

Policy on requesting Criminal Conviction data from applicants to the University

1 Introduction

The main aim of the University of Liverpool's admissions policy is to admit students with the ability to benefit from the opportunities available at the University.

It is, however, important that this aim is achieved without prejudice to the safety and well-being of all members of the University community and there may be occasions where this must be placed ahead of all other considerations.

The University encourages all applicants to declare relevant criminal convictions. The procedures described in this document are intended as a mechanism to ensure that decisions regarding the admission of an applicant with criminal convictions are taken fairly and only after the implications of any conviction have been fully explored to ensure the safety and protection of both students, staff and other stakeholders, and the fair treatment of any applicants with a criminal conviction.

However, the following procedures are intended to apply specifically to applications from any student applying for the study at the following campuses or following programmes:

- All clinical programmes.
- Carmel College.
- Wirral Metropolitan College.
- Continuing Education and Open Languages extra-curricular short courses that are open to 16 -18-year-olds.
- Applicants applying for University of Liverpool student accommodation

Clinical Programmes

Applicants to some clinical programmes will be required to complete a Disclosure and Barring Service (DBS) check before admissions to the course. Applicants to the following programmes should disclose information on any criminal offence of which you may have been convicted, or with which you have been charged. The information that you provide may later be checked with the police. Initial information will be gathered on the UCAS application and followed up during the admissions process.

Non-Clinical Programmes

Applicants are required to declare a criminal conviction which has not been spent under the terms of the Rehabilitation of Offenders Act 1974. Under the Act, sentences of four years' imprisonment or more are *never spent* and will always need to be declared.

Those of lesser duration do not have to be declared once deemed spent under the act.

UCAS will ask applicants who are applying for certain courses if they have a criminal conviction. This includes programmes leading to professions or occupations such as (but not limited to) teaching, medicine, dentistry, law, accountancy, actuarial, insolvency, nursing, physiotherapy, occupational therapy, and other allied health professions, social work, veterinary medicine, veterinary science, pharmacy, osteopathy, chiropractic, optometry and those involving work with children or vulnerable adults, including the elderly or sick people. These professions or occupations are exempt from the Rehabilitation of Offenders Act (1974) or involve regulated activities. For further information on how UCAS process applications with criminal convictions:

[Criminal convictions – what you need to know | Undergraduate, Conservatoires | UCAS](#)

In addition, you may also find the details below useful.

Region	Agency	Website Address
<i>England and Wales</i>	<i>Disclosure and Barring Service</i>	www.gov.uk/disclosure-barring-service-check/contact-disclosure-and-barring-service
<i>Scotland</i>	<i>Disclosure Scotland</i>	www.disclosurescotland.co.uk
<i>Northern Ireland</i>	<i>Access Northern Ireland</i>	www.nidirect.gov.uk/accessni

You will be asked this question each time you add a course that requires an enhanced criminal conviction declaration.

If an applicant declares a conviction as part of a clinical application but has applied for other programmes at the University, the applicant will be contacted for further information for all programmes applied for.

2 Declaration of Criminal Convictions

The University will request information on any relevant criminal convictions either as part of the application process for the above programmes or via the accommodation application form.

The online criminal convictions declaration form can be used by non-clinical applicants to all University programmes to declare a conviction in confidence. Applicants who declare a conviction will be contacted for further information.

What is meant by 'relevant' conviction or offence?

The University deems the relevant offences/convictions relevant:

- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
- Sexual offences, including those listed in the Sexual Offences Act 2003.
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
- Offences involving firearms, arson or terrorism

For clinical programmes in addition to the above:

- Any offences relating to theft or burglary.
- Drink driving and related offences.

For the purposes of this question, cautions, reprimands and final warnings are considered as convictions.

It is the responsibility of the applicant to check if an offence is relevant

What is meant by 'unspent' conviction?

For more information on offences and rehabilitation periods, visit

<https://www.gov.uk/guidance/rehabilitation-periods>

If you were convicted outside the United Kingdom, you will need to follow the same process above. If your conviction would be considered unspent under the Rehabilitation of Offenders Act 1974, you must tick the box.

How will the university or college handle my application if I declare a criminal conviction?

The information concerning criminal convictions will be passed to appointed persons at the university or college. In line with good admissions practice, they will consider your criminal conviction separately from the rest of your application. During this consideration, they may ask you to provide further information about your conviction. This may involve a Risk Assessment panel being convened to discuss the conviction. If they are satisfied, your application will proceed with any conditions that may be deemed necessary to any offer made. If an application cannot proceed, you will be notified.

It is your responsibility to know when your conviction becomes spent. It is important to note that a failure to declare a relevant unspent criminal conviction is taken very

seriously and could result in expulsion from your university or college. You should therefore seek advice before answering this question if you are unsure how to answer it.

What if I commit an offence or receive a relevant criminal conviction after I have applied?

If you commit an offence or are convicted of a relevant criminal offence after you have applied, you must tell us. You will need to inform admissions that you now have a relevant criminal conviction or have committed an offence. We may then ask you for more details of the offence.

3 Procedure

The Admissions Team within Student Recruitment, Admissions and Widening Participation (SRAWP) or within the School or Department is responsible for identifying the individuals who have declared a criminal conviction.

Applicants will be contacted during the Admissions process and asked to confirm if they have correctly declared a criminal conviction. This request will either come directly from the Admissions team or Professional Services team processing the application (by email or as a requirement of a Conditional offer) or from the Accommodation team if the applicant is applying for university owned accommodation.

Where an applicant has been established as having a criminal conviction, a request will be made for the applicant to provide more details.

The request will seek further information from the applicant regarding:

- the nature of the offence.
- the date it was committed; and
- any sentence/outcome received.

We may also request permission from the applicant to involve a third party, such as a Probation Officer, to obtain full details.

If an applicant cannot complete the relevant documents due to a disability, please contact Admissions for support.

If an applicant declines to provide further information about the offence, the University may withdraw the application for the academic programme or not offer a place for university accommodation

Subsequent action depends on the nature of the offence. Admissions will make the decision on what procedure is appropriate in the circumstances.

'Low risk' offences procedure:

This process allows the University to note that an offence has been disclosed but does not necessarily require a meeting of the Admissions Risk Assessment Panel.

Admissions Risk Assessment Panel

More serious offences may require a meeting of the Admissions Risk Assessment Panel, whose purpose is to consider the nature of the offence and to determine the level of risk that might be associated with admitting the applicant. Applicants who are advised that they have convictions which will be subject to consideration by the Admissions Risk Assessment Panel should ensure that all relevant information is provided to the University as quickly as possible. It is also important that information about ALL relevant offences is disclosed, not merely the most recent offence.

The Admissions Risk Assessment Panel will normally consist of:

- Assistant Director of Legal Services or his/her nominee
- Associate Director, Admissions, Enquiries and Fulfilment or his/her nominee
- The Head of the relevant academic Department/School or his/her nominee
- The Head of Student Conduct, Complaints & Compliance or his/her nominee
- Any other relevant party

The Admissions Risk Assessment Panel will complete the Risk Assessment Form for Disclosure of Criminal Convictions and will attempt to quantify objectively any risk posed by the applicant concerned. The Risk Assessment form will include the recommendation of the Panel as to whether it is deemed acceptable for the application to proceed.

Depending upon the nature of the offence, the Admissions Risk Assessment Panel may decide that the applicant should:

- be allowed to proceed without restriction; or
- proceed with certain conditions intended to mitigate any risk; or
- be refused to allow to proceed.

If an application is not allowed to proceed, the University will record an unsuccessful decision either via UCAS (for undergraduate applicants), or directly to the applicant (for postgraduate, online and continuing education applicants), as appropriate.

The Admissions Risk Assessment Panel may invite the applicant to come to the University to discuss their circumstances before making a final decision on whether their application for the academic programme or accommodation may proceed.

For applicants who wish to attend the meeting of the panel, which is considering their case; such requests will be dealt with on a case-by-case basis and attendance will be permitted only at the discretion of the Panel. However, we expect applicants to provide or facilitate the provision of all relevant information which typically negates the need for the applicant to attend.

The timescale from an applicant declaring a relevant conviction to receiving the outcome of the Admissions Risk Assessment Panel will depend on the time it takes to gather all relevant information from the applicant and third parties. A meeting of the

Admissions Risk Assessment Panel is typically convened within one month of all information being received. If a decision cannot be made in sufficient time for an applicant to join a programme should their application be allowed to proceed, the Panel would consider the application for the next available start date where possible.

All correspondence will be by email, but please contact Admissions to discuss alternative arrangements if required.

The details supplied by the applicant on their conviction won't be added to the applicant or student record. These will be stored in the named University email and file store accounts of the staff reviewing the case only. This may include academic staff that are leaders within the programme applied for. Staff will only be provided with details of the criminal convictions where required.

In some instances, convictions may restrict students' participation in working as a student ambassador, volunteer on campus or certain extra-curricular activities.

4 Appeals

The decision of the Admissions Risk Assessment Panel is a judgement based on the facts presented to it for consideration, and the University will not allow appeals which seek to challenge the decision of the Panel. However, in exceptional cases, the University may reconsider a case if the applicant comes into possession of material evidence relevant to their case **which was not available at the time of the original meeting of the Panel**. Any appeal must be made within fourteen days working days of the date on which the applicant was notified of the Panel's decision.

Any such appeal should be made in writing as soon as the additional evidence becomes available. The new evidence will be considered by the Director of Student Experience and Enhancement of the University or their representative which may be alongside the Admissions Risk Assessment Panel, together with the information originally presented to the Admissions Risk Assessment Panel. The decision of the Director of Student Experience and Enhancement or their representative is final and there is no further right of appeal.

While appeals being reviewed by the Director of Student Experience and Enhancement or their representative are usually considered alongside the original Admissions Risk Assessment Panel or their nominees, the decision may be taken by the Director without the outcome of the Panel due to circumstances including, but not limited to, the University having proof that the conviction is relevant and cannot be spent, but the applicant did not declare this or provide a reasonable explanation for this omission or false information being provided to the University by the applicant.

5 Procedure where there is reason to suspect that an applicant has unspent criminal convictions which they have not declared

The University may be alerted to the possibility of an offence by a third party. The University has a duty to investigate such claims and will then seek further information from the applicant. Data shared by third parties will only be shared with the applicant where relevant and third-party details will not be provided.

If the University has a reason to suspect that the applicant may have a conviction that has not been declared based on their permanent address the Admissions team will follow this up and raise it with the applicant directly.

If a conviction has been declared on a previous application the University has the right to use this information and contact the applicant for further details.

6 Recording information relating to Criminal Convictions

All information concerning criminal convictions will be treated sensitively, confidentially and managed in accordance with the Data Protection Act 2018. All correspondence relating to the declaration of criminal convictions by an applicant will be held confidentially by the Admissions Team.

Any correspondence relating to an applicant's/student's criminal convictions will be accessible only on a strictly 'need to know' basis. This includes any relevant or potentially related non-academic disciplinary issues that may occur during the student's time registered at the University.

7 Convictions received after Application but before Registration as a Student

If an applicant is subject to an investigation that may lead to them being charged with a relevant criminal offence, or if they receive a police caution, or if they are arrested by the police and charged with or convicted of a criminal offence, they should inform the Head of Admissions at the University, Dr Stephanie Geary (arap@liverpool.ac.uk) as soon as possible. This will then trigger the procedure outlined in section 3 of this document. This is for all applicants including those who are progressing from undergraduate study at the University to postgraduate study.

8 Convictions received after registration as a student

The University has a duty of care to its staff and students and thus it needs to be informed of any alleged criminal activity by its staff or students. If at any time during their registration on a programme of study at the University a student is subject to an investigation that may lead to them being charged with a criminal offence, or if they receive a police caution, or if they are arrested by the police and charged with or convicted of a criminal offence, they are required to report this immediately.

For more information on declaring criminal convictions, please see the University website at:

[Conduct and discipline – Student Administration – University of Liverpool](#)

9 Further Information

Any queries about the University's criminal convictions procedure during the application process may be referred to:

Ms Judith King

Associate Director – Admissions, Enquiries and Fulfilment
Student Recruitment, Admissions and Widening Participation
University of Liverpool

Email: judeking@liverpool.ac.uk

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