

Student Vetting Policy (2020)

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1. Purpose

Maynooth University (the 'University') offers a number of programmes that require students to undertake placements or other activities, which will bring them into contact with the public and in which they will assume positions of trust. To promote the protection of the public and encourage public trust and confidence, the University is committed to ensuring that these students are vetted, and only suitable candidates are allowed to continue in their programme of study.

On this basis, the University ensures that Vetting is conducted in accordance with the *National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 and 2016 (the 'Act')*, in respect of any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with, children and/or vulnerable persons. The Act can be viewed at <http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/html>.

2. Scope

This document sets out the policy of the University in relation to the vetting of potential students and registered students for participation in environments where they will have access to children and/or vulnerable persons as part of approved academic programmes, or as part of voluntary work in conjunction with academic departments or administrative offices of the University. It applies to all applicants who are seeking a place on certain programmes of study in the University and to registered students who intend to undertake certain activities and/or voluntary work with departments/offices at Maynooth University.

3. Responsibility

The University's Student Vetting Office (which operates within the University Registry) is responsible for managing and operating the University student vetting process through the National Vetting Bureau's eVetting system. The University has appointed a Student Vetting Officer to act as the University's Liaison Person to the National Vetting Bureau (NVB).

It is the responsibility of each department and/or administrative office of the University to ensure that no student required to undergo vetting shall be permitted by the University to engage in placement or voluntary activities with children and/or vulnerable persons until such time as all parts of the vetting process have been fully completed by the National Vetting Bureau to the satisfaction of the University.

The list of relevant academic programmes and activities to which this policy applies is reviewed annually and is published in the procedures document which accompanies this policy.

4. Definitions (as set out in the Act)

Child: A 'child' is defined as a person under the age of 18 years.

Vulnerable person: The term 'vulnerable person' means a person, other than a child, who is

- (a) suffering from a disorder of the mind, whether as a result of mental illness or dementia, or
- (b) has an intellectual disability, or
- (c) is suffering from a physical impairment, whether as a result of injury, illness or age, or
- (d) has a physical disability,

which is of such a nature or degree –

- (i) as to restrict the capacity of the person to guard their self against harm by another person, or
- (ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

5. Policy Statement

Maynooth University is committed to creating a community of learning which recognises the education and wellbeing of children and vulnerable adults as paramount. In seeking to uphold the highest standards in this regard, and in order to ensure the protection and confidence of the public, the University is committed to ensuring that only suitable students are permitted to participate in environments where they will have access to children and/or vulnerable persons as part of their University programmes or in the course of any voluntary work or other activity in conjunction with academic departments or administrative offices of the University.

This Policy is based on the following principles:

- a) No student required to undergo vetting shall be permitted by the University to engage in placement or voluntary activities with children and/or vulnerable persons until such time as all parts of the vetting process have been fully completed by the NVB to the satisfaction of the University;
- b) Student vetting information and requirements will be provided to students in a clear, consistent and timely manner through their academic department or relevant administrative office;
- c) The University will follow the *Code of Practice for Liaison Persons and Relevant Organisations for Garda Vetting* issued by the National Vetting Bureau;
- d) Where a vetting disclosure is made in respect of a student of the University, the University is obliged to make a copy of the vetting disclosure available to the student concerned as soon as practicable;
- e) The information contained in the vetting disclosure will not be used by the University for a purpose other than for assessing the suitability of the student for the relevant placement or voluntary activities for which they are being considered;
- f) In the event where students do not meet the Vetting requirements of the University, registration on such programmes may be subject to cancellation or cancellation for a period of time;
- g) If information relating to a charge/prosecution/conviction is not disclosed, or disclosed in an incomplete way by the student, the University reserves the right at any stage to reject the application or, withdraw the offer, or cancel the registration of the student;
- h) Students are liable for any expenses that may arise concerning their Vetting application;
- i) The University shall take such action and/or invoke such internal policies as it considers necessary and appropriate in respect of any vetting disclosure.

6. Police Clearance Certificates

It is University policy to require each vetting applicant who has spent a continuous period of 6 months or more outside of Ireland since the age of 18, to provide a **Police Clearance Certificate** from the relevant jurisdiction(s) along with their vetting application. If the Police Clearance Certificate is not issued in English, it must be accompanied by a certified translation.

In circumstances where a Police Clearance Certificate is unobtainable in a particular jurisdiction then the University may, at its discretion, agree an alternative method by which a vetting applicant can discharge this obligation and a sworn affidavit may be accepted by the University in lieu of the Police Clearance Certificate.

7. Vetting applicants with convictions

It is University policy that having a criminal conviction will not necessarily prevent an applicant from gaining admission to the relevant programme. All applicants, including those applying to the University through the Central Applications Office (CAO) and the Postgraduate Applications Centre (PAC), are required to disclose any Relevant Conviction (excluding spent convictions, as defined by the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016), when applying for admission to the University. If information relating to offences is not given or is given in incomplete form, then the University reserves the right at any stage (including after an offer of a place has been made, or after registration) to reject the application.

However, the University will take any relevant criminal convictions of a prospective applicant into account when considering his/her application for admission, and reserves the right to refuse to admit an applicant or cancel the registration of a person admitted where his/her previous criminal conviction makes it inappropriate for him/her to be a student of the relevant programme.

In reaching a decision regarding the admission or continuance of a student, the University will balance the interest of the student (and the University's ability to provide any appropriate support arrangements) with its responsibilities to provide a safe and secure environment for the public and its staff, students, visitors and others, and with the University policies on equality and inclusion. In addition, the University will take into account the demands of relevant professional bodies and requirements under the law to protect special categories of people, for example children and vulnerable persons. Further details are available in the Maynooth University Convictions Policy:

<https://www.maynoothuniversity.ie/sites/default/files/assets/document/Convictions%20Policy.pdf>.

8. Students who acquire a conviction during their course of study

It is University policy that students on any of the programmes or undertaking any of the activities to which this policy applies, who acquire a conviction during their course of study are required to notify the Student Vetting Officer and will be subject to the provisions of this policy. Non-disclosure may result in a cancellation of registration.

9. Re-vetting

The University reserves the right, at its discretion, to require certain groups of students or individual students to undergo a further Vetting process during the course of their programme. In addition, a student may be re-vetted if information concerning his/her suitability to work with children or vulnerable persons comes to the attention of the University.

10. Joint agreements

- a) The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provides for student placement providers to choose to accept the vetting undertaken by Maynooth University. In these circumstances, it is University policy to have joint written agreements in place with organisations where student placements occur. These agreements cover the vetting process and avoid duplication of vetting applications for these students. The University reserves the right to share the vetting disclosure with placement providers.
- b) Where a programme is run jointly by Maynooth University and an external partner, the University reserves the right to share the vetting disclosure with the relevant partner.

11. Management of the eVetting process

The University's Student Vetting Officer manages all aspects of the operation of the student vetting process and acts as the University's Liaison Person with the National Vetting Bureau.

The University has also established a Vetting Review Committee which assesses the suitability of the person who is the subject of the disclosure to continue in their programme of study, if the disclosure contains specified information or information that is inconsistent with that provided by the applicant.

In the event that a student is dissatisfied with the decision of the Vetting Review Committee, the student may appeal to the Vice-President Academic, Registrar and Deputy President to have her/his case reviewed by an Appeal Committee on Student Vetting, appointed by the Registrar. Details of the process and membership of the Vetting Review Committee and the Appeal Committee on Student Vetting are set out in the procedures which accompany this policy.

12. Accompanying Procedures

The University has published "Student Vetting Procedures" for staff and students to accompany this policy, which sets out for staff and students the details of the operation of the student vetting process, and the decision-making and appeal processes in place.
