




BRITISH
TRIATHLON

Assessing Disclosures on Criminal Record Checks Policy


TRIATHLON
ENGLAND


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Introduction

British Triathlon and the Home Nations (Triathlon England, Welsh Triathlon and Triathlon Scotland) are committed to safeguarding children (anyone under 18) and adults at risk.

This policy sets out how British Triathlon and the Home Nations assess risk when giving clearance to individuals to carry out their role when they have received a disclosure on their criminal records check.

It is important that all reasonable steps are taken to ensure that it is appropriate for all individuals working with children or adults at risk in triathlon, either paid or unpaid, to do so. It is of fundamental importance to British Triathlon and the Home Nations to seek to ensure that those who take up appointments within our sport do not pose a risk to children or adults at risk.

British Triathlon and the Home Nations therefore require any individual applying to be appointed (or in fact appointed) to a role in regulated activity in triathlon to carry out a Disclosure and Barring Service (DBS) check (England and Wales) or a Protecting Vulnerable Group (PVG) checks (Scotland).

When a DBS or PVG application is sent to the Police, they will disclose any spent convictions, cautions, reprimands, warnings. They may also disclose other relevant information based on the position applied for. British Triathlon and the Home Nations will consider the type of conviction, caution, reprimand, warning and any other relevant information when completing a risk assessment of an individual's suitability to work with children or adults at risk.

Having a criminal record will not necessarily bar you from working or volunteering with children or adults at risk in triathlon. This will depend on the nature of the position, the circumstances and background of the disclosure/s on the criminal record check and a risk assessment, where the applicant will be asked to provide additional information and references.



Policy Statement

The Assessing Disclosures on Criminal Record Checks Policy is adopted by:

- **British Triathlon**
 - **Triathlon England**
 - **Triathlon Scotland**
 - **Welsh Triathlon**
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- This policy is made available to all DBS or PVG applicants at the start of the application process.
 - British Triathlon and the Home Nations will not discriminate unfairly against any subject of a DBS or PVG application on the basis of a conviction or other information revealed on the certificate.
 - British Triathlon and the Home Nations are committed to the fair treatment of everyone regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability, or offending background.
 - British Triathlon and the Home Nations actively promote 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 Triathlon and the Home Nations will ensure that all those who are involved in the recruitment and risk assessment process have been suitably trained to identify and assess the relevance and circumstances of offences.
 - If a DBS or PVG certificate contains a disclosure, British Triathlon or the relevant Home Nation will request a complete copy of the DBS or PVG certificate and the applicant must send their certificate to British Triathlon or the relevant Home Nation.
 - British Triathlon and the Home Nations will take into account the Rehabilitation of Offenders Act 1974 and only consider offences which are relevant to the care, supervision and training of children and adults at risk.



Assessing Disclosures on Criminal Record Checks

On receipt of a criminal records check which reveals a disclosure, British Triathlon and/or the relevant Home Nation will collate the information on that certificate, any affiliation information it holds, details of the club or organisation and the position for which the clearance is sought. Until such time as a decision on clearance had been made, the applicant must be fully supervised in their role by a person with enhanced DBS clearance and the Club Welfare/Wellbeing Officer will be informed of this need but will not be provided with any details of the disclosure listed.

On receipt of a criminal records check which reveals a disclosure, British Triathlon and the Home Nations shall write to the individual and request all of the following:

- The original full criminal records check certificate, which must clearly include all sections of the disclosure and other relevant information that may be contained.
- A written explanation of the disclosure(s) and information disclosed.
- The individual's account of the disclosure(s) and a detailed breakdown of: the exact nature of the offence(s); the circumstances surrounding the offence(s) and how their circumstances have changed since the offence(s).
- What the individual has learnt from the experience that would give reassurances that similar offence (s) are unlikely to happen again.
- Two written character reference statements on the individual's suitability to work with children, young people and adults at risk.

Where a criminal records check is a renewal application British Triathlon and/or the relevant Home Nation shall write to the individual and request the original full criminal records check certificate. The certificate will be checked for any new disclosures listed or content and where the certificate reveals new information the individual will be requested to provide all of the

information as listed above for any content which has not previously been risk assessed by British Triathlon and/or the relevant Home Nation. Failure to provide all of the requested information within the stipulated timeframe will result in British Triathlon or Home Nation rejecting the criminal records check and suspending the individual from working or volunteering in regulated activity in triathlon with children and adults at risk indefinitely. This suspension will remain in place until they hold a valid approved criminal record check by British Triathlon or the relevant Home Nation. Where the applicant fails to engage in this process, then their club/s will be informed of the suspension but will not be provided with the details of any disclosure listed.

In Scotland, on receipt of a criminal records check which reveals a disclosure the certificate will be compared to the self-declaration form which has been completed as part of the process. If there are any differences between the details on the two documents, this will be discussed with the individual (as it understood that the rules around what information you should share is complex). If further information is required, this will be requested as detailed for England and Wales.

The information provided by the individual will be considered along with:

- Age of the individual at the time of the offence.
- The nature of the offence (including seriousness, sentence, plea).
- Whether any conviction or other matters revealed is/are relevant to the position in question.
- The seriousness of any offence or other matter revealed.
- The length of time since the offence occurred.
- Whether the individual has a pattern of offending behaviour or other relevant matters.
- Whether the individual's circumstances have changed following the offending behaviour and/or other relevant matters.
- The circumstances surrounding the offence and the explanations offered by the individual concerned.
- If/how the person has become rehabilitated.
- If the person is barred from the type of regulated activity.

All this information will then be used to consider the circumstances and any mitigation around the offending behaviour by the Lead Safeguarding Officer for British Triathlon or Home Nation in reaching a recruitment decision through a Risk Assessment meeting.

In Scotland, recruitment decisions will be made in conjunction with the relevant Club Wellbeing Officer.

If the Lead Safeguarding Officer does not reach a decision, or has concerns about whether or not the risk of providing the clearance to the applicant is too high, the case will be referred to the British Triathlon Safeguarding Case Management Group, with all the supporting evidence, for a decision.

Where the Lead Safeguarding Officer refers the disclosure to British Triathlon Safeguarding Case Management Group their function will be to consider whether an individual is a suitable and appropriate person for the role and responsibilities within triathlon, including whether they pose an actual or potential risk of harm to children or adults at risk within a triathlon context. The Safeguarding Case Management Group is not required to prove beyond reasonable doubt that a person is or may pose a risk of harm but will assess this on the balance of probabilities. The Safeguarding Case Management Group is required to identify and impose appropriate sanctions in order to manage any such risk where possible.

In its decision-making, the Safeguarding Case Management Group will consider the following factors (along with any other factors it considers relevant):

- Age of the individual at the time of the offence.

- The nature of the offence (including seriousness, sentence, plea).
- Whether any conviction or other matters revealed is/are relevant to the position in question.
- The seriousness of any offence or other matter revealed.
- The length of time since the offence occurred.
- Whether the individual has a pattern of offending behaviour or other relevant matters.
- Whether the individual's circumstances have changed following the offending behaviour and/or other relevant matters.
- The circumstances surrounding the offence and the explanations offered by the individual concerned.
- If/how the person has become rehabilitated.
- If the person is barred from the type of regulated activity.

The individual will be notified as soon as possible after the risk assessment has been carried out. Their Club and or Club Welfare/Wellbeing Officer will also be notified of the decision but they will not be provided with any details of the disclosure listed.



Storage and Handling of Criminal Record Checks Information

Storage and access

Criminal record check certificates sent to British Triathlon or Home Nation are kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are authorised to see it as part of their duties.

Usage

Criminal record check certificates and disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Handling

Criminal record check certificates and disclosure information is only passed to those who are authorised to receive it in the course of their duties. A record will be maintained of all those to whom disclosure information has been revealed, as it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Retention

Once a recruitment (or other relevant) decision has been made, British Triathlon or the relevant Home Nation will not keep a criminal record check certificate for any longer than is necessary. This is generally for a period of up to twelve months, to allow for the consideration and resolution of any disputes or complaints. British Triathlon or the relevant Home Nation will not keep any photocopy or other image of the criminal record check certificate or any copy or representation of the contents of a disclosure without prior consent. However, notwithstanding the above, we will keep a record of the date of issue and certificate number of the criminal record check, the name of the subject, the type of disclosure requested, the position for which the criminal record check was requested, date/s of any disclosure/s listed and the details of the recruitment decision taken.



Contacts

British Triathlon Lead Safeguarding Officer (LSO):

07793 647578

concern@britishtriathlon.org

Triathlon England Lead Safeguarding Officer:

07793 647578

concern@britishtriathlon.org

Welsh Triathlon Lead Safeguarding Officer:

0300 300 3128 / 07587 038156

welfare@welshtriathlon.org

Triathlon Scotland Lead Wellbeing & Protection Officer:

07860 716 418

welfare@triathlonscotland.org

The British Triathlon Assessing Disclosures on Criminal Record Checks Policy will be kept under periodic review but not less than once every three years (or sooner if there are changes to changes to legislation and good practice).

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