

## Criminal Convictions Policy

### 1. Purpose

The College is committed to the fair treatment of all learners and welcomes applications from a wide range of individuals including those with criminal convictions. We are committed to equality of opportunity and select individuals based on their skills, qualifications and experience and not on their background or personal circumstances. Having a criminal conviction, pending sentencing or bail conditions will not necessarily prevent someone from studying at the College.

The College, however, has a duty of care to its learners, staff and the wider community to act reasonably to protect their health, safety and welfare. As a consequence, the College requires applicants to disclose all unspent convictions (save for minor motoring offences) on their application, at their enrolment and upon re-enrolment. If a learner is convicted or placed on bail while on a college course, the learner must advise their progress tutor/academic coach or one of the College's Designated Safeguarding Leads.

### 2. Scope

In order to meet the above responsibilities, the college requires all learners to disclose or otherwise bring to the College's attention any convictions, pending sentencing or bail conditions to enable the college to review the potential risk posed by their enrolment. The college will assess the risk with each applicant, or learner if the disclosure is made following enrolment on a course, to determine the level of risk posed by the conviction or bail condition to both the individual and/or to others.

The individual will be required to complete a Criminal Convictions declaration form (Appendix A) providing the College with further information about the offence and, if required, contact details for any relevant third party e.g. a probation officer or YOT. Where required additional information will be sought from relevant agencies with the agreement of the individual involved. Continuing enrolment at the college may be dependent on the individual's co-operation in the process including providing agreement for the college to contact the necessary external agencies.

Sex offences must be disclosed if the applicant/learner is included on the Sex Offenders Register.

If a learner does not disclose a criminal conviction, pending sentencing or bail conditions at application or enrolment which are later disclosed, the college reserves the right to withdraw the learner from their course and/or request that the learner does not return to college until the risk assessment process has been completed.

The college will take all reasonable steps to respond to any disclosure at the time of application/enrolment. However, it is the responsibility of the learner to advise their progress tutor/academic coach or to contact one of the college's safeguarding team (details are displayed on all campus sites and/or the college intranet and are on the reverse side of your ID card) to ensure the necessary risk assessment processes are completed.

### 3. Spent Convictions

Spent convictions are not considered to be relevant and an applicant or learner is not required to reveal them unless that applicant/learner is intending to enrol onto a Child Care or Health and Social Care course or any course where a Disclosure and Barring Service (DBS) check is required.

Advice regarding whether a conviction is spent and should be declared can be obtained from the appropriate agency e.g. youth Offending Team/ Probation service or by visiting the online calculator [www.disclosurecalculator.org.uk](http://www.disclosurecalculator.org.uk) or [www.unlock.org.uk](http://www.unlock.org.uk) for advice.

## 4. Procedure

Where applicants have advised us of any criminal convictions the College will follow the process below (Appendix C);

- Additional information will be requested on a form to be completed and returned (Appendix A)
- Where necessary a risk assessment may be requested from a qualified professional source (Appendix B)
- A decision not to admit an applicant due to unacceptable risk will be at the discretion of a college nominated Panel.

In addition, where the College is aware that a specific notification of conviction will mean they are unable to attend required placements or gainfully commence employment within their chosen sector this will be notified to the applicant and alternative options investigated.

## 5. Equality and Diversity

Learners can expect an inclusive and supportive learning environment whatever their background. This policy will ensure a fair and equitable process is applied when reviewing an applicant/learner's suitability for a course.

## 6. Linked Policies and Procedures

Learner Recruitment Policy

Data Protection Policy

Safeguarding Policy

Student Charter

## 7. Appendices

- Appendix A = [Initial disclosure form](#)
- Appendix B = [CCRA form](#)
- Appendix C = [Process flow](#)

## 8. Change Log

Date	Version number	Details of change	Review / Revision by
30/08/2023	1.1	Checked and dates	Dave Robertson – Student Recruitment Manager