

Criminal Convictions Policy, Procedure and Guidance for applicants

We welcome applications from people from all backgrounds with the potential and determination to succeed on our programmes of study. Cardiff University understands that, for applicants with a criminal conviction, accessing education can be an important part of moving on and gaining the skills, knowledge, and qualifications necessary to tackle the challenges of employment. Having a criminal conviction is not an automatic bar to enrolling on a programme of study at the University.

There are different requirements for disclosure of information based on whether you wish to study a **regulated** or **non-regulated** programme (this includes Lifelong Learning and Continuing Professional Development/Education modules, which are considered as programmes for the purpose of this policy). There may also be a requirement to declare in the process to obtain a visa.

In addition to the requirements in this policy, if you accept an offer to study on a programme, we may require you to disclose relevant convictions at the point at which you apply to access certain facilities or services of the University or apply to undertake certain paid or voluntary roles for the University. This is to ensure that you can appropriately access such services/undertake such roles and to ensure the University has appropriately discharged its safeguarding duties. Examples include applying for a place in university accommodation; or applying to undertake certain 'peer-to-peer' roles. This is not an exhaustive list. If you would like to discuss any such applications confidentially, you should contact the relevant team (for example Student Life if applying for a Residence Life role). Our staff can inform and advise you as to whether a requirement to disclose is likely to apply. If you unreasonably fail to disclose formally a relevant conviction when applying to access services or facilities, or when applying to undertake certain roles, this could amount to serious misconduct under the student disciplinary rules and procedures.

We aim to make information on our requirements regarding disclosure as accessible as possible. As requirements to disclose will differ depending on the programme of study (based on the nature of the course and the content), information on requirements will be available to view on our [course information pages](#) (please select the programme that you are interested in studying and view the information provided which appears underneath the entry requirements section).

If you are considering applying, we welcome you getting in touch to confidentially discuss the nature of your conviction and/or any supervisory conditions or probation requirements. Making contact early in the application process is advisable to allow sufficient time to discuss any potential requirements we can put in place to support taking forward your application and studies.

If you would like information and guidance on the options and support available to you once you've read the full policy and procedure, either pre- or post-application, please do not hesitate to contact us at admissions-advice@cardiff.ac.uk. In your initial email it is helpful for you to provide:

- The name of the course you wish to apply to
- The general nature of the conviction (if you are happy to disclose this in writing)
- If you are on probation or subject to any supervisory conditions (if you are happy to disclose this in writing)
- A telephone number and suitable times to contact you to discuss your case further and if you do not want to communicate further via email.

You also do not need to give your full name, address, or any additional information, unless you are happy to do so. Following your initial email, a trained member of the Admissions Support Team will then contact you to discuss your circumstances. Please note that emails are retained in line with the [University's retention policy](#), but any information provided in a phone call is not recorded or retained.

1. Policy

1.1. This policy and procedure covers admissions and applicants only (Home and Overseas).

1.1.1 **Enrolled students:** Students who receive a conviction during their studies should contact the Student Cases team (studentcases@cardiff.ac.uk) for further advice and guidance. Students must report to the Student Cases Team within 14 days of any serious offences which lead to police investigation, caution, conviction, or charge, related to a relevant offence.

1.1.2. Separate processes are in place where a conviction may not be relevant at the admissions stage but may be relevant for other aspects of life and study at Cardiff University such as (but not limited to) residences/accommodation, or volunteering, representing, and working for the University. Where a criminal records check or declaration is required for these, applicants/students will be advised under the relevant application process.

1.2. Cardiff University accepts that there is a robust, evidence-based criminal justice system and that it is the role and responsibility of the Criminal Justice Service to determine an individual's suitability for integration within wider society. However, the University must also form its own view as to the suitability of an applicant to join the University and pursue a particular programme of study.

1.3. As part of the admissions process, we will only require information on criminal convictions as follows:

a) For regulated programmes

Regulated programmes are those leading to professions or occupations exempt from the Rehabilitation of Offenders Act 1974. These include, but are not limited to, Dentistry,

Medicine, Nursing, Optometry, Pharmacy, Physiotherapy, Radiography, Social Work, and Teaching. A number of Law programmes also come under this category. These programmes require an applicant to disclose convictions at the point of application through a mandatory yes/no question on the application form, and to undertake a fitness to practice assessment and [enhanced Disclosure and Barring Service \(DBS\) check \(or Certificate of Good Conduct/local police check\)](#) prior to enrolment, as detailed in the University's [Policy for Determining Applicants' Fitness to Practise and Eligibility to Pursue Regulated Programmes of Study](#).

Applicants who are on the barred list should be aware that applying to a regulated programme is likely to be considered a criminal offence.

b) Non-regulated programmes

Non-regulated programmes are those programmes that do not lead directly to an exempt profession or occupation.

Applicants to non-regulated programmes will only be required to disclose relevant convictions if they are currently subject to any licence condition or monitoring restriction that could affect their ability to successfully complete their studies.

In most cases, applicants with a criminal record will not be subject to any restrictions and in those circumstances, applicants do not need to disclose. For example, restrictions on computer use or internet access may prevent a student from being able to successfully complete a computer science degree (for restrictions relating to computer or internet access please see additional information at the end of this policy), or a restriction which would not allow a student to enter a laboratory may prevent an applicant from taking our Biological Science and Chemistry degree programmes.

Examples of the types of licence conditions and/or monitoring restrictions that require disclosure is outlined on each of the [course information pages](#) as they are individual to a specific programme of study.

Applicants are only required to declare this information if they choose to study at Cardiff University. For undergraduate programmes where application is made via [UCAS](#), this will be at the point of selecting Cardiff University as your firm or insurance choice; for all other programmes this is when you accept your offer of a place. Details of information you are required to declare and how to do this will be sent to all applicants at the relevant point in the admissions cycle. Further information can be requested from the Admissions Support Team at admissions-advice@cardiff.ac.uk.

Where the Criminal Justice Service has put in place safeguards and/or restrictions and/or licence conditions that will, in practice, fully prevent study at Cardiff University, offers already made will be withdrawn or places will be terminated as appropriate following consideration at an Admissions Review Panel.

1.4. If an applicant fails to declare information as required, Cardiff University reserves the right to withdraw an offer or terminate the place, as appropriate. If an applicant has

enrolled on a programme of study, as a registered student action will be taken in accordance with the Student Conduct Regulations in the [Academic Regulations](#).

1.5. Whilst an overall programme may not require disclosure of a conviction, there may be optional modules or placements which, if chosen, require an applicant to disclose relevant criminal convictions. This is where the optional module involves a regulated activity and/or where an applicant is subject to any licence condition or monitoring restriction that could affect their ability to successfully complete that module.

Where an applicant is prohibited from taking an optional module or placement, they will be required to select from the other options available to ensure that a programme of study can be successfully completed. In some cases, this may result in a lesser award outcome, such as a DipHE in place of a BA.

1.6. Cardiff University reserves the right to offer deferred entry to applicants where appropriate adjustments can be made to support study, but where there is not sufficient time to convene an Admissions Review Panel and put in place agreed adjustments/recommendations for the chosen programme intake.

1.7. Information on an applicant's relevant criminal conviction will only be disclosed by the Admissions Support Team to the Admissions Review Panel if convened. Following the Admissions Review Panel, if the applicant subsequently enrolls and embarks on the chosen programme of study, the information relating to Admissions will be held by the Admissions Support Team and the Student Cases team for the duration of studies plus one academic year.

1.7.1 Our legal basis to process criminal convictions data under Article 6 of the UK GDPR is that it forms part of our public task, and our Schedule 1 conditions under the Data Protection Act 2018 for processing data relating to criminal convictions and offences is paragraph 11 "protecting the public against dishonesty, malpractice or other seriously improper conduct" and paragraph 18 "safeguarding of children/individuals at risk". There is a substantial public interest in ensuring the fitness to practice of those pursuing regulated professions or occupations.

2. Procedure

2.1. Regulated Programmes

If you fail to declare or present required information (such as the enhanced DBS check) you:

- will not be permitted to enrol on your programme of study at the University if this is required prior to enrolment
- will be prevented from participating in placements if this is a requirement post-enrolment
- may be subject to action under the Student Conduct Regulation including Student Conduct and/or Fitness to Practice procedures
- may have your offer of a place withdrawn (see 1.5).

Any issues raised by your declaration and/or DBS report/police checks, will be dealt with according to the University's [Policy for Determining Applicants' Fitness to Practise and Eligibility to Pursue Regulated Programmes of Study](#).

2.2. Non-regulated Programmes

All offers for non-regulated programmes are conditional upon disclosure of all relevant unspent convictions as outlined in this policy (see point 1.4). Where such a conviction is declared, this will be subject to the Admissions Review Panel (see below) approving an applicant as suitable for study.

To declare a relevant criminal conviction, information as detailed below should be sent to the **Admissions Support Team** at admissions-advice@cardiff.ac.uk as soon as possible and prior to enrolment. In this correspondence you will need to provide the following:

- Your full name
- Your programme of study
- Your UCAS Personal I.D. or Cardiff University Student number (this will be contained in your offer letter)
- Details of any relevant unspent conviction as appropriate (in accordance with the requirements of the programme applied for), including copies of any documents listing current restrictions and/or licence conditions.
- Probation officer and/or police contact, where relevant, with your permission to contact them to discuss the restrictions.
- Any other information you wish to provide (see below in relation to information the Admissions Review Panel will take into consideration).

The information provided will be shared with the Admissions Review Panel (hereon known as the Panel).

This information will be dealt with confidentially but should you wish to speak to someone at the University before providing it, you can do so by contacting the Admissions Support Team via admissions-advice@cardiff.ac.uk to arrange a call.

Information declared will be reviewed by the Panel. The role of the Panel is to determine whether you would (on the basis of information provided) be able to successfully complete your studies at Cardiff University and/or to determine whether the University can [satisfactorily discharge its duties](#) in offering you admission to the University. It may also consider and make recommendations or provide information in relation to other aspects of joining the University, such as whether you should reside in certain University accommodation, safety and wellbeing of yourself and others, access to facilities/services, intention to undertake any paid or unpaid role at the University, etc..

Your application will only be referred to the Panel if you have been offered a place on a programme (i.e., have taken or are currently taking the appropriate qualifications) and you have accepted the offer (either firmly or as an insurance choice).

2.3. Where an application to a non-regulated programme is being referred to the Panel, the following procedures will take place:

2.3.1. You will be notified in writing (normally by email) that your case is being referred to the Panel. You will be invited to the meeting and will have the opportunity to submit any further information/documentation that you wish the Panel to consider. Attendance at this meeting is not compulsory, but your attendance is strongly encouraged.

2.3.1.i You are encouraged to invite your probation office/police representative to attend the meeting and/or can bring a friend or relative for support.

2.3.1.ii If you decline to attend, the meeting will take place in your absence. In these circumstances you will be able to provide a written statement to be read out on your behalf or you can be represented at the meeting by a nominated individual who can speak on your behalf.

2.3.2. The Panel will comprise of the following:

- Pro Vice Chancellor (Student Experience & Academic Standards) as Chair
- Member/s of the Academic School/s and/or College responsible for the programme of study
- Head of Admissions
- Member of Student Support and Welfare Services
- Member of Student Cases
- Head of University Residences, where relevant
- Placement coordinators and/or providers, where relevant

2.3.3. The Panel will have the discretion to invite other members of the University to join the Panel in an advisory capacity, where relevant.

2.3.4 The Panel will have the discretion to nominate an appropriate deputy to represent them at the Panel, where a panel member is unable to attend.

2.3.5. The Panel may request additional legal or specialist advice.

2.3.6. The Panel will be serviced by a member of the Admissions Support Team.

2.3.7. Factors which the Panel may consider include the following:

a) The nature of the conviction(s) and the relevance to the programme.

b) The date of the conviction(s) and time remaining on any restrictions.

c) Whether your circumstances have changed since the conviction(s).

d) Recommendations and advice provided by the Criminal Justice Service (normally the Probation Service).

e) The ability for you to successfully complete the proposed programme of study based on any restrictions and/or requirements (based on information provided by the Criminal Justice Service). As part of this consideration, the Panel will consider any fair and equitable adjustments that can be made to facilitate study.

f) Where appropriate, the ability for any fair and equitable adjustments to be made in time for the proposed start date of the programme.

g) Where appropriate, the ability for you to be permitted to reside in university residences based on any restrictions or requirements.

h) Where appropriate, the ability for you to be permitted to access any other university facilities/services.

2.3.8. The outcome of the meeting of the Panel will be:

a) to confirm the offer of a place stands

b) to confirm an amendment to an offer. This may include further conditions and/or adjustments to a programme of study (including the opportunity to offer an alternative programme or a deferred start date)

c) to request further information/advice from you and/or appropriate services

d) to confirm withdrawal of an offer or termination of the place including details of why this decision has been made

e) to confirm withdrawal of or a change to an offer of accommodation

f) to confirm any restrictions to certain facilities or services.

2.3.9. You will be informed in writing within five working days of the Admissions Review Panel of the outcome of the meeting unless further information/advice is required. In the circumstance that further information/advice is required, you will be notified and will be given information about the likely date of an outcome where possible.

2.3.10 There is no right of appeal against the decision of the Panel except in the circumstance that new advice or information is provided by a relevant party which was not available at the time of the decision or if there was evidence that the procedure as outlined in this document was not correctly followed. In any other case, the decision of the Panel is final.

3. Additional Information

Applicants should be aware that some professions will carry out criminal records checks on entry, for example law and accountancy, which may not prevent you from undertaking the programme of study but may impact on your professional options upon completing that programme. We recommend that applicants wishing to study courses with a view to a particular profession undertake research into professional requirements and take this into account when considering study options and choices.

Applicants who have restrictions in relation to use of computers or the internet are strongly advised to contact the University before applying. All students are expected to engage with the University via online platforms such as (but not limited to) enrolment, learning central, access to library material, course submissions, and general communication.

This policy focuses on declaration of criminal convictions that are relevant to the admission to a programme of study at Cardiff University. It is important to note that other areas of the University may require information on criminal convictions where they are relevant and necessary for safeguarding staff and students.

Supporting policies which may be of relevance are:

- [Academic Regulations](#)
- [Admissions policies](#)
- [Data Protection Policy](#)
- [Policy for Determining Applicants' Fitness to Practise and Eligibility to Pursue Regulated Programmes of Study](#)
- [Policy for Safeguarding](#)
 - [\[Safeguarding Guidance Note 6: DBS Checks\]](#)
- [Records management policy and retention schedules](#)
- [Terms and conditions of offer](#)

For further information and guidance on the options and support available to you, please do not hesitate to contact the Admissions Support Team at admissions-advice@cardiff.ac.uk.