

Quality Management System

Procedure Number

BAC-SS-06

Procedure Title

Student Disclosure of Criminal Convictions

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Alternative Format Statement

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Student Disclosure of Criminal Convictions

	Responsibility
<p>1.0 Purpose</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 BACG).</p>	
<p>2.0 Scope</p>	
<p>2.1 This procedure applies to applicants and students on programmes at BACG.</p> <p>Note 1: Those students attending Durham Gateway provision will be referred to the Head of Durham Gateway</p> <p>Note 2: Where a student has applied for Student Finance, please refer to the College Fees Policy for further guidance</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 Policy (POL-DP-01) for further information.</p>	
<p>3.0 References</p>	
<p>3.1 POL-CP-01 - Safeguarding Policy</p>	
<p>3.2 Rehabilitation of Offenders Act 1974</p>	
<p>3.3 POL-DP-01 - General Data Protection Regulation Policy</p>	

	Responsibility
3.4 Q-QR-01 - Quality Records Schedule	
3.5 https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974	
3.6 https://unlock.org.uk/	
4.0 Definitions	
ProSolution – College Management Information System	
Criminal Convictions Disclosure Panel membership consists of Head of Community & Careers, Pastoral & Welfare Manager, Quality Assurance Manager, Director of Service Sector & Caring Professions where required or designates	
5.0 Procedure	
5.1 For disclosures stated on applications for courses requiring an interview	
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.	Member of Admissions Team
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

	Responsibility
<p>5.2 For disclosures during the enrolment process</p>	
<p>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.</p>	<p>Member of Admissions Team</p>
<p>5.2.2 Admissions staff will refer the enrolment to either Head of Community & Careers the Pastoral & Welfare Manager or designate for a decision regarding enrolment.</p>	<p>Head of Community & Careers / Pastoral & Welfare</p>
<p>5.2.3 If the enrolment is agreed the enrolment will be completed.</p>	<p>Manager/Designate Member of Admissions Team</p>
<p>5.2.4 If enrolment is declined, then enrolment will be halted pending the outcome of the Criminal Conviction Panel meeting.</p>	
<p>5.2.5 The procedure should then be followed from 5.5 "Processing completed disclosure forms"</p>	
<p>5.3 For disclosures made on a Manual Learning Agreement</p>	
<p>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.</p>	<p>Student Services Administrator/ Flexible Learning/ Community Learning</p>
<p>5.3.2 The procedure should then be followed from 5.5 "Processing completed disclosure forms"</p>	
<p>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.</p>	<p>Student Services Administrator</p>
<p>5.3.4 Flexible Learning/Community Learning will cancel the application/enrolment and the outcome will be recorded onto the Criminal Conviction Disclosure Log.</p>	<p>Flexible Learning/ Community Learning /Student Services Administrator</p>

5.4 For disclosures made by a student on programme	Responsibility
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”	
5.5 Processing completed disclosure forms	
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. Note: For any Childcare, Health and Social Care or Teacher Training courses the Director of Service Sector & Caring Professions should also be invited to the meetings for relevant disclosures	Student Services Administrator
5.5.4 The panel will review all disclosures and outcomes will be agreed. Note: where it has been identified that there is a disclosure with a Court Appearance Pending, letter SS-LE-09 will be sent out.	Panel Members
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 Community & Careers or Designate

	Responsibility
<p>5.5.6 Outcomes will also be recorded onto the Criminal Conviction Disclosure Log and the student record on ProSolution will be updated</p>	<p>Student Services Administrator</p>
<p>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.</p> <ul style="list-style-type: none"> • If no further action is to be taken letter SS-LE-03 will be sent. • If enrolment is refused, letter SS-LE-07 will be sent. <p>Note 1: 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.</p> <p>Note 2: Students who are refused to continue in their programme of study will be liable for any tuition fees incurred leading up to the withdrawal from programme</p> <ul style="list-style-type: none"> • 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” 	<p>Student Services Administrator</p>
<p>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.</p>	<p>Student Services Administrator</p>
<p>5.6 Referral for Risk Assessment</p>	
<p>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.</p>	<p>Student Services Administrator</p>

	Responsibility
<p>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 their application/enrolment has been cancelled.</p>	Student Services Administrator
<p>5.6.3 Student Services will inform Admissions to cancel the application/enrolment</p>	Student Services Administrator
<p>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.</p> <p>Note: The Risk Assessment Meeting will comprise of, a Designated Safeguarding Officer, Director of Curriculum/ Designate for the relevant course and the Pastoral & Welfare Manager/Designate.</p>	Student Services
<p>5.6.5 Student Services will communicate the outcome following assessment to the Admissions Team.</p> <p>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.</p>	Member of Student Services
<p>5.6.6 All outcomes from assessments will be recorded onto the form SS-CD-06.</p>	Head of Community & Careers or Designate
<p>5.6.7 The Criminal Convictions Disclosure Log SS-CD-04 and the Learner Record on ProSolution will be updated.</p>	Student Services Administrator
<p>5.6.8 One of the following letters will be sent to the student informing them of the outcome of the Risk Assessment meeting.</p> <ul style="list-style-type: none"> • If enrolment is refused, letter SS-LE-07 will be sent. • If enrolment is approved, letter SS-LE-06 will be sent. <p>Note: Students who are refused to continue on their programme of study will be liable for any tuition fees incurred leading up to the withdrawal from programme</p>	Student Services Administrator

	Responsibility
<p>5.7 Appeals Process</p>	
<p>5.7.1 When a student has been refused entry/ Continuation on course, they have the right to appeal by writing to the Head of Community & Careers within 10 working days of receipt of letter refusing entry. The panel's decision is made on the basis of information provided. Any appeal should therefore only contain information additional to this or information which amens or corrects that already given.</p>	<p>Student</p>
<p>5.7.2 Upon receipt of an appeal the Head of Community & Careers will convene the Criminal Disclosure Risk Assessment panel members within two working weeks to review the appeal</p>	<p>Head of Community & Careers or Designate</p>
<p>5.7.3 Following the outcome of the meeting letter SS-LE-10 will be forwarded to the student within three working days to inform them of the outcome.</p>	<p>Student Services Administrator</p>
<p>5.7.4 All decisions relating to appeals made by the Criminal Disclosure Risk Assessment panel are Final.</p>	
<p>5.8 Records</p>	
<p>5.8.1 The Pastoral & Welfare Manager is responsible for maintaining the documented records associated with this procedure. S/he will determine the records to be held, their location, retention period and disposal using the Guidelines for Completing a Quality Records Schedule (ref 3.3) for reference. The Quality Records Schedule associated with this procedure is included as section 7.</p>	<p>Pastoral & Welfare Manager</p>

			Responsibility
6.0	Documentation		
6.1	SS-CD-03	Disclosure of Criminal Convictions - Disclosure Form	
6.2	SS-CD-04	Criminal Disclosure Log	
6.3	SS-CD-06	Criminal Convictions Disclosure Log Sheet	
6.4	SS-LE-01	Letter - Request for completion of disclosure form	
6.5	SS-LE-02	Letter - Application/enrolment cancellation notification	
6.6	SS-LE-03	Letter - No further action required	
6.7	SS-LE-04	Letter - Referral for Risk Assessment Meeting	
6.8	SS-LE-05	Letter - Application cancelled (non attendance at Assessment Meeting)	
6.9	SS-LE-06	Letter – Approval following Risk Assessment Meeting	
6.10	SS-LE-07	Letter – Application unsuccessful	
6.11	SS-LE-08	Letter – Application unsuccessful, IAG offered	
6.12	SS-LE-09	Letter - Outcome of Court Appearance	
6.13	SS-LE-10	Letter – Outcome of Appeal	

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	Full Time – retained in designated work area until student starts. Forwarded to Registry for academic year then archived Part Time – Registry for academic year then archived	Six years in total	Admissions and Registry Staff	Destroyed as Confidential waste
Application Interview Record	Paper based	Full Time – retained in designated work area until student starts. Forwarded to Registry for academic year then archived Part Time – Registry for academic year then archived	Six years in total	Admissions staff and Registry staff Stored by academic year, under the students surname, alphabetically within filing cabinets in registry and then achieved by academic year.	Destroyed as Confidential waste

Student Disclosure of Criminal Convictions

Identification of Record	Medium	Storage Location/ Protection	Retention Period	Access Rights/ Retrieval	Method of Disposal
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

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Identification of Record	Medium	Storage Location/ Protection	Retention Period	Access Rights/ Retrieval	Method of Disposal
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
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

Contact Information

For questions or feedback regarding this procedure, please contact:

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Summary of significant changes

For information about changes made to this Procedure see the [Change log](#) found on our website.