



Policy for applicants declaring criminal convictions

Scope

- 1 This document sets out our approach for managing criminal convictions declared by any applicants applying for entry to our university.
- 2 Our Student Contract (<http://www.leedsbeckett.ac.uk/public-information/student-regulations/>) includes a requirement to disclose relevant convictions, and sets out the consequences of withholding that information, either at the point of application or thereafter.

Declaration

- 3 Applications to our university include the requirement to declare any relevant¹ criminal convictions. In addition, some courses also require the applicant to complete an enhanced Disclosure and Barring Service (DBS) check.

Consideration on academic grounds

- 4 Applications which contain a declaration of a criminal record will be considered on academic grounds in the first instance, in accordance with our university's Admissions Policy. In considering these applications, the university will disregard the fact of any declared criminal convictions.
- 5 If the applicant fails to meet the required academic criteria, the application will be rejected through the standard process. If it is decided to offer a place, the offer will be made and the referral process initiated. Applications to courses without the requirement for an enhanced DBS check will be referred to the Secretary & Registrar for further consideration, while applications to courses where an enhanced DBS check is required will be forwarded to a panel of nominated staff. The Secretary & Registrar, or nominated staff, will consider the safety and interests of all members of our university community.

Assessment of risk

- 6 In considering the application, the Secretary & Registrar, or nominated staff, shall draw upon whatever documentation and information they consider relevant. This shall include relevant information held by the university, and applicants will also be asked to provide further information such as a self-declaration, a statement of circumstances and character reference.
- 7 The Secretary & Registrar, or nominated staff, shall, when considering whether to accept or reject an application, take into account:

¹ "Relevant" offences include crimes against the person, whether of a violent or sexual nature, offences involving unlawfully supplying controlled drugs or substances and offences listed in the Terrorism Act 2006.

Convictions that are "spent" are not considered to be relevant and you should not reveal them. The Rehabilitation of Offenders Act 1974 enables some convictions to become "spent" after a "rehabilitation period". The rehabilitation period varies depending on the sentence imposed by the court. Custodial sentences of more than two and half years can never become spent. Applicants applying for courses which require an enhanced DBS check should only declare offences which will not be filtered from an enhanced check.



- a. the nature of the offence(s) and relevance to the course applied for;
 - b. date(s) of conviction;
 - c. penalties applied;
 - d. the circumstances in which the offence(s) was/were committed;
 - e. any pattern of offending behaviour; and
 - f. the potential risk of reoffending, including any attendance/success on rehabilitation programmes.
- 8 This information shall be obtained from the applicant, or from their probation officer, solicitor, social worker, etc. with the applicant's consent. The university may also require information from the applicant's probation officer as to the risks they (the probation officer) consider material to the admission of the applicant into our university community and on to the course in question. For courses leading to professional registration, guidance from the relevant Professional, Statutory & Regulatory Body (PRSB) will be followed. Input will also be sought from relevant placement providers and practitioners, where appropriate, regarding whether the applicant's criminal conviction would prevent them from securing placements whilst undertaking the course or from obtaining professional registration following completion of the course.

Serving prisoners

- 9 Applicants for full-time undergraduate programmes who are serving prisoners at the time of application will be required by UCAS to submit their application via the prison authorities. The prison authorities are expected to indicate the suitability of the applicant to undertake a course of study and whether the applicant would be available to commence a course if an offer was made and accepted. Further information may also be available from the UCAS Fraud & Verification Unit.
- 10 Applications received directly to the university from applicants who are serving prisoners should also contain such information from the prison authorities.

DBS checks

- 11 For programmes where applicants are required to undertake a Disclosure & Barring Service (DBS) check prior to registration (typically where the programme includes placements which fall under the definition of 'regulated activity', such as working with children or vulnerable adults) we will not permit enrolment processes to be completed without receipt and assessment of that DBS check.
- 12 Where the applicant has completed all of the necessary steps for DBS checking, but the delay is outside of their control, we may (on receipt of a self-declaration) allow enrolment but without the right to attend placements or complete any activity for which the DBS check is required.

Authority of the Secretary & Registrar

- 13 The Secretary & Registrar, or nominated staff (having sought guidance from the Secretary & Registrar, if appropriate), have the authority:
- a. to refuse the application of any individual; or
 - b. to admit the applicant, but to impose such conditions as she or he sees fit; or
 - c. to admit the applicant to an alternative course of study; or



d. to admit the applicant with no conditions.

14 The decision of the Secretary & Registrar, or nominated staff, in these cases is final.

Notification

15 Where the Secretary & Registrar, or nominated staff, determine that the applicant may be admitted, the registration will proceed as normal. Where the applicant cannot be admitted, the offer will be revoked. Any monies paid towards fees, etc. shall be refunded in these circumstances. Notification to the applicant, where the university is not able to admit, shall include a clear statement of the reasons for rejection.

Action to be taken where there is reason to suspect that an applicant has relevant criminal convictions that have not been declared

16 Where our university becomes aware of, or forms suspicions of, an applicant having failed to declare a relevant criminal conviction, they shall notify the Secretary & Registrar.

17 In the case of an applicant for undergraduate admissions, we shall seek the advice of the UCAS Verification Unit. In the event of an applicant having failed to disclose a relevant conviction, UCAS may decide to cancel the application. If the application is not cancelled, the standard procedures for declared convictions which fall within the scope of this procedure should be followed. The university may additionally take into account the fact that the applicant failed to declare the information at first request.