



CRIMINAL RECORD CHECKS: POLICY AND PROCEDURE



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Contents

1. Introduction
2. Purpose
3. Scope
4. Policy
5. Definitions
6. Roles and Responsibilities
7. Related Policies



Introduction

Criminal record checks are a fundamental component of safe recruitment practices, ensuring that individuals are suitable for specific roles.

The IGA oversees the process for accessing these checks. Different agencies handle criminal record checks across various regions: Access NI manages them for Northern Ireland, while Disclosure Scotland operates the Protection of Vulnerable Groups (PVG) Scheme in Scotland. For England, Wales, the Channel Islands, and the Isle of Man, the Disclosure and Barring Service (DBS) provides these checks and maintains the Children's and Adults' Barred Lists.

There are three levels of checks: Basic, Standard, and Enhanced. The Enhanced level can include a check against the DBS Barred List. While anyone can apply for a Basic check, Standard and Enhanced checks are governed by legislation and can only be requested for individuals over 16 years of age. Requiring a check where it is not legally permitted is unlawful.

Eligibility for a specific level of check cannot always be determined by job title alone. The suitability for a particular check depends on the role's responsibilities and frequency of regulated activities with children and/or adults. If the role involves regulated activity, an Enhanced Check with a DBS Barred List check will reveal if the individual is barred from such activities.

Introduction

This policy outlines when criminal record checks are necessary for working or volunteering in an IGA-recognised environment and ensures compliance with relevant guidelines.

The purpose is to establish clear requirements for criminal record checks and to confirm that the IGA, along with our affiliated organisations and registered clubs, adhere to the Codes of Practice set by the DBS or Access NI, as applicable.



The DBS and Access NI provide general guidance on which roles require criminal record checks. This policy adapts that guidance to the context of gymnastics, specifying which roles within the sport typically necessitate a criminal record check while ensuring that these checks are conducted legally and appropriately.

Scope

This policy applies to the IGA and our affiliated organisations and registered clubs ("recruiting organisations") in England and Northern Ireland.

It does not extend to Scottish Gymnastics or Welsh Gymnastics and their respective registered clubs, provided these organisations have an equivalent criminal record checks policy in place.

While the primary focus of this policy is on roles within the children's workforce, recruiting organizations may also request criminal record checks for eligible roles in the adult workforce through IGA, as long as they have confirmed that the position qualifies for a check at the requested level.

Policy

We acknowledge the importance of criminal record checks as a crucial component of safe recruitment practices and require recruiting organisations to ensure that anyone over the age of 16 working (including volunteering) in an IGA-recognised environment who undertakes a role that qualifies as regulated activity applies for an enhanced check with a barred list check through IGA.



Recruiting organisations must evaluate a role before recruitment and any significant changes in responsibilities to determine if a criminal record check is necessary and the appropriate level of check required.

Given that most participants in our sport are children, IGA considers that coaches (including assistant coaches) and welfare officers are engaged in regulated activity with children and must provide evidence from the recruiting organisation and/or coach to demonstrate otherwise. Any club or affiliated organisation engaging or seeking to engage someone in a role with children or adults must assess the role and ensure the individual completes an enhanced disclosure check with a barred list check if the role meets the criteria for regulated activity. Please refer to the IGA eligibility guidance or relevant DBS and Access NI guidance.

If a role falls under regulated activity but does not meet the frequency requirements, recruiting organisations in England must ensure the individual completes an Enhanced check without a barred list check. In Northern Ireland, where Enhanced Checks without a Barred List are not available, organisations must ensure individuals who do not meet frequency requirements complete a basic check through Access NI.

Roles should be reassessed if the frequency and nature of the role with children change, as this may necessitate a new criminal records check.

IGA does not consider Standard checks appropriate for any roles within gymnastics. However, if recruiting for positions that do not meet the criteria for an Enhanced disclosure, the recruiting organisation may opt to request a Basic check.

A new criminal records check or consent for IGA to carry out status checks using the DBS Update Service (where applicable) must be completed every three years with IGA or as directed by the Case Management Team or Case Panel in accordance with IGA's Complaints and Disciplinary Policy. Access NI checks are valid only for the specific role or job, and a new check must be completed through IGA, even if moving between clubs, as records are centrally held.



IGA accepts DBS checks approved by Welsh Gymnastics provided the check is within three years of the issue date.

IGA encourages all applicants to register for the DBS Update Service when completing a new check. If an individual is already registered with the DBS Update Service.

For volunteers, some individuals may be eligible for a free-of-charge application. Recruiting organisations must carefully assess the role and position and only submit free-of-charge applications for eligible applicants. Volunteers applying for checks outside IGA should register for the DBS Update Service (where applicable).

Definitions

IGA-recognised environments are those where IGA-registered clubs and affiliated organisations deliver activities as specified in the Membership Rules.

Criminal record checks involve accessing police and intelligence databases in the UK to reveal any convictions or reasons why an individual should not work with children (or adults at risk). There are several types of checks available:

- A basic check, which discloses unspent convictions and conditional cautions.
- A standard check, which reveals both spent and unspent convictions, cautions, reprimands, and final warnings.
- An enhanced check, which includes all the information from a standard check plus any relevant details held by local police that pertain to the role (available only through the DBS).



An enhanced check with barred lists includes all the information from an enhanced check, plus details on whether the individual is listed as barred from performing the role.

Spent cautions or convictions, which no longer appear on a basic check due to the passage of time, may still show up on standard or enhanced checks. The duration after which a conviction or caution becomes spent depends on the nature of the offence and the age of the individual at the time of the offence.

Convictions resulting in a prison sentence of over four years will never become spent.

The recruiting organisation is the IGA-registered club or affiliated organisation where the applicant will be working or volunteering.

Regulated activity refers to work that individuals barred from such roles are prohibited from performing. Definitions of regulated activity differ for children and adults and are detailed in the Safeguarding Vulnerable Groups Act 2006, the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, and subsequent amendments by the Protection of Freedoms Act 2012.

In Northern Ireland, while there are minor differences, regulated activity for the children's workforce typically includes:

- Supervising, caring for, teaching, training, or instructing children without supervision; providing advice or guidance on children's wellbeing; driving a vehicle on behalf of a club or gymnastics organisation for more than three days in any 30-day period or overnight (between 2-6am).
- Specific activities such as providing therapy or treatment, health or personal care assistance, or moderating public electronic communication services used mainly by children.



- Specified places including educational institutions (e.g., schools, under-18 further education), nurseries, children's hospitals, detention centers (e.g., prisons, remand centers), children's homes, childcare premises, and children's care homes.
- Managing or supervising someone engaged in regulated activity on a day-to-day basis.

Supervised Activity: For a role to be deemed 'supervised', the supervision must meet the following criteria:

- It must be regular and consistent on a daily basis.
- It should be reasonable in all circumstances to ensure the protection of children.
- It must be conducted by someone who is also engaged in regulated activity.

Considering both government and sports sector guidance on supervision, IGA has determined that within a gymnastics environment, it is impractical to provide the level of supervision required to exclude roles like coaching (including assistant coaches) and support services (e.g., choreographers) from regulated activity. Even with the presence of another coach, significant opportunities for unsupervised contact can occur, such as when coaching a group in a different area of the gym. In gymnastics, a role is considered supervised only if the supervisor, who must be engaged in regulated activity, maintains constant oversight of the individual, meaning they must be present alongside them throughout.

Volunteer: According to the DBS (Disclosure and Barring Service) under The Police Act 1997 (Enhanced Criminal Record Certificates) Regulations 2002, a volunteer is defined as someone engaged in activities that involve spending unpaid time (excluding travel and other approved out-of-pocket expenses) to benefit a third party and not a close relative. Work placement students involved in roles as part of their studies are not classified as volunteers.

Complaints Process

IGA will:

- Appoint a Lead Signatory to serve as the main contact with DBS, responsible for ensuring that criminal records checks are processed in line with the respective Codes of Practice.
- Maintain a policy on the secure storage, handling, use, retention of certificate information, and the recruitment of ex-offenders.
- Report any breaches of the Code of Practice to DBS and Access NI and collaborate with these bodies to ensure compliance.
- Make every effort to ensure that criminal records checks are submitted only in accordance with the relevant eligibility criteria.
- Make suitability decisions, ensuring that applicants with a criminal record are treated fairly and not discriminated against due to a conviction or other disclosed information.
- Conduct criminal record checks for all eligible roles as part of the recruitment process, and will not allow new employees or volunteers in regulated activity to commence their roles until the check has been approved.
- Ensure that this policy is accessible to anyone required to undergo a criminal record check as part of the recruitment process.
- Inform all applicants about the policy and the applicable Code of Practice, and provide a copy upon request.
- Refer to DBS any individual who was engaged in a role within the scope of regulated activity and has been expelled from IGA (or would have been if they had not resigned, retired, or failed/was unable to renew their membership), if it is believed the person:
 - Has harmed or poses a risk of harm to a child or vulnerable adult.
 - Has satisfied the harm test.
 - Has received a caution or conviction for a relevant offence.
 - Was or might in future be working in regulated activity.

- Assist registered clubs and affiliated organisations in fulfilling their legal obligation to refer to DBS under similar circumstances occurring within their own jurisdiction.

Registered clubs and affiliated organisations accessing criminal record checks through IGA must:

- Appoint a designated person for DBS/Access NI checks (such as the Welfare Officer), who must complete the required training. IGA recommends appointing at least two designated persons to ensure there is coverage for verifying the welfare officer's criminal record check. If only one designated person is appointed, please contact IGA for advice.
- Sign a declaration form to confirm compliance with IGA's Criminal Record Checks Policy and Guidance, and adopt policies on the recruitment of ex-offenders and the use and storage of disclosure information that align with IGA's policies.
- Conduct an enhanced criminal record check with barred list for any eligible roles that meet the definition of regulated activity.
- Conduct an enhanced DBS check (without barred list) for roles involving supervising, caring, teaching, training, instructing children without supervision, or providing advice/guidance on wellbeing to children.
- Only request checks for eligible roles, ensuring eligibility is confirmed in advance for any checks for the adult workforce.
- Evidence if a specific coach does not meet the frequency requirements for an Enhanced Check with Barred list or does not work with children.
- Add eligible applicants onto the DBS or Access NI online system (as applicable)\
- Advise the applicant why they are being checked, and where they can get Independent advice
- Ensure the designated person checks the identity of the applicant, by examining the original documents set out in the applicable Code of Practice and complete the verification section of the disclosure application.

- Advise IGA and complete a referral to the DBS if someone is removed from your organisation (or would have been if the person not left) because it is reasonably believed they have harmed or may harm a child or vulnerable adult,
- IGA will monitor compliance with this policy. Any failure by an Affiliated organisation or registered club to comply with the responsibilities set out in the policy is a breach of IGA membership rules and may result in disciplinary action.
- Request criminal record checks only for roles that are eligible, ensuring that eligibility is confirmed beforehand for any checks related to the adult workforce.
- Provide confirmation to the IGA, along with an explanation and supporting evidence, if a specific coach does not meet the frequency requirements for an Enhanced Check with Barred List or does not work with children.
- Add eligible applicants to the DBS or Access NI online system, as applicable.
- Inform the applicant of the reason for the check and direct them to independent advice sources, such as through the IGA or DBS/Access NI helplines.
- Ensure that the designated person verifies the applicant's identity by reviewing the original documents outlined in the relevant Code of Practice and completing the verification section of the disclosure application.
- Notify the IGA and make a referral to the DBS if an individual is removed from the organisation (or would have been if they had not left) due to reasonable belief that they have harmed or may harm a child or vulnerable adult.
- The IGA will also monitor compliance with this policy. Any failure by an affiliated organisation or registered club to meet the responsibilities outlined in this policy will be considered a breach of the IGA's membership rules and may lead to disciplinary action.



Related Policies

Membership Rules

Code of Conduct for Coaches, Instructors and Assistants and Officials

Complaints and Disciplinary Policy

Equality & Diversity