



O.N.A.K.A.I.

Official National Amateur Karate Association of Ireland

National Governing Body for Karate in Ireland

GARDA VETTING POLICY

(updated April 2021)

POLICY STATEMENT

O.N.A.K.A.I. as the National Governing Body for Karate in Ireland has a statutory duty to obtain vetting disclosures for all persons carrying out work with children and vulnerable people. O.N.A.K.A.I. is registered as the “umbrella relevant organisation” with the National Vetting Bureau for vetting purposes and as such has the responsibility to register all clubs, they will be conducting vetting for within the organisation.

As part of this obligation O.N.A.K.A.I. will comply with the relevant legislation and recommended best practice in the recruitment and selection procedures for all of our employees and volunteers internally within the organization, and externally for our members, conducting Garda Vetting, where appropriate.

Our utmost commitment is the protection and welfare of all our members

The purpose of this document is to provide information and guidance on Garda Vetting procedures within O.N.A.K.A.I.



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LEGISLATION

The National Vetting Bureau (Children & Vulnerable Persons) Acts 2012-2016 places a statutory obligation upon all associations to ensure that all persons who undertake 'relevant work' with children and vulnerable persons in Ireland are vetted, prior to taking up any such role.

Responsibility for ensuring this policy is effectively implemented rests with the O.N.A.K.A.I. Executive Committee. All other staff members and volunteers in O.N.A.K.A.I. and our member clubs/bodies are expected to facilitate and support the implementation of this policy.

The Act also creates offences and penalties for persons who fail to comply with its provisions.

All vetting applications for employment/volunteer roles with O.N.A.K.A.I. shall be processed by the Authorised Liaison Person(s) who are trained by the Garda Vetting Unit in the management of Vetting applications and disclosures.

POLICY APPLICATION

Vetting is mandatory for any individual who has ongoing, unsupervised contact with our young members (under 18) or vulnerable persons in the provision of any paid or voluntary work, educational, training, leisure, social or physical activities, or *relevant activities*.

O.N.A.K.A.I. requires any individual carrying out a role of responsibility such as coaching, mentoring, managing, assisting, educating, refereeing and/or volunteering in any capacity during club sessions, and further assisting at national, and international events in relation to any vulnerable adult or person under the age of 18

Exemptions – (Occasional Roles)

Persons giving assistance on an occasional basis (i.e., at club training sessions, competitions, club display days, national squad etc.) would not be required to be vetted. However, an individual can complete occasional roles on three (3) occasions during a twelve-month period. Should an individual be expected to assist on more than this in a role involving our young members in the same twelve-month period, they must commit to the e-Vetting process.

The individual cannot carry out the role until they receive communication regarding their vetting application from O.N.A.K.A.I. otherwise it is illegal to do so.

It is the responsibility of the club/event organiser to assess any individual before considering them for an Occasional Role:



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1. The Individual must be known to the club (or at whatever level of the organisation the occasional role will be carried out)
2. An occasional role involving our young members can only be carried out on three or less occasions as a total combination of all levels (club, national etc.) within O.N.A.K.A.I. over a twelve-month period.
3. Prior to commencing in an occasional role capacity, the individual must complete a “Self - Declaration Occasional Role” form.
4. The individual must at all times be under the supervision of a vetted member or staff member of O.N.A.K.A.I.
5. A Code of Conduct must be completed.

Vetting young people under 18

Any Individual under 18 years applying for any of the required positions must undergo vetting prior to taking up of the position. In order to undergo vetting they will be required to provide the written consent of their Parent or Guardian.

Vetting foreign nationals – foreign residency

Any individual who has been resident in the Republic of Ireland or Northern Ireland for a continuous period of 6 months or more (taken from the date of the initial vetting application will be asked to provide a Police Clearance Certificate from those countries of residence. Separate Police Clearance Certificates will be required for each country of residence. Clearance must be dated after the date the Vetting Subject left the country/countries. Obtaining Police Clearance Certificate is the sole responsibility of the Vetting Subject.

The individual will be required to undergo a re-vet after 12 months.

VALIDITY OF GV CERTIFICATE

In accordance with GDPR’s Article 5, principles of processing, O.N.A.K.A.I has defined a retention period for both the consent document and the disclosures held in relation to this process at **3 years**, while the vetting remains valid.



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Any individual seeking vetting under the umbrella organisation of O.N.A.K.A.I. **MUST** be a registered member of O.N.A.K.A.I.

Vetting Certificates will be issued on an annual basis over the 3-year lifetime of the vet, **ONLY** to those with continuing membership of O.N.A.K.A.I.

RE-VETTING

O.N.A.K.A.I. will reserve the right to request an individual to repeat the e-Vetting process. However, all individuals will be required to complete an application for re-vetting at the end of the 3-year period.

DATA PROTECTION AND STORAGE

The vetting Invitation, the Verification of ID form and the ID documentation supplied by the Subject to both the local Club Children's Officer and Liaison Person(s) shall be retained by the Liaison Person for the life of the vet (i.e., a **maximum of 3 years.**) After the expiration of the 3-year vet or expiration of membership of O.N.A.K.A.I., whichever occurs sooner, the documentation shall be destroyed.

Information on the status of the subject's Vetting application shall be retained in the O.N.A.K.A.I. Vetting database, access to which is restricted. The information stored is name, receipt date of application, receipt date of disclosure, status of disclosure received (nil, positive or withdrawn), issue date of Vetting certificate and expiration of Vetting certificate.

The postal address for receipt of Vetting applications is:
O.N.A.K.A.I. 46 The Paddocks, Navan, Co. Meath C15C9TT

COMMUNICATION OF DISCLOSURES

On receipt of a nil disclosure the Liaison Person will issue a certificate to the Vetting Subject in line with their membership of O.N.A.K.A.I. and update the Vetting database. The Vetting Subject can also advise the Club Children's Officer.

On receipt of a positive disclosure the Liaison Person(s) will contact the Vetting Subject to request that they either confirm or dispute the disclosure. They will then follow the procedure set out in the next 2 sections. Depending on the outcome of the assessment of the positive disclosure and any associated appeal the Vetting Subject will have an opportunity to request that their Vetting application is withdrawn.

POSITIVE DISCLOSURES



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Garda Vetting is only one aspect of a safe recruitment procedure and should not replace good practice such as interviews, reference checks as well as support and supervision process for any individual being considered for a role dealing with children and vulnerable adults.

Receipt of a positive disclosure from the Bureau containing a prior criminal record does not automatically result in Vetting being refused. In the case of the Bureau returning a positive disclosure or where specified information is received, the O.N.A.K.A.I. Garda Vetting Panel will convene to consider the facts contained in the disclosure. The key question will be whether the information received on the individual and subsequently confirmed by the Vetting Subject poses a risk that is too great to have the individual conducting work with children and vulnerable adults.

O.N.A.K.A.I. considers the following as reasonable grounds to withdraw an offer or opportunity of employment/volunteer role to an individual that has:

- an offence of a sexual offence,
- an offence that relates to the ill treatment of a child, or a vulnerable adult,
- offence of the ownership, production, or distribution of child pornography.

O.N.A.K.A.I. considers the following list of offences to be relevant, and each case should be considered on a case-by-case basis:

- Offences against a person, e.g. assault, harassment, coercion
- Breaches in trust, e.g. fraud, theft, larceny
- Offences against property e.g. arson, armed robbery
- Domestic Violence
- Offences against the state

O.N.A.K.A.I. is conscious of not initiating policies that prohibit needlessly against rehabilitated individuals. Such cases should be objectively determined on a case by case basis.

APPEALS

STAGE 1

1. Where a Vetting Subject disputes the detail contained in a Vetting disclosure from the National Vetting Bureau, he or she may refer the issue to the National Vetting Bureau dispute process.
2. This process is activated by the Vetting subject, who should outline the basis of his or her dispute, in writing, to the O.N.A.K.A.I. Liaison Person(s). The Liaison Person(s) then submits the complete application file to the National Vetting Bureau for further checks.



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3. Further information is available on the National Vetting Bureau website - <https://vetting.garda.ie/Disputes/Disclosure>

STAGE 2

If, having received a positive disclosure resulting in the O.N.A.K.A.I. Garda Vetting Panel refusing Vetting but the Vetting Subject still wishes to be considered for a position within O.N.A.K.A.I. or any of its member clubs, then he/she may apply for reconsideration by the Welfare Committee. The appeal must be received in writing and must outline the basis for the appeal.

The Rules of Natural Justice provide for our obligation to allow persons affected by a decision to have a reasonable opportunity of presenting their case and for a duty to act fairly, to listen to arguments, and to reach a decision in a manner that is untainted by bias.

The Welfare Committee will consist of three persons

1. O.N.A.K.A.I. President
2. O.N.A.K.A.I. National Children's Officer
3. O.N.A.K.A.I. Executive Committee Member

The Vetting Subject will be given the opportunity to reply to the disclosure. The Welfare Committee will be supplied with all the information on the Vetting Subject anonymized, as well as the appeal letter received from the Vetting Subject anonymized. All Vetting Subjects will have the right to natural justice and can choose to waive their anonymity and meet the Welfare Committee in person.

Consideration must be given to:

1. The self-disclosure or lack of the same by the Vetting Subject in their original application.
2. Nature of the disclosed information
3. Relevance of any convictions/disclosed information to the position/role applied for as well as to the timing of the same.
4. Regards will be held to the list of offences that will automatically disqualify the Subject.
5. The individual's abilities, skills, experiences, and qualifications
6. The nature of the conviction and its relevance to the job
7. The length of time since the offence took place
8. The risk to the service users, employees, and organisation
9. Training which may have occurred since the time of the individual's offence

The Committee must issue the result of the appeal within 14 days.



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At the conclusion of the appeals procedure, a decision in respect of suitability of the individual to work will be made. A letter will be issued by the Liaison Person(s) on behalf of the Welfare Committee. If the appeal is declined, the Liaison Person will advise the Club Owner and or Club Children's officer of the decision but the reasons for declining will remain confidential between O.N.A.K.A.I. and the individual. The Vetting Subject will be provided with an opportunity to withdraw their application. Upon written request from the Vetting Subject the Liaison Person will update the Vetting database as "withdrawn" against the Vetting Subject's record. In all other circumstances the Liaison Person will mark the database as "positive"

Verification of ID – DOCUMENTATION

The **100**-point check is a personal identification system to verify identity including date of birth and current address of all Vetting subjects (those applying to be Garda Vetted).

Vetting subjects must present identification totaling a minimum of 100 points from the list below:

1: At least one form of photographic evidence/ID must be presented:

Drivers Licence	80 Points
Passport (from country of citizenship)	70 Points
Irish PPS Card (with photograph)	40 Points
Bank/Building Society/Credit Union statement	35 Points

2: Two examples of Proof of Address must be presented:

Utility bill e.g., gas, electricity, television, broadband (less than 6 months old)	35 Points
Printed online bills are acceptable/ Mobile phone bills are NOT acceptable	
P60, P45 or Payslip (with home address)	35 Points

3: Children aged 16 to 18 years (any one of the following):

Birth Certificate	100 Points
Passport	100 Points
Written Statement by a Principal confirming attendance at educational institution	100 Points

+ **Declaration of Consent** (Parent/Guardian Consent Form) NVB 3, completed by the parent or guardian on behalf of the Vetting Subject. This must contain the email address of Parent/Guardian not the Vetting Subject.



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CONFIRMATION OF IDENTITY – CLUB VERIFICATION

The Vetting Subject is required to complete the Verification of ID form



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E-VETTING STEPS

Step 1

The Vetting Subject prints and completes the following forms:

1. NVB1 Vetting Invitation form
2. Verification of ID form
3. NVB3 Parent consent form (only required if Vetting Subject is Age 16 / 17)

Step 2

The Vetting Subject complies with the 100-point ID check, by presenting the relevant documents to the local Club Children's Officer:

1. The completed NVB1 form
2. The Verification of ID form
3. The completed NVB3 form (where applicable)
4. Original identification documents (Passport, driving licence, utility bill etc.)
5. Photocopies of their identification documents (to be sent to O.N.A.K.A.I.)

The Club Children's Officer checks and verifies the presented ID documentation. When complete he/she certifies the application by signing the Verification of ID form.

Step 3

The Vetting Subject posts the fully completed application to O.N.A.K.A.I. **using an A4 envelope**. The enclosed documents & forms must not be folded / creased / damaged in anyway.

1. The completed NVB1 form (original format, not a photocopy)
2. The completed Verification of ID form (original format, not a photocopy)
3. The completed NVB3 form (where applicable) (original format, not a photocopy)
4. Photocopies of the ID documents used to comply with the 100-point check

Note: Under no circumstances should an original passport or driving licence be sent to O.N.A.K.A.I. The original passport & driving licence must only be presented to the local Club Children's Officer for verification.

Step 4

Upon receipt of a vetting application, the Liaison Person(s) will verify the documents to ensure that the 100-point ID check has been complied with and that the Vetting Subject is a registered member of an affiliate club of O.N.A.K.A.I. The Liaison Person(s) will also verify that the affiliate club has already registered with the GNVB and has submitted their GNVB affiliate registration number to O.N.A.K.A.I.



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Step 5

If the received email application is incomplete the Vetting Subject will be contacted by email and advised to re-submit a revised complete application. The received incomplete application will be destroyed by the Liaison Person(s).

Step 6

If the received application is verified, the Liaison Person(s) sends the Vetting Subject an e-mail with a link attached inviting him/her **to complete the online e-Vetting Application Form**. This link will expire after 30 days. If not completed within this time frame, the Vetting Subject will have to re-apply to O.N.A.K.A.I. to re- send the link.

Step 7

The Vetting Subject completes an e-Vetting Application Form online and submits it to O.N.A.K.A.I.'s Liaison Person(s).

Step 8

The O.N.A.K.A.I Liaison Person(s) reviews the e-Vetting Application Form and submits it to the National Vetting Bureau for processing.

Step 9

The National Vetting Bureau processes the e-Vetting application and forwards a vetting disclosure to the O.N.A.K.A.I. Liaison Person(s).

Step 10

On receipt of the disclosure the Liaison Person(s), as soon as is practicable, makes available a copy of the disclosure to the person concerned. The Liaison Person(s) reviews the disclosure and depending on the type of disclosure will proceed as outlined above.