinations include, but are not limited to:

- 1) The nature and seriousness of any previous charge(s)/prosecution(s) and/or convictions and/or specified information which may be recorded in respect of the student;
- 2) Whether the offence is one which by its nature gives rise to specific concerns in relation to protection of children or vulnerable persons. The Garda Vetting Panel shall take particular note of offences of a sexual, violent, dishonest, or drug-related nature.
- 3) The self-disclosure or non-disclosure of any such charge/prosecution and/or conviction by the student;
- 4) The nature of any court result which may be recorded in respect of the student, taking account of any sentence/current suspended sentence;
- 5) In the case of more than one offence whether the offences disclose a pattern of repeat offending;
- 6) The age of the student at the time any such charge/prosecution and/or conviction was committed;
- 7) The length of time elapsed since any such charge/prosecution and/or conviction was committed by the student;
- 8) The conduct of the student in the time elapsed since the date of the charge/prosecution and/or conviction;
- 9) Mitigating factors, if any, in favour of the student;
- 10) Rehabilitative efforts undertaken by the student in the time elapsed since any such charge/prosecution and/or conviction was committed;
- 11) Outcome of any consultation with the relevant placement organisation;
- 12) Any programme specific factors deemed relevant.

It is important to note that this list is not exhaustive, and the assessment shall be made taking account of all relevant factors and circumstances pertaining to a student and their programme.



Appendix 7. Garda Vetting Appeal Application Form

**1) Applicant Details**

Student Name:	
Student ID Number	
Programme Title	
TUS Academic Department	

**2) Please Provide Details of why an Appeal is Sought**

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Signature of Applicant	
Date	Click or tap to enter a date.