

Garda Vetting.

The commencement of the Garda National Vetting Bureau Act 2012 at the end of April 2016 introduced a number of changes to Garda Vetting procedures and the full text of the act can be found on www.irishstatutebook.ie Further details with respect to the application process can be obtained from your authorised signatory or vetting provider.

A memo to all registered providers dated 22nd April 2016 set out the requirement under Part 3, Article 12 of the National Vetting Bureau Act 2012 of the requirement for all registered providers regarding Garda vetting. Registered providers are not permitted to employ or enter into a contract with any individual unless they have first obtained a vetting disclosure in respect of that person. This legislation applies to all appointments and other engagement of persons to provide direct care to children as outlined in Schedule 1, Part (1) of the Garda National vetting Bureau Act 2012.

Regulation 9 (2) (c) & (3) of The Child Care Act 1991 (Early Years Services) Regulations 2016 requires that a registered Provider has “consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012” in respect of any person engaged in the direct care of children and that this vetting be carried out prior to any person being appointed, assigned, or allowed access or contact with a child attending the service.

The engagement of any persons who has not been Garda vetted and had that vetting disclosure considered by the Registered provider is in direct contravention of Part 3, Article 12 (1) of the National Vetting Bureau Act 2012/2016. It is an offence under this act to have those persons engaged directly with children and also non compliant with the Early Years Services Regulations 2016.

As per letter dated 18th April 2017 to all Registered Providers the Early Years Inspectorate position remains that any staff without the relevant Garda Vetting disclosure are not permitted access to the children or to the premises until the vetting has been secured and considered by the registered provider.

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