



# Recruitment and Engagement of Ex-Offenders and Criminal Record Checks Statement

## Purpose

1. As an organisation assessing individuals' suitability for carrying out a position of trust for the Football Foundation (Foundation) through the Disclosure & Barring Service (DBS), we aim to comply with the appropriate Code of Practice,<sup>1</sup> undertake to treat all applicants for positions fairly and to ensure the safe handling, use, storage, retention and disposal of certificate information.
2. The Foundation also undertake not to discriminate unfairly or unreasonably against anyone who is the subject of a Disclosure on the basis of conviction or other information revealed.
3. The purpose of this Statement is to outline the Foundation's policy concerning:
  - The recruitment of individuals applying for positions of trust at the Foundation;
  - Initial and periodic checks on individuals who are currently undertaking positions of trust at the Foundation;
  - The handling of DBS certificate information at the Foundation.
4. This Statement is applicable to all potential and current employees, agency workers, self-employed workers or contractors, volunteers, Trustees and Panel/Sub-Committee Members, who may represent the Foundation in a position of trust.

## Background

5. In undertaking criminal record checks to help assess the suitability of an individual for positions of trust, the Foundation uses GBG Online Disclosures. GBG Group PLC are one of the UK's largest criminal record checking providers, and one of the leading providers of online-employment screening service.
6. In terms of 'handling DBS certificate information', the Foundation means secure storage, general handling, use, retention and disposal of Disclosure & Barring Service (DBS) certificates and certificate information.

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<sup>1</sup> Revised Code of Practice for Disclosure and Barring Service Registered Persons (November 2015), which can be found on the Gov.uk website.

## **Statement guidelines**

7. The Foundation can only ask an individual to provide details of convictions and cautions that the Foundation are legally entitled to know about. Where a DBS 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).
8. The Foundation can only ask an individual about convictions and cautions that are not protected.
9. The Foundation is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
10. This Statement on the recruitment/engagement of ex-offenders, is made available to all DBS applicants at the start of the recruitment process, when checks are periodically renewed, or when checks are initially undertaken.
11. The Foundation actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.
12. The Foundation select all candidates for interview based on their skills, qualifications and experience.
13. An application for a criminal record check is only submitted through GBG Online Disclosures after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.
14. In terms of recruitment, for those positions where a criminal record check is identified as necessary, the Foundation aim to include a statement in all application forms, job adverts and recruitment briefs stating that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
15. The Foundation aims to ensure that all those in the Charity who are involved in the relevant elements of the recruitment process will be suitably trained to identify and assess the relevance and circumstances of offences. In the meantime, the Charity commits to seek expert advice, as and when it deems necessary, to assist in these circumstances.
16. The Foundation also aims to ensure that they receive appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974. In the meantime, the Charity commits to seek expert advice, as and when it deems necessary, for guidance around any relevant legislation.

17. At interview, or in a separate discussion, the Foundation ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.
18. During the recruitment process, failure to reveal information that is directly relevant to the position could lead to withdrawal of an offer of employment. The Foundation undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
19. The Foundation makes every subject of a criminal record check submitted, aware of the existence of the aforementioned Code of Practice and makes a copy available on request.

## **Handling of DBS certificate information**

### **Storage and access**

20. Certificate information is always kept securely with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

21. Certificate information is only passed to those who are authorised to receive it in the course of their duties. The Foundation maintains a record of all those to whom certificates or certificate information has been revealed. The Foundation recognises that it is an offence to pass this information to anyone who is not entitled to receive it.

### **Usage**

22. Certificate information is only used for the specific purpose for which it was requested and for which the subject's full consent has been given. While this is voluntary, in not providing consent to undertake the necessary checks may have a bearing on our decision making and consequent actions. For example, it is likely that, if consent for a DBS check is not given, the Foundation may not be able to appoint or continue to employ an individual in a position that has been risk assessed as requiring a DBS check

### **Retention**

23. Once a recruitment (or other relevant) decision has been made, the Foundation does not keep certificate information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six-months, the Foundation may consult with the necessary bodies, for example GBG Online, the DBS, legal advisers, and will give full consideration to data protection regulations. Throughout this time, the conditions regarding appropriate, safe storage and controlled access will prevail.

## **Disposal**

24. Once the retention period has elapsed, the Foundation will ensure that any DBS certificate information is immediately destroyed by secure means, i.e. by shredding. However, the Foundation may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificate and the details of the recruitment decision taken.

## **How to contact us**

25. Please let us know if you have any questions or concerns about this Statement, or about the way in which the Foundation undertakes criminal record checks. Please mark messages for the attention of the Director of Business Services.

Email: [safeguarding@footballfoundation.org.uk](mailto:safeguarding@footballfoundation.org.uk)

## **Statement changes**

26. We may amend this Statement from time to time to reflect any changes in legislation, regulatory guidance or internal policy decisions. The most recent version of this Statement can be found on our website, and for employees, on our HR Information System.

## **Football Foundation**

July 2019