

University of Chichester aims to promote equality of opportunity and welcomes applicants, whatever their background.

As part of our recruitment process we ask applicants to declare if they have any previous conviction by asking the direct question on the application form both direct and UCAS. Criminal records are taken into account for recruitment purposes only when the conviction is relevant to the programme to be undertaken by the person if admitted to the programme. Having an “unspent” conviction will not necessarily bar an applicant from the programme; this will depend on the circumstances and background to the offence with regard to the programme for which the application is made.

Unless the nature of the programme demands it (e.g. working with children or vulnerable adults) applicants will not be asked to disclose convictions, which are “spent” under the Rehabilitation of Offenders Act 1974.

The Pro Vice-Chancellor is responsible for Admissions. Any applicant that declares a criminal conviction at the initial application stage will be asked to provide further information to be disclosed to the Admissions Officer in confidence. This information will be sent to the Pro Vice-Chancellor for consideration of any implications to the chosen programme. The Pro Vice-Chancellor will discuss the case with the Head of School or Programme Co-ordinator where necessary and will communicate the decision to the Admissions Office. If the conviction represents a reputational risk to the institution the Pro Vice-Chancellor may involve the Deputy Vice-Chancellor who may in turn involve the Vice-Chancellor in the decision-making process.

If an applicant is unhappy with the decision made regarding their criminal conviction at this stage, they must put their concerns in writing to the Pro Vice-Chancellor.

Process

1. Individuals who are applying for programmes that are exempted under the Rehabilitation of Offenders Act (Exceptions) Order 1975 will be notified through the offer letter that the programme requires the disclosure of all criminal record information. The offer letter will inform these applicants that instructions on how to obtain a Criminal Records Bureau (CRB) Disclosure will be available from early May each year on the Admissions Portal on the University website. These instructions refer to the web-site location of the CRB Code of Practice and are also available in hard copy on request from the Admissions Office. The definitive list of programmes requiring a CRB check is stored in the Admissions Office. When a new programme is approved then the CRB status of that programme will be considered by the approval panel and recommendations made.
2. A CRB Disclosure will be requested from every individual who is made an offer for such a programme. Where the programme is exempted under the Act, the applicant will be required to obtain an Enhanced Disclosure from the CRB at his or her own expense.
3. The Admissions Office staff will carry out identity checks and will send the completed and checked forms to the CRB after the form has been checked and signed by the lead-signatory. Details of all CRB forms processed in the Admissions Office will be logged on a database accessible only by Admissions Office staff. No personal details other than individuals’ names, course type and date of disclosure request are stored on this database.
4. The CRB Disclosure will be returned by the CRB to the lead-signatory and if clear, will be passed to the Admissions Office to complete the CRB process.

5. Admissions decisions will be based on an assessment of the applicant's relevant skills, experience, qualifications and abilities in the normal way. However no offer of a place will be made until the outcome of any criminal records investigation or the CRB process is complete.
6. Where the Deputy Vice-Chancellor (as the lead signatory) deems convictions to be relevant to the programme, a standard letter will be sent to the relevant Head of School along with a copy of the application form, the CRB Disclosure form and any additional documentation received regarding the conviction.
7. The applicant will be invited to a one-to-one meeting with the Head of School and Programme Co-ordinator. This will provide an opportunity for an open and honest discussion regarding the relevant conviction(s) and the implications of the conviction(s) to the programme of study.
8. Should information provided by the CRB, specialist organisation or other person contradict that provided by the individual, this will be discussed in this meeting. The University recognises that differences may occur because the individual was unaware of the nature of any criminal record, or that information contained in the Disclosure is inaccurate.
9. The Head of School will inform the Deputy Vice-Chancellor of their recommendation following the meeting. If necessary, and with the consent of the individual, references regarding offence information may be taken up, for example, from a probation officer or specialist employment organisation.
10. Following receipt of all relevant information, a decision regarding admission will be made by the Deputy Vice-Chancellor who will confirm the final decision to the Admissions Officer and the applicant will be contacted by letter.
11. Should an individual wish to dispute the decision made by the Deputy Vice-Chancellor, then they must put their concerns in writing.
12. All applicants are entitled to appeal to the CRB if they think that the information contained on their CRB Disclosure is inaccurate.

What would constitute "relevant"?

In considering the relevance of criminal convictions, The University of Chichester will take account of the nature of the programme, for example:

- Does the programme involve one-to-one contact with children or other vulnerable groups such as students, clients, customers or other associated people?
- What level of supervision does/will the student receive?
- Does the programme involve direct responsibility for finance or items of value?
- Does the programme involve direct contact with the public?

A risk assessment will be conducted, relevant to that programme. Such an assessment will consider:

- The seriousness of the offence or other matter and its relevance to the safety of other employees, students, customers, clients, minors under their supervision and property
- The length of time since the offence or other matter occurred
- Any relevant information offered by the applicant about the circumstances which led to the offence being committed or other matter occurring (for example, the influence of domestic or financial difficulties)
- Whether the offence or other matter was a one-off or part of a pattern of offending behaviour or other relevant matters.
- Whether the nature of the programme presents any opportunities for the student to re-offend
- Whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely
- The country in which the offence was committed or other matter occurred
- Whether the offence has since been decriminalised by Parliament

Following Admission

Where details of a conviction or other matter come to light during the programme of study and have not been revealed by the individual at the time of admission / registration and/or it is found that a student deliberately withheld information, or misled the University to gain a place on the programme, this will be dealt with by the Deputy Vice-Chancellor through the disciplinary procedure.

The University will consider whether the conviction or other matter is relevant, whether there is a significant risk, and whether this may be reduced through safeguards or a transfer to another programme. Only where there are issues of significant risk that cannot be reduced would termination of registration be considered.

Data Usage, Security, Retention and Disposal

1. No information regarding disclosed criminal convictions or Disclosure will be released to any individual or organisation, unless they are authorised to receive it in the course of their duties under Section 124 of the Police Act Part V 1977. It is a criminal offence to pass this information to anyone who is not entitled to receive it.
2. The counter-signatories will ensure that Disclosures and the information they contain will only be released to those who need access in the course of their duties (e.g. Head of School, Programme Co-ordinator, Admissions Tutor, Admissions Officer, Academic Services Manager or other Counter-signatories). After discussions have been made, all Disclosure information which has been released will be returned to the Admissions Officer.
3. All Disclosure information will be stored in secure, locked filing cabinets. Keys to such cabinets will only be held by responsible persons nominated by the lead-signatory (the Admissions Officer or Deputy) with access strictly controlled and limited to those who are entitled to see it as part of their duties.
4. Disclosures will be held in Academic Services for a period of up to six months after the commencement of the programme, or after the resolution of a dispute regarding the application or disclosure information. In exceptional circumstances information may need to be retained for longer, but this will not be considered without consultation with the CRB.
5. After this time Disclosure information will be shredded under the direct supervision of a responsible person nominated by the lead-signatory (the Admissions Officer or Deputy). While awaiting destruction, Disclosure information will not be kept in an insecure receptacle (eg: waste bin or confidential waste sack or portable container).
6. No photocopy or other image or representation of the Disclosure will be taken or retained.
7. A record of the date of disclosure, the name of the subject, the type of disclosure, and the unique number issued by the CRB will be retained in accordance with CRB advice. Such records will be kept in a secure, locked filing cabinet in Academic Services. The keys to which will only be held by responsible persons nominated by the lead-signatory (the Academic Services Manager or Deputy) with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Complaints

The University of Chichester undertakes to comply with the CRB Code of Practice. A copy of the Code is available from the CRB website (www.crb.gov.uk). If an applicant or student believes this Code has not been complied with they should contact the CRB directly at:

Criminal Records Bureau
PO Box 110
Liverpool L69 3EF
Tel: 0870 90 90 811