



BRITISH TAEKWONDO COUNCIL

CRB/PVG SCHEME DISCLOSURE

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BRITISH TAEKWONDO COUNCIL

CRB/PVG SCHEME DISCLOSURE

CRIMINAL RECORDS BUREAU (ENGLAND AND WALES)

The Criminal Records Bureau ("the Bureau") 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 Bureau is committed to encouraging the spread of best practice in recruitment to ensure the best possible use of the information provided by the Bureau and to encourage safer recruitment.

The establishment of the Bureau 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 Freedom Bill, expected to come to Parliament in May 2012, will impact on the CRB and updates will be advised when clarification is available.

The [Standard Disclosure](#) is for people entering certain professions, such as members of the legal and accountancy professions. Standard Disclosures contain convictions, cautions, reprimands and warnings held in England and Wales on the [Police National Computer](#). Most of the relevant convictions in Scotland and Northern Ireland may also be included.

Standard Disclosures no longer include a check of the old or new barred lists. Therefore, if you are [working or volunteering with children or vulnerable adults](#), you may now need to have an Enhanced CRB check.

The [Enhanced Disclosure](#) is for posts involving work in a regulated activity for a regulated activity provider with children or vulnerable adults. 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 checks are also issued for certain statutory purposes such as gaming and lottery licences.

Enhanced Disclosures contain the same information as Standard Disclosures, but in addition 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 after a candidate has been provided with a provisional offer of employment or a voluntary position. Further information on the Criminal Records Bureau and CRB 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 CRB?

The CRB/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 CRB/PVG Scheme will enable organisations to identify those who may be unsuitable for certain positions, especially when the work involves contact with children or vulnerable adults.

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

CRB Regulations under Part 5 of the Police Act 1997

In February 2003 the Home Office issued a consultation paper, The Reform of the Disclosure Process. The consultation paper gave a number of recommendations by the independent review team appointed by the Home Secretary to take a fundamental look at the operations of the CRB.

The outcome made changes to the role of Registered Bodies in the Disclosure process – enhancing their role and setting clear performance expectations, particularly in respect of identity checking and ensuring the completeness and accuracy of application forms.

Lead Countersignatories

Each Registered Body is required to designate a Lead Countersignatory to register the organisation.

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 Bureau's principal point of contact on all matters connected with registration and the use of the Disclosure service.

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

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.

Using the Disclosure

Organisations using the Disclosure service can use Disclosures as an additional tool in their selection process. Individuals must be made aware early in the process that a Disclosure is to be sought for specific job roles.

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 Vulnerable Adults 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, will be subject to a criminal record check from the Criminal Records Bureau before acceptance.

The CRB will send a copy of the Disclosure to the applicant and a copy to the Countersignatory within the Registered Body.

PEOPLE BANNED FROM WORKING WITH CHILDREN AND VULNERABLE ADULTS

Under the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000, a number of people are banned from working with children and vulnerable adults. 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 vulnerable adults. 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

CRB APPLICATION GUIDE

Please ensure you have the correct form:

- **England and Wales – CRB Application form**
- **Scotland - Disclosure Scotland Application to Join PVG Scheme**

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

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

- **England and Wales - Applicants** should complete **Sections A, B, C, D and E ONLY**. **Verifiers** complete **Section w and x** 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 and E (Sections E1-E7 ONLY)** confirming ID using original documents. **The BTC Lead Countersignatory will complete Sections E11-E15 and sign at Part F.**

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

Verifiers are authorised Countersignatories and act on behalf of the BTC's Lead Countersignatory. It is imperative that all original documents are checked thoroughly.

Once satisfactory results have been obtained from the CRB, a BTC Instructor Certificate will be issued.

APPENDIX A

BRITISH TAEKWONDO COUNCIL

CRB/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, and any existing instructor, will be subject to a criminal record check by the Criminal Records Bureau/Protecting Vulnerable Groups Scheme before becoming a BTC Registered Instructor. This will include details of cautions, reprimands or final warnings as well as convictions.

DEALING WITH CRB DISCLOSURE APPLICATION FORMS

The Criminal Records Bureau (CRB) (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 CRB/PVG Scheme will therefore assist the British Taekwondo Council in implementing the Safeguarding – Protecting Children and Vulnerable Adults Policy by identifying, through the Disclosure service, individuals who may be unsuitable for working with children under the age of 18 years and/or vulnerable adults.

Under the British Taekwondo Council Safeguarding – Protecting Children and Vulnerable Adults Policy Implementation Procedures therefore, all staff and volunteers throughout the British Taekwondo Council who have substantial access to young people under 18 years of age and/or vulnerable adults, must apply for disclosure. This process, 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 Criminal Records Bureau (England and Wales) and Protecting Vulnerable Groups (PVG) Scheme (Scotland).

The designated personnel required to complete these forms will be detailed in this document, however, with the onset of Association Child Protection 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 Association Child Protection Officer or other designated personnel (NB blank Disclosure Application forms awaiting distribution must be stored in a locked, secure cabinet). The individual must then complete the form in conjunction with the Association Child Protection Officer or other designated personnel, who must verify the applicant's proof of identity. For the purposes of this document, this individual will be referred to as the Association Child Protection Officer (ACPO). It should be noted that such personnel will themselves have gone through the disclosure process and will have been issued with an identity card by the British Taekwondo Council.

The Association Child Protection Officer will then forward the form on to the British Taekwondo Council, who will countersign the application prior to forwarding it to the Criminal Records Bureau. The British Taekwondo Council and the applicant will then receive a copy of the Disclosure.

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 vulnerable adults. Where offences do appear, all applications will be treated on their own merits.

Please read this document carefully. If you have any questions about completing Section e of the Disclosure Application form (England and Wales), please contact the British Taekwondo Council on 0151 424 9466 or look on <http://www.crb.gov.uk>.

The process of applying for disclosure **must be repeated every two years.**

Types of Disclosure

The Standard Disclosure

These are primarily for positions that involve working with children or regular contact with vulnerable adults. They will also be issued in other circumstances, such as for those providing health services and for those entering certain professions such as accountancy. These are some of the excepted professions, offices and employments referred to in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

Standard Disclosures contain details of all convictions on record (including 'spent' convictions – ie those that happened some time ago and normally no longer need to be revealed as specified in the Rehabilitation Act 1974) plus details of any cautions, reprimands or warnings. For positions involving 'working with children' also gives information contained on government department lists of people considered unsuitable to work with children. These lists are currently held by the DfE and DH.

The Enhanced Disclosure

These are for posts involving greater contact with children or vulnerable adults, such as a social worker or doctor. Such work might involve regularly caring for, training, supervising or being in sole charge of such people. Enhanced Disclosures will also be issued in respect of other positions, such as those seeking judicial appointments and certain statutory licensing purposes.

All Enhanced Disclosures involve an extra level of checking with local Police force records in addition to checks with the Police National Computer (PNC) and the government department lists held by the DfE and DH, where appropriate. Local Police information can be contained on both copies of the Disclosure. It is up to the Chief Constable of the Police force to decide what, if any, information is disclosed. An example of information contained on both Disclosures could be details of a child protection case conference. Chief Constables can decide that some information is relevant to the position but do not wish the prospective employee to see sight of this information. This could be details of suspected criminal activity where an arrest has not taken place but is anticipated. If this type of local information is available, it will be indicated on the top of the Disclosure that further information is being sent by the Police. This information will be sent separately to the British Taekwondo Council only.

Examples of positions that require a CRB/PVG Scheme check

The list below provides examples of positions within a British Taekwondo Council environment that would require a Criminal Records Bureau check. The codes and descriptions are provided by the Criminal Records Bureau and have been selected as those that are applicable to British Taekwondo Council, however it should be noted that this list is not exhaustive and if an ACPO feels that persons within their association are liable for checking, they should discuss the same with the British Taekwondo Council Child Protection Officer. The British Taekwondo Council Child Protection Officer may also issue directives from time to time regarding positions to be subjected to a CRB check.

With regard to the remaining codes, positions have not yet been identified; however, positions within the British Taekwondo Council may be identified under these headings in the future.

Eligibility criteria	Eligibility Code
Any work which is defined as regulated activity relating to children within the meaning of www.legislation.gov.uk/ukpga/2006/47/schedule/4	01
Any work which is defined as regulated activity relating to vulnerable Adults within the meaning of www.legislation.gov.uk/ukpga/2006/47/schedule/4	02
Any work in a further education institution where the normal duties of that work involve regular contact with persons aged under 18	04
Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of persons under 18	05
Any position which otherwise involves regularly caring for, training, supervising or being solely in charge of vulnerable adults within the meaning of section 59 of the Safeguarding Vulnerable Groups Act 2006	06

APPENDIX B

BRITISH TAEKWONDO COUNCIL

DATA PROTECTION POLICY

PURPOSE

The Data Protection Act 1988 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 CRB 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 (eg 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 CRB/PV's 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 Criminal Records Bureau (CRB)/PVG Disclosure service to help assess the suitability of applicants for positions of trust, the British Taekwondo Council (BTC) complies fully with the CRB 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 to 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 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 Disclosure information for longer than six months, we will consult the CRB 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, ie by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (eg 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.



