

# Criminal Conviction Procedure

Head of UK Student Recruitment and Admissions

# Contents

Criminal Conviction Procedure.....	1
Contents.....	2
Regulated Programmes.....	3
Application to Decision.....	3
Enhanced DBS checks.....	4
Non-regulated Programmes.....	5
Application to Decision.....	5

# Regulated Programmes

## Application to decision

1. Applicants declare any relevant convictions, cautions, reprimands or final warnings that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) as amended in 2013, as part of the UCAS or direct application process.
2. Applications are processed by the Admissions Office against the standard academic selection criteria for the programme.
3. If an applicant meets the basic academic criteria and has declared a criminal conviction, caution, reprimand or final warning, they will be asked to complete a self-declaration form, providing details of the offences (including 'spent' convictions) that are not 'protected':
  - a. Nature of the offence(s).
  - b. Date(s).
  - c. Sentence(s) imposed.
  - d. Name of the court, with a copy of any conviction notices.
  - e. Statement of personal reflection.
  - f. Third party referee.

This communication will be sent to the applicant via the UWE Welcome Website.

4. This information should be returned to the Head of UK Student Recruitment and Admissions, who may request details of an applicant's Probation Officer so they can be contacted in order to obtain further information to help with the University's risk assessment.
5. Information about any disclosures will be securely sent to the designated contact in the Academic School in order for them to complete the University's risk assessment. The risk assessment covers the nature of risk both in terms of the applicant's suitability for the professional programme and, more broadly, as a member of the University community. Internal members of staff and external contacts working within the profession may be consulted for guidance.
6. If the designated academic contact cannot offer a place at this stage due to the seriousness of the disclosure, a panel will be arranged to consider the matter. Applicants will be notified that their case is being referred to a panel.
7. The purpose of the panel is to consider all aspects of safeguarding and to assess what support the applicants would need to be able to successfully complete the programme.
8. A panel will consider the following convictions, cautions, reprimands or final warnings:

- a. Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
  - b. Offences listed in the Sex Offences Act 2003
  - c. The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing, trafficking, possession with intent to supply.
  - d. Offences involving firearms, knives and weapons.
  - e. Offences involving arson.
  - f. Offences listed in the Terrorism Act 2006.
  - g. Theft and deception.
  - h. This list is not exhaustive and the designated contact has discretion to require a panel for reasons not covered.
9. The panel will usually meet in person and the membership will comprise of:
- College Manager or nominee (as Chair)
  - Head of UK Student Recruitment and Admissions
  - Designated academic school contact
  - Any relevant professional partners (e.g. Safeguarding, NHS, School Heads)
10. Applicants may exceptionally be asked to submit a written statement to be considered by the panel, or meet with the panel in person to present further evidence.
11. The University's decision whether or not to offer a place without a panel will be communicated to the applicant in writing by the Admissions Office, or following a panel, by the Head of UK Student Recruitment and Admissions.
12. Where the decision is not to make an offer, applicants may seek a review of the decision in accordance with the appeals criteria of the University's Admissions Policy.

## Enhanced DBS checks

1. Offer holders are subject to a satisfactory Disclosure and Barring Service check and this will be a condition of all offers.
2. A communication will be sent via the UWE Welcome Website asking offer holders who have accepted a place to start at UWE Bristol to complete an online DBS check through First Advantage Know Your People.
3. The Admissions Office will monitor the outcome of applications via First Advantage Know Your People and will only ask to see physical copies of

certificates if they contain a disclosure.

4. Upon receipt of the certificate the Admissions Office will cross check the disclosure against the self-declaration form previously completed. If it contains anything not previously disclosed, this will be passed to the designated academic contact to consider. They will either let the application proceed, or refer the application to the Head of UK Student Recruitment and Admissions for consideration under Section 14 (Fraudulent Applications) of the University's admissions policy. The Head of UK Student Recruitment and Admissions will take into account the fact this information had not been previously disclosed when making their decision.
5. If an applicant fails to provide their original certificate they will not be able to register for their programme of study, attend placement and will be considered under the University's Professional Suitability and Professional policy and procedure.

## Non-regulated Programmes

### Application to decision

1. Applicants will be asked to declare any relevant unspent criminal convictions only after accepting an offer of a place at the University
2. A communication will be sent via the UWE Welcome Website asking offer holders to complete an online form providing written details of the convictions, including:
  - a. Nature of the offence(s).
  - b. Date(s).
  - c. Sentence(s) imposed.
  - d. Name of the court, with a copy of any conviction notices.
  - e. Statement of personal reflection.
  - f. Third party referee.
3. The Head of UK Student Recruitment and Admissions will undertake a risk assessment, which may involve seeking further information from the individual, and/or contacting Probation Officers. Applicants may be asked to submit a written statement. The assessment will cover the nature of the risk posed to the University community by the individual based on the information provided. Where consent has been given, the applicant's suitability for the programme and any additional needs/support will be considered.
4. Sensitive data will be uploaded to a secure and confidential University Microsoft

Teams site accessed by only relevant senior members of staff.

5. The Head of UK Student Recruitment and Admissions will communicate any decision made to the offer holder in writing.
6. In the rare event that a decision cannot be made, or when a conviction is of sufficient seriousness, a panel will be convened to consider the circumstances. Applicants will be notified that their case is being referred to a panel.
7. The purpose of the panel is to consider all aspects of safeguarding and to assess what support the applicants would need to be able to successfully complete the programme.
8. The panel membership will comprise of the following:
  - Head of UK Student Recruitment and Admissions (Chair)
  - College Manager
  - Designated academic school contact

Where appropriate, the panel will have discretion to invite additional University staff to the panel if further advice is deemed necessary.

9. The panel will either decide to uphold the offer as it stands, to amend existing conditions, to offer an alternative programme of study or to withdraw the offer of a place entirely.
10. The Head of UK Student Recruitment and Admissions will communicate any decision made by the panel to the offer-holder in writing, including details of the decisions.
11. Where the decision is taken to offer an alternative programme of study or to withdraw the offer of a place, applicants may seek a review of the decision in accordance with the appeals criteria of the University's Admissions Policy.