

Procedures for dealing with positive Disclosure and Barring Service (DBS) and Disclosure Scotland (DS) disclosures and reports received from statutory agencies.

When information is received in the form of a positive disclosure or report/information from a statutory agency the following procedures will be implemented.

The Lead Safeguarding Officer will collate initial information to present to the Child Protection Case Management Team. This will include the information received from a statutory agency and judo general information (awards held, length of time in judo, clubs attending, any previous relevant disciplinary action taken by the Association).

The Child Protection Case Management Team will make one of the two following decisions:-

- No further information required – decision process undertaken/decision logged.
- More information required from the subject of the disclosure and/or statutory agencies.

When further information is obtained the Child Protection Case Management Team will decide whether a risk assessment interview with the subject is required. If it is decided that an interview is required two members of the Child Protection Case Management Team will conduct the interview.

When further information has been gathered and interviews have taken place (if required), the Child Protection Case Management Team will decide whether any restrictions or action should be placed on the subject.

A nominated Board Member will review the file and approve or reject any recommendations made by the Child Protection Case Management Team. The nominated Board Member may request further information from the Child Protection Case Management Team prior to making a decision.

Appeals

Appeals must be made in writing to The Chief Executive Officer, The British Judo Association, Suite B – Technology Park, Epinal Way, Loughborough LE11 3GE, within seven days of the decision being advised, giving the basis on which the appeal is made (grounds of appeal).

An appeal fee of £50 must accompany the appeal. This appeal fee will be refunded in the event that the appeal is successful. The Board may in some cases refund all or part of the appeal fee in the event of the appeal being denied under special circumstances. Please note that the Chairman/Vice Chairman of the Association will decide in advance whether or not the appeal is submitted with suitable grounds of appeal, and may dismiss the appeal if the grounds are not sufficient to justify a formal appeal.

Grounds for appeal

- The penalty was too severe for the incident.
- New relevant information is available.
- The correct procedures were not followed.

Executive Approval

A Director nominated by the Board will make the initial review of the file prepared by the Child Protection Case Management Team on behalf of the Board.

The Chairman or Vice Chairman of the Association will hear all appeals. (one person).

In the event of the nominated Board member not being available to review a file the Vice Chair of the Association will make the initial decision and the Chairman would hear any appeal.

Circumstances under which the BJA may not carry out additional interviews or investigations.

It is reasonable for the BJA to rely on reports from statutory agencies. In these cases the statutory agency's position would be completely independent. Specialist child protection professionals will have carried out the investigation and the subject will have been given the opportunity to answer the allegations, with the aid of legal representation.

If this is the case and the statutory agency has reached clear conclusions the BJA may not carry out its own investigation but will make a risk assessment based on the report and conclusions and/or recommendations of the statutory agency.

The subject may still appeal the decision reached by the BJA using the appeals procedure in this document.

Criminal Convictions

Sexual Offences & Offences against the person

There are certain offences, which may identify a person as presenting a risk, or potential risk, to children, which may exclude a subject from holding any award or position within the British Judo Association. These offences are generally covered under the following acts:-

Offences Against the Person Act 1861
Sexual Offences Act 1956 & 2003
Sexual Offences (Amendment)Act 2000
Children's Act 1989.
Suicide Act 1961
Children and Young Persons Act 1933
Theft Act 1968 (section 9)
Domestic Violence, Crime and Victims Act 2004
Licensing Act 1902 (section 2)
Criminal Law Act 1977 (section 54)
Vagrancy Act 1824 (section 4)
Town Police Clauses Act 1847 (section 28)
Infanticide Act 1938
Criminal Justice Act 1988 (section 160)
Mental Health Act 1959
Misuse of Drugs Act 1971 (section 4)
Nationality, Immigration and Asylum Act 2002 (section 145)
Asylum and Immigration (treatment of Claimants, etc) 2004

This is not an exhaustive list. There are also other types of offences where a child may be the intended victim but where the primary offence is not a child specific offence (e.g. telecommunications offences, harassment etc.).

When reviewing conviction and other information gathered the Case Management Team would exercise their professional judgement in all instances. The Case Management Team will consider that:

- ii) New offences may be created by new legislation.
- iii) Some offences may only indicate a risk to children in certain circumstances.
- iv) Not all convicted or cautioned individuals will necessarily pose a continued risk to children.
- v) There will also be cases where a person without a conviction or caution may pose a risk to children. For example, a finding of fact in a civil court that an individual poses a risk to a child; an individual may be subject to a Risk of Sexual Harm Order; or there may be other non-offence related information that an offender presents a risk to children.

Please see the BJA policy on recruitment of ex-offenders. Available on the BJA website or in hard copy on request from BJA Head Office.

All offences of a violent and or sexual nature **against Children will** automatically exclude the subject from holding any award or position within the British Judo Association.

The British Judo Association may also exclude a person from being involved with the sport in any capacity should it take the view that the risk to children is too high and cannot be safely managed.