

## Disclosure and Barring Service Policy

### **Purpose of This Policy:**

Snowsport England will use the services of the Disclosure and Barring Service (DBS) to obtain Disclosures for snowsport purposes and this policy provides information about how we will do this.

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions each year by processing and issuing DBS checks for England, Wales, the Channel Islands and Isle of Man. Access to the DBS is available to all organisations working with children and young people and adults at risk, either directly as registered bodies or through umbrella organisations.

The DBS was formed in 2012 by the merger of the Criminal Records Bureau (CRB), who issued disclosures, and the Independent Safeguarding Authority (ISA), who made barring decisions. The DBS now carry out both these functions.

Since 2013 we have used an Umbrella Body to carry out this service for us. This enables us to submit DBS applications electronically and receive electronic notification of whether or not a Disclosure contains information.

### **Scope of the Policy:**

Snowsport England will carry out DBS disclosures for the following (known hereafter as 'DBS applicants'):

- All Snowsport England staff and volunteers recruited by Snowsport England who require a DBS
- All Snowsport England coaching scheme members requiring a DBS
- All trainee instructors and coaches undertaking a Snowsport England coaching qualification
- All Club Welfare Officers, coaches and other relevant roles in Affiliated Clubs and Centres.

This Policy will be monitored by the Snowsport England Safeguarding Committee.

This policy should be read in conjunction with the following policies that are available on our website or by e mailing [dbs@snowsportengland.org.uk](mailto:dbs@snowsportengland.org.uk):

- Recruitment Policy for Snowsport England employees (available to staff on request)
- Recruitment of Ex-Offenders Policy
- Secure Storage, Handling, Use, Retention and Disposal of DBS Certificates and Certificate Information Policy

### **DBS Code of Practice**

As an organisation in receipt of update service information, and using the Disclosure and Barring Service to help assess the suitability of applicants for positions of trust, Snowsport England complies fully with the DBS 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 2018 including GDPR and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy, which is available to those who wish to see it on request and on our website.

As an organisation in receipt of update service information, using the Disclosure and Barring Service to help assess the suitability of applicants for positions of trust, Snowsport England complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed and have a written policy on the Recruitment of Ex-offenders which is available to those who wish to see it on request and on our website.

### **Criteria for Completing a Snowsport England DBS Disclosure**

We will carry out DBS Disclosures for DBS applicants included above, where:

- The person works or volunteers in a position that is eligible for an Enhanced DBS Disclosure

For positions considered to be Regulated Activity with children<sup>1</sup>, we will carry out an Enhanced DBS with barred list check for working with children. A child is someone who has not yet reached the age of 18.

For positions considered to be Regulated Activity with adults<sup>2</sup>, we will carry out an Enhanced DBS with barred list check for working with adults.

For positions considered to be Regulated Activity with children and adults, we will carry out an Enhanced DBS with barred list check for working with children and adults.

### **Regulated Activity with Children**

Working in Regulated Activity with children within a snowsport setting is defined as:

- Work involving teaching, training, instructing, caring for or supervising children, or driving a vehicle only for children
- Undertaking this work frequently, or at least 3 times over a period of 28 days, or overnight
- Day to day management or supervision, of anyone carrying out the activities above.

Positions considered to be Regulated Activity with children will be required to undergo a check against the DBS Barred List for working with children.

### **Regulated Activity with Adults**

Working in Regulated Activity with adults within a snowsport setting would be very unusual and we would usually expect a carer to provide this assistance. In exceptional circumstances, for example on a residential trip abroad for adults with additional needs, a coach or other would only be involved in Regulated Activity with adults if they were:

- Providing health care (e.g. physiotherapists, psychologists)

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<sup>1</sup> [Government Guidance for Child Workforce](#)

<sup>2</sup> [Government Guidance for Adult Workforce](#) - see Legislative Wording 7

- Providing personal care including physical assistance with eating, drinking, toileting, washing, bathing, dressing, oral care, shopping, managing cash and other personal care, for adults who can't carry this out for themselves due to age, illness or disability. This could be required on the mountain but would only be applicable if the person's role included this activity
- Training, instructing or providing advice or guidance to physically assist an adult with any of the above
- Day to day management or supervision, of anyone carrying out any of the activities above.

The above activities would be Regulated Activity with adults regardless of how often they are carried out.

### **Volunteer and Paid Role Applications**

The applicant is required to declare whether they are a volunteer, or are in a paid role, or both. For positions that involve any paid work, a paid role DBS will be required. The DBS definition of a volunteer as defined in the Police Act 1997 (criminal records) Regulations 2002 is:

*Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party and not a close relative".*

### **DBS Disclosure Decisions**

A DBS disclosure (where applicable) is part of safe recruitment practice. Snowsport England will risk assess any positive disclosures for DBS applicants.

The risk assessment will be carried out by suitability trained personnel and in accordance with our Recruitment of Ex-offenders Policy.

Where a decision is made not to accept the DBS due to its content, this decision will be communicated to the Club Welfare Officer of any Clubs the applicant has said they are involved with, or the applicant is known to be involved with, and any other person Snowsport England deem appropriate, on a needs to know basis. No further information will be given to the Club.

Where a decision is made not to accept the DBS due to its content, the applicant will not be eligible to receive a Snowsport England coaching licence.

Snowsport England may inform other relevant organisations of this decision, including, but not limited to, Snowsport Scotland, Snowsport Wales, GB Snowsport and BASI where there is a requirement or need to do so in order to safeguard children or adults at risk. No further information will be given to the Organisation.

Snowsport England may accept the DBS disclosure but with certain conditions. Such conditions could include the DBS applicant having to make the club aware of their criminal record, or some other conditions applied. Subject to the applicant's agreement to do this, and verification that they have done so, they may be fully licenced.

A DBS disclosure (where applicable) is only part of safe recruitment practice. The Club/organisation will be responsible for ensuring other safe recruitment practice has been followed including taking up references in order to make an informed recruitment decision.

### **Charges for DBS disclosures:**

- Coaching Scheme members:
  - Coaches and volunteers will not be charged an administrative fee by Snowsport England
  - **Paid role** coaches and instructors will need to pay the DBS fee (currently £40.00) and the Umbrella Body charge (currently £7.20)
  - **Volunteer** Coaches and Instructors incur no DBS fee and Snowsport England will pay the Umbrella Body charge for one disclosure. Snowsport England will ask the applicant to join the DBS Update Service and therefore not incur further charges for future DBS disclosures. If they fail to join the DBS Update Service, the Umbrella Body charge for subsequent DBS applications will need to be paid for by the applicant.
- Non Coaching Scheme members:
  - Snowsport England will carry out DBS disclosures for non-coaching scheme member coaches and instructors if they are working for clubs affiliated to Snowsport England, and they will be subject to a non-member charge of £15.00, the £40.00 DBS fee (where applicable) and the £7.20 Umbrella Body fee.
  - Snowsport England will carry out DBS disclosures for volunteer Club Welfare Officers who are members of clubs affiliated to Snowsport England free of charge
  - Club Welfare Officers of clubs not affiliated to Snowsport England will need to pay the £15.00 non-member fee, the DBS fee of £40.00 (if applicable) and the Umbrella Body fee of £7.20.
  - DBS disclosures for other roles can be carried out where eligible, at Snowsport England's discretion in line with DBS regulations.

### **The DBS Update Service**

The DBS Update Service was introduced in 2013 to help make DBS disclosures portable, but in a safe way. It also enables Snowsport England to check an applicant's DBS status has not changed. Snowsport England encourages members to subscribe to this. The DBS make no charge for volunteers and charge £13 a year for paid roles.

If a DBS applicant joins the Update Service Snowsport England is able to complete a free, Status Update Check. This is carried out at least every 3 years for current Snowsport England members or Club Welfare Officers who require a DBS and have joined the Update Service. DBS applicants are asked to consent to Snowsport England completing Status Update checks when they complete their initial DBS.

### **DBS Disclosures Issued by Other Organisations**

Snowsport England will consider accepting DBS disclosures issued by other organisation where:

- The applicant has joined the DBS Update Service
- It is the same level disclosure as we require
- If a paid role DBS is required, it is a paid role DBS disclosure
- The person provides another form of reliable ID; usually photo driving licence, or passport with utility bill or bank statement

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- A Status Update Check can be completed that reveals the Disclosure information has not changed.

If the original disclosure issued by another organisation has content:

- The original DBS disclosure must be sent to Snowsport England
- Snowsport England will also need proof of identify
- A Snowsport England risk assessment will be carried out.

Snowsport England will risk assess all Disclosures with content. The risk assessment is carried out by at least 2 people who are members of the Safeguarding Committee or Case Management Group, both/all of whom have had training in risk assessing positive disclosures.

### **DBS Disclosures issued for SnowCamp**

SnowCamp is a charity working with children and young people within a snowsport setting. Licencing criteria is different for their trainees and all licences from 2019 are issued “for SnowCamp only”. Risk assessments for SnowCamp trainees are usually completed by SnowCamp, or by Snowsport England by request.

### **DBS Disclosures for Coaches Only Working with Adults**

Snowsport England is unable to ask for an Enhanced Disclosure for coaches and instructors who never work with children. If a coach or instructor declares they only work with adults (aged 18 or over) we will request a Basic disclosure, or where applicable an appropriate disclosure from the country the person is resident in. The coach or instructor will be issued with a Licence “for adults only”.

### **DBS Disclosures Issued in Northern Ireland**

Access NI carry out criminal record checks for NI applicants and this is via the DBS. The Update Service is not available in Northern Ireland (February 2021). Snowsport England may accept DBS disclosures issued by the Council in Northern Ireland for coaches and instructors in Northern Ireland if they can satisfy Snowsport England that their DBS is current. Snowsport England may ask to see the original DBS disclosure and ask for proof of ID. Snowsport England may decide to only Licence the person to work in Northern Ireland or require them to complete a DBS via our Umbrella Body.

### **Vetting Checks for Members who have Lived Overseas in the Last Five Years**

Applicants are asked to declare if they have lived abroad for more than 6 months in the last 5 years. If they have, and are Coaching Scheme members or CWOs, they are asked to provide a Certificate of Good Conduct or equivalent from all the countries they have lived in for over 6 months in the last 5 years. They are also asked to complete a DBS disclosure if they work with children.

For non-Coaching Scheme members, it is the responsibility of the person employing them to check the full 5 year residency information and apply for Certificates of Good Conduct.

### **Communication of Policy**

This policy and other associated Policies will be communicated to affiliated clubs annually by the CEO of Snowsport England and are available on our website. DBS applicants will be made aware of this policy when they apply for their DBS.

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