

Guidelines for the recruitment of students with a criminal conviction

1 Introduction

- 1.1 Having a criminal record does not necessarily preclude an individual from studying at the University of Bristol. This will depend on the nature of the programme of study, and if relevant, the outcome of any Disclosure and Barring Service (DBS) check. The University encourages self-disclosure by applicants for courses that have regulated activity.
- 1.2 These procedures are designed to ensure that any application from an applicant who has a criminal record is assessed fairly, considering the interests of the individual concerned, the wider university community, legislative requirements and (where appropriate) the requirements of relevant professional bodies.
- 1.3 These procedures should be read in the context of the University's Policy Statement on the [Recruitment of Staff and Acceptance of Students with a criminal conviction](#).
- 1.4 These Guidelines apply to all individuals applying to study at the University, including applications to foundation courses and foundation degrees, lifelong learning courses (excluding short courses), undergraduate, postgraduate taught and postgraduate research programmes, regardless of duration, mode of study, or qualification aim.
- 1.5 These Guidelines apply irrespective of how the University becomes aware of an applicant's criminal convictions, and therefore includes self-disclosure by the applicant, DBS checks, information in the media and/or a search of the DBS barred lists.
- 1.6 Any information submitted will be considered in the context of the University's duty of care, and we will observe your right not to be discriminated against. All information will be handled in line with Data Protection regulations, and with the highest levels of confidentiality.
- 1.7 If a student is convicted of a criminal offence whilst currently enrolled at the University, please use the [Guidelines for Current Students with Criminal Convictions](#).

2 Disclosing Criminal Convictions for applications to programmes without Regulated Activity

- 2.1 For courses without Regulated Activity, applicants are not required to disclose any convictions during the initial application process. The University will ask all offer holders to disclose any relevant, unspent criminal convictions once they have accepted their offer from the University.
- 2.2 This disclosure will be passed to Student Inclusion Services to manage risk and ensure that the appropriate levels of support are offered to the applicant, should they become a student.

- 2.3 If an applicant declares a serious offence, a risk assessment will be conducted to consider whether any additional conditions or support should be put in place.
- 2.4 If it is later discovered that a student had unspent criminal convictions but did not disclose them, this may result in disciplinary action under the Student Disciplinary Regulations.
- 2.5 The outcome of any risk assessment will be communicated to the student in writing by Student Inclusion once this has been completed.

3 Applications to programmes that have Regulated Activity

- 3.1 Applicants are required to disclose spent and unspent convictions when applying for a programme of study that involves [Regulated Activity](#), or leads to a role which is listed in the [Rehabilitation of Offenders Act \(Exceptions\) Order 1975](#) or the Police Act Regulations.
- 3.2 Declaration information is contained within the application and is visible to the University. See the Ministry of Justice website for definition of spent and unspent convictions and details of rehabilitation periods.
- 3.3 The University may contact applicants to request additional information about the relevant criminal conviction(s) so that they can be considered appropriately.

4 Guidelines for the assessment of the application by applicants with an unspent or a spent criminal conviction(s), who are not on a DBS list of barred individuals, and who are applying to programme that involves Regulated Activity

- 4.1 For programmes involving Regulated Activity, rigorous investigation of criminal convictions will be required to ensure compliance with the rules and regulations set by external professional bodies. In such cases, a satisfactory criminal records disclosure will be required, and some programmes will also require a check of the DBS Barred Lists.
- 4.2 Organisational Units (“Units”), which currently require rigorous investigations for some of their programmes, are:
 - Graduate School of Education
 - School for Policy Studies
 - Faculty of Health Sciences
- 4.3 Applications submitted to programmes with Regulated Activity will be assessed in the normal way to determine whether the applicant should be offered a place on academic grounds. This may include an interview or attendance at a School visit day. However, a final decision may not be taken without the separate consideration of any relevant criminal convictions.
- 4.4 If it is proposed that a place be offered, the University will contact the applicant to request additional information about the declared criminal conviction. The applicant will also be asked for their consent to obtain extra or corroborating information from other sources, such as the Probation Service or Community Rehabilitation Company. Alternatively, the applicant may be asked to provide such information themselves.
- 4.5 The University will review the information provided to make an initial determination as to whether an offer can be made to the applicant, or if a more detailed panel review will be

required. Factors that will be considered are whether the criminal conviction is spent or unspent, and whether the conviction is relevant in relation to the regulated activity for the programme.

4.6 Where a criminal conviction is considered to be relevant, a panel will be convened to consider whether an offer can be made to the applicant, or if the application should be rejected on grounds relating to their criminal record. The panel will typically consist of representatives from the following Units:

- Student Services
- University Secretary's Office
- Admissions Senior Leadership Team
- Admissions Compliance Team
- School / Faculty administration team

4.7 The University will contact the applicant by email to make them aware of the outcome of the review.

5 Guidelines for the assessment of the application by applicants who are on a DBS list of barred individuals and who are applying to a programme that involves Regulated Activity

5.1 Since October 2009 it is a criminal offence for the University knowingly to permit a barred individual to undertake Regulated Activity. An applicant who is on a DBS list of barred individuals, and who has applied to a programme with regulated activity, will not be permitted to undertake the programme and will be withdrawn.

6 Confidentiality

6.1 Any disclosure obtained through the DBS or by other means must be kept, and ultimately disposed of, in accordance with the current guidance from the DBS on the secure storage, handling, use, retention and disposal of disclosures and disclosure information (see DBS website). All other documentation should be kept securely and in accordance with the University's Guidelines on the Data Protection Act.

6.2 Any DBS disclosure should not be kept on the student file, but, if necessary, one copy may be kept in the Director of Admissions' Office separately in a locked filing cabinet with restricted access, for a maximum six-month period. Permission will need to be obtained from the DBS if it is necessary to hold the DBS disclosure for longer. Similarly, other (non-DBS disclosure) information on a person's criminal record should not be kept on the student file, but one copy should be kept in the locked filing cabinet in the Director of Admissions' office. All other copies should be destroyed. All Schools who obtain DBS disclosure or any other information relating to an applicant's criminal conviction(s) must follow the same practice.

7 Further Information and Advice

7.1 Further information and advice on these procedures can be obtained from the Admissions Compliance Team at admissions-compliance@bristol.ac.uk