

VOLLEYBALL IRELAND GARDA VETTING POLICY

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The Volleyball Association of Ireland Ltd. - Registered in Ireland - Company No: 317399

Introduction

The following document outlines Volleyball Ireland's policy concerning the vetting of members for roles involving working with children or vulnerable adults.

Volleyball Ireland undertakes vetting checks through the National Vetting Bureau (NVB). Volleyball Ireland will only carry out vetting on registered members who are undertaking roles within the sport of Volleyball in Ireland. Vetting carried out by other organisations or governing bodies are not acceptable for recruitment to any roles or positions within Volleyball.

The decision to engage in vetting is part of Volleyball Ireland's Safeguarding Policy, to protect the welfare of children and vulnerable adults. All leaders* (whether paid or voluntary) with regular and continued access to children and or vulnerable adults are required to participate in the vetting process; failure to successfully complete the process may result in disqualification from an appointment to a voluntary or paid position within Irish Volleyball. The processing time must be considered when recruiting paid or voluntary leaders, as a person must be vetted **before** they commence a role working with children and/or vulnerable people. No person under 18 years of age may undergo the vetting process unless they have signed parental permission. All vetting will be carried out in line with the current guidance issued by the NVB.

It should also be noted that the NVB do not provide 'clearance' for people to work with children and vulnerable adults – their role is simply to undertake background checks on applicants. The decision on issuing clearance letter rests with the vetting organisation (Volleyball Ireland), based on any disclosures received (confidentially) from the NVB. Volleyball Ireland is committed to equal opportunities for all.

**Leaders – term used to describe adults working with Age-Grade Players, whether in a paid or voluntary capacity, whether at club, Branch or National level.*

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General Information

What is Garda Vetting?

Garda Vetting is a procedure through which the National Vetting Bureau (NVB) is asked to disclose relevant information on Garda records within current disclosure policy, details of all convictions and/or prosecutions, pending or complete, in the Republic of Ireland are disclosed to the authorised Liaison Person (LP) in Volleyball Ireland. Additionally, for any applicants who have lived in other EU countries or the UK, checks may be made with the local police authorities to obtain similar information.

Why undertake vetting?

Vetting is part of the Volleyball Ireland recruitment and selection procedure for personnel with access to or working with children or vulnerable adults at local, regional and national levels. Vetting is one of the measures to protect Volleyball Ireland, its affiliated clubs and players against possible perpetrators of child abuse, by providing a barrier to an individual who is unsuitable to work with children or vulnerable adults.

Who is responsible?

Volleyball Ireland's Liaison Person will act as a liaison between the applicant seeking to be vetted and the National Vetting Bureau.

Board, Commissions and Clubs are responsible for ensuring recruited and appointed individuals are vetted in accordance with this policy **before** taking up their chosen role. Upon completion of the vetting process, the applicant and Volleyball Ireland's Liaison Person receive a copy of the applicant's disclosure document, which will list any convictions or prosecutions (if any). If there are none or, in the view of the Liaison Person, any disclosures do not present a risk, then the applicant is issued with a Clearance Letter, which the applicant can then share with their Club to confirm successful completion of the vetting process.

The disclosure document is only valid from the date searches were conducted and remains valid for a period of three years but, by definition, provides no guarantees of future conduct.

Volleyball Ireland is responsible for ensuring associate members and individuals operating on behalf of Volleyball Ireland are vetted in accordance with this policy.

Who is required to be vetted?

All persons applying for a role that provides an opportunity for regular unsupervised access to children or vulnerable adults must undergo the vetting process. These positions are referred to as relevant work or activity (NVB) defined in the National Vetting Bureau (Children and Vulnerable Adults) Act 2012 to 2016. Individuals giving occasional assistance, such as at a sports event, are exempt from vetting, other than where such assistance includes the coaching, mentoring, counselling, teaching or training of children. Individuals who must be vetted are those applying for positions or training courses, that allow regular access to children and/or vulnerable adults, are including but not limited to the following:

- Committee members in a juvenile club/section
- Children's Officer/Safeguarding Officer
- Coaches of youth teams and Referees who are mostly officiating in youth matches
- Teachers (must be vetted through their own school)
- Volleyball Ireland Employee
- Other personnel as may be considered

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Within the structure of Volleyball Ireland, these positions will have access to children and/or vulnerable adults and information that may be deemed sensitive or personal regarding children and/or vulnerable adults.

When is an individual required to be vetted?

All the above positions must be successfully vetted **before** an individual is legally allowed to take up their chosen role(s) or attend the relevant course. The requirement for vetting must be included in any job description for a vetted position. The terms of this policy may affect the employment position, and therefore this policy must be available to prospective employees/members at the time of application. Once an individual intends to apply for any vetted position a vetting application must be submitted for processing. An appointment to a vetted position is subject to a successful vetting outcome.

For the avoidance of doubt, an individual is not permitted to undertake their role while a vetting application is in process. Receipt of a clearance letter confirms completion of the vetting process.

Vetting children and young people under 18

Any individual aged 16 and above, applying for any of the required positions must undergo vetting prior to taking up the position(s).

Any person under 18 years of age completing a vetting application must obtain the permission of their parent/guardian, and all contact details listed on the application form must be those of the individual's parent or legal guardian.

Re-vetting Individuals

All individuals will undergo re-vetting every three years, or as determined by Volleyball Ireland. Re-vetting may also be required for any individual changing their position within the organisation, with the exception of individuals staying within the same committee or taking up a second role within the same club. Responsible persons must ensure that all relevant workers' vetting is in date. Disclosure forms over three years old are no longer valid, and the individual must be re-vetted in accordance with this policy and produce a new disclosure and clearance letter.

Any existing Volleyball Ireland member may be re-vetted if information concerning their suitability to work with children or vulnerable adults comes to the attention of a Club, Commission or Volleyball Ireland.

Vetting as part of an investigative process

Vetting or re-vetting an individual may be considered as part of an investigation or a requirement within the Volleyball Ireland Complaints and Disciplinary process.

Vetting charges

At present, there is no cost to registered Volleyball Ireland members undergoing vetting.

Processing time

The time taken to complete the vetting process is dependent on the prompt submission of accurately completed forms and the length of time it takes the NVB to conduct the searches. Current advice from the NVB is that applications can take up to 3 weeks. Additional time may be required if an applicant has previously lived in another EU country or the UK.

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How to make a Garda Vetting application

Full details on how to make a GV application can be found on the [Volleyball Ireland website](#), but the application process is as below.

Step 1 – Applicant downloads and completed the NVB 1 form (and parental consent form if the applicant is under 18).

Step 2 – Their completed application must be validated by a validator, trained by VI and listed on our list of trained validators (available on the website), who will also check the ID documents that are to be submitted with the application.

Step 3 – The applicant must then post their application to the Volleyball Ireland offices, for the attention of the Liaison Person, at the following address:

**Volleyball Association of Ireland,
Unit 1, Sport Ireland HQ2,
Sport Ireland Campus,
Snugborough Road,
Blanchardstown,
Dublin 15**

The following documents must be included:

- NVB 1 form, completed and signed
- NVB 1 Validation form, completed and signed by the validator
- Copy of applicant's ID document
- Copy of applicant's address ID document
- Parental Consent form (only for applicants under 18).

Applicants are strongly urged to read the guidance notes on the front of the NVB 1 form, to avoid delays in processing.

Once the Liaison Person has received the application by post they will begin an online application for this person. The individual will then receive an email from the NVB inviting them to complete the online application. Once the online application is completed, the checking process can begin.

ID Documents to be checked

The NVB have issued their own guidance document, clarifying their legal requirements to undertake a vetting check. That document can be found [here](#), and page 8 lays out the documents that can be used.

Please note the limitations contained within some of those documents, and validators are required to ensure that the documents provided are correctly noted on the validation form. This is to ensure that the Liaison Person can confirm that the same documents sent to them match those checked by the validator.

Any financial details contained on address ID documents can be redacted, for the purposes of this exercise.

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National Vetting Bureau (NVB) – Ireland

Introduction

Volleyball Ireland has two Liaison Persons (LP) registered with the National Vetting Bureau.

The LP is responsible for ensuring the application forms are up to date and available, for processing online applications and dealing with information/disclosures as returned from the NVB. The LP is also responsible for maintaining the confidentiality of disclosed information and for using such in the best interests of children and/or vulnerable adults and in accordance with this vetting policy. All applications to the NVB are processed by the LP through the NVB on-line application system on receipt of the required forms and documents. The requirements of the process are mandated by legislation.

Record keeping and storage

Once a decision is made regarding the suitability of an applicant, the outcome is recorded as 'accepted' or 'withdrawn'. The status 'withdrawn' relates to an applicant who has been deemed ineligible or where an applicant has withdrawn their request for vetting.

All data is kept in accordance with the Data Protection Acts 1988/2003 by LP on behalf of Volleyball Ireland. All information is held securely at Volleyball Ireland's Head Office. All documentation is destroyed in accordance with the NVB Code of Practice for Registered Bodies.

Legislation and Information relating to the Republic of Ireland

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 together with the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 Part 3 provides the legal framework for persons working in relevant work or activity to undergo a vetting check prior to working with children and/or vulnerable adults.

Relevant Legislation

Civil Service Commissioners Act 1956

Child Care Act 1991 – Sections 5; 61; 65

Data Protection Act 1988/2003

Children's Act 2001 – Section 258

Private Security Authority Act 2004

National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016

Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 – Part 3

Processing the disclosed information from NVB

Any assessment of suitability depends on the relevance of disclosed information to the position or role applied for, the self-disclosure of such information, the seriousness of the offence/disclosed information, the timing of the offence and any possible pattern of offences. The integrity of the applicant concerning self-disclosure or lack of disclosure on the initial application form is considered significant. The information disclosed is used for only the specific purpose for which it was obtained as part of recruitment or appointment process within Volleyball Ireland.

On receiving information that may potentially result in exclusion from taking up the regulated position any original documentation is checked to ensure it is correct and that the disclosed information refers to the

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applicant. If the applicant has self-disclosed the information and this agrees with the disclosure from the vetting body, a decision will be made depending on the type and nature of the offences disclosed. If the applicant has not self-disclosed and the information is received from the vetting body, this will be checked with the applicant.

Where the applicant is suitable for the position currently held or applied for, this is communicated to the individual by issuing a communication accepting suitability to work within Volleyball Ireland. Where the information disclosed by the vetting organisation and self-disclosed by the applicant deems the individual to be unsuitable for the regulated position they are informed of such preferably in person; however, this is not always possible. In the case where an individual cannot be notified in person, they will be requested to contact the LP as a matter of urgency. The applicant is allowed the opportunity to withdraw from seeking any role or position.

Disclosure of certain types of convictions/prosecutions or specified information automatically disqualifies the applicant from a position working with children and/or vulnerable persons. If a decision is required, that is not clearly dealt with in this vetting policy; external advice is sought. In this case, any identifying information on the disclosure will be removed. External advice may be requested from other regulatory bodies, e.g., Sport Ireland.

A series of continuous offending that might cause concern for the well-being of children Any charge brought by the Director of Public Prosecutions concerning abuse of a child

All decisions on the suitability of an applicant are a matter for Volleyball Ireland. The NVB is not involved in such decisions.

Examples:

Example 1: An individual applies for a position in a Club. On the online application, the individual declares a conviction for driving under the influence of alcohol; this information is duly disclosed showing a ban for one year. The details would be confirmed with the individual by the LP, and if there is no responsibility for the transport of children involved in the position, it is possible this individual would be deemed suitable to work with children.

Example 2: An individual is prosecuted at the age of 19 for taking part in a rally where the individual, along with others, is charged with disorderly conduct and prosecuted. The individual, now in their forties, has no further disclosures on record and fully disclosed all information concerning the prosecution. It is probable that this individual would not be prevented from working with children.

Example 3: An individual has two parking offences disclosed on the return from the vetting organisation. These were not shown on the original application form. The LP makes contact to check if the offences related to the individual. It is clear during the conversation that the individual was not aware that these offences would be deemed prosecutions or convictions and therefore did not think about disclosing them. It is probable that this individual would be considered as suitable for a position working with children.

Communication of information

If an LP is required to communicate with the applicant for any reason the following process applies:

- Communication may be by phone, letter marked 'Private and Confidential' or in person if convenient
- The LP verifies the identity of the applicant.

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- No messages are left
- No discussion takes place with any other person, spouse or partner The LP gives an assurance of confidentiality

If the LP is required to verify disclosed details the applicant is asked relevant questions, for example:

- Is there anything they remember concerning the time of the offence? Have they ever been to court?
- Is there any relevant information concerning the disclosed information?
- Does the applicant have an understanding of the relevance of the disclosure to the position/role applied for?

All responses are noted. If any of the information is disputed, the applicant must follow the disputes procedure in this policy (see page 11).

Data Security

The data submitted by the applicant and any responses from the vetting organisation are subject to data security. Volleyball Ireland will only release information concerning the suitability of an individual to a person who needs to know. If an applicant withdraws either their application for a position or from their position, information concerning their suitability for working with children and/or vulnerable persons will not be released.

In accordance with the rules laid down in the Data Protection Acts 1988/2003 the LP on behalf of Volleyball Ireland will:

- Obtain and process information fairly
- Keep this information only for one or more specified, explicit and lawful purposes Use and disclose information only in ways compatible with these purposes
- Keep information safe and secure
- Keep information accurate, complete and up to date
- Ensure that any information is adequate, relevant and not excessive
- Retain information for no longer than is necessary for the purpose or purposes Give a copy of his/her personal information to an individual, on request.

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Disputes

The NVB have procedures in place to deal with disputes. If an applicant believes the information disclosed about them is inaccurate, they should contact Volleyball Ireland

The NVB Unit has a dispute mechanism in place in the event of an individual contesting the disclosed information. In the case of any disclosure being disputed by the applicant the following procedure will be applied:

- The exact basis of the dispute will be noted by the LP on communication with
 - the individual
 - The original application form will be resubmitted to the unit for a recheck - containing a covering report outlining the basis of the dispute as indicated by the applicant

If following a recheck the applicant still disputes the information, arrangements with the Unit will be made for further identification procedures to be conducted to resolve the dispute.

Until all disputes have been settled, the individual will not be able to take any position within Volleyball Ireland. If the dispute involves existing personnel, it is recommended that supervision is put in place until the dispute is resolved.

All decisions on the suitability of an applicant following a recheck are a matter for Volleyball Ireland, and the vetting authorities are not involved in such decisions.

Any dispute concerning the decision of an LP should be submitted in writing to Volleyball Ireland.

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Documents

All documents and supporting guidance information can be found on the following link -

<http://www.volleyballireland.com/garda-vetting.html>

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