



GUIDANCE NOTES NO:

3.4

RECRUITING EX-OFFENDERS

FOR ALL

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THE FA'S POLICY STATEMENT ON THE RECRUITMENT OF EX-OFFENDERS

This policy on the recruitment of ex-offenders (the "Policy") is available on [TheFA.com](https://www.thefa.com).

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, The FA complies fully with the DBS Code of Practice and the Rehabilitation of Offenders Act and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS Check or self-disclosure on the basis of a conviction or other information revealed.

The FA is committed to the fair treatment of its staff, potential staff, volunteers and potential volunteers and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

As The FA seeks DBS Checks on pre-existing volunteers and staff, this Policy will apply equally to those individuals checked retrospectively as well as to new applicants.

The FA actively promotes equality of opportunity for all those with the relevant skills, knowledge, potential, or experience and we welcome applications from a

wide range of candidates for waged and volunteering opportunities, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A DBS Check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. The risk assessment will include a decision as to the level of check required (Basic, Standard, Enhanced or Enhanced with Barred List Checks).

For those positions where a DBS Check is deemed necessary all application forms, job adverts and recruitment briefs will contain a statement that a DBS Check will be requested in the event of the individual being offered the position.

In grassroots football, information about who requires a DBS Check is made available through the applicant's and Club Welfare Officer's guidance, in the FAQs on the website, in The FA's regulations. It may also be reiterated verbally as clubs recruit new volunteers to roles with children.

Where a DBS Check is to form part of a formal recruitment process to a new post in The FA, we encourage all applicants called for interview to provide details of their criminal

record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within The FA and we confirm that this information will only be seen by those who need to see it as part of the recruitment process. Guidance on how to manage self-disclosure in grassroots football can be found at [TheFA.com/governance/safeguarding](https://www.thefa.com/governance/safeguarding)

We ensure that all those in The FA who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

This includes where appropriate, members of the safeguarding team (relevant FA staff, County FA Designated Safeguarding Officers (DSOs), relevant EFL (English Football League) Designated Safeguarding Officers (EFL DSOs) and nominated staff within The FA's DBS Unit and others as required).

We also ensure 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.

Unless the nature of the position allows The FA to ask questions about your entire criminal record, we only ask about 'unspent'

convictions as defined in the Rehabilitation of Offenders Act 1974. Where an Enhanced check is sought The FA may ask about spent and unspent offences but will do so in the spirit of the Rehabilitation of Offenders Act, 1974 and in light of DBS filtering of old and minor offences.

The FA undertakes to discuss any matter revealed in a DBS Check with the person seeking the position before withdrawing a conditional offer of employment.

At interview, or in a separate communication as part of a risk assessment for suitability for the post in question, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. At times this may be conducted by phone or letter or in person by a representative of The FA's safeguarding team. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or to your removal from position at a future date.

The FA makes every subject of a DBS Check aware of the existence of the DBS Code of Practice and copies are available via [TheFA.com/governance/safeguarding](https://www.thefa.com/governance/safeguarding)

Having a criminal record will not necessarily bar you from working or volunteering within football and any record will be considered as part of a risk assessment that ensures suitability for the post in question. Our decision will depend on the nature of the position and the circumstances and background of your offences, cautions and other criminal intelligence.

The FA confirms that all DBS Check and criminal record data will be processed by The FA in accordance with the provisions of the Data Protection Regulations 2018 and the DBS Code of Practice.

This Policy is supported by:

- The FA Safeguarding Children Policy and Regulations;
- The FA Privacy & Data Protection Policies;
- The FA Equality Policy;
- The FA Policy on the handling of DBS Certificate Information;
- Best-Practice Guidance on Safer Recruitment;
- FA DBS Check FAQs.

**The FA Safeguarding Team
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