



BRITISH TAEKWONDO

SAFER RECRUITMENT POLICY INCORPORATING RECRUITMENT OF EX-OFFENDERS & CRIMINAL RECORD CHECK PROCEDURE

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CONTENTS

SECTION 1: Policy

- 1.1 Introduction & Aims
- 1.2 Definitions

SECTION 2: Application Process

SECTION 3: Outcome

- 3.1 Recruitment of Ex Offenders
- 3.2 Content Review & Decision Making
- 3.3 Confidentiality

SECTION 4: Ongoing safer recruitment

- 4.1 Summary
- 4.2 Contacts

This Safer Recruitment Policy and Criminal Records Check Procedure should be read in conjunction with the following related policies and procedures

Safeguarding Policy

Code of Conduct

Disciplinary Policy & Procedure

SECTION 1 Policy

1.1 Introduction & Aims

British Taekwondo is committed to providing the safest possible environment for the welfare of Children and Adults at Risk and has a duty to safeguard and protect all participants from harm.

The Safeguarding Vulnerable Groups Act 2006 provides the legislative framework for preventing people who are deemed unsuitable to work with children and vulnerable adults from gaining access to them through their work. The Act established a body – now the Disclosure & Barring Service (DBS) to make decisions about individuals who should be barred from working with children and to maintain a list of these individuals.

The Act, amended by the Protection of Freedoms Act 2012, provides the legal definition of regulated activity with children and adults (i.e. work that a person who has been barred must not do).

In Scotland, The PVG Scheme was established by the Protection of Vulnerable Groups (Scotland) Act 2007 and provides a similar legislative framework. The PVG Scheme was established by the Protection of Vulnerable Groups (Scotland) Act 2007

In Northern Ireland, whilst criminal record checks are carried out by Access NI, barring decisions are made by the Disclosure and Barring Service (DBS).

1.2 Definitions

Regulated activity with children is defined as involving contact which is:

- Of a specified nature e.g. training, teaching, supervising, advising, providing treatments or transport for the purposes of the activity

AND

- Occurs once a week or more

AND/OR

- Occurs on 4 or more occasions in a 30-day period

AND/OR

- Occurs overnight between 2am and 6am

For adults the threshold is reached if an individual is providing or teaching an adult about their personal care – ie assisting with eating, toileting, washing or dressing or is providing medical care.

The level of check required is dependent on the role being performed. The table below identifies the main roles within Taekwondo and identifies the check required in terms of Disclosure & Barring Service England & Wales. A similar level of check would be applied for within the other home countries.

ROLE	CHECK REQUIRED
COACH (whether paid or volunteer)	Enhanced Check with Child Barred List Check
WELFARE OFFICER	Enhanced Check with Child Barred List Check
REFEREE - with Weigh In Responsibilities	Enhanced Check with Child Barred List Check
REFEREE – without Weigh In Responsibilities	Basic Check
CLUB ADMINISTRATOR – if not within one of the roles above	Basic Check

Further roles and there required check can be discussed with the Safeguarding, HR and Compliance Manager.

SECTION 2 Application Process

An application for a criminal record check is only submitted when it is both proportionate and relevant to the position concerned. It is identified clearly within documentation relating to roles within Taekwondo that an application for a criminal record check will be submitted as part of the process.

Who undertakes a criminal records check?

Processes vary slightly dependent upon where you live because there are different bodies charged with undertaking these checks across the Home Countries. Throughout this document we have used the term 'criminal records checks' as a generic term to describe the checks undertaken by the Disclosure and Barring Service; Disclosure Scotland; Access Northern Ireland and the Royal Gibraltar Police.

More information can be found on the following Disclosure Services websites:

Disclosure & Barring Service England & Wales - [England & Wales - Disclosure and Barring Service \(DBS\)](#)

Protecting Vulnerable Groups Scotland - [Scotland - Disclosure Scotland \(PVG\)](#)

Access Northern Ireland - [Northern Ireland - Access Northern Ireland \(Access NI\)](#)

Royal Gibraltar Police - [Gibraltar - Royal Gibraltar Police](#)

A guide to applying for a criminal record check can be found in the following document.

https://britishtaekwondo.sharepoint.com/:b:/g/EZsX68dMWyZJvRB7VpPaELIBxV4swhU_ZDJYBIGZRZ9D-A?e=0cwGna

If you are aware that something will show up on your criminal records check, or you have any queries relating to criminal record checks then please contact the Safeguarding, HR and Compliance Manager

SECTION 3 Outcome

Where a criminal record check reveals any criminal record information, it is important to note that this does not necessarily stop an individual from working with children or adults. It is necessary to determine the level of risk, if any, that that persons poses in the role that they are being checked for. This section identifies the process that will be undertaken when “risk assessing” an individual based on their criminal record check.

3.1 Recruitment of Ex-Offenders

The Rehabilitation of Offenders Act 1974 (ROA) allows people to have the legal right to be treated as though they had never committed an offence after a certain period has passed. Convictions, cautions, reprimands and final warnings become spent after a specified period known as the rehabilitation period which is determined by the sentence received. Roles that meet the criteria for regulated activity as outlined above are exempt from the ROA , and any content disclosed on the certificate will be assessed to determine if it presents a safeguarding risk.

British Taekwondo undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

British Taekwondo can only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a criminal check certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

British Taekwondo can only ask an individual about convictions and cautions that are not filtered. For more information around the filtering of convictions please see here: <https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide> .

British Taekwondo is committed to the fair treatment of its coaches, potential coaches and volunteers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

British Taekwondo actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

British Taekwondo is committed to ensuring staff involved in the assessment of disclosures have been suitably trained to identify and assess the relevance and circumstances of offences.

British Taekwondo also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

British Taekwondo ensures that an open and measured discussion takes place about any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to an unsuccessful application.

British Taekwondo makes every subject of a criminal record check submitted to DBS/PVG/ANI aware of the existence of the code of practice and makes a copy available on request.

British Taekwondo undertakes to discuss any matter revealed on a disclosure with the individual seeking the position before withdrawing their application.

3.2 Content Review & Decision Making

Once British Taekwondo becomes aware that a criminal record certificate contains information, if that person lives in England, Wales or Scotland, a temporary suspension is put in place, and the applicant is required to provide British Taekwondo with a copy of the original certificate, and this must be done within 7 days. If they live in N. Ireland or Gibraltar, BT will already have been supplied with the certificate and again a temporary suspension is put in place. Certificates should be scanned and emailed to safeguarding@britishtaekwondo.org

Once the certificate is received, the Safeguarding, HR and Compliance Manager will determine which of the following 3 categories the disclosure falls into:

1. Disclosures containing information that can be immediately cleared as they present minimal or low risk to children
2. Offences requiring further consideration, discussion and enquiry
3. Serious concerns

Category 1 – Minimal Risk

The Safeguarding, HR and Compliance Officer will review and where possible deal with the disclosure independently. Every disclosure is different and therefore a prescriptive list for clearance cannot be given. Once the offence has been assessed and cleared by the Safeguarding, HR and Compliance Manager the temporary suspension is lifted and a note made in a securely held electronic record so that when renewal occurs if there is no new criminal record information post-date of assessment it will automatically be cleared.

Category 2 – Requires further consideration

Where the offences are more recent and/or related to either violence or drugs the Safeguarding, HR and Compliance Manager will request the following from the applicant:

- Details of the circumstances surrounding the offence
- Details of any mitigating circumstances
- How their circumstances have changed since the offending
- Names and addresses of two character witnesses (one to be the current employer if possible)
- Details of their work/volunteering since the offence

When the information is received the Safeguarding, HR and Compliance Manager will review with the Independent Non-Executive Director for Safeguarding and consider it together with the following:

- The pattern of offending, i.e. escalation/frequency/repetition of violent crime which could indicate a significant risk of further offences in the future
- The disposal – which will indicate the view of the Court towards the offence
- The offender's attitude to the disposal i.e. breach of any order
- The time elapsed since the offences were committed
- Any non-conviction information provided that may indicate police concerns

The outcome of this discussion will be one of the following:

- The suspension should be lifted with no restriction
- The suspension should be lifted with restrictions
- The suspension becomes permanent

The individual is notified of the outcome and has 7 days to appeal. This appeal must be made in writing, either by letter or by email to the Safeguarding, HR and Compliance Manager. The appeal will be presented to a Safeguarding Case Management Group.

Category 3 – Serious Concerns

Barred Individuals

An individual who is barred by the DBS or PVG from working with children is committing a criminal offence by applying to do so. If an applicant's disclosure indicates they are barred from working with children the Safeguarding, HR and Compliance Manager will refer the individual immediately to the relevant Local Authority Designated Officer.

Disclosures which raise immediate concerns about the suitability of the applicant to work with children in a Taekwondo setting, or that could bring British Taekwondo into disrepute if it failed to consider immediately the relevance and significance of the information will be dealt with as a matter of urgency by the Safeguarding, HR and Compliance Manager and the Independent Non-Executive Director for Safeguarding.

The Safeguarding, HR and Compliance Manager will refer directly to the Independent Non-Executive Director for Safeguarding and additionally 2 further members of the board to create an immediate Safeguarding Case Management Group.

Email or telephone conference will determine one of the following outcomes:

1. Recommend that a permanent ban is imposed due to the nature of offence
2. Whilst there is minimal immediate risk further information is required to be requested in accordance with Category 2

The applicant retains the right to appeal if the outcome is a permanent ban and this must be made in writing within 7 days and will be heard by a separate Safeguarding Case Management Panel.

Confidentiality / Data Protection

British Taekwondo staff handle all information provided to them as a consequence of applying for a criminal records check in line with the obligations under the relevant code of practice, Data Protection Act (1998) and General Data Protection Regulations (2018).

FAQ's

How long does the criminal check last?

It has no official expiry date but a criminal certificate will only be accurate up to and including the date the check was carried out. Therefore, Safeguarding good practice dictates that all coaches, welfare officers and volunteers will be required to renew their check every 3 years before any insurance can be renewed. Please be aware that if your criminal record check expires before you have undertaken a renewal your insurance will be invalid and therefore you will be suspended temporarily from coaching until we receive the result of the up-to-date disclosure or scheme record update certificate.

What is the DBS Update Service?

Coaches, Welfare Officers and Volunteers in England & Wales can subscribe to the DBS Update Service when they apply for their DBS check. This means that they may never need to apply for one again. For an annual subscription of £13 (free for volunteers) individuals can have their disclosure certificate kept up to date and they may be able to take it with them from role to role where the same type and level of check is required. Information and instructions on how to register for the Online Update Service can be found at:

<https://www.gov.uk/dbs-update-service>

What is the PVG scheme record update?

PVG membership lasts for life, unless the individual chooses to leave the scheme. An individual must obtain a Scheme Record Update every three years.

Does British Taekwondo accept Portability?

British Taekwondo will accept portability of records checks in the following circumstances:

- The individual has signed up to the DBS online update service;
- The individual has obtained a PVG Scheme Record Update
- You provide an original certificate for a previous recent check (within 3 months) where
 - a) it has been conducted at the right level for child and/or adult workforce and
 - b) the organisation is acceptable and recognised by British Taekwondo e.g. schools, hospitals, leisure centres

Please note – an existing certificate can only be accepted as an interim measure and a new application must be made via British Taekwondo within three months.

SECTION 4 Ongoing safer recruitment

Once in post, a club should ensure new volunteers and coaches:

- Are clear about and have signed up to the role and its specific responsibilities;
- Are made aware of British Taekwondo's Safeguarding Policy and Procedures and codes of conduct;
- Attend appropriate Safeguarding Children Training where applicable;
- Are supported in-post for the first few weeks. This may simply be via observation or more pro-active mentoring;
- Are introduced to relevant club officials (and parents/carers when appropriate);
- Are encouraged to attend further training specific to their role, as appropriate.

4.1 Summary

Safeguarding Children is about putting in place the best possible practices and procedures. This will protect not only the child but also the Club and the adults helping with U18s in Taekwondo. If you require any further support or guidance relating to children and young people, please contact your Club Welfare Officer in the first instance, or the British Taekwondo Safeguarding, HR and Compliance Manager.

4.2 Contacts

British Taekwondo Safeguarding, HR and Compliance Manager: safeguarding@britishtaekwondo.org

Tel: 0161 697 5330

Mobile: 07568 503791

W: <https://www.britishtaekwondo.org.uk/safeguarding/>