

Ulster GAA Policy Recruitment of Ex – Offenders

1. Introduction

This policy outlines Ulster GAA's approach to recruiting ex-offenders and is available to all job applicants who apply for a job that is subject to an Enhanced Disclosure with a check against the barred list as a condition of employment.

Ulster GAA actively promotes equality of opportunity for all and welcomes applications from a wide selection of candidates. The procedure for selecting candidates for interview is fair and transparent and focuses on identifying those most suitable for the post on the basis of skills, qualifications and experience defined as essential and desirable criteria for the post.

Ulster GAA 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.

AccessNI provides employers and others with access to criminal records and other information through the Disclosure Service in Northern Ireland. Ulster GAA are a Registered Umbrella Body with AccessNI to use this service and to comply with the Safeguarding Vulnerable Groups (NI) Order 2007 to help us make more informed decisions when recruiting staff into positions of trust or roles which cover a range of specified activities, engaging in regulated activity, that provides an opportunity for certain close contact with children or vulnerable adults.

2. Recruiting Ex-Offenders

Ulster GAA complies with the Access NI Code of Practice in relation to the use of the information provided to us as a Registered Umbrella Body, for the purposes of assessing an individual's suitability for employment, voluntary positions and other relevant purposes. A copy of this Code of Practice is available from Ulster GAA upon request.

In accordance with the Rehabilitation of Offenders (NI) Order 1978, Ulster GAA will only ask applicants about convictions which are not spent within the terms of that Order, unless the nature of the job is such that it involves the applicant to engage in regulated activity as defined in the Safeguarding Vulnerable Groups Order (NI) 2007 and the Police Act 1997, in which case Ulster GAA are entitled to ask about the applicant's full criminal history. Therefore having a criminal record will not necessarily bar an applicant from working within the GAA. The GAA will, in accordance with the guidelines set out in this policy statement, assess whether an individual with a criminal record might pose an unacceptable risk to children and/or vulnerable groups.

Ulster GAA undertakes not to unlawfully discriminate against any person on the basis of information revealed on the disclosure document issued by AccessNI. Any action taken on the basis of the information will be proportionate, and will depend on the nature of the job concerned and the details of the offence.

Ulster GAA requests Access NI Disclosures when it is considered proportionate to do so and is relevant to the particular post applied for, in line with the Safeguarding Vulnerable Groups Order 2007 (NI). When this is deemed necessary, Ulster GAA will make all applicants aware at the initial

recruitment stage of this requirement, and that if they are successful, any offer of employment will be conditional on the outcome of the Access NI Disclosure and Risk Assessment Recruitment Decision making process. Access NI Checks are part of the recruitment process and will only be sought after a candidate has been selected as the recommended candidate for the post.

In cases where the recommended candidate's Disclosure Certificate contains information about that candidate, Ulster GAA's Case Management Team shall risk assess each individual certificate on its own merits, in order to make a safe recruitment decision. Ulster GAA may consider discussing any matter revealed in a Disclosure Certificate, and we are only able to discuss what is contained on a Disclosure Certificate and not what may have been sent under separate cover by the Police, with the subject of that Disclosure as part of the risk assessment process. Ulster GAA will also consider the following:

- ✚ If the details disclosed relevant to the job in question;
- ✚ The seriousness of any offences or details disclosed;
- ✚ The length of time since the offence or other matter occurred;
- ✚ Whether the candidate has demonstrated a pattern or offending behaviour or other relevant matters;
- ✚ Whether the candidate's circumstances have changed since the offending behaviour;
- ✚ Any relevant information regarding the offences provided by the candidate.
- ✚ Any other relevant information.

All of those involved in the risk assessment element of the recruitment process on behalf of Ulster GAA have been suitably trained to identify and assess the relevance and circumstances of Disclosure Information. They have also received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders (i.e. the Rehabilitation of Offenders (NI) Order 1978.)

3. Fraudulent Misrepresentation or Failure to Disclose Relevant Details

It is an offence under the Safeguarding Vulnerable Groups (NI) Order 2007 for anyone barred from working with children or vulnerable adults to see or offer to engage in regulated activity. Ulster GAA shall report any such attempt to the appropriate authorities.

It is also an offence under the Fraud Act 2006 for any person to dishonestly make a false representation in relation to any information provided upon which Ulster GAA may rely to assess his/her suitability for employment, e.g. by using fraudulent references or making false representations about his/her qualifications. It is also an offence for any person to dishonestly fail to disclose information which he/she is under a legal duty to disclose, for example details of his/her criminal record.

If it becomes apparent that an applicant has dishonestly made a false representation or has dishonestly failed to disclose relevant information during the application process, the offer of employment may be withdrawn or if appointed, the individual may be subject to disciplinary action which could result in dismissal. Any action taken would be proportionate to the nature and significance of the false representation and the failure to disclose relevant information.

4. Oversees Applicants

Ulster GAA may request an applicant who has spent a considerable period of time residing overseas, to provide a Certificate of Good Conduct from the relevant countries where available. Ulster GAA may also contact the country's representative from the Foreign and Commonwealth Office.

5. Disputes

If an applicant believes that the information contained on the Access NI Disclosure Certificate is inaccurate, he/she should advise Ulster GAA immediately in writing

6. Conflict Related Convictions

Ulster GAA follow the Government Employers' guidance on recruiting people with conflict-related convictions in our decision making process. <https://www.executiveoffice-ni.gov.uk/publications/employers-guidance-recruiting-people-conflict-related-convictions>