

# Criminal Convictions Policy

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## 1.0 Introduction

This policy is applicable to all students and applicants who are required to declare an unspent criminal conviction as part of the admissions process.

This policy and procedure will be used by the University in considering whether to admit a student to ensure that an applicant would not constitute an unreasonable risk to its staff or students its property or members of the public making use of its facilities. Consequently it requires all applicants to declare whether they have a criminal conviction. Convictions that are spent (as defined by the Rehabilitation of Offenders Act 1974) are not considered to be relevant and should not be revealed.

Applicants should be aware that for programmes in teaching, or programmes involving work with children or vulnerable adults, any criminal convictions, including sentences and cautions (including verbal cautions), reprimands, final warnings and bind-over orders are exempt from the Rehabilitation of Offenders Act 1974. Individuals applying for those subjects (listed in section 4 of this policy) will be asked to secure a disclosure from the Disclosure and Barring Service (DBS), and/or an overseas police check, whichever is relevant. The DBS check will reveal both spent and unspent cautions and convictions.

Applicants must inform the University if they are convicted of a relevant criminal offence at the point of application. Failure to inform the University may lead to an offer of a place for study, being withdrawn.

For applicants seeking advice on whether their convictions are spent or relevant, and should be declared may wish to contact [Unlock](#) who can provide specific advice in relation to HE applications and criminal convictions.

## 2.0 Declaring Relevant information

Applicants to full time undergraduate degree and PGCE programmes are received via UCAS and UTT; both agencies supply relevant advice about declarations in respect of criminal convictions.

Direct application forms provided on the Leeds Trinity website for other programmes require applicants to state whether they have unspent criminal convictions.

## 3.0 Process for programmes not requiring a DBS check

Where an applicant has declared a criminal conviction, the Admissions Team will make a decision regarding suitability for study following the usual academic decision making process. This process is described in the University Admissions Policy.

If the decision is to admit based on academic grounds, the applicant will be asked to provide information regarding the declared conviction. This may include information from other third parties who may have a view on the above matters. The parties may include probation officers and others who are professionally or personally involved in the rehabilitation of or are familiar with the applicant.

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On receipt of this information, a panel of staff will make an assessment of the non-academic suitability for a place of study.

The decision as to whether or not to admit the applicant will take into account;

- whether the criminal conviction has any bearing on the applicants suitability to become a member of the student body (e.g. violent or sexual crimes, drug dealing)
- the length of time since the offence(s) were committed
- whether the applicant has re-offended, and if so whether there is a pattern to the offences
- whether the applicant's circumstances have changed since the time of the offences.

The panel will give particular consideration to whether the applicant, if admitted, would be likely;

- to endanger staff or students of the University, visitors to it or those with whom the University interacts e.g., members of the public making use of the University's facilities.
- to be a threat to University property
- to unlawfully disrupt the work of the University
- to bring the University into disrepute

The panel will include University representatives from the Academic School, Admissions and Student Support. Applicants will be invited to a meeting with this panel of staff to discuss the information declared.

If it is decided that the applicant is eligible for entry to the University without conditions, the Admissions Team shall be informed of the decision and will then continue processing the application.

If the decision is made to admit the applicant with conditions (for example relating to accommodation or placements), this shall be communicated to the applicant in writing.

If it is decided that the applicant is not to be admitted to the University, the Admissions Team will be informed of the decision by the panel and the applicant will be notified of the decision in writing.

## 4.0 Process for programmes requiring a DBS check

4.1 The following Undergraduate programmes of study require a DBS check as a condition of entry:

Primary Education: Early Years (BA with QTS)  
Primary Education: Later Years (BA with QTS)  
Primary Physical Education and Sports Coaching (BA)  
Secondary Physical Education and Sports Coaching (BA)  
Primary Physical Education and Sports Development (BA)  
Secondary Physical Education and Sports Development (BA)  
Secondary Education, Physical Education and Sport (BA)  
Supporting Learning and Additional Needs (FD) \*  
Supporting Early Years (FD) \*  
Supporting Children and Families in Social Contexts (FD) \*  
Sports Coaching (BA)  
Physical Education (BA)

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4.2 The following Taught Postgraduate programmes of study require a DBS check as a condition of entry: Family Support (MA)\*

4.3 All Postgraduate ITT programmes (PGCE) require a DBS check as a condition of entry.

\*These programmes require a DBS check which has usually been processed by the employer. Where an employer check has not already taken place, the applicant will apply through the University.

4.4 Where an applicant has declared a criminal conviction the process for non-DBS programmes will be followed as in point 3.0 above. The decision as to whether or not to admit the applicant will also take into account any specific requirements stipulated by accrediting or professional bodies.

By completing the DBS application process the applicant is consenting that the original disclosure will be provided to the University. If information is declared on a DBS check the University will determine suitability to commence a programme. When determining suitability, a DBS disclosure will be reviewed by University representatives from the Academic School (including a school representative in the case of PGCE School Direct), Admissions and Student Support. Applicants will be invited to a meeting with this panel of staff to discuss the information contained in the DBS disclosure.

The applicant will be informed of the decision in writing following the panel meeting.

If it is decided that the applicant is not eligible for entry to the programme of study, the Admissions Team will withdraw the offer, as the applicant has not been able to pass the condition of a satisfactory DBS clearance. If appropriate an alternative course will be offered.

## 5.0 Appeals Process

If an applicant is found not eligible for admission, then he/she may appeal to the University's Chief Operating Officer. Such appeal must be lodged in writing within 14 days of the date of the written notification of the decision that admission has been denied.

## 6.0 Security and Data Protection

In accordance with the Data Protection Act 1998, Leeds Trinity University is committed to ensuring that the data held about individuals is processed fairly and lawfully, and that it is held for specified purposes only. Confidentiality will be respected and all appropriate security measures will be taken to prevent unauthorised disclosure.

Information within the University relating to criminal records will be restricted to only those who are involved in any of the processes detailed above.

## 7.0 Review

This policy will be reviewed by the Head of Recruitment and Admissions on a regular basis to ensure that it continues to meet the mission and strategic objectives of the institution; that it remains current and valid in relation to external developments and that it is operating as intended.