

## Policy and Guidance for Applicants with Criminal Records

*Note: the term 'Student visa' refers to both the Tier 4 (General) visa and the new Student visa which replaced the Tier 4 (General) visa on 5 October 2020.*

### 1. Introduction

- 1.1 The University is committed to widening participation, and ensuring that all students with the potential to succeed, regardless of their background, are encouraged to apply to study with us. This includes welcoming applications from individuals who have previously been convicted of a criminal offence.
- 1.2 The University will assess all applications on academic and motivational merit alone in accordance with the standard selection criteria for the programme of study.
- 1.3 For most courses at the University there is no requirement to declare any criminal conviction information during the admissions process (see Section 3).
- 1.4 Applicants who apply to a programme which leads to a profession or occupation that is exempt from the Rehabilitation of Offenders Act (1974) (for example Medicine, Nursing, Midwifery, Allied Health Professions, Audiology, Teaching, Educational Psychology, Clinical Psychology) will be asked at the point of application to declare whether they have any criminal convictions, including spent convictions that are not filtered (see Section 2 & 3).
- 1.5 This Policy and Guidance is informed by the Rehabilitation of Offenders Act (1974), the General Data Protection Regulation, the Data Protection Act (2018), and within the context of the University's [Equal Opportunities policy](#). This Policy and Guidance should also be read in conjunction with the University's [Admissions to Degree Programme regulations](#) and the [Admissions Policy](#).
- 1.6 This Policy and Guidance is relevant for all applications made to the University, whether they are made directly or via UCAS.

### 2. Policy and Guidance for Applications to a Programme Leading to a Profession or Occupation exempt from the Rehabilitation of Offenders Act (1974)

- 2.1 Programmes in the following subject areas at the University are exempt from the Rehabilitation of Offenders Act (1974): Medicine, Nursing, Midwifery, Allied Health Professions, Audiology, Educational Psychology, Clinical Psychology and Teaching leading to Qualified Teacher Status.
- 2.2 Applicants who apply to one or more of these programmes will be asked at the point of application to declare whether they have any criminal convictions, including spent convictions that are not filtered.
- 2.3 The University is also required to undertake enhanced criminal records checks on potential and/or enrolled students undertaking a programme of study that leads towards professional registration where the professional body requires a check as a pre-condition to entry and practice. The University is registered with the Disclosure and Barring Service (DBS) for this purpose.
- 2.4 Having a conviction may not automatically bar applicants from being made an offer to one of these programmes. Once it has been ascertained that the applicant is academically suitable to be made an offer, relevant staff within the faculty with knowledge of the Professional Body and programme requirements, will review any information disclosed within the application pertaining to a criminal conviction to determine whether there would be any barriers as a result

of the conviction. For some professions members of staff employed within the area are consulted.

- 2.5 Programmes of study which have a practice component, which will lead to a professional registration are governed by a requirement that students demonstrate their 'Fitness to Practise'. Any applicant who is eligible to be made an offer who did not declare a conviction at the point of application but which subsequently arises from an enhanced DBS check, will be considered under the University's [Fitness to Practise Policy](#), which takes in to account matters of professional conduct.

#### 2.5.1 *Medicine*

Applicants applying for the Bachelor of Medicine, Bachelor of Surgery 4 year degree (BM4), Bachelor of Medicine, Bachelor of Surgery 5 year degree (BM5), Bachelor of Medicine, Bachelor of Surgery 6 year degree (BM6, widening access), will be subject to an enhanced DBS check at the start of the programme. Applicants applying for the Bachelor of Medicine EU and Bachelor of Medicine International Transfer programmes, will be subject to an enhanced DBS check at the start of their programme at the University. This is a legal requirement by the General Medical Council (GMC) who sets standards, guidance and requirements for UK medical education and practice.

In addition, at the start of every other year students on these programmes will also be asked to complete a Criminal Record Self-Disclosure form.

Please also see the [Selection Procedure and Policy for the Faculty of Medicine, BM4, BM5 and BM6 Programmes](#) and Fitness to Practise relating to [Medicine](#).

#### 2.5.2 *Nursing, Midwifery and Allied Health Professions*

Applicants applying for programmes in Nursing, Midwifery, Healthcare Science, Podiatry, Physiotherapy and Occupational Health will be subject to an enhanced DBS check prior to enrolment on the programme. This is a legal requirement by the Nursing and Midwifery Council (NMC) who sets standards, guidance and requirements for nursing and midwifery programmes of education across the UK and the Health & Care Professions Council (HCPC).

Please see the University's [Fitness to Practise Policy](#) for more information.

#### 2.5.3 *Audiology*

Applicants applying for BSc and MSci Healthcare Science (Audiology), and MSc Audiology programmes will be subject to an enhanced DBS check prior to enrolment on the programme. This is a legal requirement by the Health & Care Professions Council (HCPC).

In addition, students will also be asked to complete a Criminal Record Self-Disclosure form during the admissions process.

Please see the University's [Fitness to Practise Policy](#) for more information.

#### 2.5.4 *Educational Psychology and Clinical Psychology*

Applicants applying for the Doctorate in Educational Psychology and Doctorate in Clinical Psychology will be subject to an enhanced DBS check prior to enrolment on the programme. This is a legal requirement by the Health & Care Professions Council (HCPC).

Please see the University's [Fitness to Practise Policy](#) for more information.

#### 2.5.5 *Teaching leading to Qualified Teacher Status*

Applicants applying for programmes relating to Teaching leading to Qualified Teacher Status (Postgraduate Certificate in Education- PGCE) will be subject to an enhanced DBS check prior to enrolment on the programme. This is a legal requirement by OFSTED.

Please see the University's [Fitness to Practise Policy](#) for more information.

- 2.6 Applicants applying for programmes Medicine, Nursing, Midwifery, Allied Health Professions, Audiology, Educational Psychology, Clinical Psychology and Teaching leading to Qualified Teacher Status should also read sections 3, 4 and 5 below.

### 3. Policy and Guidance for all programmes at the University

- 3.1 All applications to the University are assessed on academic and motivational merit alone in accordance with the standard selection criteria for the programme of study.
- 3.2 Applicants who apply to programmes other than those described in Section 2 will not be asked to declare any criminal conviction information during the admissions process.
- 3.3 Applicants who will be on licence at the time of registration should discuss their application with their supervising officer and follow their guidance in relation to informing the University of any licence conditions, as there may be a need to consider making adjustments or alternatives to the programme of study as detailed in paragraph 3.5 below.
- 3.4 In some circumstances it may be appropriate to disclose information relating to criminal convictions, cautions and license conditions to the University, for example:

#### 3.5.1 *Choosing modules*

Where modules involve working with children and vulnerable adults, alone and unsupervised for significant periods of time as part of the programme of study, an enhanced DBS check will be required.

In very rare cases there may be an incompatibility between the requirements of the programme applied for and the unspent conviction/licence condition. Where possible the University will consider whether any adjustments can be made to allow the applicant to study the preferred programme. Where it is not possible for adjustments to be made, for example where these are core and/or compulsory modules that are integral to the programme, it may be appropriate to amend the offer to an alternative programme of study.

Applicants are advised to consult the programme specification for their chosen degree and review the modules available to them.

#### 3.5.2 *Research projects*

Some research projects may involve working with children and vulnerable adults, alone and unsupervised for significant periods of time, and as such an enhanced DBS check may be required. Applicants are advised to discuss their plans for fieldwork with their research supervisor.

#### 3.5.3 *Study Abroad*

There are opportunities for students to study abroad for the summer, semester or a year. Where this involves working with children and vulnerable adults, alone and unsupervised for significant periods of time an enhanced DBS check may be required.

Applicants with criminal convictions planning to take advantage of study abroad opportunities should be aware of restrictions placed on visa applications depending on the country in which they would like to undertake their period of study abroad.

#### 3.5.4 *Extra curricular activities*

Some activities outside of the degree programme include coming in to contact with children and vulnerable adults, for example involvement in voluntary (unpaid) activities, as a student ambassador or being involved in one of the Students' Union many clubs and societies, and as such an enhanced DBS check may be required.

- 3.5 A list of all the University Students' Union clubs and societies can be found on the Southampton University Students' Union [website](#).

#### 3.5.5 *Work Placements*

Students at the University may have an opportunity to undertake a work placement or internship. This may be integrated as part of the degree programme or undertaken as an optional activity outside of the formal programme of study. Where placements or internships involve working with children and vulnerable adults, alone and unsupervised for significant periods of time an enhanced DBS check may be required.

Some employers may require an enhanced DBS checks as part of their offer of a placement.

### 3.5.6 *Halls of Residence*

Applicants will not be asked to disclose any information about their criminal record when applying for University accommodation, however there may be circumstances, for example license condition restriction, that may make some residential options more suitable.

A full list of the University's accommodation options can be found on the Student Accommodation [website](#).

Applicants should be aware that private providers of accommodation may have different processes in place to University provided accommodation.

- 3.6 Applicants are advised to visit the University's [information page](#) for applicants applying with a criminal record for further advice and guidance on if, when and why there might be a need to disclose information.
- 3.7 Applicants can disclose information relating to their criminal record in confidence at any point in the admissions process to an appropriately trained member of staff at the University, who is separate from the academic assessment of the application. Any information disclosed will only be used to provide the applicant with appropriate support and guidance, for example, whether there could be any limitations to specific optional modules, extra-curricular activities, or access to specific halls of residences. The current confidential contact is [admissionspolicy@soton.ac.uk](mailto:admissionspolicy@soton.ac.uk).

## 4. International Applicants Requiring a Tier 4 Visa to study in the UK

- 4.1 International applicants who require a Tier 4 visa to study in the UK will be required to disclose any criminal offences, including spent convictions, at the time of applying for their Confirmation of Acceptance for Studies (CAS).
- 4.2 Continuing international students who require a Tier 4 visa to study in the UK and who subsequently require a new CAS to extend their stay in the UK to complete their programme, will be asked to disclose any criminal offences, including spent convictions, at the time of re-applying

## 5. Retention and Disposal of Information relating to Criminal Records

- 5.1 Disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given. Any information pertaining to an applicant's criminal record will be retained and disposed of as set out in the [Privacy Notice for Direct Applicants](#).