APPLICANTS AND STUDENTS WITH CRIMINAL RECORDS

Introduction

1. The University does not wish to debar individuals with criminal records from taking advantage of the opportunities provided by Higher Education. In general a criminal record is not be regarded as an obstacle to studying at this University. In any event, the University will not take into account, when dealing with existing students and selecting applicants for admission, criminal convictions which are deemed "spent" under the terms of the Rehabilitation of Offenders Act 1974 unless such convictions are deemed as "exceptions" under the terms of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. If spent offences are required to be disclosed this will always be indicated.

2. The University must also balance its responsibilities to provide a safe and secure environment for its staff, its students, visitors and others. In addition sometimes the University has to take into account the demands of various professional bodies and requirements under the law to protect special categories of people, e.g., children and the mentally ill.

3. The University will balance the interest of the student/applicant with its responsibilities to other people. The University does reserve the right to refuse to admit/expel students where in accordance with 5 and 6 below their criminal record makes it inappropriate for them to be admitted/attend.

4. The University's Schools of Medicine, Healthcare, Education (PGCE programmes only) and the Leeds Dental Institute have their own policies. These policies reflect the specific needs of those Schools. Such policies will apply in preference to this general policy. All policies allow for a right of appeal in accordance with Section 12.

Grounds for Refusing Admission

5. The test the University will use is whether the criminal record of an applicant/student gives reasonable grounds for considering that the admission/continuation of studies of the individual: (a) poses a real threat to the safety or property of staff, students, visitors, those coming into contact with the applicant during their studies or others involved in University business; or (b) would be contrary to the law or to the requirements/guidance of any relevant professional or other regulatory body.

6. In addition to the above, where third parties are involved in the delivery of a programme, applicants/students may also have to meet the requirements of such third parties.

Process

7. All applicants are required to disclose relevant unspent (and in the circumstances mentioned above, spent) offences when applying for admission to the University. If information relating to offences is not given or is given in incomplete form, then the University reserves the right at any stage to reject the application. Applicants also agree where required to submit to additional criminal record checks and other relevant enquiries.

8. Once a criminal record has been disclosed to the University by an applicant in the admissions process the application will initially be considered in the normal way alongside all other applications. The criminal record will only be considered if the applicant has achieved all other criteria that would otherwise mean that they would be admitted to the University. If the applicant would otherwise be admitted, then the relevant School admission officer (or, in
the case of an applicant for a research degree programme, the relevant School Postgraduate Research Tutor) will review the applicant in the light of the information relating to the criminal record. The admissions officer may consult with others at any time where he/she thinks appropriate. In many cases, the admissions tutor will then go on to seek further background information on circumstances surrounding the criminal record. In particular the admissions tutor may consider any or all of the following:

- whether the criminal record or other matter revealed is relevant to the programme on offer (including any secondments or placements);
- the seriousness of any offences;
- the number of any offences;
- whether the offences show a pattern of behaviour that seems to be recurrent and ongoing;
- whether the offences involve violence or threats of violence;
- whether the circumstances surrounding the offences were unique;
- whether the applicant's circumstances have now changed; and
- what evidence the applicant produces to support the view that the applicant is unlikely to offend again.

9. The School's admissions officer may require the applicant to provide information from other third parties who may have a view on the above matters. The parties may include probation officers and others who are professionally or personally involved in the rehabilitation of or familiar with the applicant.

10. A decision regarding admission shall be made by the admission officer and the relevant Head of School Before a decision is reached a University admissions manager based in the University's central student offices shall be consulted. The admissions manager shall review the case with the departmental admissions officer. The admissions manager shall in particular try to ensure that there is consistency in treatment towards applicants across the University. If necessary the Admissions manager may consult with the University's Legal Advisor and/or Head of Service in the execution of their duties.

11. As soon as a decision has been reached the applicant will be advised as to whether or not their application to the University has been successful. Such confirmation shall always be in writing. If admission has not been allowed, then notification will provide a summary of the reasons why.

12. If an applicant has been denied admission then he/she may appeal to the University's Secretary. Such appeal must be lodged in writing within 14 days of the date of the written notification of the decision that admission has been denied.

13. If a student obtains a criminal record after admission then the matter shall be dealt with under the regulations relating to general student discipline. Factors mentioned under Section 8 may again be considered.

**Ongoing Obligations**

14. Where applicants have been admitted to the University and are likely to come into contact with vulnerable persons e.g., children, or in the opinion of the University Secretary there is good reason to believe that a false declaration of a criminal record has been made, then applicants must agree to submit to a criminal records check.

15. If at any stage between application and completion of a programme of study an individual is charged with an offence that would ordinarily lead to a custodial sentence or is
convicted of a criminal offence, then they shall immediately inform their prospective (if an applicant) or existing (if a student) head of department and the University Secretary or his nominee (see 2.3 of the General University Disciplinary Regulations). If any action is taken by the University on the assumption that a conviction is likely and it transpires that the individual is not convicted then following a written request by the individual to the University's Secretary the University shall review its earlier decision to take action.

**False Declaration or Failure to Declare**

16. If at any stage an applicant/student fails to disclose accurately information required on their past criminal record, then this will be regarded as an extremely serious matter and may lead to any offer being withdrawn, or if the applicant has commenced their programme of study, the student may be required to cease their studies.

**Security**

17. Except where third parties are involved in the delivery of the relevant programme of study all information provided by an applicant/student relating to their criminal record will not be disclosed outside of the University.

18. Information within the University relating to criminal records will be restricted to only those who are involved in any of the processes detailed above.

19. All information relating to criminal records will be kept securely. In particular documents will be stored in locked filing cabinets and access to keys or combinations to those filing cabinets will be restricted.

Generally no information on applicant's/student's criminal records will be kept for longer than six months after completion of the admissions process or if admitted onto a programme of study six months after completion of that programme by the student.

**Contacts in respect to applicants for academic schools to liaise with**

Operation of the policy at the admissions stage is handled by the central officer responsible for the area the applicant is applying to as noted below:

Undergraduate admission: Graham Rees, g.d.rees@adm.leeds.ac.uk
Taught postgraduate admissions: Lisa Summers, l.a.summers@adm.leeds.ac.uk
Research admissions: Leanne Carr, l.carr@adm.leeds.ac.uk

**Further information and advice**

Further information and advice can be obtained from the Head of Student Complaints and Appeals in the Secretariat, who can be contacted at the following address:

The Secretariat  
Level 11, E C Stoner Building, University of Leeds, Leeds LS2 9JT

Tel: 0113 343 1276  
Fax: 0113 343 3925  
Email: AAandR@leeds.ac.uk  
Web site www.leeds.ac.uk/secretariat/student_cases.html