



UNIVERSITY OF
LIMERICK
OLLSCOIL LUIMNIGH

University of Limerick

STUDENT VETTING POLICY

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1 Introduction

1.1 Purpose of Policy

The University of Limerick (UL) offers a number of postgraduate and undergraduate programmes that include a placement/research element with external organisations which may bring students into contact with children or vulnerable adults.

To ensure the public are protected and to give public confidence in relation to the suitability of such students, students on such designated programmes and applicants who have been offered a place on a designated programme must be vetted in accordance with the provisions of this policy.

The UL Student Vetting policy sets out the policy and procedures for the vetting of relevant students in compliance with the [National Vetting Bureau \(Children and Vulnerable Persons\) Act 2012](#) (as amended), hereafter referred to as the 2012 Act.

1.2 Scope of Policy

1.2.1 To whom does the policy apply?

The policy applies to all UL students currently enrolled on, and/or in receipt of an offer for, a UL programme with a vetting designation. It also applies to any students whom the University places, or makes arrangements for placement, at a relevant organisation as part of the student's course of education, training or scheme, including any internship scheme.

1.2.2 In what situations does the policy apply?

The policy applies where a student on a designated UL programme or University arranged placement is expected to participate in 'relevant work or activities' relating to children or vulnerable adults, and they must therefore be vetted in accordance with the policy.

The provisions of this policy apply whether or not the student has unsupervised access to or assumes a position of responsibility with a child or vulnerable adult. [This extract from the National Vetting Bureau \(Children and Vulnerable Persons\) Act 2012](#) outlines in full detail the meaning of 'relevant work or activities'.

1.2.3 Programmes Designated as having a Vetting Entry Requirement

The University has a [list of programmes](#) designated as having a placement element and which require vetting. Programmes that have been designated by the University as having a placement element that requires students to participate in such 'relevant work or activities', require that students must be vetted in accordance with this policy on entry to that programme. When a student commences studying at UL, they will be given provisional registration status until the vetting procedure described in this policy

has been fully completed and the University is satisfied that the student is suitable to undertake the programme in question.

Accordingly, even though the student has commenced studying at UL and is a member of the campus community for the purposes of UL's Code of Conduct, the student's registration will not be confirmed by the University until the vetting procedure described in this policy has been fully completed. Once the vetting procedure has been completed and where no issue of concern has been raised, the student's registration on the programme of study will be confirmed. Where issues of concern arise and it is subsequently determined that the student does not meet the requirements of the programme, the student's provisional registration on the programme of study will be terminated and the student may be asked to leave the University.

In relation to an applicant or student on a designated programme, UL may enter into an agreement with another relevant organisation whereby the University agrees to accept confirmation from that organisation that the organisation has received a vetting disclosure from the National Vetting Bureau for the applicant/student and that the applicant/student meets the vetting requirements of the organisation. Provisionally enrolled students who do not satisfy the relevant organisation's vetting requirements will not have their UL registration on the programme confirmed. This means that the student cannot continue on the programme and may be asked to leave the University.

It is the responsibility of the Course Director/Placement Coordinator/CECD for the designated programme/placement to ensure that students have successfully completed the vetting procedure before the student commences the 'relevant work or activities' with children or vulnerable adults. Course Directors/Supervisors of these students are required to supply a Role Descriptor to the Complaints, Discipline and Vetting Unit, outlining which section of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 apply to the proposed activities.

1.2.4 Programmes with No Vetting Entry Requirement

The University recognises that students who are engaged in programmes of study (including research programmes) that do not have vetting as an entry requirement may, as part of their programme, have an opportunity to engage in 'relevant work or activities' with children or vulnerable adults. In such cases the module coordinator or supervisor will provide a Role Descriptor to the Complaints, Discipline and Vetting Unit, outlining which section of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 applies to the proposed activity and shall ensure that such students successfully complete the vetting procedure before the student commences the 'relevant work or activities' with children or vulnerable adults. If a student is not successfully vetted, the student cannot participate in any 'relevant work or activities'.

1.2.5 Volunteer Activities

The University of Limerick supports and encourages students to engage with communities through volunteer activities during their period of study. Volunteering contributes to students' personal development as well as developing new skills and fostering social responsibility. Students who engage in volunteer activities that involve 'relevant work or activities' that are either recognised or coordinated by the University must undergo vetting prior to engaging in any such 'relevant work or activities'.

The 2012 Act requires all voluntary groups and charities engaged in 'relevant work or activities' to ensure that their volunteers are vetted. If a student who has not been vetted in accordance with this policy engages in a volunteer activity that is not coordinated by the University and who wishes the volunteer activity to be recognised for the purposes of the [President's Award](#) or other UL award, the student must be vetted in accordance with the terms of this policy prior to being eligible for the President's Award or other UL award.

1.2.6 The Role of Other Relevant Organisations

For the purposes of the 2012 Act, the University of Limerick is a 'relevant organisation' (as defined in the 2012 Act). The University must receive either a vetting disclosure from the National Vetting Bureau or confirmation from another 'relevant organisation' that the relevant organisation has received a vetting disclosure from the National Vetting Bureau in respect of the student.

Where UL agrees to share with another relevant organisation the outcome of the University's vetting process and to confirm with the organisation that the applicant/student meets or does not meet the vetting requirements of the University, this confirmation is provided in the form of a [UL Vetting Confirmation Placement and Agreement template form](#).

Where UL agrees with a 'relevant organisation' that the organisation will carry out the vetting process on its behalf, that organisation will confirm to UL that a vetting disclosure has been received by the organisation from the National Vetting Bureau in relation to an applicant/student and that the applicant/student meets or does not meet the vetting requirements of the organisation using the [Placement Provider Vetting Confirmation Agreement template form](#) which provides a template agreement between UL and another relevant organisation.

Both template forms are published, maintained and updated as required by the Office of the Provost and Deputy President.

1.2.7 Policy Implementation and Monitoring

The Provost & Deputy President or his/her nominee is responsible for the implementation and monitoring of the UL Student Vetting Policy and for vetting applicants/students in the circumstances outlined in this policy.

1.3 Definitions

For the purpose of these regulations:

‘Garda Vetting’: Garda Vetting is conducted 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 or vulnerable persons. [National Vetting Bureau \(garda.ie\)](http://garda.ie)

‘Vetting Disclosure’: A vetting disclosure shall include particulars of the criminal record (if any) relating to the person, and a statement of the specified information (if any) relating to the person or a statement that there is no criminal record or specified information, in relation to the person. [National Vetting Bureau \(garda.ie\)](http://garda.ie)

‘Applicant/Student’, unless specifically qualified otherwise, is defined as any person pursuing a module or programme of study at all award levels offered by UL, that is, including research programmes, whether or not they are currently in attendance, studying by distance/online, suspended, on leave of absence or on placement.

‘University of Limerick’: is defined as the University of Limerick (also referred to as UL) and shall encompass all activities, property and assets under the formal authority of the Governing Authority, including property occupied by the Students’ Union and assets purchased by the Students’ Union from public funds. For the purposes of this procedure, the term ‘University’ also encompasses any individual or organisation contracted by UL to deliver services on behalf of UL.

‘Relevant Organisation’: For the purposes of the 2012 Act, the University of Limerick is a ‘relevant organisation’ (as defined in the 2012 Act). For UL students on non-Vetting on Entry programmes who may be required to undertake placements/activities which require vetting, UL may agree to share with another ‘relevant organisation’ the outcome of the University’s vetting process or vice versa.

‘Liaison Person’ is the person within the University of Limerick who has been authorised to submit the vetting forms to the National Vetting Bureau for processing.

‘Vetting Subject’ is the person for whom the vetting is being undertaken.

‘Specified Information’: information concerning a finding or allegation of harm to another person received by the National Vetting Bureau from An Garda Síochána or a

Scheduled Organisation pursuant to [section 19 of the National Vetting Bureau \(Children and Vulnerable Persons\) Acts 2012 to 2016](#).

2 Context

2.1 Legal and Regulatory Context

2.1.1 *National Vetting Bureau*

The [National Vetting Bureau \(Children and Vulnerable Persons\) Acts 2012 to 2016](#) provides a statutory basis for the vetting of persons carrying out relevant work with children or vulnerable persons. The Act also creates offences and penalties for persons who fail to comply with its provisions. The Act stipulates that a relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person.

2.2 Other Context

2.2.1 *Data Protection Acts*

Under the [Data Protection Acts](#), information about the commission or alleged commission of an offence by a person falls within the definition of sensitive personal data. Accordingly, this information is subject to the Data Protection Acts and the University's data protection [policy](#), available from the [Policy Hub](#). Refer to the University of Limerick's [Data Protection](#) webpage for more information.

3 Policy Statement

3.1 Principles of Student Vetting

- 3.1.1 The University will seek to vet all students on a programme with a vetting requirement or placement in line with the provisions of this Policy.
- 3.1.2 The University will endeavour to complete a student's vetting process within a 4–6-week timeframe, however this is not including delays experienced by the National Vetting Bureau or by the delayed receipt of required Police Clearance Certificates.
- 3.1.3 If it is determined, at any stage, that false information has been supplied by a student as part of their Vetting process, the University may initiate an appropriate disciplinary process against them.
- 3.1.4 Documentation relating to a formal complaint brought by a student will be retained in accordance with UL's Records Management and Retention Policy.

3.1.5 The University reserves the right to unilaterally amend this policy from time to time, and such amendment shall become effective upon the publication of the amended policy on the University's website.

3.1.6 All references to the Provost & Deputy President include his/her nominees or other appropriate officer, who are working under his/her authority.

4 Related Procedures for Student Vetting

The Provost & Deputy President or his/her nominee will undertake the vetting process in UL in accordance with the vetting procedure outlined in section 4.1, and the [Vetting Procedure Diagram](#), and will review vetting forms, proofs of identity, proofs of address, Police Clearance Certificates (where required) and disclosures of criminal convictions (if any) made by an applicant/student and by the National Vetting Bureau. The disclosures of criminal convictions received by the University will be reviewed to establish what risk, if any, these disclosures have with respect to the suitability of the applicant/student to undertake, as the case may be, the programme of study, placement or volunteer activities in question.

As identified in [section 4.5](#), and the [Appeals Process Diagram](#), the applicant/student has the right to appeal should they be deemed by the Provost & Deputy President or his/her nominee unsuitable for the programme, placement or volunteer activities in question.

The University of Limerick establishes the suitability of students and applicants in the circumstances outlined in this policy by considering verified student declarations on Garda vetting forms. The [Vetting Procedure Diagram](#) and [Appeals Process Diagram](#) provide an outline of the steps involved in (i) making a determination in respect of the suitability of a student to undertake a programme, placement or volunteer activity and (ii) appealing a determination of non-suitability. A general description of the vetting procedure and key points to note about the procedure are set out below, however the full process and relevant documentation can be found on the University's [Student Vetting Website](#).

4.1 The Vetting Procedure

4.1.1 Completion/Submission of required vetting documentation

Vetting subjects are required to complete the An Garda Síochána/UL Vetting Invitation Form (NVB (1), or if the vetting subject is under 18 years of age, the An Garda Síochána Parental/Guardian Consent Form (NVB (3)). By completing, signing and dating the NVB (1) and where necessary the NVB (3) forms, the subject gives written authorisation for the National Vetting Bureau to disclose details relating to the subject held on record by An Garda Síochána to the University in respect of specified

information, prosecutions, pending or completed, successful or not, and convictions recorded in the State or elsewhere.

Other documentation is required in order to prove your identity (see [Establishing Applicant/Student Identity and Evidence of Current Address](#)), and if you have lived abroad for more than 6 months over the age of 16, you are required to provide a [Police Clearance Check](#) from each jurisdiction in which you lived. A sworn affidavit may also be requested in certain circumstances.

4.1.2 Evaluation of submitted vetting document

The Provost & Deputy President or his/her nominee firstly considers disclosures made by a student or applicant (as applicable) on the Vetting Invitation (NVB (1) form). Where, in the opinion of the Provost & Deputy President or his/her nominee, these disclosures may give cause for concern or may imply that the student/applicant might not be suitable/eligible for the programme of study/placement of volunteer activity in question, the Provost & Deputy President or his/her nominee may decide (at their discretion) to interview or seek additional information or declarations from the student/applicant. If, following any such consideration, the Provost & Deputy President or his/her nominee is of the opinion that the student is not suitable, the Provost & Deputy President or nominee will inform the applicant/student that the applicant/student is not suitable for the programme.

4.1.3 Submission of Forms to the NVB via the Online Vetting Service (eVetting)

Once the Provost & Deputy President or his/her nominee is satisfied that the application is satisfactory, UL Liaison Persons, who have been appointed by UL and trained by the National Vetting Bureau, will submit the vetting invitation form to the National Vetting Bureau for processing.

Where it has been determined that an applicant/student does not meet the vetting requirements of UL, the University reserves the right to consider whether or not a vetting form obtained from the applicant/student should be submitted to the National Vetting Bureau. The vetting subject will then be required to directly complete a full online Vetting Application form.

Once the full online vetting application has been processed, the vetting results are sent by the National Vetting Bureau directly to the Liaison Person who submitted the application in respect of the individual. Where a vetting disclosure of a criminal conviction is returned, which was not previously disclosed, the Provost & Deputy President or nominee will give further consideration to the disclosures received and may decide (at their discretion) to interview or seek additional information or declarations from the student or applicant.

4.1.4 Police Clearance Certificates

Applicants/students who have resided outside of Ireland for periods longer than six months after reaching 16 years of age are required to submit [police clearance](#)

[certificates](#) from all jurisdictions where they resided. Applicants/students from outside Ireland, both EU and non-EU, are required to provide police clearance certificates from jurisdictions where they resided for periods longer than six months. These certificates might contain vetting disclosures or other information about the status of the applicant/student that may be taken into account by the Provost & Deputy President or his/her nominee. The Provost & Deputy President or his/her nominee reserves the right to interview or seek additional information or declarations from an applicant/student to determine the suitability of the applicant/student to undertake the programme of study, placement or volunteer activity in question.

4.1.5 Confirmation of Vetting

Once the NVB vetting process has been successfully completed and all vetting documentation requested by Office of the Provost & Deputy President has been supplied and the University is satisfied that the student/applicant is suitable, their UL registration status will move from provisional to registered. As soon as is practicable, the University will make available a copy of the vetting disclosures to the vetting subject (including any disclosures contained in police clearance certificates that are required to be submitted in accordance with the terms of this policy).

Further general information about the National Vetting Bureau vetting service is available from the [An Garda Síochana](#). If you have any queries relating to the vetting procedure, please visit the [UL Student Vetting](#) website.

4.2 Duration of Vetting

In general, an applicant/student's vetting will last for the duration of their programme: 4 years for an Undergraduate programme and 2 years for a Postgraduate programme. However, the University of Limerick reserves the right to require an applicant or student who has been successfully vetted to repeat the vetting procedure at any stage during the application process or during the student's programme of study. The University is not obliged to give the applicant or student a reason for having to repeat the procedure. This means that the vetting procedure described in this policy may be re-applied to an applicant or student. This is to further ensure the public's protection and give public confidence in the suitability of students placed in these positions. In particular, a student who takes a leave of absence, or makes disclosures as set out below or in respect of whom information arises that gives cause for concern in relation to their suitability to the programme of study, placement or volunteer activity in question may be required to repeat the vetting process. Where disclosures are made, they will be reviewed to establish what risk, if any, arises as to the suitability of the applicant or student to undertake, as the case may be, the programme, any part of the programme, the placement or the volunteer activities in question.

Successfully undergoing vetting, including repeat vetting, when required by UL to do so, is a condition (subject to their right of appeal) of a student's continued registration

on their programme of study or their participation in 'relevant work or activities' relating to children or vulnerable adults.

4.3 Duty of Disclosure

An applicant/student who has been vetted successfully is required to disclose to the University (through the Office of the Provost & Deputy President), at the earliest possible opportunity, notice of any matter that, if known at the time of the original vetting, would have been considered by the University to be part of its review of disclosures. Such matters include, without prejudice to the generality of the foregoing, any investigation or inquiry by any civil or criminal authority in any jurisdiction, including authorities such as An Garda Síochána, the Nursing and Midwifery Board of Ireland, the Teaching Council and the Medical Council; any notice to prosecute (or equivalent) in any jurisdiction; or any conviction that occurs during the student's programme of study, including any circumstances where a court applies to provisions of the Probation Act 1907 (or equivalent). Students are advised that failure to disclose such matters will be considered by the University to be a serious issue and may result in the student being temporarily suspended from their programme or part of programme (including any placement) or being referred to the disciplinary process pursuant to the University's Code of Conduct (as specified in chapter 6 of the [Handbook of Academic Regulations and Procedures](#), available from the [Policy Hub](#)).

4.4 Suspension of Registration

UL reserves the right to temporarily suspend a student from a programme or part of a programme of study (including any placement) until the University is satisfied that the student is suitable to work with children or vulnerable groups, as the case may be, or until an alternative course of action is decided upon by the University. Acceptance by an applicant or student of this right of suspension reserved by the University is a condition of the applicant's entry or the student's continued registration on their programme of study.

The University also reserves the right to temporarily suspend a student from engaging in volunteer activities until the University is satisfied that the student is suitable to work with children or vulnerable groups or until an alternative course of action is decided upon by the University. Acceptance by an applicant or student of this right of suspension reserved by the University is a condition of the applicant's entry or the student's continued registration on their programme of study. Without prejudice to the generality of any other provision of this policy, the applicant/student may be required to repeat vetting.

4.5 Appeals Process

Should the Provost & Deputy President or his/her nominee determine that the applicant/student is unsuitable for the programme, placement or volunteer activities for which they have applied for, the applicant/student may appeal this decision. The Appeals Process Diagram can be found [here](#).

- 4.5.1 If a Vetting Disclosure of a criminal conviction has been returned which you dispute, you have a right to dispute it with the National Vetting Bureau. The UL Liaison Person can do this on your behalf on request.
- 4.5.2 Where a Vetting Disclosure of a criminal conviction is returned and considered by the Vetting Disclosure Committee, following which your enrolment was terminated, and you wish to appeal that decision, you will need to consult the [UL Student Vetting Appeals Procedure](#).
- 4.5.3 Please note that an appeal must be lodged within 10 working days of the date of issue of the decision of the UL Vetting Disclosure Committee.
- 4.5.4 Appeals can only be made under the following grounds:
- a) New Evidence: information directly relevant to the decision, which was not available to the UL Vetting Disclosure Committee previously for good reason and
 - b) Procedural irregularity: Where there is evidence that the procedures relating to a decision were not followed properly, which may have impacted on the Vetting Disclosure Committee's decision.
- 4.5.5 The Provost & Deputy President or his/her nominee will decide whether there are sufficient grounds to accept/reject the Appeal.
- 4.5.6 Where the Appeal is accepted, the Provost & Deputy President or his/her nominee will establish a Vetting Disclosures Appeals Committee who will consider the evidence.
- 4.5.7 The outcome of the Student Appeals Committee will be to either Uphold the Appeal or Reject the Appeal.
- 4.5.7.1 Where the outcome of the Appeal is to Uphold the Appeal, the applicant/student is advised that their appeal of the vetting decision is accepted and their registration on the programme is confirmed.
- 4.5.7.2 Where the outcome of the Appeal is to Reject the Appeal, the original decision communicated to the vetting subject will stand and their registration on the programme is terminated.

4.6 Data Protection

In cases where vetting subjects have been prosecuted, notwithstanding the court outcome in respect of prosecution, the factual details contained in the resultant court outcome are disclosed to the liaison persons. Instances where, in the court outcome, the court applies the provisions of the Probation Act 1907, the charges are dismissed. However, to avail of the provisions of the Probation Act 1907, the case is marked as "proved". While individuals often consider that they have no formal criminal record,

when a person gives a written authorisation for vetting to be conducted, the liaison person in the University of Limerick is informed of the charge as a “non-conviction” rather than a formal conviction.

If an applicant or student is under the age of 18, a parent or guardian must give their consent for the applicant or student to be vetted.

The original vetting application form is returned by the National Vetting Bureau to the liaison person in UL. Except in exceptional circumstances, vetting disclosures are retained for the duration of the programme of study plus one year, after which they are deleted. In the case of further queries or issues being raised in relation to a vetting disclosure, the reference number and the date of the disclosure can be retained on file and can be checked with An Garda Síochána. Vetting information is not shared with other organisations, but information received as part of the vetting process may be supplied to the vetting subject on request. If a student has satisfied the University’s vetting requirements and with the consent of the student, such information can be disclosed to a third party, but vetting disclosures will not be disclosed other than in accordance with the law. Further information on the University’s Data Protection policy is available in [Section 2.2.1](#)

4.7 UL’s Right to Review and Amend This Policy

This Policy may be reviewed from time to time by the University of Limerick. The University reserves the right to unilaterally amend this policy from time to time, and such amendment shall become effective upon the publication of the amended policy on the University’s website. Upon such publication, the new amended policy shall apply to all students and applicants to all programmes of study.

5 Related Documents

Related policies that should be read in conjunction with this Student Vetting Policy include:

Handbook of [Academic Regulations and Procedures](#), Chapter 6: Code of Conduct.

6 Document Control

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