

Safeguarding Policy No.1

VETTING POLICY AND PROCEDURES



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Mountaineering Ireland Version Control			
Version	Author	Date	Amendments
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NGB: Mountaineering Ireland

Club Name:

Introduction

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provide a statutory basis for the vetting of persons carrying out relevant work with children or vulnerable persons. The Act also creates offences and penalties for persons who fail to comply with its provisions.

The Act stipulates 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.

If you are seeking employment or intending to volunteer with Mountaineering Ireland by providing relevant work to children or vulnerable persons, you will be asked by your club to complete the vetting process before commencing such work.

Vetting is one of many important steps that Mountaineering Ireland undertakes to ensure that the welfare of all children, young people and vulnerable adults is protected within the organisation.

There are two types of vetting checks available to Mountaineering Ireland - Garda Vetting and Access NI; Garda vetting is the vetting process carried out by the National Vetting Bureau (NVB) in the Republic of Ireland. AccessNI (ANI) is the vetting check carried out by the Department of Justice in Northern Ireland. Both checks are applicable to Mountaineering Ireland members, depending on where in Ireland the individual intends to engage with young people or other vulnerable populations.

Legislation

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 together with the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3 provides the legal framework for persons working in relevant work or activity to undergo a vetting check prior to working with young people.

Legislation relating to Republic of Ireland
Civil Service Commissioners Act 1956
Child Care Act 1991
Children’s Act 2001
Children First Act 2015
Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3
Data Protection Act 2018
General Data Protection Regulation (EU) 2016/679 (GDPR)
National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016
Private Security Authority Act 2004

In Northern Ireland, Safeguarding Vulnerable Groups (NI) Order 2007 contains the legislation that makes it a legal requirement to not recruit a person barred from regulated activities. This is undertaken by obtaining an Access NI enhanced disclosure which is checked via the Disclosure and Barring Service (DBS). The DBS maintains a list of individuals who are barred from working with children and/or vulnerable adults. It is an offence in Northern Ireland to knowingly offer employment (paid or voluntary) to or allow someone to continue working who is on the DBS barred list.

Legislation relating to Northern Ireland

Access NI Code of Practice

Disclosure and Barring Service

General Data Protection Regulation (EU) 2016/679 (GDPR)

Part V of the Police Act 1997

Protection of Freedoms Act 2012

Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979 (as amended 2014,2020,2023)

Safeguarding Vulnerable Groups (NI) Order 2007

Sexual Offences (NI) Order 2008

Why is Vetting Required?

Vetting is part of the Mountaineering Irelands recruitment and selection procedures for personnel with access to or working with children, young people, and vulnerable adults. The vetting process does not provide clearance for people but provides information that may be relevant for an organisation in deciding the suitability of an individual to carry out a certain role working with, or having access to children, young people, and vulnerable persons.

In addition to legal requirements, vetting as part of the safe recruitment process is the minimum requirement expected by club members, parents, and wider society to demonstrate that the club takes safeguarding of its members seriously. As part of our safe recruitment guidance, vetting will help ensure that our organisation and clubs are better protected against the risk of having someone within, or joining our organisation, who is unsuitable to work with children or vulnerable adults.

Who is subject to Vetting?

All members of Mountaineering Ireland, both voluntary and paid staff, [who regularly work with and have direct responsibility for children and vulnerable adults on a regular and on-going basis](#) in our sport must complete a vetting application. An individual will not work / volunteer with children or vulnerable persons in Mountaineering Ireland until their vetting application has been completed. It will be an offence to start a person in relevant work before a vetting application has been completed.

A Vetting or Disclosure check will be required where an individual undertakes relevant work or activities relating to children or vulnerable adults. Access NI Enhanced checks are normally required where the applicant will work or volunteer in a role providing services to or having close and regular supervision of children or vulnerable adults (referred to as Adults at Risk in NI).

The requirement for vetting must be included in any job/role description for a regulated activity position. Relevant work or activities which require vetting include but are not limited to the following:

- ✚ Coaches
- ✚ Instructors
- ✚ Leaders
- ✚ Training Providers (where relevant)
- ✚ Committee member U18 Club (where relevant)
- ✚ Club Children's Officer (CCO)
- ✚ Designated Liaison Person (DLP)
- ✚ Deputy DLP
- ✚ Volunteers involved in youth activities.
- ✚ Board Members (where relevant)
- ✚ Club PRO/Photographer (where relevant)
- ✚ Leaders of youth groups
- ✚ Parents who assist in one or more sessions a week (on a regular and consistent basis)
- ✚ Helpers on away or residential trips (unless a parent is with a child)
- ✚ Mountaineering Ireland employee (where relevant)
- ✚ Others – as deemed necessary.

Who is responsible for vetting?

Mountaineering Ireland is responsible for processing applications through ANI or the NVB and for making decisions regarding an applicant's suitability to be appointed for a particular role. Final decisions on roles requiring vetting are made by Mountaineering Ireland's National Children's Officer, Designated Liaison Person, and the CEO in accordance with the relevant legislation. Club committees are responsible for ensuring recruited and appointed individuals are vetted in accordance with this policy. Mountaineering Ireland is responsible for ensuring individuals recruited and appointed at national level and Associates are vetted in accordance with this policy.

Previous Residence

Any individual who has been resident in the Republic of Ireland and/or Northern Ireland for less than one year (taken from the date of the initial vetting application) will be asked to provide a police check from their previous country and will be required to undergo a recheck after 12 months.

Vetting young members under 18 years of age

Section 13(6) of the Act provides for vetting of persons under 18 years of age. Any person under 18 years of age wishing to complete the Garda Vetting or Access NI process (not required under legislation) must accompany their application with a signed parental consent form. Applications will not be processed in absence of a parental consent form. Children under 16 years old will not be vetted under any circumstance. Clubs are advised to consider the need of a vetting check for persons under 18, and the appropriateness of having a person under 18 years of age in a position of responsibility that requires a vetting check.

Vetting Cost

At present, there is no cost to the individual being vetted in the ROI. It is free for volunteers to complete an AccessNI check. For staff completing an AccessNI check for employment purposes there may be a charge as detailed on their website.

Processing Time

The time taken to complete the vetting process is dependent on the prompt return of accurately completed forms. Applicants may contact Mountaineering Ireland's Designated Liaison Person for updates and estimated processing times.

Re-vetting



All individuals will undergo re-vetting after 3 years or as determined by Mountaineering Ireland. Mountaineering Ireland reserves the right to re-vet members on a random basis or as deemed appropriate by the National Children's Officer, the Designated Liaison Person, and the CEO. Any individual may be re-vetted if information that would affect a decision concerning an individual's suitability to work with children comes to the attention of a Club and/or Mountaineering Ireland. Re vetting is required where a Mountaineering Ireland member (employee or volunteer) has been suspended from the sport and then returns. Any existing Mountaineering Ireland member (employee or volunteer) may be re-vetted if information concerning an individual's suitability to work with children comes to the attention of a Club, or Mountaineering Ireland. The individual's permission must be sought if re-vetting is part of an investigative process. Re-vetting is required if an individual comes from another sport to work with young people in the sport of Mountaineering – even if they have a Certificate from elsewhere. Re-vetting is required where a Mountaineering Ireland member leaves the sport voluntarily and then returns.

Mountaineering Irelands Garda Vetting Application Process








Step One	Download a Mountaineering Ireland Garda Vetting ID Form, a Safeguarding Recruitment Form (Vetting) and the relevant Code of Conduct from the Mountaineering Irelands Safeguarding Webpage. A Parent consent Form (vetting) is available for applicants under 16 years of age.
Step Two	Complete forms, and have ID validated by a specified Responsible Person (adhering to the 100-point rule).
Step Three	Return completed forms with attached photocopies of ID to: Designated Liaison Person, Mountaineering Ireland, Irish Sports HQ, National Sports Campus, Blanchardstown, Dublin 15, or upload onto our new secure NVB Web Portal available on Mountaineering Irelands Safeguarding Webpage. We no longer accept applications through emails.
Step Four	You will be issued with an email eVetting Invite. Follow the link on this email and complete eVetting application within 30 days.
Step Five	The National Vetting Bureau send Mountaineering Ireland results of your vetting application. You will receive an email from the NVB to inform you that the results of your disclosure have been received by Mountaineering Ireland.
Step Six	Mountaineering Ireland makes decision on suitability or otherwise of candidate.
Step Seven	Complete a Safeguarding Level 1 course or if renewing Level 1, a Safeguarding Online Refresher. Provide proof of attendance. Mountaineering Ireland sends results of the vetting application to the candidate along with an approval letter.

Who is a Responsible Person?

The following Responsible Persons may verify the applicant’s identification, sign the Garda Vetting Invitations, and ID Validation Form:

-  Mountaineering Ireland Staff Member
-  Mountaineering Ireland Club Children’s Officer, Designated Liaison Person, Coach, or Instructor.

If not a member of Mountaineering Ireland, the designated Responsible Person may be one of the following:

-  Garda
-  Member of Clergy
-  Doctor
-  solicitor
-  Lawyer
-  Elected Public Representative
-  School Principal

NVB Record Keeping and Storage

All information in the vetting process will be held in a manner consistent with the Mountaineering Irelands retention policy and procedures. Mountaineering Ireland complies fully with good practice regarding the secure storage, handling and use of the Vetting Bureau disclosures and personal vetting information as per Data Protection Policy and legal obligations under Data Protection Legislation.

No information regarding the content of any disclosure is recorded on the Mountaineering Ireland membership database. The disclosure document, decision process and outcome are kept securely in a locked cabinet with access only by the Designated Liaison Person. From Autumn 2023 a secure Web Portal will be in operation and Disclosure information will be kept securely, in password protected cloud storage with access strictly controlled and limited to only those who are entitled to see it as part of their duties.

Vetting applications and disclosures are kept in accordance with GDPR by the DLP on behalf of Mountaineering Ireland. All information is kept in a secure cabinet in Mountaineering Ireland Head Office, Irish Sport HQ, National Sports Campus, Blanchardstown, Dublin 15. The DLP is the only key holder for the secure cabinet.

Mountaineering Ireland Access NI Vetting Application Process	
Step One	Candidates apply for an enhanced disclosure with barred list check using this form https://www.mountaineering.ie/files/Access-NI-form.pdf .
Step Two	Follow the steps in the form and submit a signed copy with 10-digit code along with copies of your ID documents by email to ricky@mountaineering.ie , your ID must be validated by a Mountaineering Ireland staff member or volunteer such as a Club Children’s Officer. Additionally, we request that you complete a Mountaineering Ireland Self-Declaration Form, available on Mountaineering Irelands safeguarding

	Webpage, and post along with your documents to the above email address.
Step Three	Mountaineering Ireland will submit your application to the NI sports Forum. We do not submit the self-declaration form. This is for our records only.
Step Four	Complete a Safeguarding Level 1 course or if renewing Level 1, a Safeguarding Online Refresher or NI equivalent. Provide proof of attendance. Mountaineering Ireland will contact you once your Access NI application has been completed.
Step Five	Return of information: Disclosure certificates are only received by the applicant for ANI. Return address: (please mark 'Private and Confidential') Access NI Designated Liaison Person Mountaineering Ireland Tullymore National Outdoor Centre 32 Hilltown Road Bryansford Newcastle BT33 0PZ

ANI Record Keeping and Storage

The signatories on behalf of Mountaineering Ireland ensure that disclosed information is stored in line with the ANI Code of Practice and sections 123 and 124 of the Police Act 1997 and AccessNI's Service Level Agreement regarding the correct handling, use, storage retention and disposal of Disclosure Applications and Disclosure information. This means that disclosure information is not passed to any unauthorised persons and is only available to those in Mountaineering Ireland who require access to the information in the course of their duties. Mountaineering Ireland co-operates with ANI to undertake checks as to the proper use and safekeeping of information. As we no longer receive a copy certificate from AccessNI, written consent will be obtained from the Applicant when requesting and retaining a Disclosure certificate. All data is kept in accordance with GDPR by the signatory on behalf of Mountaineering Ireland. No information regarding the content of any disclosure is recorded on the Mountaineering Ireland membership database. Should it be required, storage of Access NI Disclosure information will be kept securely, in password protected cloud storage with access strictly controlled and limited to only those who are entitled to see it as part of their duties.

In accordance with the rules laid down in the Data Protection Acts 1988/2003 and Access NI Code of Practice the signatory on behalf of Mountaineering Ireland will:

- ✚ Obtain and process information fairly with permission.
- ✚ Keep this information only for one or more specified, explicit, and lawful purposes.
- ✚ Use and disclose information only in ways compatible with these purposes.
- ✚ Keep information safe and secure.
- ✚ Keep information accurate, complete, and up to date.
- ✚ Ensure that any information is adequate, relevant, and not excessive.
- ✚ Retain information for no longer than is necessary for the purpose or purposes.
- ✚ Give a copy of his/her personal information to an individual, on request.

Retention of both NVB and ANI information

Once a recruitment (or other relevant appointment, regulatory or licensing) decision has been taken, we do not keep Disclosure information for any longer than is necessary. We will return the original Disclosure certificate to the applicant once a decision, recruitment or otherwise has been made and will be retained no longer than the agreed period, a year after they are received.

Disposal of both NVB and ANI information

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means i.e., deletion of all emails, cloud storage folders, shredding, pulping, or burning. We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure or any other relevant non-conviction information supplied by police. However, despite the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, an AccessNI unique reference number of the Disclosure Certificate and the details of the recruitment decision, should further queries arise.

Processing disclosed information from NVB and ANI

Applicants with no disclosures on their Certificates should advise whoever requested them to be vetted, e.g. Club Children's Officer.

Applicants in NI with disclosed information on their Certificates are required to contact the Signatory in order that a decision can be made regarding their status. Applicants in the ROI will be made aware of disclosed information on their certificates by the Mountaineering Ireland Designated Liaison Person.

The Mountaineering Ireland Case Management Group will be convened according to need. Until a decision is made the applicant is not eligible to undertake their role within Mountaineering Ireland. The composition of the Case Management Group may consist of the following:

- ✚ CEO
- ✚ National Children’s Officer
- ✚ Youth Development Officer
- ✚ External individuals with relevant experience and knowledge of safeguarding standards and legislation.

The Case Management Group is responsible for making the decision regarding an applicant’s suitability to be in the role. Risk assessment decisions are made on an individual basis. The information disclosed by the NVB and Access NI is used. All information will be anonymised, and details will only be shared that are needed to reach a fair and reasonable outcome. Consideration is given to the nature of the disclosed information received from the respective vetting body and the initial self-disclosure, if any, by the individual. Disclosed information must be verified and confirmed by the Applicant before any decision is made.

Any assessment of suitability depends on the relevance of any conviction/disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the offence/disclosed information, the timing of the offence and any possible pattern of offences.

The integrity of the applicant regarding self-disclosure or lack of disclosure on the initial application form is considered important. If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting body a decision will be made depending on the type and nature of the offences disclosed. If the applicant has not self-disclosed and information is received from the vetting body this will be checked with the applicant.

The information disclosed is used for only the specific purpose for which it was obtained as part of a recruitment or appointment process within Mountaineering Ireland. On receiving information that may potentially result in exclusion from taking up the regulated position any original documentation is checked to ensure it is correct and that the disclosed information refers to the applicant. Disclosure of certain types of convictions/prosecutions or specified information automatically disqualify the applicant from a position working with children.

Examples of offences that will automatically disqualify an applicant are:

- ✚ Any offence of a sexual nature
- ✚ Any offence against a child or of child abuse or pornography
- ✚ An offence that causes gross bodily harm
- ✚ Any offence of murder or manslaughter
- ✚ An offence of kidnapping
- ✚ A series of continuous offending that might cause concern for the well-being of children.
- ✚ Any charge brought by the Director of Public Prosecutions (for Ireland and Northern Ireland) concerning abuse of a child.

All decisions on the suitability of an applicant are a matter for Mountaineering Ireland. The NVB and ANI are not involved in such decisions. If a decision is required that is not clearly dealt with in this vetting policy external advice must be sought. In this case any identifying information on the disclosure will be removed. External advice may be sought from other regulatory bodies, e.g., Participation Unit from Sport Ireland or Child Protection in Sport Unit from NSPCC. The applicant is allowed the opportunity to withdraw from seeking any role or position.

Communication with Applicant

If Mountaineering Ireland is required to communicate with the applicant for any reason, the Signatory/Designated Liaison Person will do so by the following protocol:

- ✚ Communication may be by phone, letter marked 'Private and Confidential' or in person if convenient.
- ✚ The DLP/Signatory verifies the identity of the applicant.
- ✚ No messages are left.
- ✚ No discussion takes place with any other person, spouse, or partner.
- ✚ The DLP/Signatory gives an assurance of confidentiality.

If the Signatory is required to verify disclosed details the applicant is asked relevant questions, for example:

- ✚ Is there anything they remember concerning the time of the offence?
- ✚ Have they have ever been to court?
- ✚ Is there any relevant information concerning the disclosed information?
- ✚ Does the applicant understand the relevance of the disclosure to the position/role applied for?

All responses are noted. If any of the information is disputed the disputes procedure in this Mountaineering Ireland Vetting Policy must be followed.

Disputes

With the National Vetting Bureau and Access NI

Mountaineering Ireland cannot dispute the information disclosed by Access NI or NVB. Any individual disputing the disclosed information will need to follow the procedure for the relevant Vetting Body. The applicant will not be permitted to take up a position while any disclosure is under dispute.

If there was an error in the completion of the form this should be rectified by the applicant by completing a new application.

With the Decision of Mountaineering Ireland

All decisions on the suitability of an applicant are based on the information released by the relevant Vetting Body, and subject to the direction of this Policy with due attention to the fair and lawful treatment of applicants whilst also accounting for the paramount principle in the protection of young people within sport.

The DLP and Signatories have a responsibility to observe professional standards and will be cautious to recognise their own values and personal ethics in evaluating the seriousness and the relevance of any offence. Any dispute concerning the decision of the DLP or Signatory should be submitted in writing to the CEO of Mountaineering Ireland.

Advice from independent advisors according to the jurisdiction will be taken, as guided by this Vetting Policy. This will be communicated to the individual in accordance with the protocol. The outcome of this decision will be final.

Policy on the recruitment of ex-offenders (NI)

1. Mountaineering Ireland complies fully with the Code of Practice, issued by the Department of Justice, in connection with the use of information provided to registered persons, their nominees and other recipients of information by Access NI under Part V of the Police Act 1997, for the purposes of assessing Applicant's suitability for employment purposes, voluntary positions, licensing and other relevant purposes. We undertake to treat all applicants for positions fairly and not to discriminate unfairly or unlawfully against the subject of a Disclosure based on conviction or other information revealed.
2. This policy is made available to all Disclosure applicants at the outset of the recruitment process.
3. Mountaineering Ireland are committed to equality of opportunity to following practices, and to providing a service which is free from unfair and unlawful discrimination*. We ensure that no applicant or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability political opinion or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.
4. Mountaineering Ireland actively promotes equality of opportunity for all with the right mix of talent, skills, and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on those who meet the required standard of skills, qualifications and experience as outlined in the essential and desirable criteria.
5. Mountaineering Ireland will request an Access NI Disclosure only where this is considered proportionate and relevant to the position. This will be based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure is available to the position in question. Where an Access NI Disclosure is deemed necessary for a post or position, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that Mountaineering Ireland will request the individual being offered the position to undergo an appropriate Access NI Disclosure check.
6. In line with the Rehabilitation of Offenders (Exceptions)(NI) Order 1979 (as amended in 2014,2029,2023), Mountaineering Ireland will only ask about convictions which are defined as "not protected" for the purposes of obtaining a Standard or Enhanced disclosure.
7. We undertake to ensure an open and measured and recorded discussion on the subject of any offences or other matters that might be considered relevant for the position concerned e.g., the individual is applying for a driving job but has a criminal history of driving offences. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of the conditional offer of employment.

8. Mountaineering Ireland may consider discussing any matter revealed in a Disclosure Certificate. We are only able to discuss what is contained on a Disclosure Certificate, and not what may have been sent under separate cover by the Police, with the subject of that Disclosure before considering withdrawing a conditional offer of employment.

9. We ensure that all those in Mountaineering Ireland who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g., the Rehabilitation of Offenders (Northern Ireland) Order 1979).

10. We undertake to make every subject of an Access NI Disclosure aware of the existence of the Code of Practice, and to make a copy available on request.

HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR YOU FROM WORKING WITH MOUNTAINEERING IRELAND. THIS WILL DEPEND ON THE NATURE OF THE POSITION, TOGETHER WITH THE CIRCUMSTANCES AND BACKGROUND OF YOUR OFFENCES OR OTHER INFORMATION CONTAINED ON A DISCLOSURE CERTIFICATE OR PROVIDED DIRECTLY TO US BY THE POLICE.

*We are only able to discuss what is contained on a Disclosure Certificate and not what may have been sent under separate cover by the Police.

