



DERBY COLLEGE GROUP POLICY

Student Criminal Convictions Policy

Policy Number:	STS-003
Executive Owner:	Deputy CEO
Owning Strategy / Department:	Student Engagement Strategy / Corporate and Student Services
Approval Board / Committee / Group:	Safeguarding Board
User Group:	Students, Prospective Students, Employees, Parents, External Agencies
Relevant To:	Students, Prospective Students, Services to Students employees, Heads, Team Managers
Implementation Date:	October 2018
Approval Date:	July 2021
Next review start date:	April 2024
Expiry Date:	July 2024

Date:	July 2021
Originator:	Director of Services for Students
Area:	Corporate and Student Services

Once printed, this is an uncontrolled document. Refer to Policy Portal for latest version.

POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS

Policy Accountability and Implementation

Policy Title:	Student Criminal Conviction Policy
Policy Author / Reviewers:	Director of Services for Students
Policy Implementation:	Director of Services for Students Team Manager Student Welfare and Guidance, Heads of Faculty, Student Service Adviser, Risk Assessment Officer
Policy Monitoring and Compliance:	Director of Services for Students
Policy Review Timeline:	The periodic review cycle for this policy is set at three years

Synopsis:

To ensure that the college is compliant with the Rehabilitation of Offenders Act and safeguards its students and staff by having a clear policy statement and procedure regarding students and prospective students who have a criminal conviction (or one that is pending) and wish to be a Derby College student. the Insert overview of policy purpose

Policy Classification and Publication

Classification

- Strongly Recommended (SR)

Publication

- Intranet – Policy portal
- Student VLE (Moodle)

Empowering/related legislative and/or authoritative references:

Rehabilitation of Offenders Act 1974
Equality Act 2010

Impact Assessment reference:

Periodic Policy Review / Change History

Note: Please make it clear if change/review relates to procedures, guidelines and associated documents only or it is a rational for a new or substantive policy review

Version	Reviewed / Modified by:	Change History	Advisory committee / groups or specialists	Review / Meeting Date/s
V2	Head Student Support Services		Admissions Leadership Board	
V3	Head Student Support Services	Amends made to Supporting documents – updated Criminal Conviction Risk assessment forms.	Admissions Leadership Board	
V4	Head Student Support Services	Minor amends	Admissions Leadership Board /Deputy CEO	
V5	Director of Services for Students	Minor updates	Safeguarding Board	24/07/2018
V6	Director of Services for Students	Amends made to supporting documents-flow chart	Safeguarding Board	
V7	Team Manager- Student Welfare	Full review, minor amends	Director of Services for Students	July 2021

1. Policy Statement

Derby College actively promotes equality of opportunity for all and welcomes applications from a wide range of applicants, including those with criminal records. The Rehabilitation of Offenders Act 1974 gives people with spent convictions, cautions, reprimands and final warnings the right not to disclose them when applying for a place on a College programme. However, under the Act there is a rehabilitation period before convictions become spent, depending on the sentence given and it should be acknowledged that custodial sentences of more than four years can never become spent.

The College has a duty of care to protect all, together with a legal responsibility to make an informed judgement regarding any potential risk posed. This process is supported by the production of a risk assessment in order to identify and assess any applicant whose known behaviour or record of offences indicates that they may be a risk to themselves, other Students, staff, visitors or the College environment. There is also a moral responsibility to support students with an offending history in an appropriate manner as part of their student journey.

2. Definitions

Cautions – formal warning that is given to an adult who has admitted an offence.

Conviction – sentence issued by the Courts following criminal activity.

Reprimand/warning – caution which is given to juveniles who have committed an offence.

Spent – conviction that has exceeded the rehabilitation period as defined by the Rehabilitation of Offenders Act.

3. Principles

This Policy aims to be equitable to all applicants and to meet the legal obligations of the Rehabilitation of Offenders Act, whilst ensuring compliance with the Data Protection legislation

4. Scope and Limitations

This policy applies to all students, except those whose period of learning at Derby College is spent wholly off site and the student has no access to College facilities.

5. Responsibilities

The Deputy Chief Executive Officer is responsible for ensuring that there are robust policies and procedures in place to support a safe learning environment, they are also responsible for receiving and taking action on any appeals received in relation to this policy.

The Director of Services for Students and the Team Manager Student Welfare in conjunction with the Heads of Faculty or their nominee are responsible for approving the enrolment of applicants or continued study for students who have declared a criminal conviction(s).

It is the responsibility of the Head of Faculty or Team Manager Student Welfare to communicate the outcome of the decision made to the student/applicant.

It is the responsibility of Student Service Adviser to distribute all relevant paperwork to any applicant that declares a criminal conviction and will also assist with the completion of any paperwork if requested to do so.

6. Implementation Arrangements

The roles and responsibilities of staff in implementation of this policy and procedures are set out clearly in the procedure.

All new members of staff are made aware of the policy and procedures during the formal staff induction process. Updated and amended procedures are disseminated and reinforced in training sessions, team meetings and via email communications.

Staff and Students have access to this policy on the College intranet.

7. Monitoring and Review

The Criminal Convictions Policy is subject to regular review. The policy and the implementation arrangements which underpin it will be formally reviewed on an annual basis.

This review will take into account the views of staff and students and relevant local and national planning and guidance documents. The College reserves the right to make whatever changes it deems appropriate.

The Director of Services for Students will be responsible for monitoring the effectiveness of the Policy.

8. Guidelines

Guidance notes are included within the Student Criminal Conviction Procedure.

9. Procedures

See Student Criminal Conviction Procedure

10. Templates / Forms

No Templates or Forms related to this Policy

11. Related Documents

<https://www.nacro.org.uk/resettlement-advice-service/>

Safeguarding Policy

Admissions Policy

Positive Behaviour Policy