Information and guidance for applicants with a criminal conviction

This document provides information to applicants who have a criminal conviction and who are applying, or have applied, for a place on an undergraduate course, postgraduate taught course or postgraduate research programme at The University of Manchester. It details the procedure that will be followed.

A. Background information

Duty to disclose a criminal conviction
The University has a duty to ensure the safety of its students and staff, and that of other people with whom students interact as part of their course of study. The application process requires applicants to disclose relevant unspent criminal convictions.

For some courses, e.g. teaching, health, social work, pharmacy and others where studies necessitate interaction with children and working with adults in regulated activity, applicants must declare all criminal convictions including spent sentences and cautions and bind-over orders.

Further information on criminal convictions can be found at "The Rehabilitation of Offenders Act 1974" published by Nacro1. This document includes a table of rehabilitation periods explaining when different convictions are considered to be spent. The Act covers the United Kingdom only. No other country is bound by this legislation, although the Act applies to convictions abroad for offences which would be offences here.

Applicants disclosing a criminal conviction in their application form will not automatically be rejected from the course. If an application would otherwise be successful, a risk assessment will be carried out to assess whether an offer of a place to study can be made.

When is a criminal records check required for the course?
The University websites http://www.manchester.ac.uk/undergraduate/courses/ and http://www.manchester.ac.uk/postgraduate/ have detailed information about course content and course related requirements, including whether a criminal records check is required. Criminal record checks are administered by the Disclosure and Barring Service (previously known as Criminal Records Bureau). If the course or research programme requires applicants to go through a criminal records check (DBS check), the admitting academic School will inform applicants about this and provide guidance on the process. When an application is made for an undergraduate course via UCAS, UCAS Apply will prompt applicants about this requirement at the point of application.

How is the University notified about convictions?
For undergraduate courses the information on a declared criminal conviction is received via UCAS and for postgraduate or other direct entry courses through our online application form. Where a relevant unspent criminal conviction is declared in the application form, the specific procedures outlined in this document will be followed.

1 Nacro is a crime reduction charity in the UK.
What does the process entail and how long does it take?
The process of investigating a criminal conviction may be lengthy. This is because we have to gather sufficient information to be able to make an informed decision. The first part of the process is that the applicant will be contacted for further information. It is important that the required information is returned to the University within the stated timescale.

When an application is made close to the course, or research programme, starting date, applicants should be aware that it may be difficult to complete the required procedure in time for registration, especially if we need to request further information from external organisations where delays may occur. The tight timescales may mean that the required checks cannot be completed on time and that entry may have to be deferred to the following year. For undergraduate applicants, who apply during the clearing process in August, it may be difficult to complete the process in time for entry in September of that year.

For postgraduate applicants, if the process of investigating a criminal conviction is not completed satisfactorily in time for the course/research programme starting date, the applicant may have to re-apply for a future cycle. However, if the process has been completed satisfactorily after the registration has closed, then the applicant will be granted an admission to the next entry point.

What happens if the conviction has been received after submitting the application?
Applicants must tell us immediately if they are convicted of a relevant criminal offence after submitting their application by contacting the University’s Admissions Office or the academic School to which they applied. Applicants should not send details of the offence at this stage; the University will request further information, as appropriate from the applicant. Applicants applying for an undergraduate course should also inform UCAS.

What happens if a relevant conviction is not disclosed?
Where applicants are found to have a relevant offence which was not declared at the point of application or at any stage throughout the application process, the University will contact them to request further information.

Applicants are required to disclose all relevant facts and information which have a bearing on their application for admission. Where false information has deliberately been provided, or information has been withheld regarding criminal convictions, the application may be considered fraudulent and may therefore be withdrawn. This is in accordance with the University’s Student Admissions Policy (see D5. Fraud, omission and plagiarism) which permits the University to dismiss the application and/or withdraw an offer of a place. If it is discovered after a student has registered at the University that relevant facts or information in connection with his or her application have been omitted or falsified, the University reserves the right (under Ordinance XVI) to terminate the registration.

Criminal conviction has been disclosed in error
If a criminal conviction has been disclosed accidentally, applicants are advised to contact the University’s Admissions Office immediately in writing (email is accepted). Undergraduate applicants should also contact UCAS. Contact details are provided at the end of this document.

Pre-application enquiries regarding the conviction
Applicants may contact the University to discuss their relevant unspent criminal conviction prior to making a formal application if they have any questions or concerns.
• Applicants applying for a course that does not require a DBS check should contact the University’s Admissions Office.
• If the course requires a DBS check before being admitted, applicants should contact the academic School to which they applied directly.

Data protection
Applicants should be reassured that the information declared regarding the criminal conviction and all communication about their criminal conviction will be dealt with on a strictly confidential basis and in line with data protection legislation. This means that only those members of the University who need to be aware of the conviction will be informed.

Information disclosed by a third party
The University treats with caution any information that we receive from members of the public, family, a school or college, other applicants or anonymously regarding a conviction which has not been declared. This includes more general information about the applicant's behaviour which has given cause for concern. If any such information is received we will seek to verify the information externally. If the information is found to have substance, then the matter will be raised with the applicant and they may be asked to withdraw their application, or if they have already registered for the course, their registration may be revoked.

B. Applications for courses where a Disclosure and Barring Service records check is not a requirement

This section provides information on the process where a criminal records check is not required as part of the admissions process. The process of assessing this information is managed by the University’s Admissions Office.

Assessment of the application
When an application is received by the University, it is forwarded to the academic School for an assessment of the academic qualifications, information provided in the personal statement, academic reference and any other selection method (e.g. interview, aptitude test, course specific test) that forms a standard part of the selection process for that course. Information on the specific entry requirements and the selection process can be found on the University website at http://www.manchester.ac.uk/undergraduate/courses/ or http://www.manchester.ac.uk/postgraduate/.

NB: It should be noted that the assessment does not include any consideration of the criminal conviction.

Process after the application has been assessed
Where the academic School does not wish to make an offer, this decision will be processed and notified as usual.

Where the academic School wishes to make an offer to an applicant who has declared a criminal conviction, the University’s Admissions Office will contact the applicant to explain the process that will be followed to undertake a risk assessment with regard to the criminal conviction. This will include a request for further information about the conviction, including the date and nature of the conviction. The applicant will also be asked to provide the details of two individuals whom they authorise the University to communicate about their conviction, the background of the conviction, their current situation and suitability to take up the course. Ideally these should be their Probation Officer, Youth Worker, Course Tutor, current or previous employer or other relevant individual.
In order to proceed with the application promptly, applicants should return the required information and consent to the University’s Admissions Office within ten working days of the receipt of the letter. At the end of this period, the applicant will be sent a reminder. If we do not receive a response within a further 10 working days of the receipt of the reminder, it will be assumed that the applicant no longer wishes to secure a place at The University of Manchester and the application will be withdrawn.

**Non UK applicants**

Where the academic School wishes to make an offer to an applicant who is resident overseas and has a relevant unspent criminal conviction, the applicant will additionally be required to produce a “Certificate of Good Character” from the country that they have been resident in. This certificate is expected to provide any information on cautions and convictions from the country(ies) where they have resided.

Applicants should submit the Certificate of Good Character to the University’s Admissions Office within 10 working days of the receipt of our request. Advice on the process for obtaining a Certificate of Good Character for different countries can be found at [https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants). It is important that the process is begun as early as possible. If it is not possible to obtain this letter within 10 working days then the applicant should inform the University how long it is likely to take. In circumstances where provision of the certificate is delayed, it may not be possible to proceed with the application for the current cycle.

**Assessment of the information received**

Once we have received the required information, it will be used to assess the level of risk that an individual may pose to the University community. On the basis of the assessment a decision will be made on whether the applicant can be made a formal offer of a place on a course. The outcome of the assessment will be communicated to the applicant in writing.

In cases assessed as higher risk, a panel discussion will be arranged to consider the case. Where this is deemed appropriate the applicant will be informed in writing. Further information about the Panel Discussion is provided below.

**Panel Discussion**

Where considered appropriate, a panel discussion may be arranged which will include representatives from relevant offices across the University. These may include the Compliance and Risk Office, Legal Office, admitting academic School, Student Support and Services, Accommodation Office and Admissions Office.

The purpose of this meeting is to consider the risk assessment drawn up by the University Admissions Office. The risk assessment and other documents supplied by the applicant or their nominated contacts will be used to assess the level of risk the individual may pose to the University community. Applicants should be reassured that the work carried out by the panel will be on a strictly confidential basis and in line with data protection legislation.

On the basis of this discussion a decision will be made as to whether the applicant can be made a formal offer of a place on the course. A report will be written and the applicant will be informed of the outcome and if there are any non-academic conditions that need to be followed with regard to studying at the University.
C. Process for applicants applying for courses that require a Disclosure and Barring Service (DBS) records check

Courses requiring a DBS check
Applicants who have applied for a course in teaching, medicine, dentistry, health, social work, pharmacy and courses involving work with children or working with adults in regulated activity must have a criminal records check. These courses are exempt from the Rehabilitation of Offenders Act 1974 and different rules apply with regard to criminal convictions. The academic School will contact applicants directly and inform them of the process that they will need to follow to obtain a DBS check or equivalent process for overseas applicants.

D. Appeals

Applicants can submit an appeal against the decision of the panel. The grounds and procedure for submitting an appeal are detailed in the ‘University’s Appeals and Complaints Procedures for Applicants’ which is available at:
Undergraduates: http://www.manchester.ac.uk/undergraduate/howtoapply/afteryouapply/offer/
Postgraduates: http://www.manchester.ac.uk/postgraduate/howtoapply/policies/.

Contact details

The University of Manchester Admissions Office
B002 Student Services Centre
Burlington Street
Oxford Road
Manchester
M13 9PL
Tel: +44 (0)161 275 2077

Academic Schools
www.manchester.ac.uk
Tel. +44 (0)161 306 6000 (switch board)
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| **Lead contact:** | Admissions Office  
The University of Manchester  
Oxford Road  
Manchester  
M13 9PL |