




# Quality System

## Procedure Number

BAC-SS-06

## Procedure Title

Student Disclosure of Criminal Convictions

Written by: 	Checked by: 	Equality Impact Assessed by: 
Author: Claire Smith	Manager: Shaun Hope	Assessor: Claire Smith

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	<b>Responsibility</b>
<p><b>1.0 Purpose</b></p> <p>1.1 The purpose of this procedure is to ensure the safeguarding of all staff, students and visitors to Bishop Auckland College and South West Durham Training (thereafter to be termed the Organisation).</p> <p><b>2.0 Scope</b></p> <p>2.1 This procedure includes applicants and students on programmes at the Organisation.</p> <p><b>Note:</b> Those students attending Durham Gateway provision will be referred to the Head of Durham Gateway</p> <p>2.2 Health and Social Care, Childcare and other child related courses invoke a work placement that is 'exempt' from the Rehabilitation of Offenders Act 1974 and require a Criminal Record Check through the Disclosure and Barring Service therefore students must declare any relevant unspent and spent convictions.</p> <p>2.3 As this procedure involves processing personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Regulation</p> <p><b>3.0 References</b></p> <p>3.1 POL-CP-01 - Safeguarding Policy  3.2 Rehabilitation of Offenders Act 1974  3.3 General Data Protection Regulation Policy  3.4 Q-QR-01 - Quality Records Schedule  3.5 <a href="https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974">https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974</a>  3.6 <a href="https://unlock.org.uk/">https://unlock.org.uk/</a></p> <p><b>4.0 Definitions</b></p> <p>ProSolution – College Management Information System</p> <p>Criminal Convictions Disclosure Panel membership consists of Head of Admissions, Pastoral &amp; Welfare Manager, Quality Assurance Manager, Head of School – Health &amp; Social Care, Early Years, Access to HE where required or designates</p> <p><b>5.0 Procedure</b></p> <p><b>5.1 For disclosures stated on applications for courses requiring an interview</b></p> <p>5.1.1 Where a disclosure has been indicated on an application form the details will be sent on a confidential e-mail to Student Services by admissions staff.</p>	<p>Member of Admissions Team</p>

	<b>Responsibility</b>
5.1.2 Where a disclosure has been indicated, letter SS-LE-01 and form SS-CD-03 will be forwarded to the student within 3 working days.	Student Services Administrator
5.1.3 The procedure should then be followed from 5.5 “Processing completed disclosure forms”	Student Services Administrator
5.1.4 Where disclosure forms (that were sent to potential students for completion) are not returned within 10 days, letter SS-LE-02 will be sent out to them to inform them that their application/enrolment has been cancelled.	Student Services Administrator
5.1.5 Student Services will inform Admissions to cancel the application/enrolment	Student Services Administrator
<b>5.2 For disclosures during the enrolment process</b>	
5.2.1 If a disclosure is made during the enrolment process, the enrolment will be halted and the potential student will complete form SS-CD-03.	Member of Admissions Team
5.2.2 Admissions staff will refer the enrolment to either the Head of Admissions, the Pastoral & Welfare Manager or designate for a decision regarding enrolment.	The Head of Admissions/Pastoral & Welfare Manager/Designate
5.2.3 If the enrolment is agreed prior to a Criminal Convictions Panel meeting the enrolment will be completed.	Member of Admissions Team
5.2.4 If enrolment is declined, then enrolment will be halted pending the outcome of the Criminal Conviction Panel meeting.	
5.2.5 The procedure should then be followed from 5.5 “Processing completed disclosure forms”	
<b>5.3 For disclosures made on a Manual Learning Agreement</b>	
5.3.1 All manual learning agreements that are completed will be checked for disclosure. Where disclosure has been made, letter SS-LE-01 and form SS-CD-03 will be forwarded to the student within 3 working days.	Student Services Administrator/ Flexible Learning/ Community Learning
5.3.2 The procedure should then be followed from 5.5 “Processing completed disclosure forms”	
5.3.3 Where disclosure forms (that were sent to potential students for completion) are not returned within 10 days, letter SS-LE-02 will be sent out to them to inform them that their application/enrolment has been cancelled.	Student Services Administrator
5.3.4 Flexible Learning/Community Learning will cancel the application/enrolment and the outcome will be recorded onto the Criminal Conviction Disclosure Log.	Flexible Learning/ Community Learning /Student Services Administrator

	<b>Responsibility</b>
<b>5.4 For disclosures made by a student on programme</b>	
5.4.1 If a student discloses a criminal conviction or pending court case whilst on programme the student will be referred to Student Services or Reception to obtain form SS-CD-03.	Student Services
5.4.2 The student will complete form SS-CD-03.	Student
5.4.3 The procedure should then be followed from 5.5 "Processing completed disclosure forms"	
<b>5.5 Processing completed disclosure forms</b>	
5.5.1 All completed disclosure forms SS-CD-03 will be logged onto Criminal Disclosure Log SS-CD-04 and stored in the Criminal Disclosures File. Access to the Log and File are restricted to the Student Support Team.	Student Services Administrator
5.5.2 A 'flag' will be added to the learner record on ProSolution	Student Services Administrator
5.5.3 Criminal Conviction Disclosure Panel meetings will be arranged via Calendar and held fortnightly as necessary. Meetings can also be convened as and when required.	Student Services Administrator
<i><b>Note:</b> For any Childcare, Health and Social Care or Teacher Training courses the Head of School should also be invited to the meetings for relevant disclosures.</i>	
5.5.4 The panel will review all disclosures and outcomes will be agreed.	Panel members
<i><b>Note:</b> where it has been identified that there is a disclosure with a Court Appearance Pending, letter SS-LE-09 will be sent out.</i>	
5.5.5 Outcomes from the panel meeting will be recorded onto each form SS-CD-06 and signed by the Panel members.	Head of Admissions or Designate
5.5.6 Outcomes will also be recorded onto the Criminal Conviction Disclosure Log and the student record on ProSolution will be updated	Student Services Administrator
5.5.7 One of the following letters will be sent to the students informing them of the outcome of the Criminal Convictions panel meeting.	Student Services Administrator
<ul style="list-style-type: none"> <li>• If no further action is to be taken letter SS-LE-03 will be sent.</li> <li>• If enrolment is refused, letter SS-LE-07 will be sent.</li> </ul>	
<i><b>Note:</b> where enrolment has been refused but other courses maybe suitable, letter SS-LE-08 will be sent out (instead of SS-LE-07) offering Information Advice and Guidance IAG.</i>	
<ul style="list-style-type: none"> <li>• If referral for a Risk Assessment Meeting, letter SS-LE-04 will be sent requesting additional information relating to their offence. The procedure will then be followed from 5.6 "Referral for Risk Assessment"</li> </ul>	Student Services Administrator

	<b>Responsibility</b>
5.5.8 All information and documentation relating to the student will be stored in a lockable cabinet and restricted to members of the Student Support Team.	Student Services Administrator
<b>5.6 Referral for Risk Assessment</b>	
5.6.1 If the outcome of the Criminal Conviction Disclosure panel meeting is a referral for a risk assessment, a copy of the form SS-CD-03 will be forwarded to Student Services to progress.	Student Services Administrator
5.6.2 If the potential student does not reply to Letter SS-LE-04 within 10 working days then letter SS-LE-05 will be sent out to them to inform them that their application/enrolment has been cancelled.	Student Services Administrator
5.6.3 Student Services will inform Admissions to cancel the application/enrolment	Student Services Administrator
5.6.4 Where a potential student has responded within 10 working days, Student Services will arrange a Risk Assessment Meeting with the potential student.  <i>Note: The Risk Assessment Meeting will comprise of, a Designated Safeguarding Officer, Head of School/Designate for the relevant course and the Pastoral &amp; Welfare Manager/Designate.</i>	Student Services
5.6.5 Student Services will communicate the outcome following assessment to the Admissions Team.  <i>Note: If the student does not attend the arranged Risk Assessment meeting, letter SS-LE-05 will be sent out to inform the student that their application has been cancelled.</i>	Member of Student Services
5.6.6 All outcomes from assessments will be recorded onto the form SS-CD-06.	Head of Admissions or Designate
5.6.7 The Criminal Convictions Disclosure Log SS-CD-04 and the Learner Record on ProSolution will be updated.	Student Services Administrator
5.6.8 One of the following letters will be sent to the student informing them of the outcome of the Risk Assessment meeting. <ul style="list-style-type: none"> <li>• If enrolment is refused, letter SS-LE-07 will be sent.</li> <li>• If enrolment is approved, letter SS-LE-06 will be sent.</li> </ul>	Student Services Administrator
<b>5.7 Appeals Process</b>	
5.7.1 When a student has been refused entry, they have the right to appeal by writing to the Head of Admissions within 10 working days of receipt of letter refusing entry.	Student
5.7.2 Upon receipt of an appeal the Head of Admissions will convene the Criminal Disclosure Risk Assessment panel members to review the appeal.	Head of Admissions or Designate



## 7.0 Quality Records Schedule

Identification of Record	Medium	Storage Location/ Protection	Retention Period	Access Rights/ Retrieval	Method of Disposal
SS-CD-03 – Declaring Criminal Convictions – Disclosure Form	Paper based	Student Services – locked cabinet	Six years in total	Student Services Staff	Destroyed as Confidential waste
SS-CD-04 - Criminal Disclosure Log	Electronic	Student Services area of the College Server	Six years in total	Student Services Staff	
Learning Agreement	Paper based	<p>Full Time – retained in designated work area until student starts. Forwarded to Registry for academic year then archived</p> <p>Part Time – Registry for academic year then archived</p>	Six years in total	Admissions and Registry Staff	Destroyed as Confidential waste
Application Interview Record	Paper based	Full Time – retained in designated work area	Six years in total	Admissions staff and Registry staff	Destroyed as Confidential waste



## Student disclosure of criminal convictions, Reprimands or Final Warnings



Identification of Record	Medium	Storage Location/ Protection	Retention Period	Access Rights/ Retrieval	Method of Disposal
		until student starts. Forwarded to Registry for academic year then archived  Part Time – Registry for academic year then archived		Stored by academic year, under the students surname, alphabetically within filing cabinets in registry and then achieved by academic year.	
SS-CD-06 – Criminal Convictions Disclosure Log Sheet	Paper based	Student Services – locked cabinet	Six years in total	Student Services Staff	Destroyed as Confidential waste
SS-LE-01 - Letter – Request for completion of disclosure form	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-02- Letter - Application /enrolment cancellation notification	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste

SS-LE-03- Letter - No further action required	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-04 – Letter - Referral for Risk Assessment Meeting	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-05 – Letter - Application cancelled (non attendance at Risk Assessment Meeting)	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-06 – Letter – Approval following Risk Assessment Meeting	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-07- Letter – Application unsuccessful	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste

## Student disclosure of criminal convictions, Reprimands or Final Warnings



SS-LE-08 – Letter – Application unsuccessful, IAG offered	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-09- Letter - Outcome of court Appearance	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste
SS-LE-10- Letter - Outcome of Appeal	Paper based and electronic	Locked cabinet in Student Services/Student Services section on Server Files	Six years in total	Student Services Staff Filed alphabetically	Destroyed as Confidential waste