

STATEMENT ON THE RECRUITMENT OF STUDENTS DECLARING A RELEVANT CRIMINAL CONVICTION



Introduction

The purpose of this statement is to underpin the Policy Statement on the Student Recruitment of Ex-Offenders in its practice of Student Recruitment procedures. Staffordshire University activity promotes equality of opportunity for all with the right mix of talent, skills and potential and we welcome applications from a wide range of applicants, including those with criminal records. We select applicants on the basis of their skills, qualifications and experience.

Staffordshire University has a duty to protect itself, its staff and students from reasonably foreseeable and unacceptable risk of crime and therefore we must know of any relevant criminal convictions that an applicant may have.

A relevant conviction is a conviction for offences against the person, whether of a violent or sexual nature, and convictions for offences involving unlawfully supplying controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking. Convictions that are spent (as defined by the Rehabilitation of Offenders Act 1974) are not considered to be relevant and should not be revealed unless an application is being made to a course in teaching, health, social work and any other course which involves work with children or vulnerable adults. In these cases any convictions, including sentences and cautions (including verbal cautions), reprimands, final warnings and bind-over orders are exempt from the Rehabilitation of Offenders Act 1974.¹

Criminal Record Bureau Disclosure

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for a course, Staffordshire University complies fully with the CRB Code of Practice and undertakes to treat all applicants for courses, requiring CRB Clearance, fairly.

Some courses at the University, such as Health, Social Work and Education, have government requirements that more detailed checks to be undertaken. As with all courses, depending on the results of a risk assessment, the relevant level of disclosure is requested (Standard or Enhanced).

Student Recruitment Practices

All applicants to study at the University are invited to declare whether they possess a relevant conviction on the application form. By confirming this information an applicant is not automatically excluded from the application process but the university will require details about an applicant's criminal record.

An individual's declaration would be considered by a Panel consisting of:

- Dean of Students and Academic Registrar (Chair)

¹ Adapted from the UCAS notes for guidance 2009 application cycle

- Director of Personnel
- Head of Student Recruitment
- Admissions Manager
- Representative from each Faculty offering courses which bring applicants in contact with vulnerable adults and/or children

The Panel's role is to carry out a risk assessment and to consider the following when making the decision as to whether they should allow the application to proceed:

- Does the course(s) applied for involve one to one contact with children or other vulnerable groups or individuals?
- What level of supervision will the student receive from either the probationary or prison service?
- Does the course involve any direct responsibility for finance or items of value?
- Does the course involve direct contact with the public?
- Will the nature of the course present opportunities for the student to re-offend in the place of study?
- Is the nature of the course such that it requires high levels of public trust and confidence?

In addition to these factors the following will be considered:

- The seriousness of the offence and its relevance its safety of staff and students
- The length of time since the offence occurred
- Any relevant information provided by the applicant about the circumstances which led to the offence being committed for example, the influence of domestic or financial difficulties
- Whether the offence was an isolated incident or part of a pattern of offending
- Whether the applicants circumstances have changed since the offence was committed (making re-offending less likely)
- The country in which the offence was committed (some activities are offences in some countries but not others and vice versa)
- Whether the offence has since been decriminalised by Parliament
- The degree of remorse, or otherwise, expressed by the applicant and their motivation to change

The factors above, considered by the Panel, are not exhaustive.

The Panel will decide whether to allow the application to proceed as normal or in some cases, where an offence warrants further consideration, refer the case to the University Secretary who will make a decision in conjunction with at least one other member of Executive.

Withdrawal of an offer of a place or discontinuation of a course

Where the offer of a place is made, the university may withdraw that offer or cancel a place which has been accepted, to terminate the registration of an individual who is subsequently discovered to have omitted or falsified information concerning relevant convictions and any subsequent convictions, which are incurred during their course, to the Dean of Students and Academic Registrar. Staffordshire University also reserves the right to seek disclosure information

from the student or relevant bodies in relation to an offence that is committed during their time of study at the University.

Information received from an applicant will only be disclosed to those persons within the University who are required to have access to it in the course of assessing such risk and making admissions decisions.

Chris Alcock
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