

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 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 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 and are designed to ensure that any application from an applicant who has a criminal record is fairly assessed, taking into account the interests of the individual concerned, the wider university community, legislative requirements and (where appropriate) the particular requirements of relevant professional bodies.

1.3 These Guidelines apply to all individuals applying for a place on a course with Regulated Activity, including 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. 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.

1.4 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

2.1 The University requires information concerning unspent criminal convictions to be disclosed for those applying to courses that have Regulated Activity. For these courses, it must assess, as part of the admissions process, whether it is appropriate to permit an individual to join the University community. In these circumstances, where for example an applicant is applying for a programme of study that is regulated by a professional body, the University is also obliged to consider details of the applicant's spent convictions.

2.2 For courses without Regulated Activity, the applicant is not required to disclose any convictions during the Admissions process. The University will ask all applicants to disclose any relevant, unspent criminal convictions at the point that they accept an offer from the University. The information disclosed to the University regarding unspent criminal convictions will be used to allow Student Services to manage risk and also ensure that the appropriate levels of support are offered to the applicant once they become a student. 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.

This disclosure will be passed to Student Services to identify any support needs. If an applicant declares a serious offence, a panel may be convened to consider whether any amendments should be made to the offer or conditions put in place.

2.3 Where an applicant is 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, UCAS require the applicant to disclose spent and unspent convictions. The University will also require the applicant to disclose any spent and unspent criminal convictions. See the Ministry of Justice website for definition of spent and unspent convictions and details of rehabilitation periods.

2.4 Any applicant not applying via UCAS (save for those students enrolling on short lifelong learning courses at the University) for a course that involves Regulated Activity will be required by the University to disclose to it any spent or unspent criminal convictions.

3. 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 a programme that involves Regulated Activity

3.1 A decision should be made in the normal way as to whether the applicant should be offered a place on academic grounds. This may include an interview or attendance at a School visit day, but it must be made clear to the applicant that a final decision may not be taken without the separate consideration of any unspent criminal convictions. If it is proposed that a place be offered, the application should be brought to the attention of the Admissions Team and relevant faculty office. Before any offer is made, these offices will send an email to the applicant, asking for information about the declared criminal conviction, and seeking the applicant's consent to obtain extra or corroborating information from other sources, such as the Probation Service. Alternatively, the applicant may be asked to provide such information themselves.

3.2 Where a programme or research project meets the definition of Regulated Activity or leads to a role that is listed in the Rehabilitation of Offenders Act (Exceptions) Order 1975 or the Police Act Regulations, a satisfactory criminal records disclosure will be required. Some programmes also require a check of the DBS Barred Lists.

3.3 There are a number of programmes where rigorous investigation of criminal convictions is required in order to ensure compliance with external professional bodies' rules and regulations.

3.4 Organisational Units ("Units"), which currently undertake such investigations for some of their programmes, are:

Graduate School of Education

School for Policy Studies

3.5 In these cases, responsibility for investigation of the criminal conviction will initially be undertaken at Unit level. The relevant Unit must obtain all information about the conviction(s) and seek the applicant's consent to obtain extra or corroborating information from other sources such as the Probation Service. Information about the process used by a Unit to undertake these investigations must be explained on the Unit's website. Prior approval of Units' processes must be obtained from the Director of Admissions and by the Director of Legal Services.

3.6 In making an initial decision as to whether a Unit wishes to proceed with an offer to an applicant, the factors to be taken into account may include, where the course is vocational, whether the offence/s would influence the difficulty with which the student would obtain placements required as part of the programme.

4. 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

4.1 Since October 2009 it is a criminal offence for the University knowingly to permit a barred individual to undertake Regulated Activity. An applicant who applies to a programme that involves Regulated Activity, and who is on a DBS list of barred individuals must be automatically made unsuccessful.

5. Confidentiality

5.1 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. 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.

6. Further Information and Advice

6.1 Further information and advice on implementing these procedures can be obtained from:

Admissions Compliance Officer

See government guidance on Regulated Activity

Amended August 2018