ENGLAND NETBALL		
 	**Recruitment of Ex-Offenders Policy**	
	Responsible Officer	Safeguarding & Welfare Manager
	Group Owner	Executive Team
	Date Created / Modified	Jan 2026
	Version	1.3
	Review Date	Jan 2028
	Applicable for	This policy is mandatory. This policy applies to all volunteers involved in netball. Our policy also applies to those supplying services to or on behalf of England Netball.
	Summary	This policy provides information on England Netball's commitment to safeguarding children and adults at risk and explains how England Netball uses DBS checks in this process.

Version Control:

Person Responsible	Version and summary of changes	Date
Compliance Manager	Update in accordance with legislation changes	May 2021
Safeguarding and Welfare Manager	Insertion of links Reference to recording DBS with disclosures on EN case management system (top of p4)	Jan 2024
Safeguarding and Welfare Manager	Updated links and dates	Jan 2026

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Scope and Purpose

This policy sets out how England Netball assesses the risk when giving clearance to volunteers to carry out their roles when they have received a disclosure on their Disclosure and Barring Service (DBS) check.

For information on the recruitment of ex-offenders in relation to those applying to be paid employees or workers of England Netball this is covered under the England Netball Recruitment and Selection policy.

This policy is developed in accordance with the Criminal Justice Act 2003, Rehabilitation of Offenders Act 1974 and the Protection of Freedoms Act 2010.

The policy should be read in conjunction with the England Netball's DBS Guidance, Diversity and Belonging Policy and England Netball Safeguarding Disciplinary Regulations.

It underlies the DBS Process which provides the structure for how the existence of a disclosure will be managed between England Netball and the recruiting club, association, county or region. It is intended as an explanatory note to clarify the basis on which decisions are made as to who will and won't be given clearance by England Netball to take up their position.

All decisions are based on the central principle that the safety of the child, young person or adult is of paramount importance. All Individuals taking up positions where regulated activity will be carried out will be required to have an Enhanced DBS check, and until they have been given clearance by England Netball, they must be supervised carrying out regulated activity. They must also be notified at the start of the process, that if that check produces a disclosure, the position may be withdrawn from them.

It is the responsibility of all clubs to ensure that staff and volunteers in a regulated activity role with children, young people and adults at risk have an up-to-date DBS check in place. Once the DBS check is in place, England Netball will manage any matters thereafter.

This document is available to anyone undertaking a DBS check, to enable them to understand the principles which will be applied to making the decision on whether or not clearance will be given, and who will make that decision.

Policy

England Netball has a written policy on the recruitment of ex-offenders, which is made available on our website. 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), England Netball complies fully with the DBS code of practice and undertakes not to discriminate unfairly against any subject of a Criminal Records Check or self-disclosure on the basis of a conviction or other information revealed.

England Netball can only ask an individual to provide details of convictions and cautions that England Netball are 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).

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website. England Netball can only ask an individual about convictions and cautions that are not protected. England Netball is

committed to the fair treatment of its staff, potential staff or users of its services, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation or offending background.

England Netball encourage the recruitment of volunteers to be based on their skills, qualifications and experience. Having a criminal record will not necessarily bar an individual from volunteering in netball. This will depend on the nature of the position and the circumstances and background of the individual's offence(s).

An application for a criminal record check is only requested 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.

England Netball ensures that all those involved in the recruitment process have received suitable training to identify and address the relevance and circumstances of the offences. England Netball 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.

At interview, or in a separate discussion, England Netball 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.

England Netball 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.

England Netball undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing permission for the individual to work in regulated activity or before issuing an interim suspension.

Basis for decisions and who decides

On receipt of a DBS certificate which details the disclosure, England Netball will collate the information on that certificate, any membership 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 has been made, the applicant must be fully supervised in their role, and the Club Secretary and Safeguarding Officer will be informed of this need. They will not be provided with any details of the disclosure.

During the decision-making process, the following shall be considered:

- Whether any conviction or other information disclosed is relevant to the position in question
- The seriousness, significance and/or relevance of any offence or other matter revealed
- The age of the perpetrator at the time of the offence(s)
- The age of any victim involved and whether the crime was violent or sexual
- The length of time since the offence(s) or other matter occurred
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the offence(s) involved a breach of position of trust
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters
- The circumstances surrounding the offence and the explanation(s) offered
- Any other matters of relevance

In the first instance this information will be considered by the Lead Safeguarding Officer (LSO) and recorded on England Netball's Case Management system. Should they not be satisfied that they have sufficient information on which to base their decision, the applicant will be asked to provide (some or all of):-

- Details of the circumstances surrounding the offence;
- How their circumstances have changed since the offending;
- Names of 2 character witnesses;
- Details of their work/volunteering since the offence.

This information will then be used to consider the circumstances and any mitigation around the offending behaviour.

If the LSO does not reach a decision or has concerns about the risk of providing clearance to the applicant being too high, the case will be referred, with all the supporting evidence, to the Case Management Group (CMG) for a decision,

In exceptional circumstances information may be provided on the disclosure which is "soft intelligence" held by the police, which gives grounds for serious concerns, but which has not resulted in a conviction. Should such information be received by England Netball, the CMG would always consider the detail.

Once the decision is made

As soon as the decision on clearance (or unsuitability) has been made, the applicant will be notified by post or personal email. The Club Safeguarding Officer (or if that post is vacant, the Club Chair) will be notified whether clearance has been given. The applicant should be given the chance to discuss the decision with the Club Safeguarding Officer. Should the LSO decide the applicant is unsuitable then the applicant can appeal the decision, whereupon the disclosure and surrounding circumstances and evidence will be presented to the CMG for a final decision. No appeal can be made following a CMG decision.

England Netball recognise the considerable value of the contribution of volunteers to the sport of netball. Wherever possible it will enable the individual to contribute their time and skills, but this will always be dependent on a full risk assessment having been carried out, in accordance with this policy.

The England Netball Case Management Group retain the right to review and reconsider their decision at any time or if circumstances change, or new information comes to light

Contact Details
For advice or questions in relation to the recruitment of ex-offenders, please contact:

Safeguarding Team
besafe@englandnetball.co.uk

This policy is supported by:

Safeguarding and related Policies polices and guidance (link)
England Netball Privacy & Data Protection Policies
England Netball Diversity and Belonging Policy (link)
CPSU Guidance on Safer Recruitment (link)
England Netball Policy on the handling of DBS Certificate Information (link)