



## Policy on the recruitment of ex-offenders

### 1. Introduction

The [code of practice](#) published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

The code also obliges registered bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process.

### 2. Further information about conviction information

On 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

Applicants are directed to the guidance and criteria which explains the [filtering of old and minor cautions and convictions](#) which are now 'protected' so not subject to disclosure to employers.

### 3. BASES policy

- a) as an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), BASES complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.
- b) BASES undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- c) BASES can only ask an individual to provide details of convictions and cautions that BASES is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- d) BASES can only ask an individual about convictions and cautions that are not protected.
- e) BASES is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background
- f) BASES has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.
- g) BASES actively promotes 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.
- h) BASES selects all candidates for interview based on their skills, qualifications and experience.

- i) an application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- j) BASES ensures that all those in BASES who are involved within the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- k) BASES also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- l) at interview, or in a separate discussion, BASES ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- m) BASES makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- n) BASES undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

### **Process for Sport and Exercise Psychology Accreditation Route (SEPAR) applicants**

SEPAR applicants will be required to complete a DBS check as part of the application process before BASES can confirm enrolment on SEPAR. DBS checks are completed by our partners, [Due Diligence Checking Ltd](#) (DDC Ltd). Candidates will receive an email from DDC Ltd outlining the DBS process once the initial validation of their application has been completed.

To be officially signed off at the end of SEPAR, candidates must also be prepared to supply information required for an Update Check through DDC or be prepared to submit for a full DBS check at their own expense if the Update service was not activated once admitted to the SEPAR, or within the duration of the programme perhaps through another employment role.

If BASES is made aware by DDC that an applicant has a conviction, caution, reprimand or warning on their enhanced DBS certificate:

1. Professional Standards Administrator will contact the applicant, asking the applicant to confidentially share a copy of their certificate to the BASES Executive Director.
2. Under secure, password protection, the applicant will email a copy of their certificate to the BASES Executive Director.
3. Upon receipt of the certificate, the BASES Executive Director will save the certificate in a secure folder.
4. If the applicant wishes to have a confidential conversation with the Executive Director, they can email ([iwilson@bases.org.uk](mailto:iwilson@bases.org.uk)) or call (07593 316 898) at any stage.
5. The BASES Executive Director will convene the Sport and Exercise Psychology Accreditation Route (SEPAR) Criminal Convictions and Applications Review Panel (CCARP), whose purpose is to advise the Sport & Exercise Psychology Accreditation Route Advisory Group (SEPAR-AG) and the SEPAR Lead on matters relating to SEPAR candidate pre-application stage checks including, but not limited to identity, DBS alternative checks (where not available for international applicants) and DBS outcomes where a disclosure(s) is shown. The Terms of Reference for this Group is Appendix AG9 of the [Structure and Terms of Reference document](#).
6. The BASES Executive Director will share a password protected link to the certificate, so the CCARP can review the content in advance of the called meeting.

7. At the CCARP meeting, the Panel will discuss the disclosure details within the certificate before making a decision as to whether the disclosure will prevent the applicant from starting on SEPAR, or not.
8. Notes of the CCARP meeting will be taken and securely and confidentiality stored within the Executive Director folder.
9. The Professional Standards Administrator will notify the applicant of the decision of the CCARP.
10. The Professional Standards Administrator will notify the DDC of the decision of the CCARP.
11. The certificate and notes of the CCARP meeting will stay in the confidential Executive Director folder for six years before being securely deleted.

BASES Board

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