



## Criminal Convictions and Disclosure Policy and Procedure

Effective 1 August 2024

### Policy

The University believes that everyone with the potential and ambition to benefit from higher education should have the opportunity to do so, regardless of background, including those with criminal convictions.

However, programmes of study which involve regulated activity or research degrees and projects which will involve working within a regulated environment (for example undertaking research with young and vulnerable people) (**Regulated Courses**) require an Enhanced Disclosure & Barring Service (**DBS**) check to determine if the applicant can be accepted on the Regulated Course. As the DBS check can take some time to complete, the University requires applicants to Regulated Courses to disclose relevant criminal convictions during the admissions process to ensure their application can be processed in a timely manner ahead of the course commencing. Where criminal convictions are not compatible with the Regulated Course, any academic offer may be withdrawn.

In addition, applicants to non- Regulated Courses may wish to voluntarily declare criminal convictions to enable them to be provided with appropriate support and advice from the University.

### Scope

This document sets out the requirements and procedure for the mandatory declaration of criminal convictions by applicants to Regulated Courses (please check the online prospectus to identify whether you are applying to a Regulated Course). It also sets out the procedure for applicants to voluntarily declare criminal convictions on non-Regulated Courses.

### Applicants to Regulated Courses

1. Applications will initially be considered on academic grounds in accordance with our University's Admissions Policy. If the applicant meets the required academic criteria and any additional requirements as part of the admissions process (scrutiny of the personal statement against agreed selection criteria/attendance at an interview/submission of a portfolio or other piece of work), an offer will be issued through the standard process. However, this offer is conditional on the applicant not having criminal convictions that are incompatible with enrolling on the Regulated Course (please note that while completion of the below process is an entry condition to be completed before starting a Regulated Course, the below process will also be applied after the enrolment on a non-Regulated Course if students wish to undertake an optional module or research that involves regulated activity).
2. Following a firm acceptance of an academic offer to a Regulated Course, applicants will be contacted by Admissions requiring the completion of an on-line self-declaration form relating to criminal convictions, details about professional suitability and any periods of time spent living outside of the UK for which the applicant may be required to obtain a police check.

3. Completed self-declarations will be reviewed by Admissions who will determine whether the information contained in the self-declaration indicates the applicant has a conviction which would appear on an Enhanced DBS check certificate, or otherwise means the applicant may not meet professional suitability standards. In these circumstances the applicant will be invited to provide a reflective statement; a character reference, contact details for a professional person who can provide further insight (e.g. a probation officer or social worker) and any other information which they think is relevant in their response.
4. The information provided by the applicant will be shared with designated School staff to determine if the declared criminal convictions are compatible with enrolment on the Regulated Course. School staff will consider the applicant's declaration and supplementary information, and will conduct a risk assessment. Where there is a requirement by Professional & Regulatory Statutory Bodies, School staff will also consult with appropriate external organisations as part of the decision making process.
5. The decision of the School will be communicated to the applicant in writing, including a clear statement of the reasons for the decision where the decision is to withdraw the offer or impose conditions. The outcome may be one of five options:
  - To confirm the offer on the Regulated Course;
  - To confirm the offer on the Regulated Course but apply additional conditions against which the applicant must abide and which the University will monitor. Where appropriate adjustments cannot be made prior to the start of the course, the University reserves the right to offer a deferred place on the course for the next available intake;
  - To confirm the offer on the Regulated Course but the applicant will not be permitted to register for the relevant profession upon completion of the course;
  - Where a student has a criminal conviction that makes them unsuitable for a particular course (including because they would not secure a placement that is inherent to that course), consideration will be given to finding a suitable alternative course;
  - To withdraw the offer on the Regulated Course.

You will be informed of the decision prior to registration on your course (or where applicable the commencement of the relevant module or research project). Where the applicant cannot be admitted, any monies paid to the University shall be refunded

6. Following conclusion of the above process, applicants who have had their offer confirmed will be sent details about completing their DBS check approximately 3 months prior to the start of the course (or immediately after the confirmation of the offer if less than 3 months prior to the start of the course).
7. Once DBS certificates are issued, where a conviction has been listed on the DBS certificate, the applicant must present the certificate to Admissions, who will verify the offence(s) listed against the applicant's self-declaration. If offences are listed which the applicant had not previously declared, the applicant will be required to submit further details to be considered by the School as outlined above.
8. Applicants who have spent a period of time residing outside of the UK for more than 12 months beyond the age of criminal responsibility will be asked to obtain (before the course begins) police or criminal records checks from the other country or countries in which they have lived. If formal police or criminal records checks cannot be obtained from countries outside the UK, the applicant will be required to provide suitable character references.
9. Where the applicant has completed all of the necessary steps for DBS checking, but there is a delay in receipt of the DBS certificate for reasons outside of the applicant's control, we may allow enrolment but without the right to attend placements or complete any activity for which the DBS check is required.
10. If after completing your application for admission or when you are enrolled as a student on the Regulated Course you are charged with or convicted of any criminal offence, you must immediately notify the University (and in any event within 14 days). Failure to comply with this requirement or to comply with any

conditions attached to your enrolment may result in the University taking any of the actions set out in paragraph 5 above, taking disciplinary action under the Student Code of Conduct, or taking action in relation to your fitness to practise.

### **Applicants to non-Regulated Courses**

1. In addition to the above mandatory disclosure of criminal convictions for Regulated Courses, all applicants are invited to self-declare convictions on a voluntary basis if they would like additional support from the University.
2. If you are considering applying or you have already applied, we welcome you getting in touch to confidentially discuss the nature of your conviction and/or any supervisory conditions or probation requirements. Making contact early in the application process is advisable to allow sufficient time to discuss any potential requirements we can put in place to support taking forward your application and studies. Please email <mailto:admissionscompliance@leedsbeckett.ac.uk>. While it is a matter for you as to what information you wish to share, it is usually helpful to provide the following information:
  - The name of the course you wish to apply to/have applied to;
  - The general nature of the conviction
  - If you are on probation or subject to any supervisory conditions
  - A telephone number and suitable times to contact you to discuss your case further and if you do not want to communicate further via email.

Following receipt of your email, a member of the Admissions team will contact you to discuss the support that can be provided to you and signpost you to [University support services](#).

### **Data Protection**

1. Any information disclosed to the University pursuant to this process will only be shared with staff who need to know that information in order to make relevant decisions or provide support. Where appropriate, identifying details, such as your name will be excluded.
2. Information and documentation relating to criminal convictions is special category personal data under the terms of the UK GDPR and the Data Protection Act 2018 and will be stored, protected and destroyed in accordance with all relevant UK legislation, the University's Student Privacy Notice, the Data Protection Policy and Retention Schedule.

**Last reviewed: July 2024**