

Policy on applicants with Criminal Convictions

Purpose of Policy

To outline the University of Edinburgh's approach to and consideration of applicants who have criminal convictions.

Overview

The University recognises the value of education in transforming lives and believe that a criminal conviction should not be an automatic barrier to students entering the University of Edinburgh.

This policy sets out our approach to applicants with criminal convictions to ensure they are not disadvantaged in the admissions process, and explains the circumstances in which further action will be required to ensure the safety of the wider community.

This policy should be read in conjunction with the following procedures:

Procedure for applicants who have disclosed criminal convictions

Procedure for applicants who require Protecting Vulnerable Groups (PVG) Scheme membership

Scope: Mandatory policy

This policy applies University-wide and to all applicants including those to short courses in the Centre for Open Learning.

Contact

Gillian Simmons

Head of Admissions

Gillian.Simmons@ed.ac.uk

Document control

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Approving authority	Student Recruitment and Fees Strategy Group
Consultation undertaken	College admissions practitioners and PVG counter-signatories, Student Recruitment and Fees Strategy Group
Section responsible for policy maintenance and review	Student Recruitment and Admissions
Related policies, procedures, guidelines and regulations	University of Edinburgh Admissions Policy Rehabilitation of Offenders Act 1974 Protecting Vulnerable Groups Scheme, Disclosure Scotland
UK Quality Code 2018	Core practices: <i>The provider has a reliable, fair and inclusive admissions system.</i>
Policies superseded by this policy	None
Alternative format	If you require this document in an alternative format please email SRA.Adteam@ed.ac.uk
Keywords	Criminal convictions, protecting vulnerable groups, admissions



Policy on applicants with criminal convictions

Policy Statement and Purpose

1.1 We recognise the value of education in transforming lives and believe that a criminal conviction should not be an automatic barrier to students entering the University of Edinburgh. This policy sets out our approach to applicants with criminal convictions to ensure they are not disadvantaged in the admissions process, and explains the circumstances in which further action will be required to ensure the safety of the wider community.

2. Scope

2.1 All applicants for degrees or courses at the University of Edinburgh are covered by this policy.

3. Principles

3.1 We will not require applicants to disclose any criminal convictions they have received prior to admission, unless they have applied for a degree which is exempt from the Rehabilitation of Offenders Act 1974.

3.2 Applicants who have an unspent conviction and are on license are strongly encouraged to talk to us about the conditions of their license. This will allow us to put support in place to ensure these license conditions will not stop them from completing their degree.

3.3 The University has a duty of care to its students, staff, and the wider community. We will therefore use any information we receive about criminal convictions to carry out appropriate risk assessment when required, in accordance with this policy.

4. Definitions

4.1 Degrees which are exempt from the Rehabilitation of Offenders Act 1974

Degrees which involve regulated work with children and/or protected adults as defined in the Protection of Vulnerable Groups (Scotland) Act 2007 (“regulated work”) are exempt from the Rehabilitation of Offenders Act 1974.

University of Edinburgh degree programmes which require students to undertake regulated work are:

- MBChB Medicine
- MClintDent (dentistry programmes)
- Nursing
- Oral Health Sciences
- Social Work
- Teacher Education (including Primary Education with Gaelic, Physical Education, PGDE and MSc Transformative Learning and Teaching)
- Learning in Communities
- Counselling

Other degrees may include optional modules or placements that would require a student to undertake regulated work.

In addition, postgraduate students who intend to carry out research involving children and/or protected adults as defined by the Protection of Vulnerable Groups (Scotland) Act 2007 will also be engaged in regulated work.

Students who study on any degree that is exempt from the Rehabilitation of Offenders Act 1974 will be required to join the Protecting Vulnerable Groups (PVG) Scheme.

4.2 Protecting Vulnerable Groups (PVG) Scheme

The PVG Scheme is a membership scheme administered by Disclosure Scotland. It ensures that anyone who is required to carry out regulated work is not barred from doing such work.

All PVG Scheme members are subject to ongoing monitoring (continuous updating). This means that vetting information is kept up-to-date and if Disclosure Scotland provides new information to the University, this will be assessed to determine if the individual has become unsuitable to do regulated work.

5. Policy Detail

- 5.1 The University is committed to ensuring that all applications for study are treated fairly and equally, with the underlying principle that the admission decision-making process on the basis of academic grounds is always kept separate from the consideration of any criminal convictions.
- 5.2 Applicants will not be asked to disclose any criminal convictions on their application unless they have applied for a degree that is exempt from the Rehabilitation of Offenders Act 1974. However, all applicants who have an unspent conviction and are on license are strongly encouraged to talk to us about the conditions of their license. This will allow us to put support in place to ensure these license conditions will not stop them from completing their degree. Applicants can discuss their circumstances with the Head of Admissions in Student Recruitment & Admissions.
- 5.3 Applicants to degrees which are exempt from the Rehabilitation of Offenders Act 1974 and which require them to carry out regulated work must disclose any criminal convictions they have received, including sentences and cautions (including verbal cautions), reprimands and bind-over orders, in accordance with the regulations set out on the Disclosure Scotland website: www.disclosurescotland.co.uk. Failure to disclose a criminal conviction may result in the application being considered fraudulent. As such it would be dealt with under the terms of the University of Edinburgh's *Policy and procedure regarding admissions fraud*.
- 5.4 If an applicant to a degree which is exempt from the Rehabilitation of Offenders Act 1974 is convicted of an offence after they have submitted their application, they should contact the appropriate admissions office to inform them of this fact. Failure to do so may result in the application being considered fraudulent.

- 5.5 The University may receive information about a prospective student’s conviction, or pending charges, from the police or the criminal justice social work team where there are concerns about the management of license conditions, or about public safety. In those circumstances, this policy and associated procedures will apply.
- 5.6 Information about criminal convictions will be held confidentially, and will be used only for risk assessment purposes, and to provide support to the applicant if they enrol at the University of Edinburgh.
- 5.7 Risk assessment will be carried out in accordance with the *Procedure for applicants who have disclosed criminal convictions*.
- 5.8 Information about criminal convictions will be shared only with those members of University staff who need to know.
- 5.9 Information provided by applicants who do not enrol will be securely destroyed at the end of the admissions cycle.
- 5.10 Information provided by applicants who enrol with the University of Edinburgh will be held until the end of the student’s studies at the University, when it will be securely destroyed.
- 5.11 There is a separate process relating to disclosure of criminal convictions and charges after matriculation at the University. On first matriculating at the University, all new students are required to inform the University of any relevant pending charges, or relevant unspent convictions. All students are also required to notify the University of any relevant pending charges or relevant convictions which are imposed upon them during their studies. Information about this process, and about what types of convictions and charges are regarded as “relevant” is provided on the Academic Services web pages:
<https://www.ed.ac.uk/academic-services/students/conduct/criminalconvictions>

6. Related Documents

Procedure for applicants who have disclosed a criminal conviction

Procedure for applicants who require Protecting Vulnerable Groups (PVG) Scheme membership

[Code of Student Conduct](#)

Equalities Impact Assessment (EQIA) – link to be added when published

Data Protection Impact Assessment (DPIA) – link to be added when published

7. Who to contact for more information

Gillian Simmons, Head of Admissions, Student Recruitment and Admissions

If you would like this document in another format please contact Student Recruitment & Admissions: sra.adteam@ed.ac.uk

Approved by Student Recruitment and Fees Strategy Group – April 2022

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