

Procedure for handling applications from applicants declaring criminal convictions

Aims

The aim of the admissions process is to select students who have the ability and motivation to benefit from the degrees they intend to follow and who will make a contribution to the life of the University.

The process takes place within the framework of the University's Admissions Code of Practice. This document expresses the University's commitment to a comprehensive policy of equal opportunities for students in which individuals are selected and treated on the basis of their relevant merits and abilities and are given equal opportunities within the University.

The aim of this procedure is to ensure that no prospective student should receive less favourable treatment on any grounds that are not relevant to academic ability and an applicant's potential to achieve success in his or her chosen course of study.

However, it is important that these aims are achieved without prejudice to the safety and well-being of other members of the university community and, indeed, there may be occasions where this has to be placed ahead of all other considerations.

This procedure is intended as a mechanism to ensure that decisions regarding the admission of an applicant with criminal convictions are taken only after the implications have been fully explored and any additional support needs have been identified. It should be noted that whilst certain criminal convictions may not prevent the University from admitting you onto your chosen course of study, your criminal convictions could have an impact on your ability to progress to be employed in certain professional roles/careers and you should check any professional body requirements.

Declaration of Criminal Convictions

Applicants to undergraduate and postgraduate programmes are required to disclose any **relevant** and **unspent** criminal convictions they hold to the University as soon as possible. Such disclosures must be made no later than two calendar months prior to the commencement of the course to allow sufficient time for a risk assessment to be conducted.

These include convictions, cautions, admonitions, reprimands, final warnings, bind-over orders or similar involving one or more of the following:

- 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.
- Offences listed in the Sex Offences Act 2003.
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking.
- Offences involving firearms.
- Offences involving arson.
- Offences listed in the Terrorism Act 2006.

If the applicant's conviction involved an offence similar to those set out above, but was made by a court outside of Great Britain and that conviction would not be considered as spent under the Rehabilitation of Offenders Act 1974, it should be disclosed.

Spent convictions, as defined by the Rehabilitation of Offenders Act 1974 are not considered to be relevant, and do not need to be disclosed unless the individual programme specifically requires it. However, it is important to note that custodial sentences of more than four years in duration will never be considered spent.

Further advice and guidance on whether a conviction is spent can be found through organisations such as Unlock at <https://unlock.org.uk/>

If an applicant discloses a conviction that is not relevant or is spent the information will not be retained on the applicant's record and will be deleted.

If, at any time, an applicant indicates that they have a criminal conviction as outlined above but refuses to provide sufficient information relating to it or to engage with the procedure, the University reserves the right to withdraw the offer of a place to study (or can terminate the contract with the applicant) under the framework of the University's Admissions Code of Practice.

If a criminal conviction is disclosed less than two calendar months prior to the course start date, the offer of admission may need to be deferred to the following course intake to allow sufficient time for the completion of the risk assessment process.

Responsibility to report criminal convictions outlined above rests with applicants to the University. If we do not hear from applicants before the start date of their course/programme it will be assumed that they do not have a relevant criminal conviction. If an applicant receives a criminal conviction after accepting their offer, but before registering at the University, it is the applicant's responsibility to report it to the University. Failure to report relevant convictions at any point prior to registering on the course/programme may lead to an offer being withdrawn or in the case of current students, disciplinary action. Please see section 1.7 of the [University's Terms and Conditions](#).

Once an applicant is a registered student they are required to adhere to the Student Code of Conduct. Any potential breaches, including conduct that may constitute a criminal offence or failing to declare a conviction when required to do so will be considered under university regulations governing student discipline. Sanctions up to and including expulsion may be applied. For more information, please refer to [Senate Regulation 11](#)

Disclosure and Barring Service Enhanced Disclosure

Certain programmes of study are exempt from the Rehabilitation of Offenders Act 1974 and applicants must declare any charges or convictions, including those which are spent and including cautions, warnings, reprimands and bind-over orders. Such programme areas include medicine, teaching, nursing, midwifery, physiotherapy, radiography and pharmacy. Please contact the specific department for details of their Fitness to Practice policy.

Consideration of criminal convictions: the procedure

If an applicant is made an offer of a place they will be sent a communication detailing the conditions of their offer. Among these conditions, applicants are required to disclose any relevant and unspent criminal convictions by contacting the Admissions Office no later than two calendar months prior to the commencement of the course.

If the conviction is not **relevant** (according to the Rehabilitation of Offenders Act 1974) or is **spent**, the applicant will be informed that their conviction is not relevant and the information will be deleted and not held against their record.

If the conviction is relevant and unspent the Deputy Director Future Students Office will send the applicant a criminal convictions declaration form which includes a request for permission to contact a third party such as a probation officer, if appropriate.

When all the necessary information has been received, the Deputy Director Future Students Office will refer the case to the University Cause for Concern group. The group will then complete a risk assessment, taking into consideration the nature of the offence, the context of the circumstances, when the offence occurred and the type of sentence given. The risk assessment and recommendation from the group is then forwarded to the Academic Registrar for a final decision.

Communication of the decision

Following completion of the risk assessment, the applicant will be contacted in writing by the Deputy Director Future Students Office with the University's formal decision about whether they are able to register at the University and begin their studies. Decisions will normally be one of the following:

- The offer will be unaffected and no additional non-academic conditions will be applied
- The academic offer will be unaffected but certain non-academic conditions will be applied
- The offer will be rescinded

The applicant has the right to appeal a decision which has been made. Appeals must be made in writing to the University Registrar and Secretary within 14 days of receiving the written notification.

Details relating to an applicant's criminal history may be held confidentially by the Deputy Director Future Students Office, in line with the University retention policy. They will not normally be disclosed to departments in the University, with the exception of rare cases where relevant colleagues in certain departments, such as the Accommodation Office or Security, will need to be made aware.

Future Students Office
January 2025

Criminal Convictions Declaration Form

Data Protection

For more information about how the University uses the personal data you provide, please view our student information privacy notice at:

<https://le.ac.uk/policies/privacy/students/student-information>

Name of Applicant: _____

University of Leicester Number: _____

Course Applied for: _____

Please can you provide us with details regarding your criminal conviction(s) as follows:-

Offence: _____

Date of Offence: _____

Offence Code: _____

Date of Conviction: _____

Sentence: _____

Date Sentence Completed: _____

Details of any fines or costs imposed: _____

Convicting Court Name: _____

If applicable please provide any supporting evidence from your Probation Officer with regard to your compliance with any Probation Order and the constructive use of your period of probation

If you are unable to give a supporting statement from your Probation Officer, then please provide us with their name, contact details and your written consent that we can contact them directly

Please return the completed form to: declarations@le.ac.uk