

## **Declaring Relevant Criminal Matters: Health & Social Care Professional Courses**

### **A. Does this guidance apply to me?**

This guidance only applies if you are applying to BU to undertake any of the following courses:

<b>Course Title</b>	<b>Award</b>
Adult Nursing/Adult Nursing (Advanced Standing)	BSc (Hons)
Adult Nursing/Adult Nursing (With professional registration)	PGDip
Advanced Mental Health Practice	PGDip
Children's and Young People's Nursing/Children's & Young People's Nursing (Advanced Standing)	BSc (Hons)
Mental Health Nursing/ Mental Health Nursing (Advanced Standing)	BSc (Hons)
Mental Health Nursing/ Mental Health Nursing (With professional registration)	PGDip
Midwifery	BSc (Hons)
Midwifery	PGDip
Occupational Therapy	BSc (Hons)
Operating Department Practice	DipHE
Paramedic Science	BSc (Hons)
Physician Associate Studies	PgDip
Physician Associate Studies	MSc
Physiotherapy	BSc (Hons)

Social Care	MA
Social Work	BA (Hons)
Social Work	MA
Social Work (Children and Families)	PGDip
Sports Therapy	BSc (Hons)

## B. What do I need to do?

If you completed a UCAS application form you will already have been asked whether you have a relevant criminal matter to declare. We are now asking you to confirm or revise the information you previously provided through UCAS and provide further information about any declared criminal matter for the purposes explained in this guidance.

If you are completing a BU application form now, we are asking you to make a declaration of relevant criminal matters at this stage. If you declare a matter of the type set out below, you will also need to provide further information about it for the purposes explained in this guidance.

You need to declare **any criminal conviction, caution, reprimand or warning which would be included on (and not filtered from) an Enhanced UK Disclosure and Barring Service Certificate** if they were imposed within the UK. This includes:

- unspent convictions;
- convictions which would normally be “spent” under the UK Rehabilitation of Offenders Act 1974 (or any equivalent law from a country outside the UK);
- any spent or unspent caution, reprimand or warning which is recorded on the Police National Computer (i.e. which relates to an offence for which a sentence of imprisonment could have been imposed or which is specified in the Schedule to the National Police Records (Recordable Offences) Regulations 2000).

**You do not need to declare any matters in these categories which would be “filtered” from the UK Disclosure and Barring Service conviction checks.** Further guidance on which matters would be filtered can be found here (external link): <http://hub.unlock.org.uk/knowledgebase/filtering-cautions-convictions/>

“Reprimand or warning” means a reprimand or warning given to a youth offender under section 65 of the Crime and Disorder Act 1998. Caution includes a conditional caution and a youth caution.

If you are from the UK but uncertain as to whether a matter would be disclosed on an Enhanced DBS Certificate, you can find this out by making a “subject access request” under the data protection legislation to your local police force.

You should declare any conviction, caution, warning or reprimand issued in a country outside the UK which is equivalent to the matters listed above.

If you applied to us through UCAS you will already have been asked to declare relevant convictions and other criminal matters on the UCAS form. If you are applying to BU directly, you will be asked to tick the relevant box on our application form to confirm whether or not you have a relevant criminal matter to declare.

### **C. Why do we ask for this information?**

Declaring a criminal matter:

- Does not affect our assessment of your ability to meet academic requirements for admission to our courses
- Is not usually an automatic bar to acceptance onto the course, i.e. declaring a relevant criminal matter does not necessarily mean that BU will refuse to offer you a place.

We ask for information about criminal matters for the following reasons:

- (a) **To determine your suitability to work in the professional environment.** We need to decide whether you would be able to undertake mandatory work placements as part of your course. These take place within the regulated professional environment and bring students into contact with vulnerable people. In order to offer you a place on one of these courses, BU must be satisfied that you are a suitable person to undertake the work placement activities. BU’s assessment of suitability is relied on by the organisations in which the placements take place and the relevant professional bodies. If we determine that you cannot undertake required work placements then we cannot offer you a place on the course, as the placements are a mandatory requirement of these courses i.e. you will not be able to complete and pass the course without completing the placements. The matters we ask you to declare *may* affect your suitability to work in the regulated environment, but this will depend on a number of factors, including the nature of the matter declared, when it occurred and the progress of your life since then.

Because of the purpose for which we ask questions about criminal matters, we consider that the questions we ask are exempt from the Rehabilitation of Offenders Act 1974. This is why we ask about convictions and other matters which are spent.

If you accept an offer from us to study at BU, before you start your course we will additionally ask you to complete an Enhanced criminal records check with the UK

Disclosure & Barring Service (DBS). However we consider it necessary for you to share information about criminal matters at this earlier stage so that we have time to collect and fully assess the relevant information before any commitment is made by BU or by you in respect of your studies or associated matters.

- (b) **To identify, assess and manage any potential risks a criminal conviction may create for others in the university environment** A university is a diverse environment, which brings people into contact with each other in a wide variety of ways. The university community includes students who are under the age of 18 (for whom we have particular safeguarding duties) and other people who have particular vulnerabilities which we need to consider.

Therefore we ask any person accepting an offer of a place at BU (not just applicants to health and social care professional courses) to declare certain categories of unspent criminal convictions. This enables us to carry out appropriate risk assessments with regard to the University and its community.

If the matter you have declared is an unspent criminal conviction which is relevant for these purposes, we will carry out this risk assessment to determine whether, if you attend BU to undertake the course for which you have applied, your conviction creates any risks to you or others in the University environment, and whether/how these risks can be managed so that everyone is appropriately safeguarded. This will include considering any risks arising if you live in University accommodation. You will be given the chance to comment during this assessment.

Following this risk assessment we may decide that your offer to study at BU is subject to one or more restrictions or extra requirements with regard to your interaction with the university community at BU. If this is the case, you will be able to decide whether you want to accept our offer on this basis.

## **D. If I declare a relevant criminal matter, what will happen next?**

We will first consider whether you would meet the academic requirements for the course for which you have applied. Where an applicant meets these requirements we usually invite them for interview at BU. If an applicant who meets the academic requirements has indicated on their application (whether through UCAS or direct to BU) that they have a relevant criminal matter to declare, then before you are invited to interview you will be asked to provide further information about the declared matter on our standard form.

This will enable us to carry out the suitability and risk assessments described in C. above, in line with the following processes:

- The information you provide will be used within the Admissions process to determine your suitability to undertake the course

- If it is decided that you are suitable to undertake the course for which you have applied, and if the matter you have declared under this guidance is in the category of convictions which all those accepting offers from BU are required to declare, we will also assess whether your conviction creates any risks within the University environment and how these might be managed

The processes which we will follow are set out in the University's Criminal Convictions: Policy and Procedure (Policy 3E): <https://www1.bournemouth.ac.uk/students/help-advice/important-information>

We understand that information about these matters is sensitive and confidential. We will limit access to the declaration you have made and the information you provide so that it is only processed as necessary for carrying out these assessments and identifying any steps we consider appropriate to manage risks identified through that assessment. We will keep you informed as this process progresses. We consider the information you provide on a no-names basis where possible.

### **E. What happens if I don't declare a relevant criminal matter?**

If we offer you a place to study at BU, we reserve the right to treat your offer as withdrawn (ending any student agreement) if BU subsequently finds out that you have a relevant criminal matter which has not already been declared and considered in accordance with this guidance and our relevant procedures.

This means that if you have a relevant criminal matter but do not declare it at the application stage, when the matter is identified we may withdraw our offer to you. The application form you submit to UCAS and/or BU and any subsequent declarations you are asked to make will have asked you to confirm that the information you are providing is true, accurate and complete, and will have warned you that any offer made to you may be cancelled or withdrawn if this is subsequently found not to be the case.

Any offer of a place at BU on the courses covered by this guidance will be conditional on successful completion of clearance checks including an Enhanced DBS check (or an overseas police check if you are applying from, or have spent a significant period of time living outside, the UK ). These checks must be completed before you can enrol at BU and commence your course. Sometimes an Enhanced DBS check may include matters which go beyond the definition of relevant criminal matters in this guidance and/or were omitted accidentally/in good faith by the applicant: if we consider this to be the case, the omission of this information may not in itself affect your place at BU, but we would need to consider the implications of the further information for your suitability to undertake the course.

**If you have any questions about this document, please contact**  
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