



Guidance for Vetting Appeals Panel

1. Process

An appeal against the Church's decision not to employ in a paid or unpaid capacity, on the grounds of information shared in the vetting check, can be made by the Applicant within 28 days of receiving the notification that the application cannot proceed. It must be noted that the Church has no role in reviewing the contents of the disclosure by the Gardai or Access NI. If there is a disagreement about the disclosure, the Applicant must appeal directly to An Garda Síochána or Access NI.

The applicant will be informed in writing of the process of an appeal. The applicant will be advised to set out in writing his grounds for appeal.

Once a request has been received by the Church Authority appealing the Church's decision, an appeals Panel will be established by the Church Authority to hear the appeal.

The applicant will be told that the appeal process will require the information disclosed by An Garda Síochána or Access NI being shared with the panel members, and that any representations made by him/her may be shared with the statutory authorities. Any detail provided, for example to explain the background to a conviction, will be shared with the Garda Vetting Unit or Access NI to ensure it is a realistic representation of the facts.

The role of the Appeals panel is to decide if the original decision was unreasonable or irrational. The panel will communicate its view to the Church Authority, in the first instance. The Church Authority should take cognizance of the views of the Appeals Panel. The applicant will then be informed in writing of the final decision following a review by the Church authority, based on the advice of the Appeals panel.

2. Constitution of Panel

An Appeals panel will be appointed by the Bishop or Provincial. The following people should be considered as appropriate membership of the panel .

- Chair of the Safeguarding Committee
- Priest or Religious
- Lay person with Child Protection Experience

Advice can be sought from:

Representative from HR (if the Diocese or Religious Order has one)

Civil Law/Canon Lawyer and Employment Lawyer

3. Role of Panel

- To receive and hear requests for review of decision not to appoint on the basis of information received through the vetting process
 - To review the written information provided by the appellant, to receive oral evidence if deemed appropriate
 - To review information provided by the Church Authority
- To make a judgment regarding whether the decision not to employ was reasonable
 - Was the decision to refuse based on potential risk to children
 - Was the relevance of the specific role taken into consideration
- To report its views to the Church Authority for consideration

4. Timeframe

An appeal must be lodged with the Employer within 28 days of being informed of the decision not to appoint.

The appellant will be asked to provide written representation within 14 days of receipt of correspondence requesting this. Failure to provide this information within the timeframe suggested – or failure to seek an

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extension will result in the matter being closed and the original decision standing.

The appeals panel will aim to review all information within 14 days of receipt of the same and communicate in writing to the Church authority its views.