

The Academic Regulations Appendix 18: Operation of Criminal Conviction Panels

2022-2023



Edge Hill
University

The Academic Regulations

Appendix 18 – Operation of Criminal Conviction Panels

Contents

Purpose	3
Regulations	3
1. Programmes that do not require an enhanced DBS certificate as a condition of admission:	3
2. Programmes that do require an enhanced DBS certificate as a condition of admission:	4
3. Right of Appeal.....	5
Key to Relevant Documents	5
Annexes	5
Endmatter.....	6

Purpose

The purpose of this document is to set out how criminal convictions held by students should be declared and considered. It is for staff so that they are aware of the process to follow, and for students so that there is complete transparency about the University's approach.

Regulations

All Edge Hill students are required to disclose in writing to the Director of Governance and Assurance if they are convicted of a criminal offence whilst on course; students may also be required to make an annual declaration.

A declaration does not necessarily mean that a student or applicant's place at the University will be compromised, but it does mean that a risk assessment is required to ascertain any support required for the student and any risk to be mitigated for the University and the Edge Hill community.

Once a declaration of a conviction is received, the Director of Governance and Assurance will ascertain whether or not the student is registered to a programme that requires an enhanced Disclosure and Barring Service (DBS) certificate to be provided during the Admission process. Once this is established, the following procedures will be applied as appropriate:

1. Programmes that do not require an enhanced DBS certificate as a condition of admission:

1.1 The Director of Governance and Assurance will convene a Criminal Conviction Panel to consider the disclosure and make an assessment of risk.

1.2 The panel will comprise three senior¹ staff from the University including a representative from the Faculty in which the programme is located. At least one member of the panel will be drawn from outside the Faculty in which the programme is located.

1.3 The student/applicant will be invited to attend the panel to provide information on their case and update the panel on any relevant context to consider.

¹ Senior staff includes Deans and Assistant Deans of Faculty, Deans and Directors of Services and the Head of Academic Registry.

1.4 In considering the disclosure, the panel will have regard to:

- a. The seriousness of the offence, including any aggravating factors, and its relevance to the safety of other students, staff and the public;
- b. The pattern of offending;
- c. Information provided by the student as to any personal circumstances prevailing at the time of the offence and any evidence of remorse/motivation for change;
- d. If appropriate, information provided by relevant external agencies.

1.5 Following consideration of the case, the panel will deliberate in private and may decide that:

- a. the risk to the University can be managed with no further action;
- b. the risk to the University can be managed but that restrictions on the student/applicant should be applied (such as a refusal to allow accommodation on-site or the imposition of a curfew on campus attendance);
- c. the risk to the University cannot be reasonably managed and the student/application should be withdrawn.

1.6 Decisions of the panel and supporting factors will be recorded.

1.7 Students/applicants will be notified of the decision of the panel in writing within seven working days from the date of the meeting.

2. Programmes that do require an enhanced DBS certificate as a condition of admission:

Where students are enrolled/apply to a course carrying professional registration and/or requiring an enhanced DBS certificate as a condition of entry, the case will be referred to the relevant faculty for consideration (initial investigation).

Each faculty operates with local procedures for initial investigations, as relevant to the profession concerned. Details will be made available to students through faculty literature.

Students registered to a professionally recognised programme should be aware that following the initial investigation, a criminal conviction may result in a referral to a University Fitness to Practise Panel, with a report made to the relevant professional body where appropriate.

The procedures for Fitness to Practise Panels are detailed in Appendix 17 of the Academic Regulations.

3. Right of Appeal

Where an applicant/student is dissatisfied with an outcome, a review may be requested if the applicant/student believes the decision of the Panel is unreasonable; that procedural irregularity has occurred or if the applicant/student has new evidence that, for good reason, was not made available to the Panel.

Requests for review should be lodged in writing to the Director of Governance and Assurance within ten working days of receipt of the outcome letter. Outcome letters will specify an absolute deadline for submission.

Reviews will be undertaken by the Pro Vice-Chancellor & University Secretary (or nominee) who may make such further investigations as they deem necessary.

The purpose of a review is not to re-hear the case but to check that due process has been followed and that, having regard to the individual merits that apply to each case, outcomes are broadly consistent. Where substantial new evidence is provided there may be further consultation with the Chair of the original Panel.

The outcome of the review will be notified to the applicant within ten working days of receipt of the request for review.

The decision of the Pro Vice-Chancellor & University Secretary (or nominee) in relation to the review will be final, within the University.

Key to Relevant Documents

Not applicable

Annexes

There are no annexes to this policy.

Endmatter

Title	Appendix 18: Operation of Criminal Conviction Panels
Policy Owner	Director of Governance and Assurance & Clerk to Governors
Lead for Updates	Director of Governance and Assurance & Clerk to Governors
Policy Contributor	None
Approved by	Regulations Review Sub-Committee
Date of Approval	July 2022
Date for Review	July 2023