



CHILD WELFARE & SAFEGUARDING POLICY

GARDA VETTING

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11. Garda Vetting

11.1 The FAI is registered in the register of relevant Organisations with the Garda National Vetting Bureau for the purposes of Garda vetting. Garda vetting is a process which involves an individual giving consent for An Garda Síochána to furnish the FAI with a statement that there are no convictions recorded in the Republic of Ireland or elsewhere or a statement of all convictions and / or prosecutions, successful or not, pending or completed in the State or elsewhere as the case may be. **Garda vetting must be completed prior to the commencement of any position for those who will be working with Children and/or Vulnerable Persons in any capacity.** This is a Statutory requirement under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016. The Act creates offences and penalties for persons who fail to comply with its provisions. Garda vetting is not a substitute for safe recruitment but provides another element in determining a person's suitability to work with Children or Vulnerable Persons. The FAI recommends that Clubs, Leagues and Members do not solely rely upon vetting checks but should also seek to determine an individual's suitability for a position through normal recruitment processes including interviews and reference checks.

11.2 FAI Vetting Obligations

- (a) All those engaging with persons under the age of 18 and Vulnerable Persons shall be Garda Vetted.
- (b) All Children's Officers, Designated Liaison Person, Chairpersons and Secretaries and other committee members of each Club, League and Member involved with teams that are competing in any age group up to and including Under 18's and Vulnerable Persons shall be Garda Vetted.
- (c) All coaches or those involved with the management of any team that are competing in any age group up to and including Under 18 or have Vulnerable Persons on their team shall be Garda Vetted.
- (d) Any other person working or volunteering with Children or Vulnerable Persons in any capacity on behalf of the FAI or a Club, League or Member shall be Garda Vetted. It is the responsibility of the football body concerned to determine the persons within their organisation who this applies to subject to the relevant legislation and guidelines. If determined that Garda Vetting is not needed for an individual then procedures must be outlined with the Risk assessment to minimise any risks.
- (e) Failure to ensure that persons are vetted in accordance with the Policy, FAI Regulations and/or legislation may result in disciplinary action against the individual and/or Club, League and Member and may also constitute a legal offence under relevant legislation.
- (f) Club, League and Members shall not accept confirmation of the Garda vetting status of any individual prior to confirmation being received by the individual from the FAI that the Garda vetting of the individual is in order. The individual will receive an update through the Football Management system stating their application has passed, they will also be able to download written correspondence of the confirmation and a Garda Vetting Licence will appear on their licence tab. The Club, League, and Member, if they have registered the individual will be able to see the Garda Vetting Licence. It is the responsibility of each Club, League or Member, who engage individuals, to ensure that they are comfortably satisfied that the individual has completed the vetting process through the FAI. No Garda Vetting other than that completed through the FAI can be accepted.
- (g) A Garda Vetting pass letter from the FAI is not an approval letter for an individual to be involved with children. It is the responsibility of any Member, League, or Club to ensure an individual is suitable to be involved with children on behalf of their organisation. Garda Vetting is not a substitute for safe recruitment, and all Clubs, Leagues, and Members must follow safe recruitment practices, including as outlined in the policy when engaging persons to work or volunteer with children and/or vulnerable persons within their organisation.

11.3 Vetting Applications

- (a) The FAI shall provide a Garda vetting service to all Clubs, Leagues and Members. Applications for vetting may be made by contacting the Children's Officer of the relevant football body or the person responsible for the vetting applications with the relevant football body or directly through the FAI.
- (b) The FAI shall be solely responsible for the approval of all vetting applications and final determination on disclosures provided by the Garda National Vetting Bureau in accordance with the Policy.
- (c) All persons shall complete their vetting application in good faith and shall ensure all information provided is accurate, complete and up to date. Providing false or incorrect information carries legal penalties and/or disciplinary action under the FAI Regulations.
- (d) All matters disclosed as part of the Garda vetting application shall remain confidential to FAI authorised personnel, the applicant, the Child Welfare and Safeguarding Committee Members and Statutory Authorities, and stored in line with General Data Protection Regulations. However, approvals and rejections shall be notified to all relevant football personnel in accordance with the Policy.

11.4 Vetting Application Process

- (a) The relevant application forms can be found on the website, a link is provided within the appendices. If the applicant is between the ages 16-17 the NVB3 Parent/Guardian form will also need to be completed. When the applicant has obtained the relevant application forms the steps below should be followed. Please note all forms received via the FAI Football Management system must be dated within 5 months of submission or they will be returned to the applicant. Incomplete forms or incorrect identification will also be returned and may delay applications.
- (b) The original hard copy of the forms should be stored by the relevant club, league, member the applicant is completing the vetting for, for 6 months, and stored in line with General Data Protection Regulations. After the 6 months period a soft copy conversion is optional. All copies of the forms and relevant ID for the applications should be retained for the length of time the applicant is with the organisation for or for the active vetting period. Once a new application is made for an applicant the old forms should be destroyed in line with General Data Protection Regulations.

• Step 1

Once a vetting application has been fully completed soft copies all forms & relevant ID should be forwarded to the FAI via Football Management system for processing and not to An Garda Síochána. When the application is received by the FAI, if correctly completed, an email will be sent from the National Vetting Bureau to the applicant requesting that they complete the next part of the process. This involves the applicant providing further personal details such as their previous address history, any criminal convictions, changes in names, passport numbers and place of birth. After the applicant has completed the online part of the process, the National Vetting Bureau e-vetting system will request that the Liaison Person for the FAI review the application data. If the Liaison Person is satisfied with the data it will be submitted to the National Vetting Bureau to conduct the relevant checks. The National Vetting Bureau will keep the applicant up to date with each part of the online process.

• Step 2

When the relevant checks have been completed a Garda vetting disclosure will be returned to the FAI, the disclosure will contain a statement which will include either that;

- I. there are no convictions recorded against the individual in the Republic of Ireland or elsewhere, or

- II. a statement of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere as the case may be.

It may also contain specified information in relation to the applicant. This means information concerning a finding or allegation of Harm to another person received by the Bureau from An Garda Síochána or a scheduled Organisation pursuant to section 19 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016. Please note the National Vetting Bureau will notify the applicant before disclosing specified information to the Relevant Organisation.

A copy of the vetting disclosure will be made available to the applicants on request.

• Step 3 - No Convictions or Specified Information

Should the vetting disclosure contain no convictions recorded against an individual, correspondence shall be sent to the applicant advising them of this. This correspondence should be provided to the relevant football body as proof of a completed vetting application by the individual. **Verbal assurances should never be accepted.**

• Step 4 - Vetting Disclosures with Convictions or Specified information

In some instances, disclosure of convictions and/or other information will be provided to the FAI Garda Vetting Liaison Person of the FAI by the National Vetting Bureau. In many cases these disclosures may not prevent an individual from receiving a completed vetting application letter.

A decision regarding an individual's receipt of the completed vetting application letter will be assessed. This decision is made at the sole discretion of the FAI Child Welfare and Safeguarding Committee who will review all requested information provided to them. All cases are treated individually and confidentially and are assessed as per the requirements of the post/role and the work that it entails. Disclosures which are of a serious nature may deem a person unsuitable to work with Children or Vulnerable Persons in the FAI.

Applicants will be given an opportunity to comment on any disclosures before any decision is made to ensure fairness and transparency at all times. In some cases, a risk assessment may be completed on the application before a decision is made.

Applicants will then be advised of the decision which has been made in respect of any vetting disclosures. If the decision is negative and if the applicant is not being recommended as being suitable to work with Children or Vulnerable Persons, a letter informing them of this decision will be sent to them.

If an applicant is currently engaged within football due to a previous completed Garda vetting application, and if following a vetting application is subsequently deemed unsuitable to work with Children or Vulnerable Persons, they may also be issued with an immediate Stand Down Order in accordance with the Policy. The FAI shall advise all relevant football bodies who are known to be associated with the applicant of the outcome of any negative vetting application.

• Step 5 - Appeal

- I. Unsuccessful applicants will be afforded an opportunity to appeal a negative decision made against them.
- II. The applicant will be provided with the full requirements that need to be fulfilled in order to lodge the appeal. Once the requirements are all met, the Child Welfare and Safeguarding Manager will liaise with the Legal team in order to arrange a Garda Vetting Appeal panel hearing.
- III. The Garda Vetting Appeal review is at the discretion of the Association, who will assemble an independent panel for the review. No attendance is required or allowed from the applicants.

- IV. Decisions made by the panel regarding vetting applications are final and not subject to appeal or further review.
 - i. If the recommendation of rejection is confirmed, the applicant and football bodies involved will be duly informed.
 - ii. In the case of rejection of an applicant the panel may also make the recommendation to issue an automatic ban from membership of the FAI from all football related activities where vetting disclosures deem it necessary for the protection of Children, Young People or Vulnerable Persons.
- V. An individual cannot submit another vetting application through the FAI for another 3 years from the date of a negative decision.

11.5 Vetting Enquiries

- (a) The FAI shall keep a secure central database of all vetting applications in accordance with data protection legislation for the duration of the individual's Garda vetting application pass period. Vetting information shall be passed to Club, League and Members seeking information on applicants where the applicant has indicated their consent to such information being disclosed. The Club, League and member can view Garda Vetting information on the FAI Football Management system when the applicant provides them with their Football Management system number to register them. Club, League and Members shall not engage any person to work with Children or Vulnerable Persons without such information being provided either by way of production of a letter confirming the vetting status of an individual or an enquiry being made to the FAI with the consent of the individual concerned.

11.6 Length of Vetting Status

- (a) An individual's criminal record may change at any time, hence the importance of general practices being put into place around safe recruitment, references and safe practices in working with Children and Vulnerable Persons. The current FAI policy for re-vetting is a maximum of 3 years. However, shorter periods may be issued by the Child Welfare & Safeguarding Committee. Notwithstanding this, if any person has a concern that an individual should be re-vetted at an earlier interval this should be requested. Additionally, if the individual's role changes within the Organisation they should complete a new Garda vetting application.

11.7 Convictions

- (a) Any member charged with or convicted of an offence in any jurisdiction for an offence which may raise significant concerns regarding their appropriateness to work with Children or Vulnerable Persons may be issued with a Stand Down Order if previously received passed and/or a Ban from all football related activity as referred to in the Policy.
- (b) If any individual does not comply with providing the Child Welfare and Safeguarding Committee or the Child Welfare and Safeguarding Manager, with any additional information that is requested, a letter will be issued to the individual informing them that the process has now ended and the application will not proceed. It may also be needed to issue a Stand Down Order and/or a Ban from all football related activity.



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