



IRFU Vetting Policy

Introduction

Vetting (both Garda Vetting and Access NI) is available to all rugby clubs and organisations through the registration of IRFU with the National Vetting Bureau and Access NI (Registered Body) and the appointment of Liaison Persons/Lead Signatories within IRFU who will process vets on their behalf. The decision to engage in vetting is part of IRFU's safeguarding standards to protect the welfare of children and vulnerable adults within Irish Rugby.

All adults working with Age-Grade Players, (that is, coaches, team managers, helpers, (paid & voluntary)) with regular and continuous access to young people and vulnerable adults, and for NI, those within regulated activity and/or a supervisory role of those with regular and continuous contact with young people will be required to partake of the vetting process, across clubs, Branch and National level. This is a pre-requisite of safeguarding standards for Irish Rugby. Failure to successfully complete the process may result in disqualification from appointment to a position within the Irish Rugby, (see below for further information on who needs to complete the process).

At present there is no cost to the person vetted in Ireland and for those in NI there is no cost to volunteers and a cost £33 for those in paid employment. IRFU requires re-vetting on any **significant** change of position or after **2-years** (whichever is sooner). The vetting process can be completed quickly but the time frame is dependent on the applicant's submission of necessary ID checks and paperwork and completion of online process. This must be taken into account when recruiting volunteers as a person must be vetted **before** they commence a role working with young people. Those aged 16-18 years of age may undergo a vet with signed parental permission. All vets will be carried out in line with the Code of Practice for ANI (NI) and the NVB (Ireland).

It should be noted that the National Vetting Bureau (NVB) and Access NI do not provide 'clearance' for people to work with children and vulnerable adults; the vetting organisation (IRFU) receives relevant information and decides on the suitability of the applicant. IRFU is committed to equal opportunities for all and does not preclude applicants with criminal convictions, (see Appendix 1 for further details). Convictions will only be considered when relevant to the position that the applicant has applied for. Applicants whose disclosure returns information in relation to their criminal record will be judged on a case-by-case basis and positive disclosures do not necessarily preclude a person from taking a role within Irish Rugby. Applicants may be contacted to discuss relevant risks so that IRFU can reach a safe and fair recruitment decision.

Who will be required to be vetted?

All persons within rugby providing direct services for / supervision of children on a regular and continuous basis at local, regional and national level will be vetted.

Sample Positions

- All coaches, team managers, coach assistants, (paid and voluntary), including part-time and support staff of Age-Grade teams / activities, provincial squads and national squads, and working with young people on a regular basis
- Those who may be required to regularly work with young people at events or for specific Age-Grade projects; or who may be involved in close supervision / decision making in relation to young people, e.g. Camps and/or overnight Tours / trips away

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- Referees who may be affiliated to a club/team(s) on an on-going and are likely to come into contact with same young people on a regular basis and/or appointed on a regular basis to underage matches.

There may be others who have contact with young people and/or vulnerable adults who, although may not need to complete the vetting process will be required to comply with the IRFU's Declaration of Intent / Code of conduct, including the completion of self-declaration questions, e.g. volunteers/parents who assist on an occasional basis.

Vetting Procedure

The process will be carried out by the IRFU Safeguarding Officer in conjunction with the Club/Organisation's Welfare Officer. IRFU's registered Liaison Person with the National Vetting Bureau and the Lead Signatory with ANI will:

- Act as liaison between National Vetting Bureau & Access NI and applicants seeking a vet.
- Be responsible for the management of all vetting applications, submissions to and information received from the unit.
- Responsible for maintaining the confidentiality of information received from both the individual and the unit.

Process

- All those who need to complete the vetting process should:
 - Register on Rugby Connect, the IRFU online registration system, <https://rugbyconnect.irfu.ie/>. Register as a 'coach' and then look to add a safeguarding credential to your account.
 - Vetting will be done as part of a club recruitment process that includes evidence of an applicant's signed declaration of intent and agreement to complete training.
 - Applicant's ID will be verified by the Club (Welfare Officer/Youth Coordinator, etc.) and stored securely in the applicant's account so that an ID audit can be provided to both NVB and ANI.
 - For NVB an email is sent to the applicant with the link to the e-vetting portal / for NI the applicant completes a form directly with ANI and IRFU verifies a check is necessary
 - A 'disclosure' is sent to IRFU (from NVB) and to the applicant (ANI), applicants in NI must disclose their certificate to IRFU for risk assessment where necessary.
 - On successful completion of vetting process, the approval is verified on the applicants record (shown as 'active' on their safeguarding credential) and can be viewed by the CWO

Please be aware of Access NI privacy <https://www.justice-ni.gov.uk/publications/ani-privacy> and Code of Practice <https://www.nidirect.gov.uk/publications/accessni-code-practice>

Applicants

- Should complete forms accurately, including date of birth and email address.
- Should declare **ALL** prosecutions/convictions at the time of application - IRFU will risk assess and decide if it may affect the position/role (whether paid or voluntary)
- All information will be held in compliance with relevant Data Protection Acts

An individual may be required to be re-vetted on changing their position within the organisation and/or on completion of a risk assessment for a role. Exclusions to this are:

- an individual progressing their qualification but remaining in the same position within either club or private sector e.g. moving from a minis to youth coach
- an individual in an existing group taking on a second position at Club or Regional level e.g. club coach working for Branch summer camp or coach transferring club

All individuals will undergo re-vetting after **2 (two) years**. Individuals who have completed vetting within rugby may use their current vet under the 'sharing information' protocol within this policy.

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Completing the vetting forms

The online vetting application form is required to be completed in full, including the necessary identification verification sections. Confirmation of an individual's identity must be verified by either Club Welfare Officer or suitable Age-Grade rugby personnel in the club who knows the applicant. Forms not completed will be unprocessed and recorded as such. Vets may be refused if the 'role' does not meet the necessary legislative guidelines. In such case the 'Declaration of Intent' may be used, where an applicant can apply for 'occasional' credential within Rugby Connect.

Residency Abroad

Any individual resident for less than one year (taken from the date of the initial vetting application) in either Ireland or Northern Ireland will be checked again one year later and again after another 12-months. If a police check has been obtained from the individual's originating country (possibly accepted on submission of original information), vetting will only be required after 12-months.

Storage

All data is kept in accordance with the Data Protection Acts 1988-2018, the UK Data Protection Act 1998 and the General Data Protection Regulation (EU) 2016/679 ("GDPR") and held by the Authorised Signatory(ies) on behalf of IRFU. All relevant information is kept securely online through 'Rugby Connect', relevant personal information is stored securely with only the CWO and Authorised Signatories allowed access to the safeguarding tile within the registration system. Once a vet is completed unnecessary information will be deleted from the applicant's record as per NVB & ANI guidelines.

Return of information

Any disclosed information from NVB and an ANI will be tracked online.

Processing the disclosed information

Each application will be examined by the IRFU to determine the suitability of the applicant for the position, whether new/presently in situ. The assessment of suitability will depend on the nature of the position, the self-disclosure of any prosecutions or convictions and the seriousness, timing and any possible pattern that emerges of any information disclosed.

The integrity of the applicant with regard to self-disclosure or lack of disclosure on the initial application form will be considered. The decision must be made based on the type and nature of the offences disclosed. If the applicant has not self-disclosed and information is received from the authorities the information will be checked with the applicant. Disclosure of certain types of convictions/prosecutions may automatically preclude the applicant from a position working with children. Examples of offences that may prohibit an applicant include: -

- Any offence of a sexual nature
- Any offence against a child or of child abuse or pornography
- An offence that causes gross bodily harm
- An offence of kidnapping
- A series of continuous offending that might cause concern for the well-being of children, including offences related to fraud and/or deception.

All decisions on the suitability of an applicant are a matter for IRFU and the safeguarding (case management) committee and will be done on a strictly confidential basis (see appendix 2). The IRFU 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 an offence. They will also complete relevant training.

Communication

When the IRFU is required to communicate with the applicant for any reason the following protocol will be adhered to: -

- Communication will be by email and/or phone or in person if convenient and necessary

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IRFU

- The IRFU will verify the person is the applicant
- No messages with details of the offences will be left
- No discussion will take place with any other person, spouse or partner
- The IRFU will give an assurance of confidentiality

Where the IRFU is required to verify disclosed details and make an assessment the applicant will be asked for further details such as:-

- Details they remember concerning the time/context of the offence
- Details in relation to court appearances
- Any relevant information concerning the disclosed information
- Any considerations to the significance of the disclosure in relation to the position applied for

All responses will be noted. If any of the information returned by vetting agencies is disputed the Disputes procedure in this policy (see below) may be followed.

Data Security & Sharing of Information

The data submitted by the applicant and any responses from the vetting authorities is subject to data security. IRFU will only release information concerning the suitability of an individual to a person who needs to know in order to protect young people and where there is a specific purpose in doing so. If an applicant withdraws either their application for a position or from their position, information concerning their suitability for working with children will not be released without first consulting the applicant.

Should an applicant wish to share their vetting information they may request that another organisation emails the IRFU (vetting@irfu.ie) who will confirm the date on which the vet was completed and any information that was discovered at the time. The requesting organisation shall use this information accordingly and IRFU will not be responsible for their employment decision. IRFU will not accept a vet from another organisation unless related to rugby (e.g. World Rugby), within a reasonable time frame and where vetting thresholds can be established and/or where a written agreement is in place with an organisation. Where an acceptable vetting process is established, the IRFU will request the applicant's permission to share the vetting information that has been obtained.

In accordance with the rules laid down in the Data Protection Acts 1988-2018, the UK Data Protection Act 1998, related Acts and the General Data Protection Regulation (EU) 2016/679 ("GDPR"), the IRFU, and officers acting on their behalf such as club or Branch Welfare Officers processing vets, will:-

- Obtain and process information fairly
- 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 on a recruitment decision and/or NVB/ANI audit
- Give a copy of his/her personal information to an individual, on request

Disputes

Disputing Disclosed Information

Both NVB and ANI have procedures in place to deal with disputes. If an applicant believes the information disclosed about them is inaccurate, they should contact the NVB and ANI. The **NVB** has a dispute mechanism in place and can be accessed here, <https://vetting.garda.ie/Disputes/Disclosure>. For **ANI**, the dispute must be raised with ANI, <https://www.nidirect.gov.uk/articles/disputing-accessni-certificate>

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Until all disputes have been settled the individual will not be able to take any position within IRFU. If the dispute involves existing personnel, it is recommended that supervision be put in place until the dispute is resolved.

All decisions on the suitability of an applicant following a recheck are a matter for IRFU and the vetting authorities are not involved in such decisions.

If the dispute is in relation to the decision of the IRFU of your suitability to work with young people and/or vulnerable adults you must put your appeal in writing to National Safeguarding Officer, safeguarding@irfu.ie, outlining the reasons for your appeal and any mitigating information you think is relevant to your case. The IRFU will contact you once the appeal has been discussed by relevant personnel. Information will not be shared with the club/organisation until the process is complete.

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Appendix One

Policy on Recruitment of Ex-Offenders (IRFU)

The IRFU complies fully with the Code of Practice, issued by the Department of Justice, in connection with the use of information by Access NI, under Part V of the Police Act 1997, for the purposes of assessing the applicant's suitability for employment purposes, voluntary positions, licensing and other relevant purposes. The IRFU undertakes to treat all applicants for the positions fairly and not to discriminate unfairly or unlawfully against the subject of a Disclosure on the basis of conviction or other information revealed. This policy is available to all applicants at the start of the recruitment process through the IRFU website.

The IRFU is committed to equality of opportunity, to following practices and to providing a service that 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, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependents, physical or mental disability, political opinion or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.

IRFU 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 and does not preclude those with criminal records. The selection of candidates for interview/appointment will be based on those who meet the required standard of skills, qualifications and experience as outlined in the essential and desirable criteria.

IRFU will request an AccessNI Disclosure and/or ROI vet only where this is considered proportionate and relevant to the particular position. This will be based on a risk assessment of that position and having considered the relevant legislation that determines whether or not a vet (either Standard or Enhanced Disclosure for NI) is available to the position in question. Where an AccessNI Disclosure and/or ROI vet 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 IRFU will request the individual being offered the position to undergo an appropriate AccessNI Disclosure and/or ROI vet.

In line with the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979 (as amended in 2014), IRFU will only ask about convictions which are defined as 'not protected' for the purposes of obtaining a Standard or Enhanced disclosure. IRFU will undertake to ensure an open, 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 (paid or voluntary). IRFU may consider discussing any matter revealed in a Disclosure. We are only able to discuss what is contained on a Disclosure 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. When the 'Justice Act 2015' is fully implemented this will be amended accordingly.

IRFU endeavours to ensure that all those in IRFU 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 1978).

IRFU undertake to make every subject of an AccessNI 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 IRFU. 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 by the police.

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Appendix Two

Dealing with Positive Disclosures

It should be noted that the National Vetting Bureau (NVB) and Access NI (ANI) do not provide 'clearance' for people to work with children and vulnerable adults; the vetting organisation (IRFU) receives relevant information and decides on the suitability of the applicant.

IRFU is committed to equal opportunities for all and does not preclude applicants with criminal convictions. Convictions will only be considered when relevant to the position that the applicant has applied for. Applicants whose vet returns information in relation to their criminal record will be judged on a case-by-case basis and positive disclosures do not necessarily preclude a person from taking a role within Irish Rugby. Applicants may be contacted to discuss relevant risks so that IRFU can reach a safe and fair recruitment decision.

The assessment of suitability will depend on a number of factors:

- the nature of the position
- the self-disclosure of any prosecutions or convictions
- the seriousness, timing and any possible pattern that emerges of any information disclosed
- the potential of reoffending to cause harm to young people/vulnerable adults

The following are assessed:

- Age of applicant now and at the time of the offence
- Type and nature of the offence
- Number of offences on record
- Pattern of offending or date since last offence
- Contact with young people and/vulnerable adults
- Any mitigating factors
- Any aggravating factors
- Disclosure by applicant
- Cooperation with case management process

Disclosure of certain types of convictions/prosecutions may automatically preclude the applicant from a position working with children. Examples of offences that may prohibit an applicant are:

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- Any offence against a child or of child abuse or pornography
- An offence that causes gross bodily harm
- An offence of kidnapping
- A series of continuous offending that might cause concern for the well-being of children, including offences related to fraud and/or deception

All decisions on the suitability of an applicant are a matter for IRFU and the safeguarding risk assessment committee and will be done on a strictly confidential basis. Further information is available in the IRFU vetting policy.

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