

Horse Sport Ireland

Briefing Note on:

Vetting Portability under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016

February 2018

Garda Vetting procedures in the Republic of Ireland are determined by legislation, The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016, or the NVB Act for short. Under the NVB Act and also elements of the Data Protection Act 1998, there are restrictions to the portability of vetting disclosures between organisations. Below is an outline of why these restrictions occur:

NVB Act Restrictions

Individual organisations, such as Horse Sport Ireland, register with the National Vetting Bureau to process vetting applications for their members. These organisations are known as “**Relevant Organisations**” under the NVB Act.

The NVB Act states that; “a **relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation unless that relevant organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person.**”

This means that, **Horse Sport Ireland must receive a vetting disclosure from the National Vetting Bureau** in respect of the person who wishes to work/volunteer within equestrian activities. **We cannot receive the disclosure from anyone else, i.e., we cannot receive a disclosure from the GAA**, as this is not allowed under the NVB Act as the above extract states.

**Affiliates can refer to Section 12 (1) of the NVB Act for additional information on the above.*

Data Protection Act Restrictions

Additionally, the Data Protection Act prevents the use of ‘sensitive personal information’ for purposes other than the purpose for which the data was collected. Therefore a person who has completed vetting within one relevant organisation cannot be considered to have been vetted for all relevant organisations.

This means that an individual will need to be vetted by each organisation that engages them. For example, if a coach has been vetted as a result of their role in GAA and they subsequently get involved with U18s or vulnerable persons in Equestrian Sports, the person must be vetted by Horse Sport Ireland in addition to their vetting with the GAA.

**Affiliates can refer to Section 2 (c) of the Data Protection Act for additional information on the above.*

In conclusion, unfortunately, a Garda Vetting Disclosure is not, at this time, ‘portable’ between organisations. While this is frustrating for many, it is nonetheless the legal position, without exception.