

POLICY STATEMENT ON THE RECRUITMENT OF EX-OFFENDERS: STUDENTS			
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1. Purpose of Policy Statement on the Recruitment of Ex-offenders:

The purpose of this policy statement is to state the University's position in relation to the admission of ex-offenders onto academic programmes.

2. Organisational Definition of Policy Statement on the Recruitment of Ex-offenders:

2.1 Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act (ROA) 1974 ensures those people who have been convicted of a criminal offence in the past are not discriminated against when seeking appropriate employment. A person convicted of a criminal offence and who receives a sentence of no more than 2 ½ years in prison, whether suspended or not, is protected by the Act if they are not convicted again during a specified period referred to as the 'Rehabilitation Period'.

Once a rehabilitation period has expired and no further offending has taken place, a conviction is considered to be 'spent'. Once a conviction has been spent, the convicted person does not have to reveal it or admit its existence. However there are exceptions.

2.2 Exceptions to the Act

The University has a duty of care to protect the well-being of the public and service users and in particular children and adults who are considered to be vulnerable. The Exceptions Order overrules the employment rights an ex-offender would otherwise have in respect of spent convictions. Ex-offenders have to disclose information about spent, as well as unspent convictions, provided that offer letter states clearly that the programme is exempted.

Exempted occupations fall into the following categories:

- Work that brings the person into contact with groups such as the infirm, elderly, mentally ill and young people under the age of 18.
- Professionals that have legal protection, for example, nurses, doctors, dentists, chemists,

Thorough admission processes and the requirement for a DBS check is a requirement to ensure that people who may pose a threat to children and vulnerable adults are not given positions of trust where they could exploit those entrusted to their care, including when studying.

An application for a DBS check will only be submitted after a thorough risk assessment has indicated that it is proportionate and relevant. The decision about whether a programme requires a DBS check is taken during programme planning and validation.

2.3 Applications

The University is committed to the fair treatment of all applicants and students regardless of age, race, gender reassignment, sex, religion, and sexual orientation, responsibilities for dependents, physical/mental disability, pregnancy/maternity, marriage /civil partnership or offending background.

The University actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates. All applicants are selected based on their skills, qualifications and experience.

As an organisation using the Disclosure and Barring Service (DBS) disclosures to assess applicants' suitability for positions of trust, the University complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. The University makes every subject of a DBS disclosure aware of the existence of the DBS Code of Practice and will make a copy available on request.

A disclosure is only requested when it is legal to do so. For those programmes where a disclosure is required the website and offer letter will contain a statement that a disclosure will be required.

Unless the nature of the position allows the University to ask questions about a person's entire criminal record it will only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act (1974). The University will only ask about convictions and cautions that we are legally entitled to know about and that are not protected.

Having a criminal record will not bar individuals from studying at the University. This will depend on the nature of the position and the circumstances and background of the offences. The University will not discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed. The Policy & Procedure for Considering New Applications and Applications for Re-admission to the University from Applicants with Criminal Convictions outlines the process which will be undertaken.

The University will ensure that all those who are involved in the recruitment process will be suitably trained to identify and assess the relevance and circumstances of offences. The University will also ensure that those involved in recruitment processes receive appropriate

guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of a place on the programme of study. The University undertakes to discuss any matter revealed in a disclosure with the applicant before withdrawing a conditional offer of a place on a course of study.

2.4 Self-Disclosure

The University asks all applicants to voluntarily provide details of their criminal record at an early stage in the application process. This information will only be seen by those who need to see it as part of the admissions process. It will be treated in strict confidence, will be securely stored and kept for only as long as is necessary. Failure to disclose convictions on an application form that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

2.5 Protection of a Rehabilitated Person

The unauthorised disclosure of information about a spent conviction is illegal. Unauthorised disclosure is where an official with access to information about the person's criminal record discloses this information other than in the course of official duties. Serious misuse of a person's criminal record could result in a prison sentence of up to six months or a fine of up to £1,000, or both.

3. The Scope of the Policy Statement

This policy statement applies to applicants for all programmes at the University.

4. Responsibilities for Delivery

4.1 Responsibilities of Admissions

- To manage recruitment and selection processes and procedures

4.2 Responsibilities of Admissions / Admissions Tutors / Heads of School / Academic Registry

- If raised, to ensure a measured discussion on the subject of any offences or other matter that might be relevant to the position takes place

4.3 Responsibilities of All Staff

- To make themselves aware of this policy and to comply with its requirements.

4.4 Responsibilities of applicants

- To disclose criminal record information at an early stage

4.5 Responsibilities of all current students

- To make themselves aware of this policy and to comply with its requirements.
- To report any relevant changes of circumstance to the University including but not limited to criminal investigations, convictions or warnings.

5. Implementation Strategy

5.1 Support and Advice

Further support and advice can be obtained from the Academic Registry

5.2 Policies & Procedures

- Wrexham Glyndŵr University Policy & Procedure for Considering Admission to the University for Programmes Requiring a DBS Check and from Candidates with Criminal Convictions
- Wrexham Glyndŵr University Secure Storage Use Retention and Disposal Policy
- Wrexham Glyndŵr University Referral to the Disclosure and Barring Service

5.3 Guidelines and Forms

- DBS Code of Practice
- DBS A counter signatory's guide to completing the DBS application form
- An applicant's guide to completing the DBS application form

5.4 Communication Strategy

This policy is available on My Uni Portal /Moodle

6. EVALUATION

The University is committed to continuous improvement in its service provision, and will continue to monitor the efficiency of this policy with qualitative and quantitative data. This process will ensure that a detailed evaluation of the effectiveness of the policy is undertaken, and any problems of implementation or management brought to the attention of the Human Resources Committee.

This policy will also be reviewed in line with requirements from the DBS.