



# EDUCATE TOGETHER RETROSPECTIVE VETTING PROCESS

MARCH 2017

Under the terms of the Vetting Act all special needs assistants, non teaching staff (secretaries, caretakers etc.) and volunteers (with regular and necessary access to and/or contact with children and who have been in their role pre April 2016) **who have not been previously vetted** must now be vetted by the National Vetting Bureau as part of the retrospective vetting process. Applications for Retrospective Vetting must be submitted to the NVB before 31 December 2017.

The national office intends to carry this out on a phased basis. Here an outline of the process and important dates to remember below.

## RETROSPECTIVE VETTING OF SNAS, NON TEACHING STAFF AND VOLUNTEERS (EDUCATE TOGETHER)

### Phase One

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| Schools should identify all persons requiring retrospective vetting and notify the national office of their numbers.  | Friday 24th March |
| Schools should submit Retrospective Vetting NVB1 forms along with completed verification of ID forms (confirming ID documents viewed) <b>for all retrospective vetting applicants</b> to national office. | Friday 5th May    |
| Retrospective vetting of applicants by national office  | May - July        |

### Process

- Schools should identify persons requiring retrospective vetting and complete the online retrospective vetting form available on our website <https://www.educatetogether.ie/retrospectivevetting>. This must be completed before **Friday 24th March 2017**.
- Schools should create and maintain a list of employees and volunteers who require retrospective vetting.
- Provide each person with the **Retrospective Vetting NVB 1 form**.
- Verify each person's identity as per the **NVB 100 point check list** and complete the **Garda Vetting Verification ID** form ensuring that the **identification viewed is ticked**.
- Forward all completed retrospective vetting applications along with completed Garda Vetting Verification ID forms to national office before Friday 5 May. **Forms should be separate from all other, non-retrospective vetting applications and in an envelope clearly marked Retrospective Vetting.**
- Retrospective vetting of applicants will commence in May. Due to the high numbers of retrospective vetting applications that is anticipated to be processed during this time, we ask that schools give consideration when submitting large volumes of other vetting applications. **Vetting applications for all newly employed SNAs, and ancillary staff (caretakers and secretaries) will be prioritised and processed in order to allow them to commence employment. However it will be assumed that volunteer applications submitted during this time are for the new academic year unless stated otherwise.** The processing of all other vetting applications for the new academic year will commence in August.
- In the event that a person declines to apply for vetting, having been requested to do so by school management, advice, including legal advice, should always be sought.

From May and July there will likely be a considerable interval between the submission of the applications to the national office and processing of applications which will result in an email link (which will expire after 30 days) to applicants inviting them to complete their online NVB 2 form. While we will endeavour to acknowledge receipt of Retrospective Vetting forms from schools, initially we will be unable to provide continued updates regarding the status of individual vetting applications. Therefore schools are encouraged to liaise with applicants directly until further details are provided by the national office in September.

**Please be advised that no retrospective vetting applications will be processed from August until October, this is to accommodate the processing of vetting applications for newly employed SNAs, ancillary staff and volunteers for the new academic year.**



## Phase Two

Schools will be notified of applicants who have been retrospectively vetted and issued with disclosures (where available)

**September**

Further retrospective vetting of any remaining applicants which were not completed as part of phase one.

**October- December**

## Process

- Schools will be notified of applicants who have successfully completed their online NVB 2 form which has been submitted for processing by the National Vetting Bureau.
- Once schools have been **notified that the applicants vetting has been successfully submitted for review with the NVB then they can remove applicants name from their records** as the requirements for retrospective vetting under the DES circular and Vetting Act guidelines will have been fulfilled.
- Schools will also be notified of applicants who have not successfully completed the online NVB 2 form. Schools are then strongly encouraged to liaise with remaining applicants ensuring that they respond to invitations for retrospective vetting which will commence again in mid October.



## RETROSPECTIVE VETTING OF REGISTERED TEACHERS (TEACHING COUNCIL)

Retrospective vetting of all registered teachers who **have not previously been vetted to date** will be conducted by the Teaching Council in the context of their annual renewal of registration. All teachers who have not been vetted must have applied for vetting through the Teaching Council by **31st December 2017**.

### Process

School authorities should note that there is no retrospective vetting required in respect of a member of a school's teaching staff where the school authority obtained a vetting disclosure from the Bureau or a Teaching Council Vetting letter in respect of a teacher.

- Schools should check its teaching staff records and draw up a list of registered teachers who have not been vetted to date by the Teaching Council.
- Schools should request that all teachers on this list inform them as soon as they have made an application for vetting through the Teaching Council.
- Teachers should then provide the school with evidence that the vetting application has been submitted by providing a copy of the Teaching Council's letter of acknowledgment. A copy of this should be attained for the schools records on the teachers file.
- The principal should liaise with teachers on a regular basis to ensure that the list is kept up to date and accurate.
- While it is the responsibility of individual teachers to comply with retrospective vetting requirements, **it is also the responsibility of the school authority to ensure that unvetted employees, including teachers, apply for retrospective vetting before the end of 2017**. School authorities should be aware that there may be a very small number of unvetted teachers in respect of whom a retrospective vetting application is not made by the Teaching Council before 31st December 2017. The DES will publish further guidance in relation to such cases in Autumn 2017.



### Vetting Disclosures

School authorities and registered teachers should be aware that the **Teaching Council Acts 2001 to 2015** include provision for the following:

- The Teaching Council shall consider the information provided in the vetting disclosure for the purpose of satisfying itself that the teacher is a fit and proper person to have his or her registration renewed.
- If it is not so satisfied the Teaching Council shall refuse to renew the teacher's registration.
- Where it is satisfied that it is in the public interest to do so, the Teaching Council may apply to the High Court to have the teacher's registration suspended.
- Where a person's registration is not renewed by the Teaching Council, that person cannot be employed in a publicly funded teaching position in any recognised school.
- The Teaching Council shall inform the employing school of information in a disclosure that is of such a nature as to give rise to a bona fide concern that the teacher may cause harm to a child or vulnerable person. Otherwise the outcome will not be shared with the school.
- Where the Teaching Council informs a school authority of a bona fide concern, it is a matter for the school authority to determine any actions that it considers necessary in respect of the persons's employment in the school. School authorities should note that legal advice should always be sought in this instance.

Failure by the teacher to comply with retrospective vetting requirements may result in registration not being renewed and eligibility for payment by the DES could cease.

Failure by the school authority to ensure that teachers comply with retrospective vetting requirements may result in a fine of up to €10,000 and/or a prison term of up to 5 years or both.