

University of Bath policy statement on applicants with criminal convictions

Section 1

We actively promote equality of opportunity and we are keen to encourage a diverse student population with a wide range of talents, backgrounds and experiences. Having a criminal conviction will not necessarily prevent you from gaining admission to the University of Bath. In reaching decisions on those with criminal convictions, the University will consider not only its own responsibilities and duties but also the safety and well-being of the individual and its ability to provide any appropriate support arrangements.

Section 2

Applicants for places on most undergraduate or postgraduate programmes will be asked to declare any relevant criminal convictions on their UCAS or University application form. Declarations will normally be requested for programmes or short courses involving residential delivery such as summer schools. Distance learning postgraduate applicants will normally be asked to declare any relevant convictions however this requirement may be waived where programmes are of very short duration and/or do not involve attendance on campus (e.g. CPD programmes).

Section 3

Relevant convictions are currently defined as:

“Those convictions for offences against the person, whether of a violent or sexual nature, and convictions for offences involving unlawfully supplying controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking.”

Unless the nature of the programme of study requires us to ask questions about your entire criminal record, you are not required to tell us about 'spent' convictions as defined in the Rehabilitation of Offenders Act 1974. Please note that custodial sentences of more than two and a half years can never become 'spent'.

Applicants sometimes voluntarily bring information about convictions in relation to other types of offence to our notice. Under these circumstances the University reserves the right to consider whether admission carries any risks relating to the factors set out in section 6.

Section 4

Applicants for places on pharmacy, social work or any programme involving work with children or vulnerable adults must declare any conviction including those which are spent and including cautions (verbal or written), a warning or reprimand, a bind-over order. A self-declaration will be sought first, and reviewed after interview and prior to any offer. A Disclosure and Barring Service Enhanced Disclosure will then be required once any offer made has been accepted. No applicant will be permitted to register for a programme requiring a DBS check unless the application process for the Disclosure has been completed. Applicants may be allowed to register pending a satisfactory DBS Disclosure but if any information comes to light as a result of this, after registration, the University reserves the right to terminate the registration and require the student to withdraw.

We will only apply for DBS checks for those aged 16 and over.

Section 5

For applicants, if you indicate that you have a conviction or other penalty, we will not take this any further until your application has been considered on academic grounds. Our primary selection criteria are those related to the qualifications, skills, abilities and personal qualities you have to offer your chosen programme of study. Once we have reached an academic decision in principle, though, we will not make an offer of a place until we are satisfied that your admission will not pose any unacceptable risks in relation to the factors set out in section 6 and until we are confident that you will have access to any essential work or study placements in partner organisations.

In order to reach an informed decision, we will therefore ask you to provide further details on the nature of your offence. We will need an independent account of what happened and the subsequent penalties. This may be a pre-sentence report or other statement from your legal advisors. We will also ask you for a written personal statement on the circumstances surrounding your conviction and supporting information from a probation officer or other person connected with your case (if you wish).

Section 6

The University's main concerns in respect of applicants with criminal convictions are to:

- Ensure the safety and well-being of staff, students, visitors and others using our services or facilities
- Protect the University's reputation and public standing
- Carry out our legal responsibilities and duties

Any admissions decision will be taken in relation to these criteria. The University reserves the right to consider any significant risks to University property if these are linked to any convictions disclosed as a requirement or voluntarily.

Section 7

The University requests that any information on offences, or any Disclosure documents, be sent under separate, confidential cover, to the appropriate contact:

- For undergraduate applications made through UCAS: International Liaison Officer, Student Recruitment and Admissions, University of Bath, BA2 7AY.
- For all other applications: Admissions Manager (Postgraduate & International Liaison), Student Recruitment and Admissions, University of Bath, BA2 7AY.

We guarantee that this information will only be seen by those who need to consider it as part of our admissions process and that it will not be retained longer than is necessary for the purpose of admission.

Section 8

We ensure that all those at the University who are involved in the admissions process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure

that they have received appropriate guidance and training in the relevant legislation such as the Rehabilitation of Offenders Act 1974.

If you have declared or disclosed a relevant conviction and the relevant programme admissions team wishes to admit you on academic grounds, your case will be considered initially by the Admissions Tutor for your programme, in conjunction with the Director Student Recruitment and Admissions. If the case is straightforward, an offer to you may be approved at this stage. If the case requires further consideration, it will be referred to a Standing Committee on the Admission of Students with Criminal Convictions.

A decision to refuse an application for admission because of a criminal conviction can only be taken by a Standing Committee. If your case is heard by a Standing Committee, you will have the right to make representations to it in person and to receive feedback on its deliberations. The Committee will ensure that an open and measured discussion takes place on the subject of the offence and on any other matters relevant to the case. Failure to reveal information that is directly relevant to the case before or during the Committee meeting could lead to the withdrawal of any subsequent offer of a place or to the termination of any subsequent registration.

Cases relating to programmes not listed below will be considered by a Standing Committee comprising:

- An Associate Dean (Learning and Teaching), identified by the Pro-Vice-Chancellor (Learning and Teaching) (Chair)
- A Director of Studies, identified by the Pro-Vice-Chancellor (Learning and Teaching)
- Director of Student Recruitment and Admissions
- Head of Student Services
- Head of Security Services
- Deputy Chief Executive, Students' Union.

Two representatives from the relevant academic department(s), (normally the Head of Department and Director of Studies) will be invited to attend the Committee to comment as appropriate.

For programmes listed below, the Director of Student Recruitment & Admissions and Dean of the Faculty acting jointly have the power to appoint the members of a Standing Committee (which may include appropriate professional representatives from outside the University):

- Doctorate of Clinical Psychology
- Master of Pharmacy
- BSc Social Work

Section 9

If you have a conviction and the Standing Committee, on behalf of the University, refuses to offer you a place, you have the right to appeal to the University Secretary. Appeals must be registered by writing to the University Secretary within 14 days of receiving written notice of the outcome of a hearing.