



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Questions & Answers on Management and Staffing in early years / pre-school¹ services giving particular attention to: Employee References, Qualifications & Garda Vetting

As referred to in Regulation 8 of [*Management & Staffing*] and, Regulation 14 [*Records*] of SI 604/2006 — Child Care (Pre-School Services) (No2) Regulations 2006

[See appendix 1 and 2 at the rear of this document].

DISCLAIMER: This document is not and cannot be considered as a comprehensive set of questions and answers in regard to Regulation 8 & 14, nor can it be taken as a legal interpretation. This document has been designed to assist the reader in understanding issues addressed in the regulation.

¹ This also refers to Child Minders. It must be noted that the terms “pre-school services” and “early year’s services” are used interchangeably through out this document.

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This question and answer document is a consultation document that will assist pre-school service providers, the pre-school inspectorate and educational ‘facilities’ to ensure compliance with Regulation 8 and Regulation 14 of the Regulations. It is planned to have a ‘phased-in’ period from 01st August to 1st February 2013 at which time it is expected that all pre-school services will be required to be in full compliance with Regulation 8 and Regulation 14 of the Regulations. This document will be reviewed in February 2013.

Introduction:

A good quality organisation is one that values children, and centres its activities around their safety, enjoyment and comfort. Organisations should strive to develop children’s self esteem, encourage each child to contribute to and participate in activities, and reward their efforts as well as their achievements. This is particularly the case for the many that provide services to pre-school children.

Most people who apply to work with community / voluntary / public and private organisations on either a voluntary or paid basis are interested, well motivated and suitable for the various tasks involved. However, it is very important that organisations take all reasonable steps to ensure that only suitable people are recruited. Unfortunately, people with a tendency to abuse children can be attracted to the type of work that gives them the opportunity to be with children, and this always has to be borne in mind when recruiting workers/employees/volunteers².

This document gives attention to two aspects of the selection and recruitment of staff. It offers the reader an opportunity to become aware of important points for consideration including the taking up and confirmation / checking of references, undertaking Garda Vetting / Police Clearance³, as well as good practice. The issue of qualifications also receive attention. Each “person carrying on a pre-school service” is individually responsible for their practice with regard to management and staffing. A helpful reference to the entire recruitment process is contained on pages 8 & 9 of “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004.

The newly published “Children First: National Guidance for the Protection and Welfare of Children”⁴ [DCYA 2011] states “Consistent with the principles of Children First, every organisation, both public and private, that is providing services for children or that is in regular direct contact with children should ensure best practice in the recruitment of staff or volunteers, which includes Garda vetting, taking up of references, good HR practices in interviewing, induction training, probation and ongoing supervision and management...” [Section 1.3.1 page 5].

“Employers/heads of organisations where staff or volunteers have access to children should at all times implement safe recruitment practices, including vetting of applicants and staff, rigorous checking of references, interview procedures and monitoring of good professional practice” [Children First 2011: Section 4.5.5 page 21].

² Adapted from “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004 – pages 5 and 8. Refer also to page 263 of The Ferns Report – Presented to the Minister for Health and Children October 2005.

³ Police Clearance is necessary for a person to have if they have lived / worked abroad and have come to Ireland.

⁴ Accessible at www.dcy.ie

Some general points:

Should all staff⁵ who are employed by a pre-school / early year's service be adults?

What describes an adult?

Regulation 8(1) states "A person carrying on a pre-school service shall ensure that - (a) a sufficient number of suitable and competent adults are working directly with the pre-school children in the pre-school service at all times,"

Section 3 of the Children Act 2001 states a "child" means a person under the age of 18 years. An adult is a person of 18 years or more.

What describes a suitable and competent adult?

It is the responsibility of the person carrying on a pre-school service to judge a person as suitable and competent [*or not as the case may be*]; based on the 'applicants' experience, knowledge and / or qualification in conjunction with references [that have been confirmed & checked] and processed Garda Vetting Form / Police Checks. A suitable and competent adult is a person (of 18 years or more) who has appropriate experience in caring for children under six years of age and/or who has an appropriate qualification in child care"⁶. It should be reiterated that an adult is a person of 18 years or more. In no circumstances should any person under the age of 18 years supervise children in an early year's service.

What is required of "a person carrying on a pre-school service" in terms of qualifications?

Under the section titled "SCHEDULE" of Child Care (Pre-School Services) (No2) Regulations 2006, in the *Notification to the Health Service Executive by a person proposing to carry on a pre-school service* this person must be aged over 18 years. This person is required to submit in their notification to the HSE details of their relevant qualifications and of the awarding body. Such a person must have satisfactory references and processed Garda Vetting / Police clearance.

What is required of "of the adult in charge of operating the pre-school service" in terms of qualifications?

Under the section titled "SCHEDULE" of Child Care (Pre-School Services) (No2) Regulations 2006, in the *Notification to the Health Service Executive by a person proposing to carry on a pre-school service* this person [who must be an adult of 18 years or more] is required to submit details of their relevant qualifications and of the awarding body, as part of the notification to the HSE. There must be a named person who is able to deputise as required. This person must be an adult who has relevant qualifications and relevant experience. Such a person must have satisfactory references and processed Garda Vetting / Police clearance.

What is required of the notified provider whose name is on the schedule?

This person must be aged over 18 years. Such a person must have satisfactory references and processed Garda Vetting / Police clearance. In the event that a processed Garda Vetting Form / Police Clearance or References indicates an issue – you must bring this issue to the attention of the early year's inspectors, without delay.

⁵ The term 'staff' in this document includes any person who is a staff member, voluntary worker, student or a person who does relief work – sometimes referred to as 'relief staff'.

⁶ Child Care (Pre-School Services) (No2) Regulations 2006 and Explanatory Guide to Requirements and Procedures for Notification and Inspection, Page 42 {DOH&C 2006}

Should staff have qualifications⁷?

In the Child Care (Pre-School Services) (No2) Regulations 2006 and Explanatory Guide to Requirements and Procedures for Notification and Inspection (DOHC 2006) on page 43, it states that “at least 50% of the staff in the service” should have a qualification appropriate to the care and development of the pre-school child. This is also stated by the National Standards for Preschool Services (DOHC 2010) Section 5.6 pg 10 [see appendix 5]. It is considered good practice for the person in charge of operating a pre-school service to aspire or aim to ensure that all other staff should be working towards achieving an appropriate qualification in child care within an agreed time frame.

What is regarded as an appropriate child care qualification?

This is a complex question as there are a variety of roles and occupational profiles within a preschool service and each may require qualifications with different level and content of learning.

For staff who work directly with children in a preschool service then an appropriate child care qualification is one which equips the learner with the skills, knowledge and competence to work effectively with children in a range of out of home settings. The qualification should cover core knowledge areas such as child development, child health and welfare and early learning theory and practice. The content of the programme of learning should specify the age range of children that learners are being prepared to work with and should also detail the level of responsibility that the learner should expect to undertake as a graduate. A significant supervised practice placement should be an integral part of any pre-service education and training programme.

National policy documents relevant to this issue include the following:

- The Model Framework for Education, Training, and Professional development for Early Childhood Care and Education in Ireland (Department of Justice Equality and Law Reform, 2002) and
- The Workforce Development Plan for the Early Childhood Care and Education Sector in Ireland (Department of Education and Skills 2010).

Nationally accredited qualifications in early Childhood Care and Education are placed on the National Qualifications Framework which comprises 10 levels of awards. At present, further education awards (up to level 6 on the NFQ) are made by the Further Education and Training Awards Council (FETAC). Higher education awards are made by the Higher Education Awards Council (HETAC), Institutes of Technology and Universities.

Staff may also hold international qualifications that may be deemed to be equivalent to an Irish Award. Establishing this equivalence is the remit of the qualification recognition section of the Qualification and Quality Assurance Authority www.qualrec.ie. The Childcare Directorate of the DCYA has stated levels of qualification which are considered appropriate for Preschool Leaders, receiving funding to deliver the Free Preschool Year in the Early Childhood Care and Education Scheme. Pre-School Services will receive the basic capitation rate where they have certification to prove that their Preschool Leader(s) have achieved a nationally accredited major award at level 5 in

⁷ When staff are employed they person carrying on the preschool / early years service must ensure that a certified copy of the qualification is placed on the personnel file. The words ‘certified copy’ here should be taken to mean the following:
- That the person carrying on the preschool service has seen and inspected the original certificate of qualification and can verify the copy is ‘a true copy’ or an ‘authentic copy’ of the original.
-In the absence of an original certificate of qualification, that the copy of the certificate of the qualification bears the stamp of the awarding body/college etc

early childhood care and education (or equivalent). A higher capitation rate is payable to preschool service where the Preschool Leader(s) have achieved a nationally accredited award in early childhood care and education at level 7 (or equivalent) and their assistant(s) have achieved a major award at Level 5.

The complexity surrounding the issues of qualifications of staff in Preschool services is further complicated due to the fact that a diverse range of non nationally accredited qualification are held by staff. These may include:

- Montessori,
- Steiner,
- nursing,
- psychology and
- education, etc.

As Regulation 8 does not specify any particular qualifications as appropriate, the HSE's position is that on inspection it will only seek evidence of qualifications from staff as stated in their CV/application form and notification schedule i.e. a copy of original or certified copy of the qualification, which must be placed on file having regard to Regulation 14 of the Regulations.

Should staff receive induction training and continuous training?

Yes. New staff should have induction training with regard to all policies, procedures and practices of the service, during their first week of employment⁸ [*Refer to National Standards for Pre-Schools DOHC 2010 pages 10*]. Ongoing training needs for all staff should be identified and addressed on a regular basis.

Final important point to remember

Adults who are caring for the children possess the necessary experience, skills, attributes and competencies. All staff are recruited in accordance with the best human resource practices. An up-to-date and accurate personnel file is kept for each member of staff that includes the following records:

- proof of identity⁹ and that the person is over 18 years of age;
- proof of satisfactory Garda vetting, and international vetting (Police Clearance) where required;
- two validated references, including a reference from the most recent place of employment;
- verification of qualifications, and
- investigation of any gaps in employment.

Taken from National Standards for Preschool Services (DOHC 2010) Section 5.4 pg. 10 [refer to appendix 5].

Where can I get more information on interviewing, selecting, induction training and supervision for staff?

A useful reference is pages 8 and 9 of "Our Duty to Care – the principles of good practice for the protection of children & young people", (DOHC 2004) [*see the appendix in this document*], in addition to the National Standards for Pre-school Services (DOHC 2010).

⁸ Adapted from the National Standards for Preschool Services (DOHC 2010) Section 5.8 pg 10 & Section 11.2 pg 19.

⁹ Proof of identity - The pre-school / early year's service should ensure that the identity of the applicant is confirmed against some documentation (ID card, driving licence or passport) which gives his or her full name, address together with a signature or photograph. Copies of this should be retained on file having regard to Regulation 14. Refer also to point (vi) page 9 of "Our Duty to Care– the principles of good practice for the protection of children & young people" [DOHC 2004].

Employee References

A) Are all staff¹⁰ / relief staff / volunteers / students in a Pre-School Service required to have References?

Yes. All staff / volunteers and students must be vetted through the taking up of past employer references, including the most **recent** employer reference from reputable sources, prior to any person being appointed or assigned or being allowed access to a child in the pre-school service. See Regulation 8 (3) of the Regulation contained in the appendix in this document. All references and verification¹¹ of these should be placed on the individuals personnel file. Refer to Regulation 14 of the Regulations and Section 5.4 of the National Standards for Preschool Services (DOHC 2010). It should be noted that ‘Character References’ are not acceptable.

B) Should pre- school / early year’s service ensure that the identity of prospective staff is confirmed against some documentation?

Yes. The pre-school / early year’s service should ensure that the identity of the applicant is confirmed against some documentation (ID card, driving licence or passport) which gives his or her full name, address together with a signature or photograph. This should be compared with the written application / CV. Adapted from point (vi) page 9 of “Our Duty to Care” [DOHC 2004]. Copies of this should be retained on file having regard to Regulation 14.

C) Should all records with regard to references and records of verification of references be placed on a personnel file in the pre-school / early year’s service?

Yes. Section 5.4 of the National Standards for Preschool Services (DOHC 2010) states this, contained in appendix 8 of this document. Regulation 14 of the regulations states that “a person carrying on a pre-school service shall keep a record in writing ...all information generated under Regulation 8(2)...”.

D) I have a staff member / relief worker / volunteer who work either on a paid or voluntary basis [for some years] in the pre-school service but they have no references – should I get references for them.

Yes. All staff / volunteers and students must be “vetted”¹² through the taking up of past employer references, including the most **recent** employer reference from reputable sources, prior to any person being appointed or assigned or being allowed access to a child in the pre-school service. See Regulation 8 (3) of the Regulations contained in the appendix in this document.

E) I have a staff member / relief worker / volunteer who have been either on a paid or voluntary basis before the regulations came out in the pre-school service but they have no references – should I get references for them.

¹⁰ The term ‘staff’ in this document includes any person who is a staff member, voluntary worker, student or a person who does relief work – sometimes referred to as ‘relief staff’.

¹¹ Verifying, validating, confirming, checking and vetting are terms that are used interchangeably in this document.

¹² The word “vetted” is used to reflect the fact that the word “vetting” is used in the regulation

Yes. All staff / volunteers and students must be “vetted”¹³ through the taking up of employer references. See Regulation 8 of the Regulations contained in the appendix in this document. This should be undertaken in a sensitive manner within a reasonable and agreed timeframe.

F) The regulations state that references¹⁴ must be from reputable sources for staff / volunteers / students. Who is a ‘reputable source?’

Referees should be persons who are well regarded and respected; they should not be family members. Referees should have first hand knowledge and experience of the staff / volunteer / student previous work and / or contact with children. An acceptable reference will clearly state that the person is known to the referee and is considered suitable by them to work with children. All references should be received in writing¹⁵ by the person carrying on a pre-school service. Reputable means “highly regarded, well thought of, (well) respected” [Oxford Dictionary].

G) How many references should be taken up by the person carrying on the pre-school in respect of each staff / volunteer / student?

At minimum there should be 2 references taken up as per the National Standards for Pre-School Services [DOHC 2010, Section 5.4 pg.10], and Our Duty to Care – the principles of good practice for the protection of children & young people (DOHC 2004, Section (v) pg.8.

H) Should references be validated¹⁶ [*confirmed and checked*] in respect of staff / volunteers / students by the person carrying on the pre-school service?

All references in the first instance should be received in writing¹⁷. All references should then be confirmed¹⁸ and checked by telephone, letter or personal visit by the person carrying on the pre-school service with the person who wrote the reference. All of this must be recorded on the ‘personnel’ file, having regard to Regulation 14.

The person carrying on the pre-school service must satisfy themselves as to the character and suitability and relevant experience of the staff member, volunteer and/or student prior to any person being appointed or assigned or being allowed access to a child in the pre-school service. See Regulation 8 (3) of the Regulations contained in the Appendix. In the event that an employer is not satisfied with a particular reference they can consider the option of obtaining another relevant reference which must be validated in detail. It is important to remember that all issues [which may include positive and/or negative comment] contained in an employee reference form must be assessed / taken into account by the employer and recorded on the personnel file [having regard to Regulation 14].

¹³ The word “vetted” is used to reflect the fact that the word “vetting” is used in the regulation

¹⁴ There is a sample employee reference form contained in the appendices to this document.

¹⁵ Adopted from Section (v) page 8 of “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004 and Section (v) page 8 of “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004.

¹⁶ Child Care (Pre-School Services) (No2) Regulations 2006 and Explanatory Guide to Requirements and Procedures for Notification and Inspection, Page 42 {DOH&C 2006}. Refer also to National Standards for Preschool Services (DOHC 2010) Section 5.4 pg. 10, and Section (v) page 8 of “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004.

¹⁷ Refer to Section (v) page 8 of “Our Duty to Care – the principles of good practice for the protection of children & young people”, DOHC 2004.

¹⁸ Verifying, validating, confirming, checking and vetting are terms that are used interchangeably in this document.

I) What about the ‘single handed’ child minder / sole practitioner – who will obtain and examine the references in regard to them?

The early years / preschool service inspector will examine these as part of the inspection process. This may be subject to further amendment.

J) What is meant by the term “student”?

The term student in this document here applies to any person who is participating on approved courses provided by:-

- a. approved PLC Courses¹⁹ providers,
- b. FETAC²⁰ Level 5 or higher,
- c. Third level education sector²¹

Prior to any decision made by the person carrying on the pre-school service to facilitate a student placement – it is imperative that at least 2 references from reputable persons are sought in writing and are confirmed and checked. As stated above – all references should be requested from someone in a position to form an opinion of the person and who has first hand knowledge and experience of the student. The references can be from the college, previous school, previous employment or work experience or from any independent person in the community. Garda Vetting is required for all students over the age of 18 years.

K) What about “Transition Year Students”?

A “Transition Year Student” is a student participating in an Approved Transition Year in a Department of Education and Science approved secondary / second level school. Prior to any decision made by the person carrying on the pre-school service to facilitate a transition year student placement – it is imperative that at least 2 references from reputable persons [one being from the school that the student attends] are sought in writing and are confirmed and checked. As stated above – all references should be requested from someone in a position to form an opinion of the person. In other words the person who writes a reference must have first hand knowledge and experience of the student. The references can be from the secondary / second level school, previous employment or work experience or from any independent person in the community. All transition year students must not be left alone with any child in the pre-school service. They must be accompanied at all times by a staff member. Garda Vetting is required for all transition year students over the age of 18 years.

An important point with regard to students:

Students should not be allowed to supervise children in an early year service. They must be accompanied at all times by a member of staff. Students cannot be regarded as staff and

¹⁹ Post Leaving Cert Courses (PLC Courses). PLC courses are full-time and generally last one year. They are mainly at Levels 5 and 6 on the National Framework of Qualifications. Courses are provided predominantly in the VEC sector (90%, 148 centres) but also in community and comprehensive schools (24) and secondary schools (21). Refer to: <http://www.education.ie/home/home.jsp?maincat=&pcategory=10861&ecategory=10876§ionpage=12251&language=EN&link=link001&page=2&doc=53747>. Accessed on 30th August 2011.

²⁰ Further Education and Training Awards Council (FETAC). Providers of further education and training register with FETAC by agreement of their quality assurance policies and procedures in order to offer FETAC awards to learners. A diverse range of providers, publicly and privately funded, offer programmes leading to FETAC awards at levels 1 to 6 on the [National Framework of Qualifications](#) (NFQ). Refer to: <http://www.fetac.ie/fetac/providers/providers.htm>

²¹ The third-level education sector in Ireland consists of universities, institutes of technology, and colleges of education - collectively known as higher education institutions or HEIs. Third-level qualifications are Levels 6-10 in the [National Framework of Qualifications](#) (NFQ). The Framework is a [system of 10 levels](#) which allows national and international educational qualifications to be compared.

therefore cannot be considered as part of the adult / child ratio. They cannot be treated as staff: they are supernumerary.

L) If all references have been received in writing and have been confirmed and checked and they are satisfactory, can the person start in the preschool service?

No, not until a decision has been made after all references and the processed Garda Vetting Form / Police Clearance has been received by the person carrying on the pre-school service.

M) As a proprietor / person carrying on a preschool service I am having difficulty in obtaining a completed reference form or there is difficulty in verifying its contents – what can I do?

You may need to look at the possibility of getting another completed reference and verifying the details contained in it. After undertaking this consult with the early year's inspectors in regard to the issue in an attempt to examining ways to address the issue.

N) In your child protection and welfare policy you should include safe recruitment procedures including how staff are recruited, how staff must have references on file that have been verified as well as having been the subject of Garda Vetting [see appendix 4 of this document] and Police Clearance [where necessary].

Garda Vetting

1) Are all staff / relief staff / volunteers / students in a Pre-School Service required to have Garda Vetting / Police Clearance prior to being appointed or assigned or being allowed access to a child in a pre-school service?

Yes. The regulation clearly states this – please see Regulation 8 of the regulations in appendix 1 of this document. Refer to Section 5.4 and 11.1 of the National Standards for Preschool Services (DOHC 2010), in appendix 7 and 11 of this document.

2) Should all records with regard to Garda Vetting and Police Clearance be placed on a personnel file in the pre-school / early year's service?

Yes. Section 5.4 of the National Standards for Preschool Services (DOHC 2010) states this, contained in appendix 8 of this document. Regulation 14 of the regulations states that “a person carrying on a pre-school service shall keep a record in writing ...all information generated under Regulation 8(2)...”.

3) I have a staff member / relief worker / volunteer who work either on a paid or voluntary basis [for some years] in the pre-school service but they have no processed Garda Vetting Form / Police Clearance Certificate – should I get Garda Vetting / Police Clearance for them?

Yes. Regulation 8(2) clearly states “A person carrying on a pre-school service shall ensure appropriate vetting of all staff, students and volunteers who have access to a child...(c) by acquiring Garda vetting from An Garda Síochána...8(3) Such vetting procedures shall be carried out prior to any person being appointed or assigned or being allowed access to a child in the pre-school service. See appendix 1 of this document.

4) I have a staff member / relief worker / volunteer who have been either on a paid or voluntary basis before the regulations came out in the pre-school service but they have no processed Garda Vetting / Police Clearance on file – should I get these for them?
Yes. All staff / volunteers and students must be “vetted”²² through the taking up of employer references. See Regulation 8 of the Regulations contained in the appendix in this document. **This should be undertaken in a sensitive manner within a reasonable and agreed timeframe.**

5) What is the role of the Garda Vetting Unit?

“The Garda Central Vetting Unit (GCVU) provides vetting on behalf of organisations employing personnel to work in a full-time, part-time, voluntary or student placement capacity with children and/or vulnerable adults...An individual must make a written application through the organisation to which their area of work is affiliated”. [“Children First: National Guidance for the Protection and Welfare of Children” [DCYA 2011] Section 4.5.3 page 20].

6) If I am a person carrying on a pre-school service – what do I do to get Garda Vetting for staff and volunteers?

All applicants either in a paid or unpaid capacity will be required to complete a Garda Vetting Form indicating whether or not there is a conviction recorded in the Republic of Ireland or elsewhere. It should be part of the pre-school’s policy to request proof of ID to verify details provided on Garda Vetting and police records checks. Applicants can access

<http://www.garda.ie/Search.aspx?Search=garda+vetting>

for more information, as well as referring to a website similar to

http://hsenet.hse.ie/HSE_Central/Human_Resources/SServices/HR_Garda_Vetting_Liaison_Office/Candidates_Guide_Wrd.doc

in relation to the procedure for completing the Garda Vetting Form (see the appendix in this document).

7) If the applicant is a person who has lived / worked outside of the state for lengthy periods of time – how can they be Garda Vetted or obtain a Police Clearance Certificate from the country / countries that they lived / worked in?

For such persons a Garda Vetting Form should be completed listing the addresses both in Ireland and other countries that the person has resided in. Additionally, the person is required to provide an original Police Clearance Certificate/s from the country / countries that they have lived / worked in. This applies to international applicants as well as Irish applicants who have resided / worked abroad. Employers should take reasonable steps to verify Police Clearances from other countries and these attempts should be recorded on the personnel file. [See appendix in regard to some useful websites concerning Police Clearance in other countries]

8) I have an ‘applicant’ staff member / relief worker / student / volunteer who want to work either on a paid or voluntary basis who has been Garda Vetted but who has not any Police Clearance Certificates for the time that they have lived/worked outside of Ireland – can they commence work?

No. The regulation [8(2)(d)]clearly states “in circumstances where Garda vetting is not available for staff, students and volunteers who have lived outside the jurisdiction, by ensuring that these persons provide the necessary police vetting from other police

²² The word “vetted” is used to reflect the fact that the word “vetting” is used in the regulation

authorities”. As stated - Employers should take reasonable steps to verify Police Clearances from other countries and these attempts should be recorded on the personnel file. In other words a ‘paper trail’ of all efforts made to verify Police Clearances should be recorded on file.

9) I have an ‘applicant’ staff member / relief worker / student / volunteer who wants to work either on a paid or voluntary basis who has Police Clearance Certificates for the time that they have lived/worked outside of Ireland but they have not been Garda Vetted – can they commence work?

No. The regulation [8(2)(c)] clearly states “a person carrying on a pre-school service shall ensure appropriate vetting of all staff, students and volunteers...by acquiring Garda vetting from An Garda Síochána...”

10) Is it necessary for a pre-school service provider to apply for Garda Vetting when a student [Refer to No. 5 above] is placed in their service?

It is the general accepted practice that colleges in the Republic of Ireland apply for Garda Vetting prior to placement. Prior to any placement the college must issue to the service provider a letter stating that the student has been the subject of Garda Vetting by that particular college. Prior to any student being allowed access to a child, the person carrying on the pre-school service must request a copy of the processed Garda Vetting Form from the college. Additionally if the student; who is over 18 years; has either lived or worked abroad they must have Police Clearance Certificates. This specific information will allow the person carrying on a pre-school service to make informed decisions with regard to any placement.

11) As a person carrying on an early years / preschool service is it necessary for me to request a copy of a processed Garda Vetting Form from the Authorised Signatory / Organisation and place it on the personnel file of the staff member?

Yes. Regulation 14 of the regulations is very clear “A person carrying on a pre-school service shall keep a record in writing...all information generated under Regulation 8(2)...

12) What about ‘single handed’ child minder / sole practitioner – who will examine the processed Garda Vetting Form and Police Clearance Certificate [where appropriate] in regard to them?

The ‘single handed’ child minder / sole practitioner will obtain Garda Vetting through the organisation that they are affiliated to as well as obtaining Police Clearance Certificate/s as necessary. The early years / preschool service inspector will examine these as part of the inspection process.

13) Should Garda Vetting be obtained for “Transition Year Students”?

It can be the case that a transition year student could be either under 18 years or above 18 years [including mature students]. The Garda Central Vetting Unit will facilitate Garda Vetting for those Transition Year Students who are 18 years or older, where as Transition year students under 18 years will not be the subject of Garda Vetting. Where a transition year student is a mature person who has lived/worked abroad as an adult – a Police Clearance Certificate is required.

14) How does the pre-school service process Garda Vetting applications?

Pre-schools / child minders who are members of the Early Childhood Ireland Association (ECI)²³ should make contact directly to process vetting applications²⁴.

Pre-schools / child minders who are **not** members of the above mentioned organisations can make contact with Barnardos. At the request of the Department of Children and Youth Affairs (DCYA), Barnardos²⁵ is assisting in the processing of Garda Vetting applications for a number of groups/organisations who are not directly registered with the Garda Central Vetting Unit. Organisations accessing vetting through Barnardos' Vetting Service will then receive an Information Guidance Pack and the necessary forms.

15) If the processed Garda Vetting Form has been received and is satisfactory but all the references have not been received - can the person start in the preschool service?

No, not until a decision has been made after **all** references and the processed Garda Vetting Form and Police Clearance Certificate [where appropriate] has been received by the person carrying on the pre-school service.

16) Is it acceptable that umbrella organisations hold the Garda vetting centrally in their head offices?

Yes, the umbrella organisation that the pre-school service is registered to may hold on file Garda Vetting Records. The person carrying on the pre-school service must request a copy of the Garda Vetting Form prior to making any decision about any person [staff/relief staff/student/volunteer] being allowed access to children in a pre-school service.

17) What happens if the authorised signatory (e.g. Barnardos) receives a processed Garda Vetting Form that indicates a recorded conviction in regard to an 'applicant'?

In the normal manner they will forward the processed Garda Vetting form to the employer. It is the employer's responsibility to consider the contents of the processed Garda Vetting Form before any decision is made to employ the person.

18) What happens if the 'person carrying on the pre-school service' receives a processed Garda Vetting Form that indicates a recorded conviction in regard to an 'applicant'?

It is the employer's responsibility to consider the contents of the processed Garda Vetting Form before any decision is made to employ the person.

19) What is the current time frame for processing vetting applications?

²³ National Children's Nurseries Association (NCCA) & Irish Playgroups Association (IPPA) amalgamated in 2012 to form Early Childhood Ireland

²⁴ www.eci.ie/garda-vetting

²⁵ www.barnardos.ie

As reported by the Minister for Justice, Equality and Defence Garda Vetting in a Dail written answer [29/06/2011] processing vetting applications takes approximately 10 weeks. In reality pre-school inspectors are reporting that the Garda Vetting process is taking from 12 to 20 weeks. The Garda Central Vetting Unit report [early December 2011] that once they receive a complete Garda Vetting Form from the Authorised Signatory; and assuming that all paperwork associated with the process is correct and contains no errors; the process takes about five weeks for them to complete the Vetting Process and return to the Authorised Signatory.

The time frames mentioned above should be borne in mind by employers when engaged in recruiting staff/volunteers etc.

20) Can a processed Garda Vetting Form be transferable where a childcare assistant employed by an organisation (e.g. Enable Ireland) and is allocated to different pre-schools?

Yes. As stated above, the person carrying on the pre-school service must request a copy of the processed Garda Vetting Form prior to making any decision about any person [staff/ relief staff/ student/volunteer] being allowed access to children.

21) Is a processed Garda Vetting Form transferable where a childcare assistant is employed by a number of organisations (e.g. Barnardos & Enable Ireland)?

No. Each organisation is currently required to process their own staff in regard to Garda Vetting which will necessitate that some persons are “re-vetted” by the Garda Vetting Unit more than once. As stated above, the person carrying on the pre-school service must request a copy of the processed Garda Vetting Form prior to making any decision about any person [staff / relief staff/student/volunteer] being allowed access to children.

22) Is Garda Vetting required for support staff who regularly visit pre-schools to give specialized classes?

Yes – where there is a contract entered into and / or where the person attends the preschool on a regular basis. Additionally, general safety measures should be in place to safeguard the pre-school children such as not permitting such persons unsupervised access to individual children.

23) Who in the childminders household is required to have Garda Vetting?

All the members of the household who are 18years or older.

24) Is Garda Vetting required for parents who go on outings with the pre-school?

It is not required; parents on outings should work in a supportive role to the pre-school staff. They should not be allowed unsupervised access to other people’s children.

25) Do visitors [persons who make once – off visits] to the pre-school require Garda Vetting?

It is not required. Visitors should not be allowed unsupervised access to children in the early years / pre-school service.

26) As a proprietor / person carrying on a preschool service I am having difficulty [including time delays] in obtaining a processed Garda Vetting Form / Police Clearance – what can I do?

Consult with the pre-school / early year's service inspectors in regard to the issue in an attempt to examining ways to address the issue.

Concerns of a child protection and welfare nature:

Any person who reads this document should be aware of the newly published “Children First: National Guidance for the Protection and Welfare of Children” [DCYA 2011]²⁶. “The *Children First: National Guidance* is intended to assist people in identifying and reporting child abuse and neglect and deal effectively with concerns” [Section 1.2.1]. It can be the case that those working in pre-school / early years services can become aware of various concerns of a child protection and welfare nature.

(i) What happens if the ‘person carrying on the pre-school service’ becomes aware of a child welfare / protection issue in regard to a staff member?

The person carrying on the pre-school service who could become aware of a child protection concern through:

- Disclosure,
- Observation,
- A completed employee referee form,
- A completed verification check of a completed employee reference,
- A processed Garda Vetting / Police Clearance form, and
- Any other means,

must report the matter to a social worker in the Children and Family Services using the Standard Report Form²⁷ [SRF] and/or to An Garda Síochána. The matter of reporting child protection and welfare concerns to the HSE and/or An Garda Síochána must be included in the services’ child protection and welfare policy.

(ii) I am not sure if I will report a child welfare / protection issue in regard to a staff member?

Before deciding whether or not to make a formal report, you may wish to discuss your concerns directly with the social worker of the HSE Children and Family Services [adapted from CF 3.4.2].

Section 3.7.3 of *Children First: National Guidance (2011)* states that ‘It is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share those with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not’. In the first instance, if possible, make telephone contact with the Duty Social Worker, or if out-of hours or in an emergency with the Gardaí. [From page 35 of the ‘*Child Protection and Welfare Handbook, HSE 2011*’]

It should be remembered that the provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. [Section 3.9.4 of *Children First Guidance 2011*].

²⁶ Accessible at www.dcyia.ie

²⁷ The Standard Report Form is commonly referred to as the ‘SRF’ and is available @ www.hse.ie/go/childrenfirst

Duty Social Workers contact numbers can be found at:

http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/childrenfirst/socialworkers/

Children First Information & Advice Persons – contact details can be found at:

http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/childrenfirst/adviceguidancesupports/informationadviceofficers.html

REFERENCES

Child Care Act 1991

Child Care (Amendment) Act 2007

Child Care (Pre-School Services) (No2) Regulations 2006

Child Care (Pre-School Services) (No2) (Amendment) Regulations 2006

Child Care (Pre-School Services) (No2) Regulations 2006 and

Explanatory Guide to Requirements and Procedures for Notification and Inspection (DOH&C 2006)

Children First: National Guidance for the Protection & Welfare of Children (DCYA 2011)

Child Protection and Welfare Practice Handbook (HSE 2011)

National Standards for Pre-School Services (DOHC 2010).

Accessed on 28.05.2012 http://www.dohc.ie/publications/pdf/natstandards_preschool.pdf?direct=1

Our Duty to Care: The principles of good practice for the protection of children & young people (DOHC 2004)

Generic information on Garda Vetting:

There are also a few generic resources available online:

The Garda Vetting Unit: <http://www.garda.ie/FAQ/Default.aspx?FAQCategory=36>

Volunteer Centres Ireland: <http://www.volunteer.ie/Information-re-Garda-Vetting.html>

Citizen's Information: http://www.citizensinformation.ie/categories/employment/employment-rights-and-conditions/monitoring-and-surveillance-at-work/garda_clearance_for_employees

Useful reading materials include:

- Children First Bill 2012 – Draft Heads and General Scheme – www.dcy.gov.ie
- **CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION. ON OFFENCES AGAINST CHILDREN AND VULNERABLE. PERSONS) ACT 2012.**
www.oireachtas.ie
- **DRAFT HEADS – NATIONAL VETTING BUREAU BILL 2011 PRESENTED BY THE MINISTER FOR JUSTICE, EQUALITY AND DEFENCE 27 July 2011 accessed at**
<http://www.inis.gov.ie/en/JELR/Vetting%20Scheme%20for%20Publication.pdf/Files/Vetting%20Scheme%20for%20Publication.pdf>

Useful Reference

Human Resource Management in Early Years Services – Barnardos 2011.

Refer to : <http://www.barnardos.ie/information-centre/publications.html>

Reference: Regulation 8 and Regulation 14, (Explanatory Guide to Child Care (Pre-School Regulations 2006) [09th January 2013]

This guide aims to provide those managing early years' services with more understanding and knowledge of issues relating to Human Resource Management. The guide covers contracts of employment; policies and procedures; employment law; recruitment and selection; and teamwork and communication; as well as guidelines on some employment related policies and samples of job descriptions and work related forms.

Appendix 1

S.I. No. 604 of 2006

Child Care (Pre-School Services) (No2) Regulations 2006

MANAGEMENT AND STAFFING

8. (1) A person carrying on a pre-school service shall ensure that -

(a) a sufficient number of suitable and competent adults are working directly with the pre-school children in the pre-school service at all times,

(b) the service has a designated person in charge and a named person who is able to deputise as required, and

(c) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in paragraph 1(b) is on the premises.

(2) A person carrying on a pre-school service shall ensure appropriate vetting of all staff, students and volunteers who have access to a child -

(a) by reference to past employer references in particular the most recent employer reference, in respect of all staff, and

(b) by reference to references from reputable sources, in respect of all students and volunteers, and

(c) by acquiring Garda vetting from An Garda Síochána when An Garda Síochána have set down procedures to make such vetting available, and

(d) in circumstances where Garda vetting is not available for staff, students and volunteers who have lived outside the jurisdiction, by ensuring that these persons provide the necessary police vetting from other police authorities.

(3) Such vetting procedures shall be carried out prior to any person being appointed or assigned or being allowed access to a child in the pre-school service.

Appendix 2

S.I. No. 604 of 2006

Child Care (Pre-School Services) (No2) Regulations 2006

RECORDS

14. (1) A person carrying on a pre-school service shall keep a record in writing of the following information in relation to the service –

- (a) the name, position, qualifications and experience of the person in charge and of every other person, including volunteers and students working in the service
- (b) all information generated under Regulation 8 (2),
- (c) details of the maximum number of pre-school children catered for at any one time,
- (d) details of the type of service and age range group,
- (e) details of the staff/child ratios in the service,
- (f) the type of care or programme provided in the service,
- (g) the facilities available,
- (h) the opening hours and fees,
- (i) policies and procedures of the service,
- (j) details of attendance by a pre-school child on a daily basis,
- (k) details of staff rosters on a daily basis,
- (l) details of any medicine administered to a pre-school child attending the service with signed parental consent, and
- (m) details of any accident, injury or incident involving a pre-school child attending the service.

(2) The record referred to in paragraph (1) and the documentation and records referred to in paragraph (5) of this Regulation shall be open to inspection on the premises by an authorised person.

(3) Save for the information maintained in the record under Regulation 14(1)(b) the record referred to in paragraph (1) of this Regulation shall be open to inspection on the premises by a parent or guardian of a preschool child attending the service but only in respect of information entered in the register concerning that child.

(4) For the purposes of operating the pre school service, the record referred to in paragraph (1), other than the information maintained under Regulation 14(1)(b), shall be open to inspection on the premises by a person working in the service who is authorised in that behalf by the person carrying on the service.

(5) A person carrying on a pre-school service shall maintain all documents and records relating to references and Garda and police vetting obtained under Regulation 8(2).

Appendix 3

http://hse.net.hse.ie/HSE_Central/Human_Resources/SServices/HR_Garda_Vetting_Liaison_Office/Candidates_Guide_Wrd.doc

CANDIDATE'S PROCEDURE FOR THE COMPLETION OF GARDA VETTING FORMS

Please Read This Leaflet Carefully Before Completing Your Garda Clearance Form

Please Use Block Capitals When Completing Your Garda Clearance Form.

It is imperative that you complete the attached Garda Clearance Form fully and correctly. Failure to do so will result in a delay of your appointment. This will be forwarded to Garda Headquarters. **N.B. Forms stamped by your Local Garda Station or forms forwarded by candidates personally to Garda Headquarters WILL NOT BE ACCEPTED.**

1. **Surname:** Insert your current surname
2. **Previous name:** Insert your previous name here (i.e. maiden name (if applicable))
3. **Forename:** Insert your forename / Christian name
4. **Alias:** If you are known by any name other than that / those on your birth certificate please insert here.
5. **P.P.S. No. – THIS IS NO LONGER REQUIRED and PLEASE DISREGARD THIS REMARK**
6. **Date of birth:** Insert your date of birth (dd/mm/yy)
7. **Place of birth:** Insert the name of the city or town that you were born in (e.g. Cork City)
8. **Have you ever changed your name?** If yes, tick 'yes' box, if no tick 'no' box.
If yes please state former name: Insert any previous surnames if applicable (e.g. in the event that you were married on more than one occasion or that you have changed your name by deed poll etc.)
9. **Please state all addresses from year of birth to present date:** it is very important that your current address and **all** previous addresses, **including all addresses abroad**, are provided. You must also insert the years that you resided at these addresses year from and year to. These will be checked and if there is any time unaccounted for, the form will be returned to you.
10. **Please note that this clearance will only cover Irish and Northern Ireland addresses. If you have resided in any other countries, for a period of 6 months or more, it will be mandatory for you to furnish this department and Line Manager with a Police Clearance Cert from those countries stating that you have no CONVICTIONS recorded against you while residing at the overseas addresses.**
11. **Have you ever been convicted of an offence in the Republic of Ireland or elsewhere?** If no, tick 'no' box. If yes, tick 'yes' box and then please provide details of conviction(s), i.e. Date, Court, Offence, Court Outcome.
12. **Declaration:** Please make certain you fill in the position you are applying for in the section marked: **"I, the undersigned have applied to work as a..."** You must read this declaration carefully, sign and date it, and also print your name in block capitals underneath the signature. **(BLOCK CAPITALS)**

If a section of the form is not applicable to the candidate the candidate should enter 'N/A' or 'Not Applicable'.

Have you ever been convicted of an offence in the Republic of Ireland or elsewhere?

No Yes Please provide details

DATE	COURT	OFFENCE	COURT OUTCOME

DECLARATION OF APPLICANT

I, the undersigned who have applied for a position as a _____ hereby authorise An Garda Síochána to furnish to the undermentioned Authorised Signatory on behalf of my _____ employer a statement that there are no convictions recorded against me in the Republic of Ireland or elsewhere or a statement of all convictions and / or prosecutions, successful or not pending or completed, in the State or elsewhere as the case may be.

Signature of Applicant: _____ Date: _____

To be completed by Children's Organisation only

Line Manager/Contact Person: _____ Position: _____

Date: _____

To be completed by Authorised Signatory only

Authorised Signatory: _____
 PLEASE PRINT NAME ()

Registration Number: _____ Date: _____

To be completed by the Garda Central Vetting Unit

According to Garda records there are no previous convictions recorded against the above named applicant:

OR the attached convictions appear on Garda Records:

OR the attached prosecutions are pending:

NOTE: Checks were carried out by this office based on the information supplied.
 The convictions supplied may apply to the subject of your enquiry.
 Please verify information disclosed with the applicant.

Signed: _____ Member I/C C.V.U.

Appendix 5 – From “Our Duty to Care” [DOH&C] pages 8&9 that gives attention to “Developing safe recruitment practices”

Section Three

Developing safe recruitment practices

Safe practice starts with safe recruitment procedures and involves:

- Always applying thorough selection procedures, no matter who the applicant happens to be
- Judging the suitability of applicants in relation to a broad range of matters
- Taking all reasonable steps to eliminate people who are not suitable for working with children
- Providing training

Most people who apply to work with community and voluntary organisations on either a voluntary or paid basis are interested, well motivated and suitable for the various tasks involved. However, it is very important that organisations take all reasonable steps to ensure that only suitable people are recruited. Unfortunately, people with a tendency to abuse children can be attracted to the type of work that gives them the opportunity to be with children, and this always has to be borne in mind when recruiting new workers.

Recruiting workers

This section outlines an approach to safe recruitment and selection practices. The actual procedures may vary according to the requirements of different organisations or groups but the following key processes should be included:

- (i) Clear definition of the role of employees or volunteers:** This means clarifying and agreeing expectations regarding the role of a new worker, and involves identifying the minimum level of personal qualities and skills required to fill the post.
- (ii) Application Form:** An application form, with a clear job description and information about the organisation should be supplied. The form should be designed, as far as possible, to collect all relevant information about the applicant, including past experience of working with children. (See *sample Application Form in Appendix 4*)
- (iii) Declaration:** All applicants should be required to sign a declaration stating that there is no reason why they would be unsuitable to work with young people, and declaring any past criminal convictions or cases pending against them. The organisation must have a clear policy regarding the type of factors that would exclude applicants. (See *sample Declaration in Appendix 5*)
- (iv) Interview:** All applicants should be interviewed by a panel comprising of at least two representatives of the organisation. Interviewers should explore the information stated on the application form and assess the applicant's suitability for the post. The information supplied by the applicant and any other information supplied on their behalf should only be seen by persons directly involved in the recruitment procedure.
- (v) References:** An applicant should be expected to supply the names of two referees (not family members) who will testify as to their character, their suitability to the role of employee/volunteer, or any other issues which may affect their ability to perform the tasks required of them. At least one referee should have first hand knowledge of the applicant's previous work or contact with children. An acceptable reference will indicate that the person is known to the referee **and** is considered suitable by them to work with young people. All references should be received in writing and later confirmed by telephone, letter or personal visit. Any additional information should be attached to the application form.

Appendix 5 – Continued

- (vi) **Identification:** The organisation should ensure that the identity of the applicant is confirmed against some documentation (ID card, driving licence or passport) which gives his or her full name, address together with a signature or photograph. This should be compared with the written application.

Although a very thorough selection procedure is one of the most sensible and effective ways of assessing a person's suitability to work with children and may itself act as a deterrent to potential abusers, it is often felt as an unnecessary burden...

"But sure he only comes in one morning a week"

"I couldn't ask them all those questions when they're not even getting paid"

"She wouldn't give up so much of her time if she didn't mean well"

"All our volunteers are from the area"

"It's so hard to get volunteers these days - I don't want to put people off"

Workers are not less likely to abuse children because they are part-time or because they are not getting paid or because they have been giving their services for years, or even because they are a friend of a friend. You must apply the same procedure consistently with paid and unpaid staff, part-time and full-time workers alike. Although being very thorough about assessment can seem like an unnecessary burden, the more it becomes routine throughout all organisations working with children, the less intimidating it will be to genuine and well-motivated applicants. At the same time, it may act as a deterrent to potential abusers, as well as assisting in the choice of appropriate staff and volunteers.

Induction and training

When an applicant has been accepted, the following processes should apply:

- (i) **Induction:** If, following the application and interview process the applicant is accepted, they should then be required to undertake an induction course. Induction should be a planned programme that enables workers to get to know the organisation, their colleagues, their job and other organisations doing the same type of work. It should also cover expectations, conditions and procedures for dealing with discipline, grievances and allegations, and the organisation's child protection policy.
- (ii) **Trial period:** Appointment should be conditional on the successful completion of a trial period, the length of which should be decided at the outset. It gives an opportunity to assess the suitability of a new worker to work with children and his or her commitment to the organisation's policies on safe practices.
- (iii) **Records:** details of selection and induction should be recorded, along with notes on any matters arising during any part of the process.
- (iv) **Additional training:** To maintain quality standards and good practice, training should be provided on an ongoing basis for all workers (*See Section Four*).

Consider how your organisation could:

- Adopt a clear and consistent procedure for taking on new staff and volunteers (*See Factsheet 4*)
- Plan a programme for the induction of new staff and provision of ongoing training

Appendix 6

Section 4 National Standards for Pre-Schools DOHC 2010 page 9 *[Records as relates to Management and Staffing]*

Records

4

Outcome

A register containing particulars of each child attending the service, as well as a full range of records containing particulars relating to the service, is maintained in accordance with the Regulations.

CRITERIA

4.2

The service maintains written records of information in relation to the service in accordance with Regulation 14.

4.8

All records maintained under the Regulations are updated as required. Records are held within the service unless otherwise agreed with the Health Service Executive.

Appendix 7

Section 5 National Standards for Pre-Schools DOHC 2010 pages 10 to 12

Organisation and Management

5

Outcome

Parents or guardians and children benefit from a well-organised and well-planned service.

CRITERIA

5.1

The service's management structure, reporting relationships, and individual roles and responsibilities are clearly defined and documented.

5.2

The service manager has the necessary experience, skills, attributes and competencies.

5.3

There is a designated person in charge at all times. Formal arrangements are in place for an individual to deputise in the absence of the designated person in charge. The person in charge at any time has all the knowledge and information required to manage the service.

5.4

Adults who are caring for the children possess the necessary experience, skills, attributes and competencies. All staff are recruited in accordance with the best human resource practices. An up-to-date and accurate personnel file is kept for each member of staff that includes the following records:

- proof of identity and that the person is over 18 years of age;
- proof of satisfactory Garda vetting, and international vetting where required;
- two validated references, including a reference from the most recent place of employment;
- verification of qualifications, and
- investigation of any gaps in employment.

5.5

The service provider must inform the Health Service Executive in writing of any change in the ownership or management of the service, in the structure of the premises, in the service provision and of any serious injury or death within the service.

5.6

At least 50% of the staff in the service who are caring for children have a qualification appropriate to the care and development of the pre-school child. All others should be working towards achieving one within an agreed timescale.

5.7

All trainees, volunteers and students are appropriately mentored and closely supervised at all times.

5.8

All staff commence induction training in relation to all the policies and procedures of the service during their first week of employment.

5.9

The key policies and procedures of the service are regularly reviewed and up-dated as necessary.

5.10

Each staff member receives regular supervision and support in relation to all areas of their work.

5.11

The support and training needs of staff are identified to encourage him or her to reflect on the quality of his or her practice.

5.12

Regular staff meetings take place, the details of which are recorded, to facilitate effective communication.

5.13

The on-going training needs of staff are identified, addressed and provided for on a regular basis. A record of all completed training and development is maintained.

5.14

There is a staff roster that indicates the staff who are on duty at all times. The roster demonstrates that there is sufficient cover for early arrivals, late collections, staff breaks, holidays, sick leave, school runs and kitchen duties, and contingency plans are in place for unscheduled staff absences.

5.15

A competent and suitable second adult must be available to cope with emergencies.

5.16

Adult:child ratios apply in respect of staff working directly with children. The service provider ensures that the required adult/child ratios are met. These are:

CHECK THE FOLLOWING- SEE FOOT NOTE BELOW

Full-time and part-time services

AGE RANGE	ADULT:CHILD RATIO
0-1 year	1:3
1-2 years	1:5
2-3 years	1:6
3-6 years	1:8

Sessional pre-school services

AGE RANGE	ADULT:CHILD RATIO
0-1 year	1:3
1 - 2½ years	1:5
2½ - 6 years	1:10

Drop-In pre-school services

AGE RANGE	ADULT:CHILD RATIO	GROUP SIZE
Full age integration 0 – 6 years	1:4	24
1:4 children (no more than 2 children < 15 mths) – 1 adult Maximum group size - 24		

The total number of childcare staff in the service, as opposed to the “per room” allocation, should be taken into account, once the immediate safety of the children is not compromised.

Additional staff and management resources are required to undertake management tasks, domestic tasks and other non-childcare work.

5.17

Volunteers or students cannot be taken into account for the purpose of complying with the adult:child ratio, except in the case of outings, or in the case of sessional services that operate a rota system for parents to meet the second adult requirement or to cover an emergency staff shortage situation.

5.18

The adult:child ratios for pre-school children are not compromised where the service also cares for school-age children.

Footnote:

The new guidance that issued from the Budget 2012 in regard to ECCE participating services is applicable and supersedes the above adult:child ratio requirement for the duration of the ECCE programme..

Appendix 8

Section 11 National Standards for Pre-Schools DOHC 2010 page 19

Child Protection

11

Outcome

Children are safely cared for within the service. Any concerns coming to the attention of the service which relate to the safety and welfare of those children, either within or outside the service, are responded to in accordance with Children First: National Guidelines for the Protection and Welfare of Children.

CRITERIA

11.1

All adults working in the service, and/or those who have access to children attending the service, have been appropriately vetted in accordance with Regulation 8.

11.2

A written child protection policy is in place, and all adults working and looking after children in the service have received induction training on the policy and are familiar with it.

11.3

The written child protection policy reflects the requirements of “*Children First: National Guidelines for the Protection and Welfare of Children*” and clearly outlines arrangements for contact with the local Health Services Executive Child Protection Team (including contact names and telephone numbers).

11.4

The policy and procedures clearly set out staff responsibilities for the reporting of suspected child abuse or neglect.

11.5

A designated senior member of staff, together with a deputy, has received “Keeping Safe” training in child protection, and is responsible for liaising with the relevant agencies in any child protection situation.

11.6

All staff are aware of:

- the vigilance required to remain alert to child protection and welfare needs;
- the symptoms of children at risk of abuse;
- their responsibility to report any concerns without delay;
- their responsibility to report to the designated senior member of staff (or deputy) any other staff member behaving inappropriately towards a child; and
- the requirement for confidentiality in all such case

Appendix 9

--- Sample Employee Referee Form ---

Name of candidate	
Address	
Position applied for	
Position held	
How long is the person known to you & in what capacity?	
Period of employment	
Reliability	
Flexibility	
Punctuality	
Sick leave record (if appropriate)	
Communication skills	
Ability to perform duties	
Professional conduct	
Ability to get on with people	
Ability to get on with children	
Professional knowledge	
Ability to work as part of a team	
Would you re employ this person?	
Qualifications: date of, and awarding body	
Do you know of any reason why this person should not work with children?	
Other comments?	

Name of Referee _____ : **Signature of Referee** _____

[Please Print]

Date: _____ **Occupation:** _____

Address: _____

Contact Telephone Number: _____

Appendix 10

**--- Sample ---
Request / Consent form
for the release of copy of
processed Garda Vetting Form
to person in charge of a pre-school service.**

To:

Course provider / college / organisations that 'hold on file' processed Garda Vetting Forms [delete as appropriate]:

Date: _____

Re:

Name of applicant / student:
Name: _____ **D.O.B.** DD/MM/YYYY

Address: _____

Proof of I.D. Seen? : Yes: ___ [please tick]

Dear _____,

I am a person who manages a pre-school service. The above named has applied to: work / do voluntary hours / do a student placement [delete as appropriate].

In order for me to fully comply with Regulation 8 [Management and Staffing] of the Child Care (Pre-School Services) (No2) Regulations 2006, I am requesting a copy of the processed Garda Vetting Form in respect of the above named. The above named has signed this letter consenting to the release of the processed Garda Vetting Form to me.

Thanking you for your assistance,

Yours Sincerely,

XXXXXXXX,

Manager,

Preschool,

Applicants Signature to consent to release of processed Garda Vetting Form to person in charge of a pre-school service:

Signature _____

Date: _____

Print Name: _____

Appendix 11: Details of qualifications & verification of; references & verification of; processed Garda Vetting & Police Clearance for staff/volunteers & students

Name of Pre-School/Early Years Service _____ *TYPE:* _____ *DATE:* _____

Name	Application/ CV on file Y/N	Interview Date	Identity check? How?	Qualification & awarding body & date of certification copy in file	Date Reference 1 Received	Date Reference 1 Verified	Date Reference 2 Received	Date Reference 2 Verified	Garda Vetting applied for Y/N Date	Processed Garda Vetting on file Y/N? Date	Police clearance on file? Y/N? Date of it?	Position	Start Date

This form makes it clear to see the dates on which a person submitted a CV/Application going right through the chronological process of references and vetting and the start date of their job.

Declaration: I the proprietor/person carrying on a preschool/early year’s service believes the above to be true and correct:

Signed: _____ **Print Name:** _____ **Date:** _____

Received by Inspector: Signed: _____ **Print Name:** _____ **Date:** _____

Appendix 12 – Useful websites – Police Clearance

The following websites will offer assistance in regard to this.

www.afp.gov.au This website will provide the applicant with information on obtaining a national police clearance certificate for Australia.

www.courts.govt.nz This website will provide the applicant with information on obtaining police clearance in New Zealand.

Scotland: www.disclosurescotland.co.uk

Wales: www.south-wales.police.uk & www.north-wales.police.uk

It is possible to request a Registered Agency in the U.K. to process a Police Clearance. These Registered Agencies seek a Candidate's Police Clearance through the Criminal Records Bureau. The www.crb.gov.uk website will provide an applicant with a list of registered agencies to contact in the U.K. who may process their request for UK clearance with the Criminal Records Bureau. **Another useful website for the UK is www.acro.police.uk where a 'Subject Access Request' can be requested.**

All other Countries: please refer to appropriate inter net sites.

An applicant may also find it helpful to contact the relevant embassies who could provide information on seeking Police Clearance.

It should be made clear to the applicant that any cost incurred will be borne by the candidate themselves.

Appendix 13

A note on the development of this document:

In 2009 the document titled “Questions and Answers on Garda Vetting and References” was drafted from questions submitted from the HSE, OMYCA & National Voluntary Child Care Collaborative. In completing this document a working group was established in mid 2011 consisting of:

Ms. Fiona McDonnell, National Specialist, Early Years Services,

Mr. Michael Corcoran, National Specialist, Quality Assurance,

Ms. Marie Kennedy, ISA Area Manager, Children and Family Services, HSE South

Ms. Ann Spain, Manager Early Years Services, HSE Midlands, and

Mr. Brendan Guinan, Children First Implementation Officer, HSE Midlands

- representing Ms. Maria Larkin, **ISA Area Manager, Children and Family Services, HSE Midlands.**

The purpose of the working group was to give specific attention to the issues of employee references and Garda Vetting for the pre-schools / early year’s services making reference to any updated literature, regulation and standards. Throughout the process of drafting the document, feedback was requested from HSE Pre-Schools / Early Years Service inspectors as well as non-statutory and voluntary agencies and county child care committee/s. Appreciation is extended to all who took the time in offering their feedback.

Having regard to the literature, standards, statute and feedback – this document has been compiled for use by early years service / pre-school proprietors / operators and HSE personnel.

This document replaces the document titled:

“Questions and Answers on Garda Vetting and References” HSE 2009.

It is intended that there will be a ‘lead in phase’ to ensure that all early years / pre-school services will have an opportunity to become fully compliant with this particular aspect of the regulation. The ‘lead in phase’ will run from 01st August to 1st December 2012. On the 1st February 2013, it is expected that all relevant services have full compliance with the regulation.