

## **PRACTICE NOTE 02**

### **CRIMINAL CLEARANCE**

As a Youth Movement we have a responsibility towards our members to ensure that we create a safe environment where Scouting can take place. To this end we have put in place the following process for vetting for our Adult Volunteers.

#### **1. FORM 29**

When an adult's personal information is captured on the Membership Management System (MMS), the certified copy of the ID document of the individual must also be uploaded on to the MMS. This triggers the population of a Form 29, in terms of the Children's Act 38 of 2005, which, with the certified copy of the ID, is then automatically emailed to a dedicated email address. This information can only be accessed by authorised SSA staff.

The certified ID is then automatically deleted from the MMS at the end of the day in which it was sent. The Form 29, together with a copy of the certified ID, is then sent by the authorised staff member, to the Department of Social Development for them to do a check against the Sexual Offenders database of the Department of Justice. The Department of Social Development replies with a letter to the CEO with a list of names and ID numbers of all applications confirming if their record is clear or not.

The outcome of the Form 29 check is captured on the MMS.

#### **2. CRIMINAL / POLICE CLEARANCE**

It is a requirement of SCOUTS South Africa that any warranted adult (including Rovers) older than 18 years of age needs to get a Criminal or Police Clearance before they may work with youth members of SCOUTS South Africa. It is in the interests of good governance that the appropriate checks are completed.

##### **2.1 New Members**

All new members applying for the first time, need to have a Criminal / Police Clearance check done before submitting their AAM forms. The valid Criminal Clearance or the proof of payment from SAPS must be attached to the AAM form when making application for membership. Members not wishing to attach the certificate to the AAM Form, may email their clearance directly to the CEO using the dedicated email address of [policeclearance@scouts.org.za](mailto:policeclearance@scouts.org.za) requesting the CEO or his/her responsible, delegated

deputy, to upload the necessary information to the MMS. The MMS will be updated accordingly.

A Criminal Clearance may be obtained from:

- An accredited verification agency that performs the criminal / police clearance checks
- The closest Police Station who carry out police clearances.

At present we use Nevetec who have given us favourable rates. Please enquire at your closest Scout Centre/Office if they are able to assist you with a Criminal Clearance at reduced rates.

Nevetec is available in most major centres. Please visit their Web Page and look up the details of a centre closest to you.

<https://nevetec.co.za/contact/>

**Please note that an AAM Form will not be processed without proof that a Criminal Clearance has either been completed or is in progress.**

## 2.2 Existing Warranted Members

All warranted, existing members will need to have a current criminal/police clearance recorded on the MMS.

Affiliate and Appointed Members do not have to obtain Criminal/Police Clearances as Affiliate Members will be working under the supervision of a Warranted Scouter at all times and the Appointed Members do not deal directly with the Youth of SSA.

Affiliate members will however have to attend the Safe from Harm training given at the beginning of any event and familiarise themselves with our Safe Scouting policies.

An Affiliate Member is one who offers specific services to SCOUTS South Africa normally at a big event, usually at no cost, for a set period of time only.

An Appointed Member is a member who has not specifically undergone training ie IAL or Warrant Training, but offers Administration services to SCOUTS South Africa.

After the 1<sup>st</sup> July 2022, should existing members not have had the opportunity to have a clearance done, their Warrants will not be renewed. The next in line scouter is to hold a Moments that Matter conversation to ascertain the reason for this oversight and encourage the member that it be done within a short period of time after which the warrant can be renewed after proof has been sent to the dedicated email address for all clearances with a

copy of the certificate from an accredited agency; or proof of payment from SAPS indicating that payment has been made for a Police Clearance. The MMS would then be updated with this clearance information in order that a warrant renewal can be affected.

Should the member refuse to do a criminal clearance, a new warrant will not be issued. This would be an unfortunate state of affairs as we do not want to lose any members.

2.2.1 Members who already have a valid Criminal or Police clearance that is **not older than 2 (two) years from the date you wish to submit**, may do so.

### **3. POLICE STATIONS OR OTHER ACCREDITED AGENCIES**

Members may utilise any accredited verification agency or police station and send their results directly to [PoliceClearance@scouts.org.za](mailto:PoliceClearance@scouts.org.za).

Nevetec have a 48-hour turnaround time if everything is in order.

The Police Station offer a service with a turnaround time of approximately 4 months and upwards.

### **4. RENEWAL OF CRIMINAL CLEARANCE**

Ongoing renewal of a Criminal Clearance will not be required.

However, should you leave the movement and return a few years later, you will be required to submit a recent Criminal Clearance together with your AAM Form.

Furthermore, please note that as per the AAM Declaration Renewal Form signed, SSA has the right to request from any member a Criminal Clearance (whether additional or not) at any time.

### **5. DIFFERENCE BETWEEN CRIMINAL AND POLICE CLEARANCE**

A Police Clearance Certificate is a document indicating whether or not one has a criminal record against one's name. South Africans need to submit these documents when applying for visas as well as when making application for immigration as a means for foreign countries to verify that the person has a clear criminal record. This document can and does indicate the crime committed by the individual.

A Criminal Clearance merely verifies whether someone has an existing criminal record and no formal certificates are issued with these checks. Should there be an unfavourable notification, further investigation is done by SAPS. Criminal Clearance certificates cannot be used for official purposes, immigration nor firearm applications.

## **6. SAFEGUARDING OF CONFIDENTIAL INFORMATION**

Due to the nature of the clearance, there will be strict confidentiality.

All results will be received and scrutinised by the CEO of SCOUTS South Africa. Should there be any alerts or any notifications out of the ordinary the CEO together with the Chief Commissioner and Chief Scout will determine the course of action and record accordingly. Should it be an unacceptable transgression, the relevant personnel will be notified and the necessary steps will be taken.

The CEO of SCOUTS South Africa is the designated Compliance Officer for the Association. A dedicated email address has been created where all Criminal Clearances will be sent if using Nevetec. Should you be using another vetting agency or SAPS, you may email your certificate to [policeclearance@scouts.org.za](mailto:policeclearance@scouts.org.za).

Should a member not receive their certificate within a month, they are to enquire by emailing [policeclearance@scouts.org.za](mailto:policeclearance@scouts.org.za).

Once the Criminal Clearance has been verified at National Headquarters: -  
If it is a hard copy (paper) this will be destroyed.  
If it is a soft copy the email will be permanently deleted from the system.