

APPENDIX 3

CRIMINAL RECORDS CONSIDERATION PROCEDURE FOR APPLICANTS

General Provisions

All criminal records are assessed by the Convictions Consideration Panel (CCP), using the CCP Risk Assessment form for Assessing Criminal Records (Form CCP1).

- Where a course of higher education at the school includes some regulated activity as a compulsory part of the course¹, applicants will be required to undergo an enhanced DBS check, the results of which must be considered by the School under these procedures before a conditional offer of a place on the course may be confirmed.
- Where regulated activity is an optional part of a course of study, applicants will not be asked to undergo an enhanced DBS check as part of an admission requirement.

1. Where the results of an enhanced DBS check disclose a criminal record, the School will refer it to the Convictions Consideration Panel (CCP) for assessment under this Policy, to determine whether the student can be admitted to the course.
2. Conditional offers for a place to study on a course where regulated activity is a course requirement, cannot be confirmed until the CCP has assessed the results of an enhanced DBS check and has determined that there is no reason not to confirm the conditional offer.
3. With the exception of enhanced DBS checks for courses with a compulsory element of regulated activity, where an applicant makes a voluntary disclosure of a criminal record to the School in advance of formally registering as a student², under no circumstances will this information be used to determine whether the applicant satisfies any entry requirements to the course. The CCP will undertake the assessment with a view to identifying whether any additional support is needed and as a means of documenting this consideration. The CCP may as relevant refer the individual under the School's [Support Through Studies policy](#) or other relevant School policy in order to facilitate support.

Overview of Procedure

4. The CCP's Criminal Records Consideration Procedure (see Appendix 1) is made up of the following parts (the relevant page numbers of the Assessment Form are provided below):

A) Initial Assessment (Table A1, A2, A3, A4 and A5) – pages 3-4

The CCP undertakes an Initial Assessment for all enhanced DBS check results. The CCP will determine whether the result of the Initial Assessment is Green, Amber or Red. Where the Initial Assessment result is Green or Red, the CCP will normally move to a Final Decision (Part E), but may undertake a risk assessment under Part D of the

¹ See Section B of the Policy 'Definitions' for further information on regulated activity.

² This includes where a voluntary disclosure is made by an applicant at any point during the admissions process, including after a formal offer of a place to study has been confirmed.

procedure to assist it in its decision-making. Where the Initial Assessment result is Amber, the CCP will continue to follow the procedure through to Part B.

B) The Convictions Consideration Panel Disclosure Discussion (Table B1 and Table B2) – pages 5-6

This takes place when the Initial Assessment has been deemed ‘Amber’. This is where the CCP interviews an applicant to gather more information about the criminal record.

C) Case Assessment Following Disclosure Discussion (Table C1, Table C2 and C3) – page 7

This is completed following the Disclosure Discussion, to facilitate the Risk Assessment (Part D).

D) Risk Assessment: Concerns and Safeguards (Table D1 and Table D2) – pages 8-10

This is completed after the Case Assessment.

E) Final Decision – page 11-12

In all circumstances, the CCP will complete Part E. Sometimes they will move straight from the Initial Assessment (Part A) to the Final Decision (Part E).

Consideration Procedure

5. At the point of making a conditional offer, the School requests the applicant to complete the process for undertaking an enhanced DBS check by a specific date.
6. The designated School Contact (senior member of staff at the School not involved in the admissions decision) receives the results of the enhanced DBS check.
7. The School Contact checks whether the applicant’s results of the enhanced DBS check have been returned by the stated deadline
 - a. If on time, School Contact instigates ‘Consideration Procedure’ by passing information to the Convictions Consideration Panel;
 - b. If out of time, School Contact uses discretion to determine whether admissions process can proceed/continue, referring to the CEO/Principal of School as necessary; however, a conditional offer cannot be confirmed until and unless the CCP has assessed the results of the enhanced DBS check and is satisfied that there is no reason why the conditional offer may not be confirmed to the applicant.
8. CCP undertakes Initial Assessment of Criminal Record using the Consideration Criteria (Appendix 2), and determines whether a Disclosure Discussion (Part B) is needed with the applicant:
 - A. Where no Disclosure Discussion is needed, the CCP will move straight to a Final Decision (Part E), normally bypassing the other sections of the consideration procedure (however, the CCP may as necessary undertake a Part D Risk Assessment to inform its final decision).
 - B. Where a Disclosure Discussion is needed, the CCP will progress to Part B and follow the procedure through all parts.
9. Either following the Initial Assessment or having progressed through the procedure (as applicable), the CCP reaches a Final Decision (Part E of the Criminal Records

Consideration Procedure) as to whether the applicant may have a conditional offer of a place on the course of study confirmed.

10. Where a Final Decision cannot be reached, the final judgement as to whether or not a conditional offer can be confirmed rests with the CEO/Principal of the School. The CEO/Principal of the School, in consultation with the Convictions Consideration Panel, will make the final decision as to whether or not the conditional offer of a place can be confirmed/still stands.
11. The Final Decision for Applicants may be one of the following:
 - Confirm conditional offer of a place
 - Confirm conditional offer of a place (with measures/conditions attached)
 - Not admit to the course of study
12. Applicant is notified in writing of Final Decision and reasons normally within 14 days of the CCP's Final Decision being signed, including their right to appeal under the School's Admissions Appeals and Complaints Procedure (see School website for details).

Right of Appeal against a Final Decision

13. An appeal and/or complaint can be made under specific grounds of appeal and complaint, which are found in the School Admissions Appeals and Complaints Procedure (see each individual School's website), along with the timeframes for submitting an appeal and/or complaint against the CCP's Final Decision.