

Newsletter



Garda Vetting Update

We have received many requests from parishes for a simple guide to some basic questions about how Garda vetting applies to parish staff and volunteers. We hope these few points will be helpful.

What does the law require?

From the date of commencement of the legislation on 27 April 2016, it is a criminal offence to allow anyone to engage in work with children or vulnerable adults, without having them vetted first.

The law sets out circumstances that require vetting, defined as: **Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.**

This definition includes the following examples in all parishes:

1. Clergy and parish safeguarding representatives
2. Directors of choirs with children under 18 years involved
3. Sacristans
4. Parish catechists.

This list is not exhaustive; these are merely examples.

If you have a new parish employee or volunteer who has regular contact with children as part of the person's service in the parish, that person must be vetted.

All existing volunteers who have regular contact with children (see above examples) must be vetted prior to 31 December 2017.

What about the vetting form?

1. Any forms that do not include a **date of birth and email address** will be returned to the applicant.
2. If the applicant does not have an email address, the applicant should ask the Parish Priest for permission to cite the parish email address.
3. The parish should post only the application form to the Diocesan Office. The identity documents (copy of passport and utility bill) are shown only to the Parish Priest; due to data protection laws, these documents should not be sent to the Diocesan Office.
4. The National Vetting Bureau will email the applicant, requesting details to be submitted online, including passport number and previous addresses. The volunteer should be informed that the application will expire after 30 days so it must be completed promptly.

What happens then?

1. The National Vetting Bureau will carry out its enquiries and send the results to Linda Duncan at the Diocesan Office.
2. Linda Duncan will return the certificate to the Parish Priest; the Diocesan Office has been informed that does not have a data protection agreement in place that would permit Linda Duncan to send the certificate directly to the applicant.
3. The Parish Priest should inform the applicant.
4. The information should be stored carefully.

For how long is vetting valid?

It is likely that staff and volunteers will have to be vetted every three years but this has not yet been confirmed.

What if the volunteer has already been vetted by another organisation?

Even if the volunteer was vetted for work in a school or for service to the GAA, the parish must request the person to be vetted for the specific Church role. This seems unfortunately but the Gardai informed us that there is no current data protection arrangement to allow for one vetting to cover all volunteering activities.

What about parish schools?

There has been a considerable increase in the number of applications from schools, requesting that members of Parents Associations be vetted. While this office is not in a position to give a definitive response, it should be noted that **parents who assist the school on an occasional basis not involving the coaching, mentoring, counselling, teaching or training of children do not need to be Garda vetted.**

For example, is there a requirement to vet parents who help out with the annual school cake sale?

The Vetting Act does not apply to unpaid volunteers (such as parents) who assist the school on an occasional basis provided such assistance does not involve the coaching, mentoring, counselling, teaching or training of children or vulnerable persons. A parent who helps on an occasional and unpaid basis is therefore not subject to vetting as long as the parent is not involved in the coaching, mentoring, counselling, teaching or training of pupils. Separate to the requirements of the Vetting Act, school authorities must always be cognisant of their civil law duty of care to their pupils and the need for prudent practice from a child protection perspective.

NBSCCCI Annual Report

The National Board for Safeguarding Children in the Catholic Church in Ireland published its latest annual report on 23 May 2017. The report is available at www.safeguarding.ie.

Diocese of Meath and Tusla

The latest meeting of Diocesan Safeguarding Children Committee Members with Tusla Representatives took place on 3 May 2017.

Tusla informed the meeting of various developments and some personnel changes in the agency. Tusla is now organised in 17 areas across four regions.

The agency advises that one phone number be listed for contact with the Duty Social Worker in each area. The phone number to be listed on church posters in the Westmeath area is 0906 483106; the number for the Offaly area is 057 8692567; the number for the Meath area is 046 9097870; the number for the Louth area is 042 9392200.

The diocesan representatives gave an outline of the Safeguarding Committee's work following the revision of the NBSCCCI policy and guidance material. This included a briefing on the new website and the deanery-level dissemination. The work of our new trainers was also outlined in the context of the diocesan plan for the period 2017-2020. Tusla was given a copy of the plan, together with the Annual Report 2016, recent safeguarding newsletters and other publications.

The question of childcare groups requesting use of parish properties, including schools, was raised. Tusla outlined the registration process overseen by the Pre-School Inspectorate. Questions relating to Rainbows were also discussed.

In addition, Bishop Smith had asked the meeting to address the question of vulnerable adults. Safeguarding of vulnerable adults comes within different policy and legislative provisions than that of children. Legislation and strategy in this area are pending. A primary concern in this work is the matter of the consent of vulnerable adults being safeguarding. The ministry of parish clergy and Eucharistic ministers was considered, as well as active age groups using parish properties.

Data protection checklist for Church personnel

It was decided at the meeting of the Diocesan Safeguarding Children Committee on 20 April 2017 to publish a data protection checklist.

Responsibility of Church personnel

All Church personnel must comply with the provisions of the Data Protection Acts 1988 and 2003 when collecting, handling and storing personal data. All Church personnel have a duty to ensure compliance with the principles of data protection and undertake to follow the provisions of the Code of Practice. They are charged with the responsibility of ensuring that all data that they access, manage and control as part of their duties is carried out in accordance with the Data Protection Acts and the Code of Practice.

Breaches of the terms and conditions of this Code of Practice may result in disciplinary action. This checklist is based on the Data Protection Policy and Code of Practice for safeguarding children in the Diocese of Meath

1. For data protection purposes, to ensure that access to personal data is restricted to authorised personnel only, Church personnel are required to ensure that:
 - Premises are kept secure, especially when unoccupied
 - Access to information is restricted to authorised personnel in accordance with the Diocesan Records Management Policy
 - Appropriate facilities are in place for disposal of confidential waste
 - Computer systems are password protected
 - These computers are locked when staff leave their work stations
 - At the end of the working day, they log out of the computer system and file and lock away any paper files containing personal data
 - Information on computer screens and paper files is kept hidden from callers to offices
 - Personal data is protected by strong encryption when being stored on portable devices or transferred electronically (including via email)
2. Every person has the right to **access personal data** (definition of personal data: *"Data relating to a living individual who is, or who can be, identified either from the data or from the data in conjunction with other information that is, or is likely to come into, the possession of the data controller."*)
3. It does not matter how the personal data is stored – on paper, on an IT system, on laptops, mobile data devices, CCTV etc. Records (eg employment records, injury/sickness details, attendance records, disciplinary records etc.) All such data is covered by the Acts, as are all personal data about employees and volunteers kept on computer file.
4. Where a person makes a request for information held on them, the member of Church personnel (clergy, volunteer, and employee) should refer this immediately to the Data Protection Compliance Officer at the diocesan office to ensure that the request can be dealt with within the required timeframes.
5. Data held by the Diocese of Meath:
 - **At diocesan level:** Case files relating to child protection; vetting files; clergy personal files; attendance at training events.
 - **At parish level:** Records on recruitment and vetting; activity attendance records; consent forms; accident/incident report forms; disciplinary or grievance proceedings.

Visiting clergy and safeguarding children

It is now standard practice in Ireland that clergy are provided with a *celebret* card, indicating that they are in good standing in their respective diocese, religious order and missionary community. Visiting clergy are a regular and welcome part of parish life, often concelebrating at weddings and funerals. Local clergy and/or sacristans are reminded that visiting clergy can expect to be asked to show their *celebret* card when they come to the parish.

This summer, the Diocese of Meath will welcome 19 foreign priests who will be assisting in parishes during the months of July to September. Most of these priests are post-graduate students in Rome. They provide a valuable assistance to local clergy. We are happy to confirm that, in accordance with our policy, each of these priests will have been Garda vetted and will have provided a Testimonial Letter from the Bishop before commencing any ministry in the Diocese of Meath. They have been asked to introduce themselves to the local Parish Safeguarding Representatives when they arrive in their host parishes.