

Criminal Background Screening Policy: Students

Owner: Vice Principal: Student Services & Support
Issue Date: July 2015
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1. Introduction

- a. The purpose of this policy is to ensure that enrolled students who have relevant criminal convictions are treated consistently and equitably and in accordance with the Disclosure and Barring Service (DBS) Code of Practice. Enrolling students declaring a conviction(s) will not automatically be excluded from the enrolment process.
- b. Under the terms of its registration with the DBS, the College is bound by the Code of Practice, which gives comprehensive guidance on all related issues, including equality of opportunity and data protection.
- c. Whilst being committed to equality of opportunity, the College has a duty to reduce the risk of injury, caused by criminal behaviour, to its students, staff and the vulnerable people to whom some students have access because of their type of course. Therefore, applicants to courses involving work with children and/or vulnerable adults will be required to complete a DBS enhanced check. The relevance of criminal convictions is dependent upon the nature of the course to which entry is sought.
- d. We have a duty to assess any potential risk to the large number of young people studying at Colchester Institute, therefore all learners will be requested to self-identify whether they have a criminal conviction.

2. Courses

- a. Applicants to courses involving work with young people (i.e. under the age of 18) and work placements involving children or vulnerable adults are required to complete enhanced disclosure documentation through the DBS.

All applicants to courses involving young people (i.e. under the age of 18) or vulnerable adults or courses involving work placements with children or vulnerable adults should be advised at the time of application that a DBS enhanced check is required. The DBS enhanced check should take place before the course starts but after the applicant has attained their 16th birthday.

In exceptional circumstances a student maybe enrolled on a course pending the return of the DBS enhanced check but this student may not take part in the workplace and must be advised that an unsatisfactory DBS enhanced check may result in their withdrawal from the course.

- b. A DBS enhanced check is required where a work placement:
 - involves caring for, training, supervising or being in sole charge of children or adults.
 - a placement which involves unsupervised contact with children.
- c. No student will be allowed to undertake a practical placement until a satisfactory DBS application has been received and approved.
It will be the responsibility of the relevant counter-signatory to ensure that this is the case.
- d. Normally, the re-use of a DBS enhanced check for application to a course at Colchester Institute will only be supported where:
 - The student is currently enrolled on a Colchester Institute course and wishes to progress to another course;

- The student received a satisfactory enhanced DBS check for the course they are currently enrolled on;
- The student confirms that no offence has occurred since the enhanced DBS check was issued; and
- The checks requested for the initial enhanced DBS check are the same as those required for the new course
- OR
- The applicant has joined the DBS Update Service and signed the Authorisation Form, attached.

e. Where applicable applicants/students will be required to pay the appropriate fee and this will be included in the course information.

f. Area Heads should inform the Vice Principal Student Services and Support of any courses delivered via contract where students require a DBS check.

g. Area Heads should inform the Vice Principal Student Services and Support of any courses where students require a DBS check.

3. Action where convictions have been disclosed

a. Process

- Evidence of a satisfactory DBS enhanced check will be part of the applicant's offer to the specific course.
- The applicant will be required to show their DBS enhanced check to a member of Colchester Institute staff at enrolment or before.

If there is content, the member of staff will contact the Student Services and Support Co-ordinator who should discuss the DBS application with the student to obtain further information.

- The counter-signatory or his/her representative will convene the Admissions Review Panel to consider the applicant's non-academic suitability for a place on their chosen course.
- The membership of the Admissions Review Panel shall be as stated under the Admissions Review Panel Process and include the Vice Principal Student Services and Support.
- For DBS cases, and where other staff are not available, The Executive Director Human Resources as lead signatory, is the decision maker and his/her decision is final.

b. Self-Disclosure via an Enrolment Form

- A Self-Disclosure form to be sent from Registry to the student requesting further information.
- If there is content, the Student Services and Support Co-ordinator will refer to Vice Principal Student Services and Support to discuss the content, relevance to the course and whether there is potential risk to students and/or staff;
- Depending on the outcome of previous discussions the Vice Principal Student Services and Support will convene and administer the Admissions Review Panel

process with the relevant Director of Faculty or Area Head in accordance with the Colchester Institute Background Screening Policy: Students.

c. Self-Disclosure via verbal or written communication

Information received in this format should be submitted to the Student Services and Support Co-ordinator to send appendix 1 and 2 to the student.

d. In determining the relevance of offences, the Admissions Review Panel will take into account:-

- the seriousness of the offence and its relevance to the safety of students, other employees, customers, clients and property;
- the length of time since the offence occurred;
- any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example the influence of domestic or financial difficulties;
- whether the offence was a one-off, or part of a history of offending;
- whether the applicant's circumstances and/or attitude have changed since the offence was committed, making reoffending less likely;
- whether the offence has subsequently been decriminalised by Parliament, or is not recognised in England as an offence;
- the impact of the offence on their chosen career;
- the likelihood that the existence of content on their DBS check will prevent satisfactory completion of the intended programme of study; and
- the accuracy of the DBS check result.

e. The options available to the Admissions Review Panel are:

- to progress the enrolment on to the course;
- to progress the enrolment on to the course with conditions;
- refer to a different course;
- terminate the student's enrolment at Colchester Institute.

f. The Admissions Review Panel Chair will advise the applicant of the decision of the Admissions Review Panel and will maintain a record of their decision.

If the student disagrees with the decision of the Admissions Review Panel then he/she may make a complaint in accordance with the Compliments, Comments and Complaints Procedure for Students and Customers.