



Lions Clubs International

Lions District 133 Ireland

Lions Implementation Guide

Garda Vetting in the Republic of Ireland

THIS IS A GENERAL GUIDE TO ASSIST LIONS CLUBS IN DECIDING WHO NEEDS TO BE VETTED AND THE CLUB ACTIVITIES THAT MAY REQUIRE VETTING. IT IS NOT A LEGAL INTERPRETATION OF THE RELEVANT ACTS, REGULATIONS AND STATUTORY INSTRUMENTS.



Lions District 133 Ireland

Lions District 133 Child Safeguarding Policy

Lions International District 133 has committed with the National Vetting Bureau to fully participate and engage in eVetting and as such has appointed a Lions National Liaison Officer for this purpose. In parallel with the implementation of procedures for implementing vetting procedures, it is necessary to set out the Lions District 133 Child and Vulnerable Persons Safeguarding Statement.

The Lions of District 133 Ireland will:

- Recognise that the protection and welfare of children and vulnerable persons is of paramount importance, and fully comply with all statutory obligations under the relevant legislation.
- Fully co-operate with Statutory Authorities in relation to child protection and welfare matters and the protection of vulnerable persons.
- Adopt safe practices to minimise the possibility of harm or accidents happening to children or vulnerable persons and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect, and
- Fully respect confidentiality requirements in dealing with children and vulnerable person protection matters.

To ensure compliance with relevant legislation, each Lions club in Lions District 133 Ireland will carry out a Risk Assessment in all its services for children and vulnerable persons to ensure their protection. Based on this Risk Assessment the Lions Club will decide whether Vetting Clearance may be required.

April 2018

Lions District 133 Ireland

Vetting of Lions Club Members – Republic of Ireland

1 Introduction

The purpose of this document is to set out policy and provide guidance to Lions Clubs within the Republic of Ireland on the procedure to be adopted for the vetting of club members in keeping within the requirements of the new legislation in relation to the Protection and Safeguarding of Children and Vulnerable Persons. All vetting clearances under the old vetting arrangement lapsed at the end of 2017.

Lions International District 133 has committed with the National Vetting Bureau [NVB] to fully participate and engage in eVetting and as such has appointed a Lions National Liaison Person for this purpose. Accordingly all vetting of Lions Club members within the Republic of Ireland will be undertaken within the eVetting procedure and through the Lions National Liaison Officer [LNLO].

2 Summary: Key points to note

- There is no general requirement for all Lions Club members to be vetted and a general vetting policy within clubs is not permitted under the Act.
- The requirement for vetting depends on the range of services being undertaken by individual clubs and the extent to which particular services involve children or vulnerable persons. The determining factor in whether an individual Lion or group of Lions require vetting is - *whether a necessary and regular part of the service to be provided by the Lions involves having access to, or contact with, children or vulnerable persons.*
- An important consideration is the frequency of the contact with the children and or vulnerable persons and whether there is an opportunity to form an emotional bond. Regular monthly visits to a hospital or home for children or vulnerable persons would require vetting but participating in an annual party would not.
- When an application is being submitted for vetting, it is necessary to provide a full description of the role being applied for on the Invitation Form [NVB 1] .It is not sufficient or acceptable to state '*Lions Club Member*'. The role must be specified and must clearly identify how it involves contact with children or vulnerable persons.
- Each Club President is responsible for informing all Lions Club members of their obligations in respect of the protection of children and vulnerable persons. Each Club President must also inform all Lions Club members and potential members that they

may be required to apply for vetting if they participate in club services relating to children or vulnerable persons

- Each Club will nominate a Club Vetting Officer who will be responsible at Club level for the receipt and processing of all club-vetting applications. The Club Vetting Officer will report to the Club on Vetting matters and provide guidance to the Club on when vetting clearance is required. The Club Vetting Officer will also be the formal point of contact with the Lions National Liaison Officer [LNLO].
- The requirement to renew vetting after the expiration of a particular period as may be prescribed by the Minister (under Section 20 of the Act) has not yet commenced. Most organisations are seeking renewals of between 3 to 5 years. Lions District 133 Ireland has defined a renewal period of 4-years.
- The Club vetting officer will be responsible for retaining all records in relation to applying and recording vetting clearance. These records will be held for 5 years and then destroyed to comply with the Data Protection Regulations. The period of 5 years refers to the fact that the clearance will be for 4 years and for good practice the records will be held for 1 additional year. The Club Vetting Officer will retain copies of the completed NVB1 Form and the Proofs of Identity in a secure manner.
- Section 12 of the Act provides that two or more relevant organisations can enter into a joint agreement in relation to the employment, contracting, permitting or placement of a person to undertake relevant work or activity thereby providing that only one of the organisations is required to conduct vetting in respect of the person. In such cases there must be a clear agreement between both organisations and it must be in writing. A simple example is that of a GAA Club Coach already vetted and providing coaching assistance to a School. There would be no requirement on the School to seek further vetting once there is a written agreement in place. Other cases where agreements can be made can be in relation to Lions involvement with schools or with nursing homes.
- Lions Club vetting within the ROI will be processed by and overseen by the LNLO appointed by the District Governor of Lions District 133 Ireland.
- A vetting disclosure will be issued by the NVB to the LNLO in respect of each Lion submitting a vetting application. This disclosure will provide either :
 - ✓ Particulars of the criminal record (if any) of the applicant,
 - ✓ A statement of any specified information relating to the applicant or
 - ✓ State there is no criminal record /specified information relating to the applicant.
- In the event of a disclosure of a crime or specified information, the LNLO will contact the individual Lion in confidence and provide advice on the appeal process to the NVB. In the event that that the NVB does not amend its disclosure the final appeal can be made to the District Governor Team as to whether the Lion member is approved to work with Children or Vulnerable Persons.

3 The Legislation

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provides a legislative framework for the mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons.

- **Relevant Organisations** (In our case Lions Clubs in Lions District 133 Ireland) shall not permit any person to undertake relevant work or activities in the Republic of Ireland on behalf of the organisation unless a vetting clearance has been received from the NVB in respect of that person.
- **A child** is a person under 18 years of age.
- A **vulnerable person** is a person with an intellectual disability or physical impairment or physical disability, which is of such a nature or degree as to restrict the capacity of that person to guard themselves against harm by another person, or that result in the person requiring assistance with daily living.

4 Requirement to conduct vetting

With the introduction of the new Act the approach to vetting is now more tightly defined. The National Vetting Bureau will only undertake vetting on persons carrying out '*Relevant Work or activities*' with children and vulnerable persons. Consequently the previous practice of vetting of all Lions members can no longer apply. There is now a very clear legal requirement that all Lions engaged in '*relevant work or activities*' with Children or Vulnerable Persons must ensure that they are compliant with the new legislation in relation to vetting.

Relevant work or activities in relation to children and vulnerable persons are discussed in the following section. Vetting will only be undertaken strictly in accordance with the Act and in keeping with the guidelines laid out in this document.

Clearance provided under the former Garda Clearance process lapsed at the end of 2017.

5 Relevant Work or Activities

Relevant work or activity is defined under the Act as 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. The Act shall not apply to persons giving assistance on an occasional basis at a school, sports or community event or activity – other than where such assistance includes the coaching, mentoring counselling, teaching or training of children or vulnerable persons. Lions clubs must assess the position involved in accordance with the Act before proceeding to a vetting disclosure. The following paragraph provides detailed information on Relevant Activities as set out in the legislation.

Relevant Activities Relating to Children that Require Vetting

1. *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 in—*
 - *A school or centre of education.*
 - *A special care unit*
 - *A reception centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality.*
2. *Any work or activity which consists of care or supervision of children unless the care or supervision is merely incidental to the care or supervision of persons who are not children.*
3. *Any work or activity which consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) to children unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children.*
4. *Work as a driver of a public service vehicle used only for the purpose of conveying children.*

Relevant Activities Relating to Vulnerable Persons that Require Vetting

1. *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, vulnerable persons in —*
 - *A school or centre of education unless, in the case of a centre of education, the work or activity is merely incidental to work or activities undertaken in relation to persons who are not vulnerable persons,*
 - *Any hospital or care centre which receives, treats or otherwise which provides services to vulnerable persons,*
 - *A designated centre in so far as it relates to an institution at which residential services are provided to vulnerable persons,*
 - *An approved centre.*
2. *Any work or activity which consists of the care (including the provision of health and personal social services and essential domestic services) of vulnerable persons unless the care is merely incidental to the care of persons who are not vulnerable persons.*
3. *Any work or activity which consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) to vulnerable persons unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not vulnerable persons.*
4. *Work as a driver of a public service vehicle used only for conveying vulnerable persons.*
5. *Any application by a person to carry on or manage a designated centre.*

6 Vetting Procedures; Step-by-Step Guide

Step 1 – The Club Vetting Officer will download a Vetting Invitation Form (NVB 1) from the Lions District website, which should be given to the Lion applying for clearance. This form is completed by hand. This form requires the Lion to give their name and other personal details –date of birth, e-mail, phone number and address. Importantly it requires a description of the role being vetted for.

Step 2 – The Lion applicant must complete the invitation form (NVB1), sign the consent section at the bottom of page 1 of the Invitation form and return to Club Vetting Officer together with proofs of identity. Acceptable proofs of identity within Lions Clubs is a passport accompanied by a printed utility bill, showing the applicants address, which is not more than 6 months old. It is vital that an e-mail address is included, as from this stage communication is by e-mail.

Step 3 – Club Vetting Officer confirms proof of identity, signing the form and sends the NVB 1 to: *District 133 LNLO – Lion Gerry Redmond, Ballycarney, Green Road, Carlow.*

Copies of Proof of identity are not forwarded to the LNLO, but kept by the Club Vetting Officer with a copy of the NVB 1 Form. These forms are to be kept securely for 5 years and must be available for inspection of the DG Team and or the District 133 LNLO. The forms are confidential and may only be used for Vetting purposes.

Step 4 – The LNLO inputs the NVB 1 details online to the National Vetting Bureau Website. The NVB website generates an email with a link attached that is sent by e-mail to the vetting subject, inviting him/her to complete the Vetting Application Form – NVB 2. This invitation is sent by e-mail and must be completed online.

Step 5 – Vetting Subject completes the NVB 2 online and submits it to the LNLO. To complete NVB 2 the vetting applicant is required to provide information on prosecutions and on all addresses that they have lived in. These addresses should be complete and include the postcode.

The NVB 2 Form must be completed and forwarded to the LNLO within 30 days otherwise it becomes invalid and the entire process must be recommenced.

Step 6 – LNLO reviews the NVB 2 and if in order submits it to the NVB, which processes the application and forwards a Vetting Disclosure to the LNLO. The LNLO may request additional information from the Lion applicant before submitting to NVB.

Step 7 – The LNLO views the Vetting Disclosure and where the disclosure states there is no criminal record or specified information relating to the applicant, the vetting clearance will be forwarded to the applicant via the Club Vetting Officer.

Step 8 – In the unlikely event of a disclosure of a criminal record or specified information, this information will be communicated in confidence to the Lion applicant, who has access to an appeal process set out in the following paragraphs.

7 What happens when the NVB do not provide clearance?

A **vetting disclosure** will be issued to the LNLO in respect of each Lion submitting a vetting application. Vetting disclosures will provide:

- Particulars of the criminal record (if any) relating to the person,
- a statement of any specified information relating to the person which the NVB has determined in accordance with Section 15 of the Act should be disclosed, or
- State that there is no criminal record or specified information, in relation to the person.

The expectation is that every Lion applying for vetting clearance will receive clearance from the NVB i.e. that the disclosure will state that 'there is no criminal record or specified information, in relation to the person.'

In the event that the Vetting Disclosure identifies a criminal record or specified information, contact will be made in confidence by the LNLO with the applicant to inform them of the disclosure and a copy of the vetting disclosure will be made available, to the vetting subject. The LNLO will advise on the appeal procedure, should the applicant wish to challenge the disclosure. The appeal is made through the LNLO, who will review the appeal and will forward to the NVB for their consideration.

Specified Information is information that is considered to reasonably give rise to a bona fide concern that a vetting subject may harm, attempt to harm or put at risk of harm, a child or vulnerable person. The National Vetting Bureau will provide the applicant with a summary of the information in confidence. On receipt of the notification from the National Vetting Bureau, the vetting subject may make written submissions to the Bureau in relation to the specified information within 14 days and thereafter enter and initiate the available appeals process should the subject so desire.

The most likely reason for appeals are mistaken identity.

8 Vetting Disclosures and Decision-making

Details contained in a vetting disclosure should be verified with the Lion making the application, in advance of any decision being made which may affect the vetting subject. In the event of a disclosure being made regarding a criminal record or specified information, the LNLO will make confidential contact with the vetting subject to verify the disclosure. Following verification with the vetting subject, further details may be requested from the National Vetting Bureau by the LNLO, with the written authorisation of the applicant.

9 Dispute Resolution Procedure

Where a vetting applicant disputes the accuracy of any detail contained in their Garda Vetting Disclosure, the following procedure is to be followed:

1. Vetting Applicant will outline in writing to the LNLO the exact basis of their dispute. The LNLO will seek the original NVB 1 Form from the Club Vetting Officer and will forward the Appeal Document together with the original NVB 1 form to the NVB.
2. If the vetting applicant indicates that there were errors or omissions made by them when completing the original form, they will be requested to complete a new application and both the original and new application forms will be submitted to the National Vetting Bureau with a request for further checks to be conducted. Further checks will be carried out by the NVB, and the latter will also liaise with the LNLO.
3. At the conclusion of the dispute resolution procedure the LNLO will be advised of the outcome of the review by the NVB of the new information.
 - In the event that the NVB revised disclosure states State 'there is no criminal record or specified information, in relation to the person' the applicant and the Club vetting officer will be advised that the applicant has NVB clearance.
 - If the disclosure still reports particulars of the criminal record relating to the person or includes a statement of any specified information the applicant will be advised that they do not have Vetting Clearance . At any stage, the vetting applicant may withdraw their application for NVB clearance.
4. At the conclusion of the dispute resolution process, the LNLO will liaise with the District governor and the DG Team in respect of the suitability of the Lion member in question to undertake service projects with in the club with children or vulnerable persons. The Lions District 133 Ireland District Governor Team, in consultation with the LNLO will be the final point of appeal in relation to the suitability of applicants for clearance for services with Children and vulnerable persons. The National Vetting Bureau will have no input into any such decision.

Abbreviations

The Act - The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016

NVB – National Vetting Bureau

LNLO –Lions National Liaison Officer

Form NVB 1 – Vetting Invitation

Form NVB 2 – Vetting Application

LNLO is appointed by the District Governor to liaise with the NVB.

Club Vetting Officer is the Officer appointed by Club President to be responsible for club vetting invitations and to liaise with the National Liaison Person.



Lions Clubs International

District 133 Ireland

Guidelines for completing Vetting Invitation Form (NVB 1)

Please read the following guidelines before completing this form.

Miscellaneous

The Form must be completed in full using **BLOCK CAPITALS** and writing must be legible.

The Form should be completed in ball point pen.

Photocopies will not be accepted.

All applicants will be required to provide documents to validate their identity. The details of the proof of identity are discussed in Section 3 of this form

Personal Details

Insert details for each field, allowing one block letter per box.

For Date of Birth field, allow one digit per box.

Please fill in your Email Address, allowing one character/symbol per box. This is required as the invitation to the e-vetting website will be sent to this address.

Please allow one digit per box for your contact number.

The Current Address means the address you are now living at.

The address fields should be completed in full, including Eircode/Postcode. No abbreviations.

Role Being Vetted For

The role being applied for must be clearly stated. Generic terms such as “Lions Volunteer” will not suffice. The District 133 Vetting Implementation Guide provides information on the circumstances when vetting clearance may be required for club services.

Declaration of Application

The applicant must confirm their understanding and acceptance of the two statements by signing the application form at **Section 2** and ticking the box provided. It is necessary to provide consent to the disclosure of information by the National Vetting Bureau to the Lions National Liaison Officer

Proof of Identity

The applicant is required to provide 2 proofs of identity –both the originals and copies. The copies are held on file by the club vetting officer. Information on the suggested Proofs of Identity is shown in **[Section 3]**

Return Form to:
 Lions Clubs District 133
 Mr Gerry Redmond
 Ballycarney
 Green Road
 Carlow R93 Y9T0



Lions Clubs International

District 133 Ireland Vetting Invitation ROI (NVB1)

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																		
Email Address:																												
Contact Number:																												
Role Being Vetted For:																												
Current Address:																												
Line 1:																												
Line 2:																												
Line 3:																												
Line 4:																												
Line 5:																												
Eircode/Postcode:																												

Section 2 – Additional Information

Signature of Club Vetting Officer	Print name of Club Vetting Officer
Club Name	

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 Lions National Liaison Officer pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. Please tick box

Applicant's
 Signature:

Date: / /

Return this form to Mr Gerry Redmond. An invitation to the e-vetting website will be sent to applicant's e-mail.

Return Form to
Lions Clubs District 133
Mr Gerry Redmond
Ballycarney
Green Road
Carlow R93 Y9T0



Lions Clubs International

District 133 Ireland

Vetting Invitation ROI (NVB1)

Section 3 – Proof of Identity

The person applying for Vetting must provide at least two forms of identification to enable the Lions Club Vetting Officer or Club President to validate the identity of the applicant when completing the application form. One of the proofs should be photographic and the other should show confirmation of the name and address. For the Lions Clubs District 133 it is proposed that the two forms of identity will be:

- Current Passport –which provides a photograph and
- A current utility bill or heading of bank statement showing the address. [Current is defined as previous 6 months.]

Both the actual passport and the original of the utility bill or bank statement must be shown to the Club Vetting Officer together with a copy of both. The photocopies will be dated and the Club Vetting officer will confirm sight of the originals. The photocopies are held on file by the Club Vetting Officer –attached to this section [Section 3] of Vetting Invitation Form NVB1. This file must be available for inspection on request of District Vetting Liaison Officer, District Governor Team or Zone Chair.

Name of Lions Club: _____

Name of applicant for Vetting: _____

E-mail of Applicant for Vetting: _____

Name of Lions Vetting Officer: _____

Date of Application: _____

When completed, Sections 1 and 2 of Form NVB1 will be posted by the Club Vetting Officer to LNLO, Gerry Redmond and Section 3 will be retained by the Club Vetting officer together with the photocopies of the two proofs of identity and also photocopies of Section 1 and 2 of form NVB 1.