



RECRUITING PEOPLE WITH CONVICTIONS

Date that this policy was last reviewed and updated if appropriate:	3 November 2024
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Introduction

1. Glenearn Badminton Club (“the Club”) has adopted this policy on recruiting people with convictions.
2. The Club, and all relevant people operating under the auspices of the Club, will comply with all aspects of this policy and with all aspects of Badminton Scotland’s “Recruiting People with Convictions”.
3. In the unlikely event that an aspect of this policy is incompatible with any aspect of Badminton Scotland’s “Recruiting People with Convictions”, Badminton Scotland’s policy will take precedence. However, in such circumstances, all other aspects of this policy will continue to apply unless incompatible with Badminton Scotland’s policy.
4. The Club has a “Safer recruitment process” in force.
5. The purpose of this policy is to provide assurance to applicants, staff and volunteers and guidance to those making recruitment decisions of the Club in assessing whether any conviction information provided to the Club in a disclosure certificate affects a person’s ability to carry out the role that they are being considered for, or which they hold within the Club. The Club recognises that having a criminal record does not necessarily mean that someone cannot work or volunteer for the Club.
6. The Club treats all applicants fairly and consistently in accordance with the requirements of Rehabilitation of Offenders Act 1974 (as amended). We do not differentiate between paid and unpaid roles when applying the criteria detailed in this policy, the assessment is based entirely on the requirements of the role and any information shared in a disclosure certificate. The level of disclosure which the Club and/or Badminton Scotland will access will be the appropriate level for the role (basic, standard, enhanced or PVG).

Self-declaration

7. The Club operates a fair recruitment process and will ensure anyone applying for, or holding a role in the Club is given the opportunity to discuss any unspent convictions which they are required to tell the Club about.

8. As part of the Club's recruitment process, the self-declaration form should be completed and returned with the PVG application form if required and as directed. The form should only be completed and returned to the Club and Badminton Scotland if the individual is provisionally offered the role subject to the outcome of the disclosure.
9. The rules around what an individual needs to disclose are complex and it may be difficult to know what should and should not be disclosed. When completing the self-declaration form, an individual should reveal any unspent convictions in their name. The individual should also reveal a spent conviction for an offence included in Schedule A1 (Offences which must be disclosed subject to exceptions) of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (as amended) unless, in respect of the Schedule A1 offence:
 - a. the individual was under the age of 18 at the date of conviction and at least 7 years and 6 months have passed since the date of conviction, or
 - b. the individual was aged 18 or over at the date of conviction and at least 15 years have passed since the date of conviction.

Individuals do not have to self-declare any other spent convictions, regardless of the role they have applied for.

10. Once in post, any relevant individual who gains any new convictions, must complete the self-declaration form again. It is important to note that failing to follow this ongoing self-disclosure process may result in disciplinary action and could ultimately result in dismissal.

Disclosure certificate

11. To ensure there is no bias in the Club's recruitment decisions, accessing the disclosure certificate will be the final part of the Club's recruitment process and will only be requested when we have provisionally offered the role, subject to a satisfactory disclosure.
12. When the Club or Badminton Scotland receives the results of an individual's disclosure check, it will compare it to the self-declaration form which the individual has completed. If there are any differences between the details on the two documents, the Club or Badminton Scotland will arrange to discuss this with the individual. The Club will not make any judgement on the reasons that information differs prior to the discussion as the Club understands that the rules around what information an individual should share are complex. Where the Club is the recruiting body then authorised persons at Badminton Scotland will communicate as required with the Safeguarding Officer and/or the Club Secretary with regards to this information as appropriate.

How we will use disclosure information

13. Any information disclosed to the Club or Badminton Scotland will be treated in the strictest confidence and only authorised people required to see the information to help assess it will have access to it. There may be instances where the Club or Badminton Scotland needs to seek support or guidance externally (for example, from a solicitor). When this is necessary, the Club and Badminton Scotland will not share any information which will identify the individual, only the information which the Club or Badminton Scotland requires support or guidance on.

14. Where information has been detailed on the self-declaration form but is not shared on the disclosure certificate, the Club and Badminton Scotland will always disregard this information as this means that the individual has provided information that they were not required to share with the Club or Badminton Scotland.
15. The Club and/or Badminton Scotland do, however, need to risk assess any conviction or vetting information carefully to ensure there is no risk to the Club. To ensure the Club/Badminton Scotland carries out a fair and consistent practice when it assesses any conviction or vetting information, the Club/Badminton Scotland will consider the following criteria:
 - a. Is the conviction relevant to the position being offered?
 - b. How serious was the offence?
 - c. How old was the individual when the offence took place?
 - d. How long is it since the offence took place?
 - e. Is there a pattern of offending behaviour?
 - f. Have the individual's circumstances changed since the time of the offending behaviour?
 - g. How has the person become rehabilitated?
 - h. Is the person barred from the type of regulated work they are expected to do?
16. If the Club or Badminton Scotland determines that the disclosed information is relevant to the role, the Club will:
 - a. in the case of an individual not yet appointed to a role, withdraw the role offer or;
 - b. in the case of an individual already in post, consider the need for disciplinary action and/or dismissal, and take such action as it considers appropriate.
17. The reason(s) for any decision made in accordance with paragraph 16 will be fully explained to the individual concerned.

Appeals

18. If an individual feels that (i) the risk assessment contemplated in this policy has not been carried out appropriately or that (ii) the decision of the Club is unfair, the individual has the right to appeal.
19. Should you wish to appeal a recruitment decision please submit your appeal in writing to the President of the Club (his/her contact details are available on request by e-mailing info@glenearnbadminton.co.uk) within 14 days of receipt of the decision being communicated to you, clearly indicating your reasons for appeal. The appropriate appeal fee (£100) must accompany the appeal. The process will be progressed as quickly as practically possible.

Changes to this document

20. Changes may be made to this document from time to time with the agreement of two or more of the Club President, the Club Secretary and the Club Treasurer.