

BRITISH TAEKWONDO COUNCIL

DBS/PVG SCHEME DISCLOSURE

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BRITISH TAEKWONDO COUNCIL

DBS/PVG SCHEME DISCLOSURE

DISCLOSURE AND BARRING SERVICE (ENGLAND AND WALES)

The Disclosure and Barring Service (DBS) is an executive agency of the Home Office which exercises the powers and fulfils the responsibilities of the Secretary of State under Part V of the Children Act 1989.

The DBS is committed to encouraging the spread of best practice in recruitment to ensure the best possible use of the information provided by the DBS and to encourage safer recruitment.

The establishment of the DBS widens the availability of criminal record information. It is crucially important that people who have been convicted are treated fairly and are given every opportunity to establish their suitability for positions. The Protection of Freedoms Bill, (PFA) became law on 1st May 2012, the key purpose of the new legislation in relation to safeguarding is to simplify procedures and reduce the number of applications for checks whilst maintaining safe standards of protection.

The Disclosure and Barring Service (DBS) launched on 1st December 2012 and was formed from the merger of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The role of the DBS is to help employers/organisations in England and Wales make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

The DBS was established under the Protection of Freedoms Act and carries out the functions previously undertaken by the CRB and the ISA.

The [Enhanced Disclosure](#) is for posts involving work in a regulated activity for a regulated activity provider with children or Adults at Risk. In general, the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a social worker, teacher, scout or guide leader.

Enhanced Disclosures contain the same information as Standard Disclosures, but in addition can if required involve a check of the new barred lists if requested, as well as any locally held Police force information considered relevant to the job role, by Chief Police Officer(s).

The existence of a comprehensive Disclosure service should not be regarded as a substitute for any of the full range of existing pre-appointment checks, including taking up references and enquiring into the person's previous employment history. Disclosures should be seen as complementary to existing recruitment practice and should only be sought when any person applies for a position within the BTC that involves contact with children or Adults at Risk either as an instructor or any other position including volunteers. Further information on the Disclosure and Barring Service and DBS checks can be found within Appendix A.

PROTECTING VULNERABLE GROUPS SCHEME (SCOTLAND)

In February 2011, the Scottish Government introduced a new membership scheme to replace and improve upon the current disclosure arrangements for people who work with vulnerable groups.

The Protecting Vulnerable Groups Scheme (PVG Scheme) will:

- Help to ensure that those who have regular contact with children and protected adults through paid and unpaid work do not have a known history of harmful behaviour.
- Be quick and easy to use, reducing the need for PVG Scheme members to complete a detailed application form every time a disclosure check is required.
- Strike a balance between proportionate protection and robust regulation and make it easier for employers to determine who they should check to protect their client group.

The [PVG Scheme](#) is managed and delivered by Disclosure Scotland which, as an executive agency of the Scottish Government, will take on additional responsibilities. This will include taking decisions, on behalf of Scottish Ministers, about who should be barred from working with vulnerable groups.

WHO CAN USE THE DISCLOSURE AND BARRING SERVICES?

The DBS/PVG Scheme's primary purpose is to help organisations make safer recruitment decisions and appointments by providing access to criminal records and other information. The DBS/PVG Scheme will enable organisations to identify those who may be unsuitable for certain positions, especially when the work involves contact with children or Adults at Risk.

REGISTERED BODIES

Organisations wishing to become a Registered Body may be:

- An employer
- A professional body
- A membership organisation
- An umbrella organisation (representing others)
- Likely to ask an exempted question

Lead Countersignatories

Each Registered Body is required to designate a Lead Countersignatory to register the organisation and manage Disclosure applications.

A Lead Countersignatory is a senior person within the organisation who has the level of responsibility for making executive decisions. He/she will be the DBS/PVG Scheme's principal point of contact on all matters connected with registration and the use of the Disclosure information received.

The Lead Countersignatory will be required to comply with Disclosure checks exceeding that of Enhanced Disclosure to satisfy the DBS/PVG Scheme of his/her suitability for the position.

The Lead Countersignatory for the BTC is Mr Kevin Beddows, contact numbers:

Tel No 0151 424 9466 email beddows64@btinternet.com

Countersignatories

The Lead Countersignatory will specify and select the person(s) to assist in the Disclosure application process. This process includes an Enhanced Disclosure check. The Countersignatory will be able to countersign applications and receive the Disclosures on behalf of the Registered Body. They will be held responsible for controlling the use, access and security of Disclosures.

The Countersignatory for the BTC is Mrs Carol Beddows, contact numbers:

Tel No 0151 424 9466 email cbeddows64@btinternet.com

Using the Disclosure

Organisations using the Disclosure service can use Disclosures as an additional tool in their selection process. All prospective instructors and volunteers will be made aware, early in the process, of accepting any position that involves regular contact with children or Adults at Risk that they will have to undergo a Disclosure check to ascertain suitability for the position.

Code of Practice

The Code of Practice is intended to ensure that the information released in Enhanced Disclosures is used fairly, and to provide an assurance to applicants that this is the case. The BTC complies fully with the obligations under the Data Protection Act 1988. Refer to BTC Policy Statement - Data Protection (Appendix B).

The Code also seeks to ensure that sensitive personal information is handled and stored appropriately and kept only for as long as it is necessary. Refer to BTC Policy Statement - Use & Safe Storage of Data (Appendix C).

The BTC must treat Disclosure applicants who have a criminal record fairly and must not discriminate because of convictions or information revealed. Refer to BTC Policy Statement - Recruitment of Ex-Offenders (Safeguarding – Protecting Children and Adults at Risk booklet).

Applying for Disclosure

As the BTC meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, all applicants who apply to become an instructor, and any existing instructor or volunteers who have contact with children/adults at risk, will be subject to a disclosure check from the DBS/PVG Scheme before acceptance.

The DBS return the Disclosure to the applicant direct, **who is then responsible for sending a copy of the BTC Lead Countersignatory.** The PVG Scheme will send a copy of the

Disclosure to the applicant and a copy to the Lead Countersignatory within the Registered Body.

The BTC does not validate teaching/coaching of Taekwondo prior to confirmation of Registered Instructor status.

PEOPLE BANNED FROM WORKING WITH CHILDREN AND ADULTS AT RISK

Under the Protection of Children Act 1989 and the Criminal Justice and Court Services Act 2000, a number of people are banned from working with children and adults at risk. The BTC will refuse any instructor included in or guilty of an offence on the following list:

- Department for Education & Social Services (DfES) List 99
- Department of Health (DoH) List
- Specified Schedule Four offences:
 - Murder or manslaughter
 - Rape, burglary with intent to commit rape
 - Grievous Bodily Harm (GBH)
 - Cruelty to Children
 - Kidnapping
 - False imprisonment/abduction
 - Indecent assault on a man or woman
 - Abuse of trust
 - Sexual intercourse with a child under 13 years
 - Intercourse with a girl aged between 13 and 16 years
 - Buggery with a child under 16 years
 - Indecency between men
 - Incest and related offences
 - Assault with intent to commit buggery
 - Indecency with children under the age of 14 years
 - Offences relating to encouraging child prostitution
 - Offences relating to child pornography

The term 'Working with Children' covers a number of areas. The area of concern for the BTC is training, coaching, supervision or being in sole charge of children and/or adults at risk. To this end, the BTC propose the following be added to the mandatory list of persons unsuitable to become instructors:

- GBH
- Violent conduct
- Drug dealing
- Any of the above that has incurred a custodial sentence in the last five years

DISCLOSURE APPLICATION GUIDE

Please ensure you have the correct form:

- **England and Wales – DBS Application form**
- **Scotland - Disclosure Scotland Application to Join PVG Scheme OR Existing PVG Scheme Member Application** (renewals)

Disclosure Scotland was established in 2002 and offers the same Disclosure process for people in Scotland as the DBS does for people in England and Wales. The BTC is registered with Disclosure Scotland as well as the DBS.

The same criteria and Code of Practice applies for Disclosure Scotland as described for DBS. All BTC Policy Statements are similarly adhered to.

England and Wales - Applicants should complete **Sections A, B, C and E ONLY**. Mandatory fields are highlighted in yellow

- **Verifiers** complete **Section W and X** and also verify the statements in the boxes for registered body use only (this is to verify that they have viewed documentation required) confirming ID using original documents. **BTC Lead Countersignatory** completes and signs **Section Y**.

Scotland – Applicants should complete **Parts A, B and C ONLY**. Mandatory fields are highlighted in yellow.

- **Verifiers** complete **Parts D (D3 ONLY), E (Sections E1-E7 ONLY)** confirming ID using original documents. **The BTC Lead Countersignatory** will complete **Sections E11-E15** and sign at **Part F**.
- **NOTE** When an existing member of the Scotland PVG Scheme applies to be rechecked, please be aware that a different application form from their original application form is to be used. **The form is called Existing PVG Scheme Member Application.**

When applying for registration forms please state clearly which forms are required:

- DBS Application Form **England, Wales and Northern Ireland**
- PVG Application Form **Scotland Only. For all new and existing Disclosure Scotland applicants.**
- Existing PVG Scheme Application Form **Scotland Only. Existing PVG members only.**

Carefully read the guidance notes. Use block capitals and **black ink**. Do not use correction fluid or staples.

It is imperative that all original documents are checked thoroughly. Instructors must provide photocopies of all relevant ID document.

Verifiers are authorised to carry out ID checks **only** on behalf of the BTC and **must not** sign any application forms.

APPENDIX A

BRITISH TAEKWONDO COUNCIL

DBS/PVG SCHEME DISCLOSURE CODE OF PRACTICE

As the British Taekwondo Council (BTC) meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, all applications to become a BTC Registered Instructor, or any existing instructor and volunteers, who have unsupervised contact with children and adults at risk, will be subject to a disclosure check by the Disclosure and Barring Service / Protecting Vulnerable Groups Scheme before any position is offered. Disclosure checks form only one part of the BTC application vetting process.

DEALING WITH DBS/PVG SCHEME DISCLOSURE APPLICATION FORMS

The Disclosure and Barring Service (DBS) (England and Wales) and Protecting Vulnerable Groups Scheme (Scotland) are executive government agencies set up to help organisations make safer recruitment decision by providing wider access to criminal record information. The DBS / PVG Scheme will therefore assist the British Taekwondo Council in implementing the Safeguarding – Protecting Children and Adults at Risk Policy by identifying, through the Disclosure service, individuals who may be unsuitable for working with children under the age of 18 years and / or adults at risk.

Under the British Taekwondo Council Safeguarding – Protecting Children and Adults at Risk Policy Implementation Procedures, all staff and volunteers throughout the British Taekwondo Council who have substantial / unsupervised access to young people under 18 years of age and / or adults at risk, must apply for disclosure. This check, which is a **MANDATORY REQUIREMENT**, will be facilitated on behalf of the art/sport, both amateur and professional, by the British Taekwondo Council, who are a registered body with the Disclosure and Barring Service (DBS) (England and Wales) and Disclosure Scotland (PVG) Scheme.

The designated personnel required to complete these forms will be detailed in this document, however, with the onset of Association Safeguarding Officers who will conduct a risk assessment, there may be individuals whose roles are not currently categorised and may be required to apply.

The Disclosure form must be completed by the individual, who must obtain a form from the BTC Lead Countersignatory or BTC accredited Verifier (NB blank Disclosure Application forms awaiting distribution are stored in a locked, secure cabinet). The individual must then complete the form and return to the designated person, who must then verify the applicant's proof of identity by viewing documents such as birth certificate, passport, driving licence etc. (As per Disclosure ID.guidelines). On May 28th 2012 the DBS introduced new identity (ID) checking guidelines, these new guidelines apply to all applications for a DBS check. For further information for documents proving identity refer to <https://www.gov.uk/crb-records-bureau-check/documents>

When the application form is completed and ID checks confirmed the form will then be forwarded to the British Taekwondo Council Countersignatories, who will check and then countersign the application prior to forwarding it to the Disclosure and Barring Service / Disclosure Scotland.

It must be stressed that the offences the British Taekwondo Council will be concerned with will related strictly to the suitability of working with children and/or adults at risk. Where offences do appear, all applications will be treated on their own merits.

Please read this document carefully. If you have any questions regarding the Disclosure process, please contact the British Taekwondo Council on 0151 424 9466 or look on <http://www.crb.gov.uk>.

The BTC require all personnel that are required to complete a Disclosure **must do so every two years.**

Types of Disclosure Checks

For any position with the BTC all applicants must complete an enhanced disclosure.

Standard Checks - To be eligible for a standard level DBS/PVG Scheme check the position **must** be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975.

Enhanced Checks - To be eligible for an enhanced level DBS/PVG Scheme check, the position **must** be included in both the ROA Exceptions Order **and** in Police Act Regulations.

Enhanced Checks with children's and/or adults' barred list check(s) - To be eligible to request a check of the children's or adults' barred lists, the position must meet the new definition of regulated activity.

Statement - Before the BTC, as an organisation, considers asking a person to make an application for a Disclosure check, they are legally responsible for ensuring that they are entitled to ask that person to reveal their conviction history.

Regulated Activities

Summary of the new definition of regulated activity

The full, legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Regulated activity still excludes family arrangements, and personal, non-commercial arrangements.

Regulated activity is unsupervised contact with children or adults at risk which is of a specified nature (teaching, training, coaching, instructing, transport, care or first aid treatment)

OR

In a specified place (school, training hall, leisure centre, children's homes, hospitals)

And is undertaken regularly

ie, occurs frequently, intensively and / or overnight, ie once a week or more or four days in a month or more, with overnight as between 2pm and 6am.

Regulated activity is work that a barred person must not do.

Any organisation which knowingly allows a barred person to work in a regulated activity will be breaking the law. The minimum age for a DBS/PVG Scheme check is 16 years of age.

The role of a Taekwondo instructor comes under the definition of a regulated activity.

APPENDIX B

BRITISH TAEKWONDO COUNCIL

DATA PROTECTION POLICY

PURPOSE

The Data Protection Act 1998 came into force on 1st March 2000 and regulates how personal data about individuals can be held, stored and used.

AIM

The aim of the Act is to ensure that the individual's fundamental rights and freedoms and, in particular, their right to privacy is adequately protected in light of rapid technological advances that have transformed the way in which information can be collected, stored and used.

REFERENCE

Data Protection Act 1998

<http://www.dataprotection.gov.uk>

The legislation consists of six parts, seventy five sections and sixteen schedules, although only a fraction relates to British Taekwondo Council (BTC) records.

PROCEDURE

The BTC will process individuals' personal data fairly and lawfully and ensure that appropriate measures are taken to protect against unauthorised or unlawful processing of personal data and against accidental loss of, or damage to, personal data.

BTC needs to keep information about you for purposes connected with being a recognised Governing Body instructor. The sort of information that is held includes contact data (names and addresses) and DBS/PVG Disclosures relating to your checks with the BTC.

The information we hold will be for our management and administrative use only but we may, from time to time, need to disclose some information we hold about you to relevant third parties (e.g. where legally obliged to do so by Inland Revenue, Police or when requested to do so by yourself for the purpose of giving a reference).

APPENDIX C

BRITISH TAEKWONDO COUNCIL

USE & SAFE STORAGE OF DISCLOSURE INFORMATION

It is a requirement of the DBS/PVG Codes of Practice that all Registered Bodies must have a written policy on the correct handling and safekeeping of Disclosure information. It also obliges Registered Bodies to ensure that a body or individual, on whose behalf they are countersigning Disclosure applications, has a written policy or subscribes and adheres to the BTC Policy and procedures.

GENERAL PRINCIPLES

As an organisation using the Disclosure and Barring Service (DBS)/PVG Disclosure service to help assess the suitability of applicants for positions of trust, the British Taekwondo Council (BTC) complies fully with the DBS/PVG Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining with the safe handling, use, storage, retention and disposal of Disclosure information.

STORAGE AND ACCESS

Disclosure information will be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

HANDLING

In accordance with Section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosure or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

USAGE

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.

RETENTION

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for a longer period, we will consult the DBS/PVG about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

DISPOSAL

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.



