



QA49 PRINCIPLES AND PROCEDURES FOR THE ADMISSION OF STUDENTS WHO HAVE A CRIMINAL CONVICTION.

This policy outlines the principles and procedures for the admission of students who have an unspent criminal conviction, to a course leading to an Arden University award. These principles and procedures apply to all courses where a Disclose and Barring Service (DBS) enhanced disclosure is not required.

1. PRINCIPLES

1.1 Arden University's admissions policy aims to attract individuals who: can demonstrate the ability to succeed on their chosen course of study, will derive benefit from study in relation to personal and career development, and who have commitment and enthusiasm to learn. As such, having criminal conviction(s) will not usually prevent an applicant from gaining admission to the Arden University.

1.2 Applications that contain a declaration of a criminal record will first be considered on academic grounds in accordance with the normal admissions criteria which can be found in Arden University's Admissions Policy, and the declaration of a criminal conviction will not be considered until the standard academic conditions have been met. If the applicant fails to meet the required academic conditions, the application will be rejected through the standard process.

1.3 Arden University has a duty of care to our students, staff and must ensure compliance with its regulatory obligations to investigate any relevant criminal convictions identified during the application process before an unconditional offer to study at the university is made. If an applicant discloses a criminal conviction, further information will usually be requested, to enable the university to consider the applicant's disclosure.

1.4 Criminal convictions will not normally affect the decision of whether to admit an applicant, unless the criminal record poses a risk to:

- (a) Arden University's students, staff, or the wider university community.
- (b) The integrity of the course, and any professional bodies.
- (c) The reputation of Arden University and its processes.

1.5 All information obtained in relation to the criminal conviction will be held and disposed of in accordance with the Data Protection Act 2018 and our privacy policy (<https://arden.ac.uk/privacy-policy>). The rationale for progressing the application in view of the criminal conviction will be recorded on the student record.

1.6 If an applicant with a criminal conviction is admitted to a course which includes accreditation from a professional statutory and regulatory body (PSRB), this does not mean that they will necessarily be able to register and/or practice upon completion of the course. The onus is on the applicant/student to obtain advice from the appropriate bodies.



2. DECLARING OF CRIMINAL CONVICTIONS

2.1 Arden University require applicants to declare any relevant unspent criminal convictions concerning any one or more of the following:

- (a) Offences against the person of a violent nature including (but not limited to): threatening behaviour' offences concerning the intention to harm; or offences resulting in actual bodily harm;
- (b) Sexual offences including those listed in the Sexual Offences Act (2003);
- (c) The unlawful supply of controlled drugs or substances where the conviction concerns drug dealing or trafficking;
- (d) Offences involving firearms;
- (e) Offences involving arson;
- (f) Offences involving terrorism, as listed in the Terrorism Act 2006;
- (g) Offences involving human trafficking or slavery.

2.2 It is not necessary to declare minor cautions, or convictions which have become spent after a rehabilitation period as provided for under the Rehabilitation of Offenders Act 1974; convictions for which there was a custodial sentence of more than four years can never become spent.

2.3 Where deemed appropriate and at Arden University's discretion, the applicant may be required to obtain, or provide express written consent for Arden University to obtain an appropriate disclosure from third parties, which may include, but is not limited to, the DBS or the Probation Service.

2.4 Failure to disclose a relevant criminal conviction is taken seriously and could result in the withdrawal of any offer to study with Arden University or termination of student enrolment if this is discovered post-enrolment.

3. UNIVERSITY REVIEW OF RELEVANT OF CRIMINAL CONVICTIONS PRIOR TO OFFER

3.1 If it is decided to offer a place to the applicant based on the academic criteria, before an offer is made to the applicant, Head of Admissions will request from the applicant full written details of the offence(s).

3.2 Once received, the details will be assessed by the Head of Admissions, or other authorised individual, who will determine whether the offer should be made, and if any special conditions should be attached to the offer.

3.3 All cases of a serious conviction (i.e. one that is deemed to pose a risk to Arden University or its community), as decided by the Head of Admissions, will be referred to Arden University's Admissions Committee for decision.

3.4 When considering the admission decision, the Admissions Committee will take into consideration the below factors to assess the risk posed to Arden University (as per principle 4):

- (a) the nature of the offence(s), date(s) of conviction and penalties applied
- (b) the circumstances in which the offence(s) were committed
- (c) the seriousness of the offence(s)



- (d) the number of offences and any pattern of offending behaviour, for example, whether each was a separate offence or part of a series of similar offence
- (e) any attendance/success on rehabilitation programmes
- (f) an assessment of the risks the probation officer considers material to the admission of the applicant on to the course in question
- (g) any additional information provided by other sources, such as the Probation Service or the DBS.

3.5 The Admissions Committee reserves the authority to:

- (a) Refuse to issue an offer to any individual based on the risk to the University and its student community;
- (b) Lay down such conditions as it sees fit for the admission of an individual with a criminal conviction
- (c) Later withdraw a student's enrolment if it found that the student has an undeclared, unspent criminal conviction

3.6 Notification of the decision whether to accept or reject the applicant shall be provided by the Head of Admissions. Where an application is rejected on this basis, the applicant shall be notified in writing with a summary of the reasons for the rejection.

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