

Faculty of Biology, Medicine and Health

Division of Nursing, Midwifery and Social Work

Criminal record checks carried out as part of the admissions process

Nursing, Midwifery and Social Work are exempted from certain provisions of the Rehabilitation of Offenders Act 1974, and all students for pre-qualification education programmes are required to undergo Enhanced Disclosure and Barring Service (DBS) checks and also be checked against the lists of those barred from working with adults and children.

A Conviction/Caution/Warning/Reprimand does not automatically debar applicants from a place on a programme but the University will seek further information about the circumstances of any positive disclosure either on a self-declaration or Enhanced DBS Disclosure to make an informed and considered judgement about a candidate's suitability. The Division of Nursing, Midwifery and Social Work considers all positive self declarations and DBS disclosures on an individual basis.

All applicants who accept an academic unconditional or conditional offer of a place on a nursing, midwifery or social work programme within the Division will be required to complete a criminal record and code of conduct self declaration during the application process. This is to ensure that students commencing their chosen programme do not have a criminal record which would mean they are unable to continue on the programme. During the first week of the programme, all new students will be required to complete an Enhanced Disclosure and Barring Service check.

Whenever a positive disclosure is received, the Division has the right, after full consideration of the nature of the offence following the process outlined below, to withdraw the offer of a place or discontinue the student who has already commenced the programme (as appropriate).

All applicants/students are required to disclose ALL criminal convictions, cautions, reprimands, final warnings, Penalty Notice for Disorders, bind overs

and any on-going criminal investigations. Note: if any of the above mentioned has ever been received, regardless of age at the time of offence, this will always appear on an Enhanced DBS disclosure.

All positive self declarations and DBS disclosures received by the division are considered taking into consideration the following factors in making a risk assessment and decision regarding suitability for the selected programme of study:

- The nature and seriousness of the offence(s)
- The age at which the offence(s) was committed
- The time elapsed since the offence(s) was committed
- Further offence(s)
- Circumstances at the time of the offence(s)
- The potential risk to patients/clients/visitors/staff/students
- Advice from health and/or social care employer representatives
- On-going Occupational Health assessment where appropriate

For applicants who have a positive 'criminal record and code of conduct self declaration' the process outlined below is followed:

- Positive self declaration received by the division
- The applicant is asked to provide a written explanation of the circumstances surrounding the incident using a standard template
- Upon receipt of the written explanation, members of the DBS panel consider this evidence alongside the self-declaration
- Depending on the nature of the offence(s) and the contents of the explanation the applicant will either:
 - a) Receive written confirmation from the DBS panel as to whether or not the division will continue with their application, **or**
 - b) Be invited to a formal meeting with the DBS Panel to discuss the offence(s). Following this meeting a decision will be made as to whether or not the Division will continue with the application
- A letter will be sent to the applicant confirming the outcome of the meeting.

We strongly recommend that applicants should not terminate their current employment until the decision of the DBS Panel has been confirmed.

Membership of the Division DBS Panel, prior to admission

- Head of Student Operations (Chair)
- Admissions Tutor
- Admissions Manager
- Representation from local health and/or social care employer representatives

Appeal against the decision of the Division DBS Panel, prior to admission

- An applicant can appeal to the Faculty Disclosure Appeals Panel against the decision of a Division Panel not to admit them or allow them to continue on the basis of the information gathered in relation to the disclosure form.
- An appeal may not question the judgement to the Division DBS Panel and is expected to contain new evidence of a substantial nature, or a new interpretation of evidence additional to or different from the evidence and interpretation already considered by the Division DBS Panel in reaching its decision not to allow the applicant to register as a student or continue on the programme.
- Appeals will be considered by a Faculty Disclosure Appeals Panel. The Panel will comprise as a minimum the Chair (normally the Dean of the Faculty or his or her nominee) and another academic member drawn from the Faculty's Senior Management Team. The Panel will be serviced by the Head of Faculty Academic Administration.
- Any appeal must include a statement from the applicant setting out the grounds on which they are making the appeal and must include all relevant details, together with supporting documentation or information. Supporting documentation will also be gathered from the Division DBS Panel. The decision of the Faculty Disclosure Appeals Panel will be final.

Students who have commenced the programme

Any student whose Enhanced DBS Disclosure is returned positive, the process outlined below is followed:

- Positive Enhanced DBS disclosure received by the division

- If the information held on the Enhanced Disclosure matches the information provided on the self-declaration, no further action will be taken. However if this is not the case, the student will be invited to the Division's Health and Conduct Committee where a decision will be made as to whether the student can continue on the programme or not.

Offences committed during the programme

All registered students are required to declare to the Programme Director any offences committed whilst on the programme as soon as they occur. All students on Nursing, Midwifery and Social Work programmes are required to complete an annual 'self declaration' at the beginning of each academic year.

If you are interested in applying for a place on a Nursing, Midwifery or Social Work programme and are concerned that your criminal record may hinder your application, please contact Suzanne Eden (Admissions Manager) on 0161 529 4548.

Whilst we may be able to give a general indication of the likelihood of a conviction affecting your application, a final decision can only be made when we have received the DBS disclosure directly from the Disclosure and Barring Service and the process outlined above has been completed.

The University adheres to the DBS Code of Practice. All DBS disclosures are retained and destroyed in line with the retention and destruction policy.