

Introduction

1. This section describes the policies and procedures for conducting and managing criminal records checks at the Institute of Sound and Vibration Research (ISVR) for applications to taught Audiology programmes, specifically the BSc and MSci Healthcare Science (Audiology), and MSc Audiology programmes. It is based on the policies or principles set-out by the [University of Southampton](https://www.southampton.ac.uk) and the Disclosure and Barring Service (DBS) Code of Practice.

Declaration of 'relevant' criminal convictions: general

2. Undergraduate and postgraduate applications require disclosure of 'relevant' criminal convictions. These deal with unspent convictions against the person and drug-related offences. Offences that are spent are not considered relevant by the Rehabilitation of Offenders Act (1974) and so do not need to be disclosed at this stage (but see below).

Full declaration of criminal record: taught programmes in Audiology

3. For courses involving work with children or vulnerable adults, any criminal convictions, cautions (including verbal cautions), reprimands, final warnings and bind-over orders are exempt from the Rehabilitation of Offenders Act (1974).

4. Students of these programmes may work in a caring role with children and vulnerable adults for significant periods of time as part of the programme of study. Furthermore, these programmes may lead towards professional registration, where the professional body or employer (e.g. NHS) requires a criminal records check as a pre-condition to entry and practice, and towards clinical practice, which may involve caring for children and vulnerable adults for significant periods of time.

5. All applicants of these programmes are required to complete a self-declaration of any criminal record before an offer is made (see ISVR Self-declaration form). **Note: this applies even if the applicant has previously been advised not to disclose an issue** (such as a warning or reprimand); this is because of Point 3 above. All offers are conditional on a satisfactory outcome of criminal records checks conducted through the relevant authority and usually after offers are made. Failure to disclose something on the self-declaration that later appears through these

checks may result in termination of the application or enrolment even if the criminal record check is judged to be satisfactory.

6. UK and non-UK applicants shall undergo an Enhanced Disclosure through the DBS, the application for which is co-ordinated by ISVR and paid for by the applicant. Non-UK applicants, and those who have lived in the UK for less than 5 years, are required to provide information of criminal records, or a clearance record, from the appropriate organisation in their country of current/previous residency; all documentation must be officially stamped and translated, proving authenticity of the documents.

7. All applicants shall undergo these checks even if checks have been carried out by another institution previously or by the University more than three years previously.

8. Applicants, or students, who acquire a criminal record after the initial self-declaration must inform the University, or the ISVR, immediately. Failure to declare a criminal record within a reasonable period of time may result in termination of the application or enrolment.

9. For programmes that involve a substantial clinical placement, another Enhanced Disclosure will be conducted prior to the placement, usually paid for by the NHS.

Confirmation and enrolment

10. Occasionally, the checks described above have not been completed before an applicant's place is confirmed or before an individual has enrolled on a programme. Nevertheless, the offer/enrolment implicitly remains subject to a satisfactory outcome of these checks.

11. Individuals found to have unsatisfactory criminal records, accordingly to the procedures described below, at any stage of their application, or enrolment, will have their application, or enrolment, terminated.

12. Students enrolled on a programme for whom the outcome of the checks is pending might have their activities restricted according to the risks posed to children and vulnerable adults

Procedure upon disclosure

13. This procedure shall apply regardless of when the disclosure occurs.

14. An applicant declaring a criminal record shall not be automatically excluded from the application process and the declaration shall not affect the academic assessment of the application. The academic assessment should be made without knowledge of (i.e. 'blind' to) the outcome of the self-declaration and criminal record checks.

15. Initially, the application shall be assessed on academic and motivational merit alone. If there are no academic grounds for making an offer to the applicant, the application shall be rejected in the normal way and the applicant informed of the reasons for the decision.

16. If, from an academic viewpoint, the applicant is felt to merit an offer of a place, the Admissions Tutor shall obtain as much information as possible about the nature of the offence before making a decision. The Admissions Tutor should reach a decision within 2 weeks of receipt of the disclosure by the University and in consultation with:

- A second Admissions Tutor
- Co-ordinator of the programme to which the applicant has applied
- Head of the Hearing and Balance Centre

And for NHS-funded programmes, which involve a substantial clinical placement:

- Clinical Placement Co-ordinator
- Human resources representative of the NHS trust administering the clinical placement

17. In deciding whether to permit an applicant to enter onto a programme, the following factors shall be considered:

- The seriousness of the offence and its potential relevance to the programme and practice of audiology
- The length of time since the offence occurred
- Any relevant information offered by the applicant/student about the circumstances which led to the offence being committed
- Whether the offence was a one-off, or part of a history of offending
- The degree of remorse expressed by the applicant/student and their motivation to change

18. Objective reasons for the decision shall be recorded. More extensive investigations of the case may be required, such as involving the Director of ISVR, Associate Dean (Education) or Dean of Faculty, such as when considering admitting an applicant with a criminal conviction or when agreement cannot be reached by the individuals identified above.

19. The applicant shall be informed of the decision within 10 days of the decision having been made.

Storage and handling of information relating to criminal records

20. Disclosure information shall only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

21. Disclosure information shall only be passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

22. Documentation relating to the declaration (including an Enhanced Disclosure) shall not be kept with the applicant's personal file. It shall be kept separately and securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

23. Once a decision has been made in relation to admission to a programme of study, the Enhanced Disclosure, self-declaration and any equivalent or associated documentation and correspondence, shall not be retained for longer than necessary for the particular purpose:

- Where the outcome of the checks is entirely satisfactory, the documentation shall be destroyed at the earliest opportunity (preferably within 48 hours of receipt)
- Where the checks reveal information that must be considered carefully, and a positive decision is reached (to admit or permit participation), the document shall be destroyed at the earliest opportunity after that decision has been made
- Where the checks lead to a negative decision (i.e. to reject the applicant), the documentation shall be retained for one month after informing the applicant, in case of dispute, complaint or appeal relating to that decision. If the applicant makes a formal dispute, complaint or appeal, the document can be kept up to a maximum of 6 months after receipt. Should it be necessary to retain an Enhanced Disclosure for longer than 6 months, the prior approval of the DBS shall be obtained

24. The following information, or equivalent, shall be kept after destroying the document:

- Applicant/student name and identification number
- Programme of study in relation to which the Disclosure was sought
- DBS Enhanced Disclosure reference number
- Progress record of movements of DBS application (date sent to DBS, date Enhanced Disclosure documentation received)
- Decision outcome (i.e. admit/reject)
- Date Disclosure documentation was disposed of
- List of ALL who had access to the Enhanced Disclosure information (including anyone external to the University)

25. The record shall not contain any information about the content of the Disclosure documentation, or equivalent.

26. Documentation pertaining or referring to criminal records checks shall be destroyed by secure means (i.e. by shredding, pulping or burning). While awaiting destruction, the documentation shall not be kept in any insecure receptacle (e.g. confidential waste sack).