



GUIDANCE ON RECRUITMENT AND DBS

TABLE OF CONTENTS

THE PURPOSE OF THIS DOCUMENT	2
REQUIREMENTS	2
RECRUITMENT OF VOLUNTEERS AND EMPLOYEES	2
DBS REFERRALS: IMPORTANT	5
REGULATED ACTIVITY	5
LEGAL DUTIES FOR THE ALLIANCE	5
CRITERIA FOR ASSESSING WHO IS IN REGULATED ACTIVITY	6
FLOWCHART FOR ASSESSING WHO IS IN REGULATED ACTIVITY	7
DEFINITION OF 'SUPERVISION'	8
DEFINITION OF 'UNSUPERVISED'	8
ROLES WITHIN THE ALLIANCE WHICH MAY REQUIRE DBS CHECKS	8
FLOWCHART FOR RECRUITING A NEW EMPLOYEE OR VOLUNTEER	9
THE DBS UPDATE SERVICE	10
RENEWAL OF DBS CHECKS	11
PROCEDURES FOR DEALING WITH POSITIVE CRIMINAL RECORD CHECK	11
SUSPENSIONS	11
APPEALS	12
THE ALLIANCE'S OBLIGATIONS UNDER THE DBS CODE OF PRACTICE	13

THE PURPOSE OF THIS DOCUMENT

This guidance document supports our recruitment of volunteers working with children within aikido.

REQUIREMENTS

The Aikido Alliance UK (hereinafter referred to as the Alliance) will seek to ensure that:

- all staff and volunteers who are undertaking Regulated Activity are checked against the Barred List for working with children and are not allowed to commence work if they are barred (also see DBS referrals)
- all coaches, Safeguarding Officers, Welfare officers, and others working closely with children undertake appropriate child protection training, sign up to relevant codes of practice and agree to abide by the Alliance's Safeguarding Policy and Procedures
- all staff and volunteers working with children are aware of good practice and bad practice and know what to do if they have a concern about a child, or about the behaviour of an adult towards a child

Noting that the Alliance does not have direct contact with individual members or clubs, the above will be implemented through the Association Safeguarding Officers (ASOs) within each member Association. The Alliance will support ASOs to understand the requirements of this and all other Policy documents.

RECRUITMENT OF VOLUNTEERS AND EMPLOYEES

It is accepted best practice that all staff and volunteers whose role involves working closely with children must go through an appropriate vetting process as outlined in this document *prior* to their appointment, to establish their suitability to work with children.

When Alliance affiliated clubs recruit new volunteers, all reasonable steps must be taken to ensure unsuitable people are prevented from working with children. In addition, the selection process must be fair and equitable.

Whilst most people working in aikido may have the best possible intentions, the Alliance recognises it has a responsibility to safeguard children participating in aikido and sound recruitment practices will help this process.

Alliance affiliated clubs therefore have a responsibility to ensure that:

- All adults who are expected to have "regular supervisory contact with children" undertake a criminal record check (at the appropriate level), which is approved by the Alliance.
- Those involved in Regulated Activity are checked against the DBS Barred List BEFORE they take up their role.
- Coaches working with under 18s hold a suitable Alliance Coaching qualification plus any other mandatory qualification as shall be deemed a requirement for coaching children.
- Coaches have current insurance cover (through maintaining their Association membership).
- Coaches and volunteers have access to induction training that covers current Child Safeguarding Policies and Procedures.

Concerns arising during the recruitment process regarding the suitability or training needs of staff, coaches or volunteers are noted, fed back to the individual and acted upon as appropriate. Examples of managing these concerns could be:

- a coach being asked to undertake additional training before taking up a role working with children OR
- asking for clarification of previous experience or qualifications, say by contacting a previous employer or organisation for which the applicant has volunteered

The above are just examples of concerns or queries which might arise, and which might need acting on. All Clubs should adopt and implement recruitment and selection procedures in line with the following guidance.

PLANNING RECRUITMENT

The Alliance has drawn up a list of roles, along with a clear job description for each. These list the full range of duties each role will involve along with a person specification describing the skills and attributes required (e.g. experience, qualifications or other requirements, such as an ability to communicate effectively with children). This helps everyone to understand the nature of the role and will help ensure that every applicant is treated in a fair and consistent manner.

It is important that we gain information about an applicant's attitudes and commitment to child safeguarding. **No matter how good they are at coaching, they are not suitable to work with children if they do not take safeguarding seriously.**

ADVERTISING

In aikido (due to the technical nature of the syllabus and style variations) it is most likely that volunteers will be recruited/selected from within Alliance affiliated clubs. It is not always necessary, therefore, to go through a formal advertising process.

APPLICATION FORM AND SELF-DECLARATION

Anyone expressing an interest in applying for a role/job should, as best practice, complete an application form. The form should be designed to gain information required about the individual, their employment history, relevant experience, qualifications and training.

The form should include a section allowing the individual to "self-declare" any convictions or relevant information and give their consent for a criminal records check to be undertaken (where this is appropriate for the post). The form should state that failure to disclose information may result in their exclusion from the club, organisation or event. The applicant should also provide two references which should be checked prior to any offer of a role.

All Alliance affiliated clubs will work towards achieving best practice in recruitment processes. The Alliance understands and appreciates that traditional recruitment methods may not have met these best practice guidelines. There may well be legacy procedures within affiliated clubs. The Alliance Lead Safeguarding Office will offer help and guidance for all affiliated clubs to ensure best practice is implemented.

If Alliance affiliated clubs seek to recruit someone who has previous convictions, please refer to this guidance provided by NACRO:

<https://www.nacro.org.uk/resource/recruiting-safely-and-fairly/>

Also see page 13.

RECRUITMENT PROCESS

Any potential new coach or volunteer within an Alliance affiliated club should have an interview. This need not be formal. At this stage it should be possible to confirm the information the applicant has given on their application form and questions can be asked about how they would handle certain situations so as to determine their approach to working with children.

Alliance affiliated clubs will keep a record of the application paperwork and any subsequent recruitment decisions in case any grievances or allegations of discrimination are raised at a later date. Records will be kept in line with the Data Protection Guidelines.

CRIMINAL RECORD CHECKS

In December 2012 the Criminal Records Bureau (CRB), which provided criminal record checks merged with the ISA, which made barring decisions, to become the Disclosure and Barring Service (DBS). Instead of reference to CRB checks, you will now hear the term “DBS checks”, “vetting checks” or “criminal records checks”. A criminal record check will include a list of convictions and cautions and may also include a check against the ‘barred list’ (those people who are deemed unsuitable to work with children). The Alliance has drawn up a list of roles that are, under normal circumstances, likely to require a criminal records check.

The Protection of Freedoms Act 2012 also defines what is known as “Regulated Activity” [RA]. No organisation should employ anyone in RA unless they have checked the DBS Barred List to ensure that the person is not barred from working with children.

The Alliance is aware that a DBS check will only show cautions, convictions, reprimands or warnings the person has received. If an individual has never been suspected/convicted of being an abuser, the criminal record check will be clear. Therefore, a DBS check is only one part of good recruitment practice.

All checks must be undertaken through the Alliance’s approved channels.

It is important that candidates are fully aware of the DBS procedures when they apply for a role which requires a criminal record check. They must understand that should a Disclosure contain ‘content’ then this will be requested and reviewed by the Alliance’s Case Management Group

INDUCTION AND SAFEGUARDING TRAINING

Induction to a new role will generally include the following:

- Verification of criminal records check and a discussion to identify training needs and timescales
- Agreeing to the Alliance Codes of Conduct
- Explanation of the Alliance’s Safeguarding Policy and related procedures
- Clarification of the roles and responsibilities of the job. The new appointee should be aware of their role description and told who they should go to if they have any questions

It is best practice for all those working with children and young people to attend the UK Coaching module: Safeguarding and Protecting Children (SPC) Workshop (**or equivalent**). This workshop provides generic safeguarding training for sports organisations and will help them to:

- analyse their own practice against what is deemed good practice, to help ensure no concerns arise from misunderstandings or misinterpretation
- recognise their responsibilities and report any concerns about suspected poor practice and/or abuse

- respond to concerns expressed by a child
- work safely and effectively with children.

The Alliance will provide training as an alternative to SPC.

This training will also be embedded in relevant Coaching Courses and Welfare Officer Courses.

DBS REFERRALS: IMPORTANT

Alliance affiliated clubs must not employ anyone in regulated activity who they know has been barred by the DBS. If you dismiss or remove someone from regulated activity (or you would have done had they not already left) because they harmed or posed a risk of harm to vulnerable groups including children, you are legally required to forward information about that person to the DBS. **It is a criminal offence not to do so.** You must contact the Alliance's Lead Safeguarding Officer who will support you in making a referral.

DISCLOSURE AND BARRING SERVICE

REGULATED ACTIVITY

The Safeguarding Vulnerable Groups Act 2006 introduced the concept of requiring organisations to check individuals engaged in 'Regulated Activity'.

The Protection of Freedoms Act 2012 amended the definition of 'Regulated Activity' with the intention of reducing the number of individuals for whom an organisation would be required by law to check.

The Act also created a list of people (the "barred list") who may not work with – or seek to work with - children or young people under the age of 18.

LEGAL DUTIES FOR THE ALLIANCE

1. It is an offence to knowingly allow a barred person to work in 'Regulated Activity';
2. It is a legal requirement to inform the DBS if an individual is removed from 'Regulated Activity' because they have harmed or because they pose a risk of harm to vulnerable groups (including children).

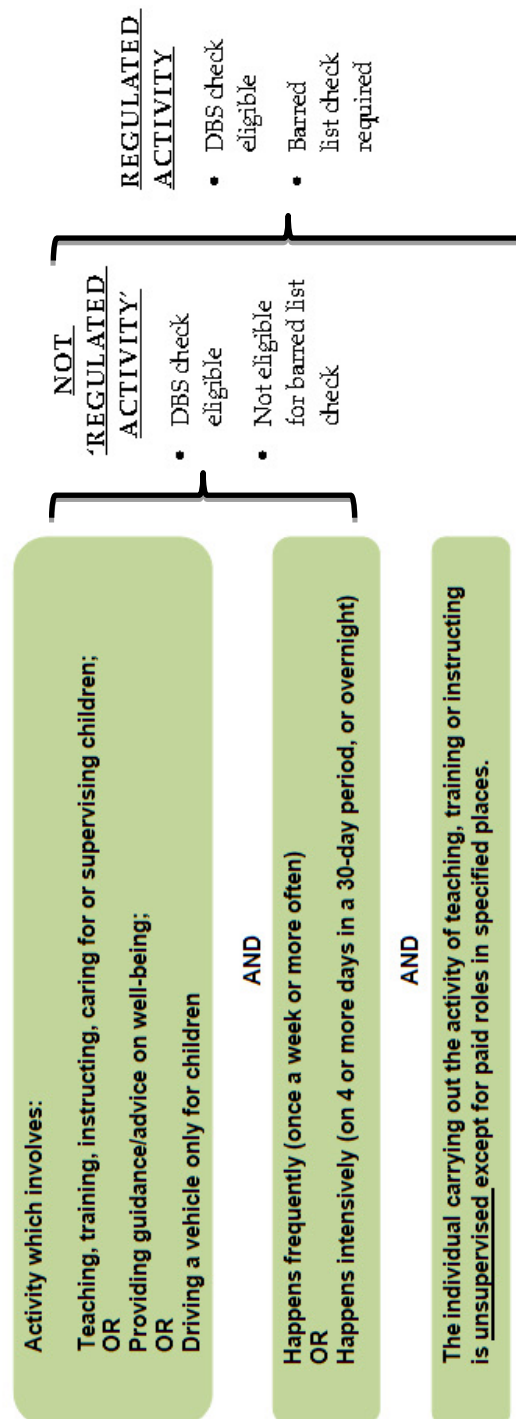
It is important to note that Alliance affiliated clubs can only request a barred list check on individuals who are in 'Regulated Activity'. The Alliance is not entitled to know whether an individual is barred from working with children or adults if they are not in 'Regulated Activity'.

Alliance affiliated clubs must be able to determine if an individual is in 'Regulated Activity' so they can:

1. Fulfil their legal duties;
2. Ask for (only) the information they legally entitled to see.

CRITERIA FOR ASSESSING WHO IS IN REGULATED ACTIVITY

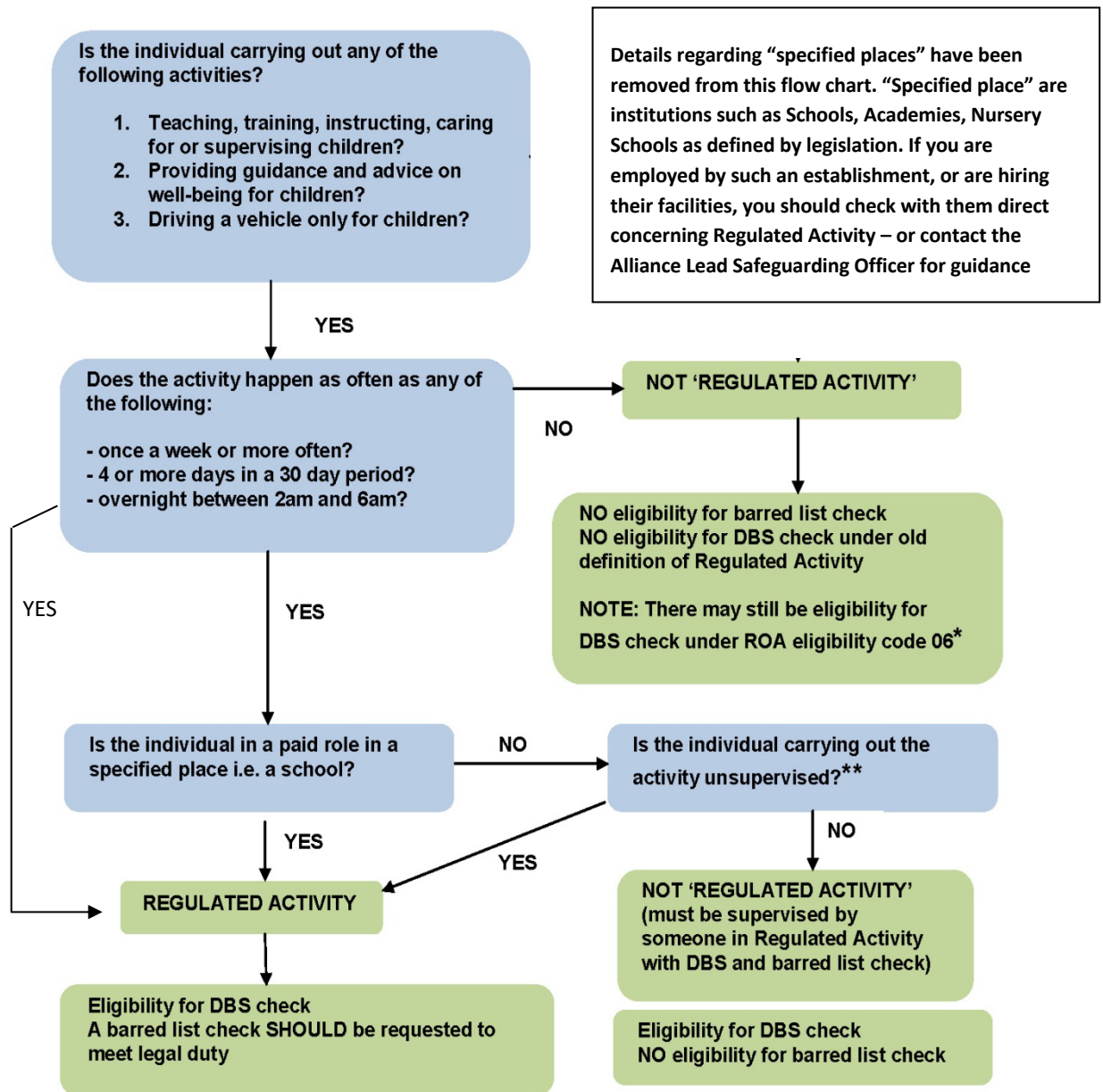
This chart is taken from guidance issued by the Sport & Recreation Alliance



See flowchart on next page for more detailed information

FLOWCHART FOR ASSESSING WHO IS IN REGULATED ACTIVITY

This flowchart is taken from guidance issued by the Sport & Recreation Alliance



*Rehabilitation of Offenders Act eligibility code 06: “Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of children” is still available for sport to use. The word “regularly in this eligibility code is not linked to the requirements in the definition of Regulated Activity – it is open to definition by the organisation. It is suggested that “annually” is not enough but an argument could be made for eligibility if an individual does an activity 8 times over the summer or once a month for example.

** The individual must be supervised by someone in that Regulated Activity who has been DBS and Barred List checked.

DEFINITION OF 'SUPERVISION'

In the preceding flow charts you will have seen mention of the term "supervision". "Supervision" in this context refers to supervision of the worker (e.g. coach or helper), not supervision of children and young people.

Whether a particular role is classed as being 'Regulated Activity' will often depend on the level and effectiveness of supervision provided to the person undertaking the role.

Examining this issue of supervision is therefore key to making sound and safe decisions about the level of the DBS check that is permitted and required.

'Supervision' is defined as: 'such day to day supervision as is reasonable in all circumstances for the purpose of protecting any children concerned'.

Alliance affiliated clubs will determine whether the level and type of supervision they can provide is sufficient to take the role out of the scope of Regulated Activity.

DEFINITION OF 'UNSUPERVISED'

Any coach who runs his or her own regular junior class would be considered an "Unsupervised Coach". This person would be the 'one at the front' leading all the activities. The Coach may delegate parts of the class to other coaches or helpers under supervision as appropriate. However, "supervision" must meet the definition above to take the role out of being potentially Regulated Activity.

ROLES WITHIN THE ALLIANCE WHICH MAY REQUIRE DBS CHECKS

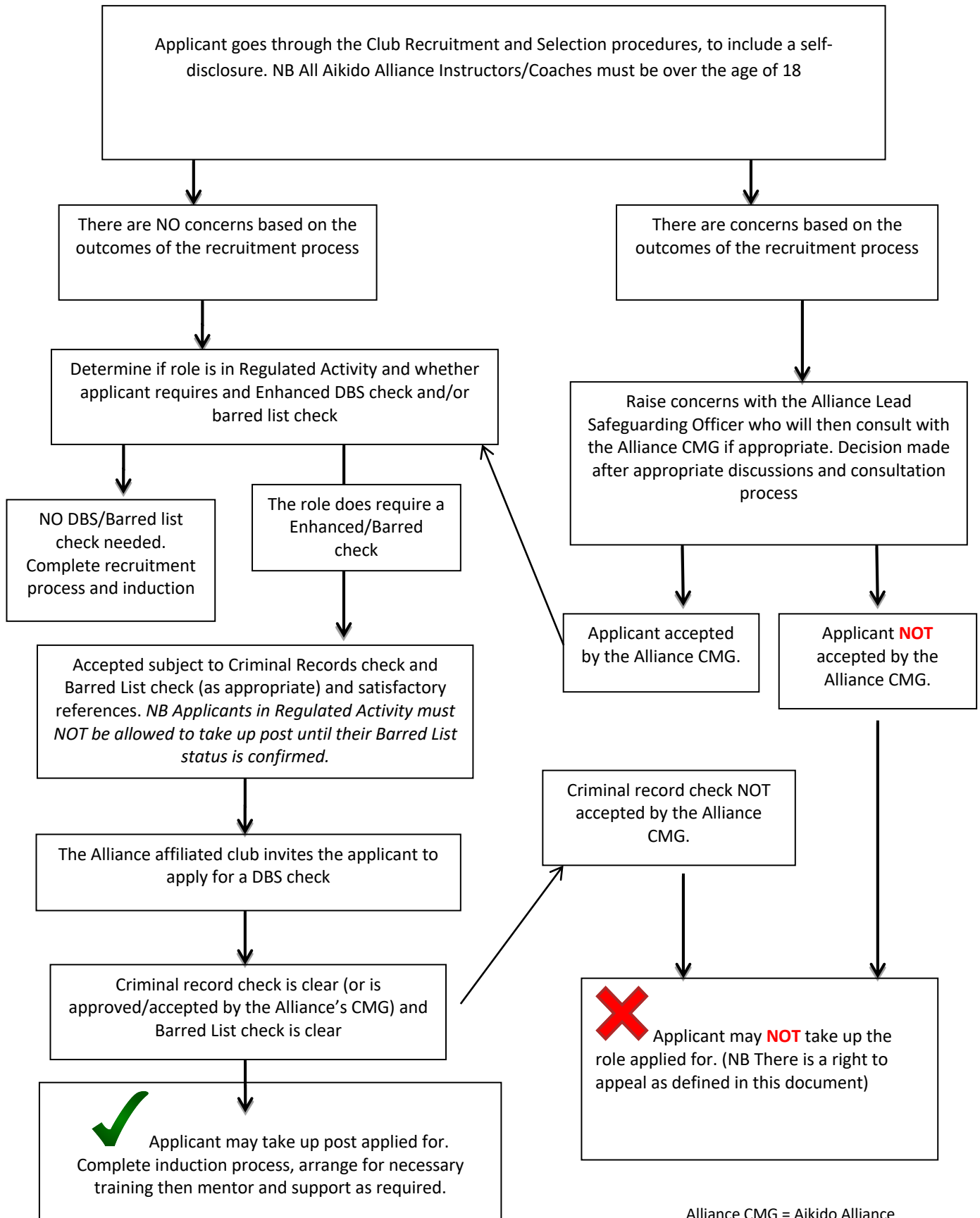
In order to remain compliant at all times, the Alliance and its affiliated Associations and their clubs will use the government's DBS online tool to determine eligibility for DBS checks.

<https://www.gov.uk/find-out-dbs-check>

The outcome of this process should be printed / saved by the club and filed to support their DBS checking process.

Please note that someone who manages a person in regulated activity is also eligible for the same level of DBS check. This means that Welfare Officers and Safeguarding Officers will almost certainly be eligible for Enhanced and Barred List checks.

FLOWCHART FOR RECRUITING A NEW EMPLOYEE OR VOLUNTEER



Alliance CMG = Aikido Alliance Case Management Group

CRIMINAL CONVICTIONS

There are certain offences which may identify a person as presenting a risk, or potential risk, to children. These offences are generally those involving violence and drug use or offences of a sexual nature.

When reviewing conviction and other information gathered the Case Management Group will exercise their judgement in all instances. The Alliance Case Management Group will consider that:

- Some offences may only indicate a risk to children in certain circumstances.
- Not all convicted or cautioned individuals will necessarily pose a continued risk to children.

All offences of a violent and or sexual nature against children will automatically exclude the subject from working with children within Alliance affiliated Clubs.

The Alliance Case Management Group may also recommend that a person be excluded from being involved with aikido in any capacity should it take the view that the risk to children is too high and cannot be safely managed.

AFTER THE DISCLOSURE IS ISSUED

- The applicant receives the Disclosure (the applicant should already be aware that, if their Disclosure is not clear, they should provide the original certificate to the Alliance's Lead Safeguarding Officer)
- The Alliance's Lead Safeguarding Officer is advised through the DBS processing web site as to whether the Disclosure is 'clear' or has 'content' (NB no details re cautions or convictions are seen at this stage).
- If the Disclosure has content and the applicant fails to provide this, the Alliance's Lead Safeguarding Officer will contact the applicant and request the original Disclosure
- The Alliance's Lead Safeguarding Officer and the Alliance Case Management Group will risk assess the Disclosure and will take whatever action is deemed appropriate to mitigate the risk.

THE DBS UPDATE SERVICE

The Alliance will accept criminal record checks undertaken by other organisations providing that:

- a. The role is the same or equivalent
- b. The applicant is registered with the DBS Update service

The Alliance Lead Safeguarding Officer will contact the individual (through the ASO if required) and obtain the original DBS Certificate along with the necessary details to conduct a status check. If the status check shows that the individual's Disclosure remains current i.e. no further information has been identified since its issue, then the Lead Safeguarding Officer will notify the Affiliated club that the Disclosure remains current and valid.

If the status check shows that the information is no longer current, the individual will be required to apply for a new DBS Certificate within 28 days

Important: whilst awaiting the new DBS certificate the individual may not work in regulated activity and must be supervised at all times.

Once the new check has been obtained it will be processed in the normal way.

RENEWAL OF DBS CHECKS

A DBS check should be repeated every three years. This means:

1. Applying for a new DBS certificate
2. Using the DBS Update service so that a status check can be performed

PROCEDURES FOR DEALING WITH POSITIVE CRIMINAL RECORD CHECK

When information is received in the form of a positive disclosure the following procedures will be implemented.

The Alliance Lead Safeguarding Officer will collate initial information to present to the Alliance Case Management Group.

The Alliance Case Management Group will make one of the two following decisions:

2. No further information required – decision process undertaken/risk mitigation plan produced (where required) and decision logged.
3. More information required from the subject of the disclosure and/or statutory agencies.

When further information is required the Alliance Case Management Group will first secure permission from the subject to gain further information from relevant agencies. NB Failure to supply this permission will be taken into consideration in relation to the applicant's request to work with children within Alliance affiliated clubs.

This information gathering process WILL NOT be an investigation into any offences or alleged offences. It will merely gather additional facts needed to make an informed risk assessment decision.

When further information has been gathered the Alliance Case Management Group will decide whether any restrictions or action should be placed on the applicant.

SUSPENSIONS

On occasion it is necessary to temporarily suspend an individual either due to the nature of the material on the criminal record check or because further information is required in order to reach a decision.

In these cases both the individual will be informed (with information copied to the relevant Alliance Club Instructor).

The Alliance's Lead Safeguarding Officer working in collaboration with the affiliated club will put appropriate risk mitigation measures in place to ensure any suspended individual does not break that suspension order.

Any such suspensions will be on a Without Prejudice basis until the Alliance Case Management Group has reached its final decision or recommendation.

APPEALS

An Alliance Panel will be set-up to investigate all legitimate complaints and code of conduct violations, and will ensure that each affiliated member of the Alliance is afforded equal rights and guaranteed a fair and open process regarding complaints / disciplinary measures. Appeals will be heard by a separate panel convened for the purpose.

Appeals must be made in within seven days of the decision being advised, giving the basis on which the appeal is made (grounds of appeal).

GROUNDINGS FOR APPEAL

- The penalty was too severe for the incident.
- New relevant information is available.
- The correct procedures were not followed.

FURTHER INVESTIGATIONS

It is reasonable for the Alliance to rely on reports from statutory agencies. In these cases the statutory agency's position would be completely independent. Specialist child protection professionals will have carried out the investigation and the subject will have been given the opportunity to answer the allegations, with the aid of legal representation.

If this is the case and the statutory agency has reached clear conclusions then the Alliance may not carry out its own investigation but will make a risk assessment based on the report and conclusions and/or recommendations of the statutory agency.

Individuals may still appeal the decision reached by the Alliance using the appeals procedure in this document.

NB: All offences of a violent and or sexual nature against Children will automatically exclude the subject from holding any position (paid or voluntary) within an Alliance affiliated club. The Alliance may also exclude a person from being involved with aikido in any capacity should it take the view that the risk to children is too high and cannot be safely managed.

TEMPORARY SUSPENSION ORDERS

In order to ensure the safety and welfare of children and vulnerable persons in aikido and in order to meet its general safeguarding obligations, the Alliance Case Management Group may at any time impose a Temporary Suspension Order (TSO) suspending the Individual from any and all activity for such duration and on such terms as it considers to be appropriate.

The Alliance will not be liable to any suspended Individual or Club for any loss of any nature arising as a result of or in connection with the imposition of a Temporary or Permanent Suspension Order or the application of these guidelines.

THE ALLIANCE'S OBLIGATIONS UNDER THE DBS CODE OF PRACTICE

The Alliance through its affiliated clubs will

- Accurately and comprehensively verify the identity of the applicant prior to the submission of a Disclosure application and ensure that any person undertaking identity verification checks on their behalf is suitable and trained appropriately
- Store Disclosure information securely
- Retain Disclosure information, its content or any representation of the same in any format for no longer than is necessary and **for a maximum of six months** following the recruitment decision unless a dispute is raised or, in exceptional circumstances, where DBS agreement is secured
- Ensure that no reproductions of the Disclosure or its content are made, including photocopies or scanned images, unless with the prior agreement of the DBS or as a result of a stipulated requirement relating to the e-channel service
- Only share Disclosure information with relevant persons in the course of their specific duties relevant to recruitment and vetting processes
- Dispose of Disclosure information in a secure manner
- Ensure that they comply with DBS guidance on the portability of Disclosures and their contents
- Have a written policy on the suitability of ex-offenders that is available upon request to potential applicants
- Ensure that all applicants for relevant positions or employment are notified in advance of the requirement for a Disclosure and the potential effect of a criminal record history on the recruitment and selection process and any recruitment decision
- Discuss the content of the Disclosure with the applicant before withdrawing any offer of employment
- Provide a copy of this Code of Practice to the applicant upon request
- Use all reasonable endeavours to ensure that they only submit Disclosure applications in accordance with the Disclosure eligibility criteria for relevant positions or employment
- Correctly apply the DBS definition of a volunteer to assert eligibility for free-of-charge Disclosures

IT IS AN OFFENCE TO:

- Disclose information contained within a Disclosure to any person who is not a member, officer or employee of the Registered Body or, in the case of Umbrella Bodies, their client unless a relevant legal exception applies
- Disclose information to any member, officer or employee where it is not related to that employee's duties
- Knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Disclosure

CHANGE LOG

Aug 2022	Minor amendment to text – not affecting meaning
May 2024	Addition of references as part of recruitment best practice
Oct 24	Minor amendments to text