

Contents

| | |
|---|---|
| 1. Aim..... | 1 |
| 2. Declaration..... | 1 |
| 3. Assessment | 1 |
| 4. Outcome | 2 |
| 5. Appeals | 3 |
| 6. Storage of information..... | 3 |
| Appendix 1 Table of Rehabilitation periods (Gov.uk resource) as of March 2023. | 4 |
| Appendix 2- Scoring table..... | 7 |
| Appendix 3: Student Declaration form | 9 |

1. Aim

This document is to inform applicants and students declaring a criminal conviction during their application or enrolment with Shrewsbury Colleges Group that their declaration will be used to assess their suitability for their chosen course of study and their application/enrolment with the College.

This process will be followed in addition to any requirement for potential students to undertake DBS enhanced disclosure where the nature of the course applied for requires it (Detailed in the Student DBS Policy).

Shrewsbury Colleges Group actively promote equality of opportunity for all with the capacity to benefit from vocational or academic study and we welcome all such potential students and trainees including those with criminal records. However, the College has a duty of care towards its staff, students and visitors, some of which may be considered 'vulnerable' as a result of their age, physical or mental condition. As such it is necessary for the College to consider the suitability of all potential students with criminal convictions.

Any convictions "Spent" or "Unspent" (as defined under the Rehabilitations of Offenders Act, 1974) that are declared by students whilst in their enrolment will be dealt with under this policy. Table of rehabilitation periods is attached as Appendix 1.

2. Declaration

All potential students including apprentices are asked to complete an application and/or an enrolment form prior to the start of their chosen course of study. Both processes ask all potential students to declare any criminal convictions (excluding minor motoring offences) but does not ask for details.

Where an applicant indicates on their application or enrolment form with the College that they have a criminal conviction or a declaration is made at another time, a self-declaration form will be sent to their residential address or a student may be asked to provide such a declaration in person.

The student may not be allowed to commence or continue their chosen course of study unless they complete, sign and return the declaration form. Applications and enrolments will be put on hold until the information is shared.

3. Assessment

All returned self-declaration forms will be treated with the strictest confidence and will only be seen by those College staff directly involved in the assessment of potential risk. The risk of accepting a student with criminal convictions will be assessed against the following statements:

- With consideration for the nature and seriousness of the offence, does the applicant's attendance at the college represent a potential risk to the well-being of staff or other

Student Criminal Convictions

students, particularly in consideration of the presence of students under the age of 18 and vulnerable adults

- Does the course applied for involve contact with children or other vulnerable individuals
- Does the course involve the use of dangerous equipment
- Does the course involve any responsibility for finance or items of value
- Will the nature of the course present opportunities for the student to re-offend in the place of study
- Is the nature of the course such that it requires public trust or confidence
- How long ago the offence was committed
- Any information provided on the declaration form about the circumstances which led to the offence being committed
- Was the offence an isolated incident or part of a pattern of offending
- The dates and any reoccurring offences
- The degree of remorse or otherwise, expressed by the applicant on their declaration form and their motivation to change
- Any other factors deemed relevant by the college in the assessment of possible risk

An assessment of risk will be completed for each declaration using an approved scoring grid.

Any potential student whose criminal record would indicate that they were considered a material risk to the well-being of fellow students, staff or property would not be permitted to commence a course of study at the College.

In those circumstances where a student with a criminal conviction is allowed to attend the College, the teaching staff will only be informed if it is considered necessary by the College. Some students will be allowed to progress their application with an agreed risk assessment and support package. Any support package costs will not be funded by the college.

4. Outcome

Following a risk assessment and receipt of additional information if necessary, the student will be informed verbally or in writing after receipt of their completed form of the decision of the College regarding their suitability to study. Verbal decision will be given at the enrolment where the person is present.

Suitability will be assessed by Vice Principal Students and Partnerships in the first instance but where an individual's circumstances warrant further consideration, the case will be referred to the Principal and CEO or Senior Leadership Team member.

Where the offer of a place on a course of study has been made, the College may choose to withdraw that offer or terminate the enrolment of a student who is subsequently discovered to have omitted or falsified information concerning criminal convictions or fails to disclose any subsequent convictions incurred during their course.

5. Appeals

Any applicant who has been refused enrolment onto their chosen course of study as a result of their criminal convictions and who wishes to appeal should do so in writing within 10 working days of the communication directly to:

The Principal and CEO
Shrewsbury Colleges Group
London Road
Shrewsbury
SY2 6PR

6. Storage of information

All self-declaration forms and risk assessments are stored securely in a confidential file with Curriculum Support for the period of the course length at the College, after which time they will be destroyed.

Where a decision is made not to progress an application or enrolment, a flag will be placed on student record system to inform future applications or enrolments. Each case will be reviewed again to allow for time elapse and references.

Appendix 1 Table of Rehabilitation periods (Gov.uk resource) as of March 2023.

Rehabilitation Periods table

| Sentence or disposal | Rehabilitation period if aged 18 or over when convicted or disposal administered | Rehabilitation period if aged under 18 when convicted or disposal administered |
|---|---|---|
| <ul style="list-style-type: none"> • Sentence of imprisonment for life • Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years • Sentence of preventive detention • Sentence of detention at His Majesty's Pleasure • Sentence of custody for life • Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders) • A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences. | <p>These sentences are excluded from rehabilitation and so will always be disclosed</p> | <p>These sentences are excluded from rehabilitation and so will always be disclosed</p> |

Student Criminal Convictions

| Sentence or disposal | Rehabilitation period if aged 18 or over when convicted or disposal administered | Rehabilitation period if aged under 18 when convicted or disposal administered |
|---|---|---|
| • A custodial sentence of over 2 years 6 months but not exceeding 4 years | 7 years from the date on which the sentence (including any licence period) is completed | 3 years 6 months from the date on which the sentence (including any licence period) is completed. |
| • A custodial sentence of over 6 months but not exceeding 2 years 6 months* | 4 years from the date on which the sentence (including any licence period) is completed | 2 years from the date on which the sentence (including any licence period) is completed |
| • A custodial sentence of up to 6 Months | 2 years from the date on which the sentence (including any licence period) is completed | 1 year 6 months from the date on which the sentence (including any licence period) is completed |
| • A sentence of service detention | 1 year from the date on which the sentence was completed | 6 months from the date on which the sentence was completed |
| • Dismissal from His Majesty's service | 1 year from the date of conviction | 6 months from the date of conviction |
| • Fine | 1 year from the date of the conviction in respect of which the fine was imposed | 6 months from the date of the conviction in respect of which the fine was imposed |
| • Community order or youth Rehabilitation order | 1 year from the last day on which the order has effect | 6 months from the last day on which the order has effect |
| • Driving endorsements | 5 years from the date of conviction | 2 years 6 months from the date of conviction |

Student Criminal Convictions

| Sentence or disposal | Rehabilitation period if aged 18 or over when convicted or disposal administered | Rehabilitation period if aged under 18 when convicted or disposal administered |
|--|---|---|
| • Driving disqualification | When the period of the disqualification has passed | When the period of the disqualification has passed |
| • Simple caution, youth caution | Spent immediately | Spent immediately |
| • Conditional caution, youth conditional caution | 3 months or when caution ceases to have effect if earlier | 3 months or when caution ceases to have effect earlier |
| • Compensation order | on discharge of the order (i.e. when it is paid in full). Proof of payment is Required | On discharge of the order (i.e. when it is paid in full). Proof of payment is required. |
| • Relevant orders ** (orders that impose a disqualification, Disability, prohibition or other penalty) | The end date given by the order or, if no date given, 2 years from the date of conviction – unless the order states ‘unlimited’, ‘indefinitely’ or ‘until further order’ as in these cases it will remain unspent | The end date given by the order or, if no date given, 2 years from the date of conviction – unless the order states ‘unlimited’, ‘indefinitely’ or ‘until further order’ as in these cases it will remain unspent |

| | |
|------------------------------|-------------------------------------|
| SHREWSBURY COLLEGES GROUP | POLICY & PROCEDURE |
| | Student Criminal Convictions |

Appendix 2- Scoring table

| Score | Offending History | Risk of Harm | Relevant Information | Contributing factors (e.g. gang involvement, additional behaviour / history or information from other agencies) | Aggregate score multiplied by Police Status | Police Status Multiplier | Engagement |
|--------------|--|---|----------------------|---|---|--|---|
| 4 | Use of weapons, serious assaults, sexual offences, drug dealing | Fatal or Serious physical Injury, possible loss of life | Within 12 months | Serious | | Convicted or previously banned by the college (x4) | Refusal to engage and no agencies currently working intervening |
| 3 | Violent offences, possession of weapons, racially aggravated incidents | Physical or Psychological Injury | 12 – 18 Months | Significant | | Convicted and rehabilitated (x3) | Agencies involved but refusal to engage |
| 2 | Theft, drug use, damage, Public Order, low level violence | Limited Physical or Psychological Injury | 18 – 24 months | Minimal | | Police Bail and intelligence (x2) | Agencies involved and fully engaged |
| 1 | ASB | No physical or Psychological Injury | 24 months plus | Unknown | | NFA and intelligence (x1) | No agency support required but would be willing to engage |
| Score | 4 | 4 | 3 | 3 | x | 4 | N/A |

| | |
|------------------------------|-------------------------------------|
| SHREWSBURY COLLEGES GROUP | POLICY & PROCEDURE |
| | Student Criminal Convictions |

Red score 36 – 64; Referral to the Safeguarding Team (includes a member of Senior Management) for decision and risk assessment discussion. If the College offer a place to / retain the learner, a meeting with the Police link, Safeguarding staff and the learner will take place to inform them of our working relationship and to discuss strict monitoring

Amber score 20 – 35; Safeguarding team to be aware of the learner and appropriate College staff to be informed. Risk assessment in place where appropriate and a meeting with the Police link, Safeguarding staff and the learner will take place to inform them of our working relationship and to discuss monitoring

Green score 4 – 19; Continue to monitor and ask staff to report any concerns within College

Appendix 3: Student Declaration form

APPLICANT/ STUDENT INFORMATION AND DECLARATION FORM

Declaration of Conviction Guidance for Students

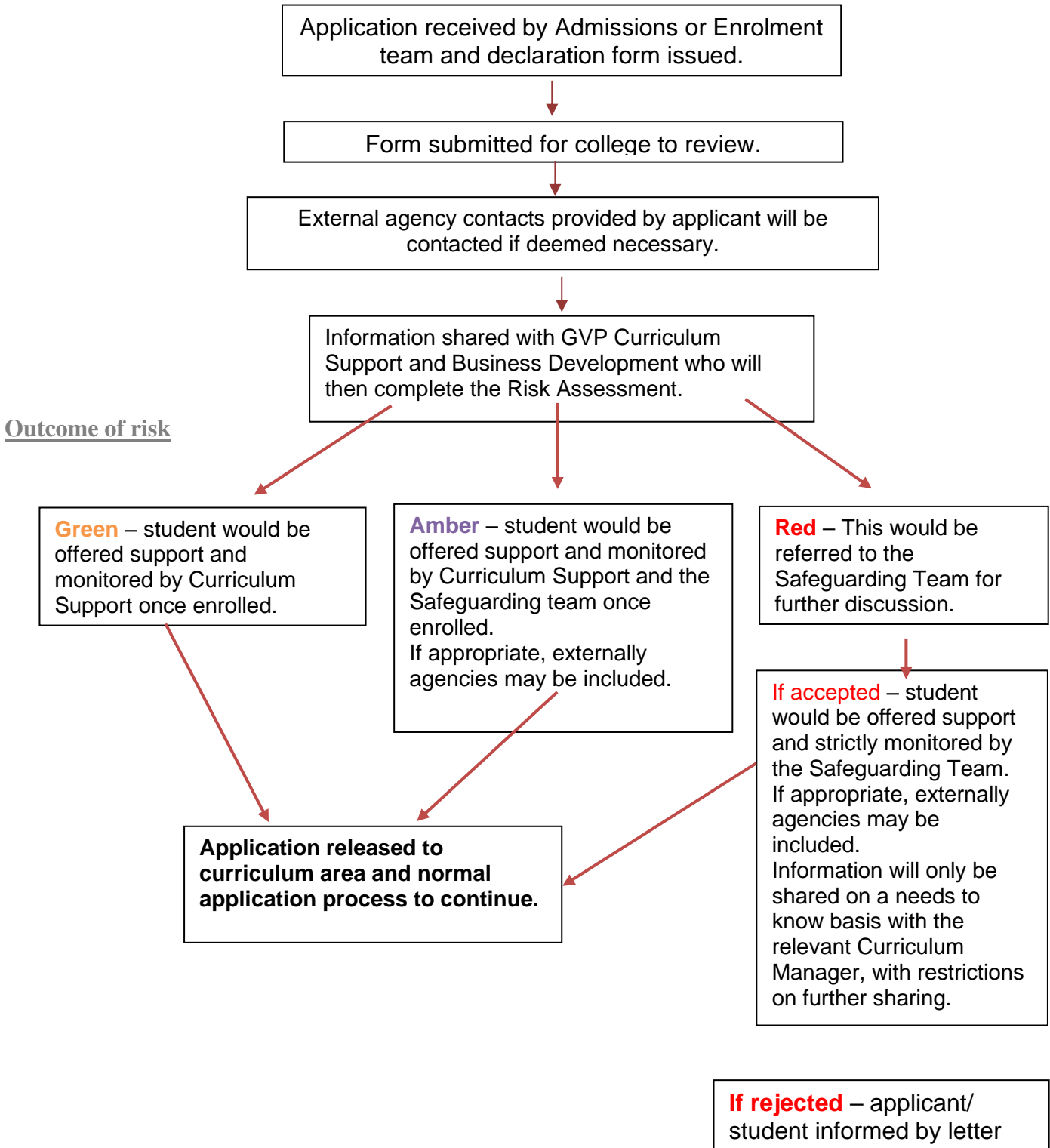
Having a criminal record or a pending prosecution will not necessarily prevent you from taking up a place at college; it will depend on the nature of the course and the circumstances and background of any offences. If you fail to disclose any relevant information then your offer of a place or enrolment on the course may be withdrawn. You should be aware that there are certain careers which will be unavailable if you have convictions. If you already have a particular career in mind please mention this so that we can give you the best course advice possible.

Confidentiality and Data Protection

The College will seek to deal with all matters relating to declarations of convictions in a confidential manner. Criminal offence data will be held securely and separately from other information the College holds on you and will be kept for a limited period of time.

If you enrol at the College, this data will be kept for the time you are with us plus two years following you leaving. If you do not enrol, the data will be kept for one year after the date of declaration.

Outcomes of Risk Assessment Process



POLICY & PROCEDURE

Student Criminal Convictions

| | |
|--------------------------------|-------------------------------|
| Student/Applicant Name: | Course Applied for: |
| Student/Applicant ID: | Student/Applicant DOB: |
| Date of Completion: | |

College needs as much information as possible for it to undertake an accurate risk assessment. We appreciate the need for Data Protection and ask that you ensure you have informed consent to share data or are making sure you are sharing this information legally.

| Offence | Date of Conviction | Penalty/Nature of Sentence |
|----------------|---------------------------|-----------------------------------|
| | | |

| | | | |
|--|--|-----|----|
| Are you currently on a: | Tagging Order | Yes | No |
| | Home detention curfew | Yes | No |
| | Sex Offenders Register | Yes | No |
| Do you have any history of the following: | Arson | Yes | No |
| | Violence against a person | Yes | No |
| | Offences against children/vulnerable adults | Yes | No |
| | Drug supply/dealing | Yes | No |
| | Gang Involvement | Yes | No |
| Are you currently: | Under bail conditions | Yes | No |
| | Pending a court hearing | Yes | No |

Any comments or further information you would like us to take into consideration:

| |
|--|
| |
|--|

Notes of discussions/meetings:

Information Sharing with other Professionals

It may be useful for college staff to talk to other professionals who have been, or are currently, involved in helping you with the issues connected to your conviction(s). Sharing information with other professionals involved in your case will enable us to develop a clearer picture of your situation and needs. By working together, we can plan appropriate courses of action. For example it can be useful to contact probation officers/social workers to gain a reference for you, or more details about the circumstances of your conviction or treatment. Similarly, they may wish to find out if you have been offered a place at college.

Please give details of your YOT worker/Probation Officer (please circle) and any additional support/social workers (if appropriate):

| Name | Job Title | Phone Number | Email |
|------|-----------|--------------|-------|
| | | | |
| | | | |
| | | | |

| | | |
|--------------------------------------|------------|-----------|
| Do you have any disabilities? | YES | NO |
| If yes, please give details: | | |
| | | |

Student Criminal Convictions

Applicant Declaration

I have read, or listened to, the information provided on this form and understand that the College needs this information to ensure I am provided with the appropriate information, advice and guidance. I confirm that I give my consent to Shrewsbury Colleges Group to use this information to risk assess my application. I understand that this information will be stored and managed under the General Data Protection Regulation (GDPR). I give my permission for you to request information and to share as necessary within the College and with external agencies.

Signature: _____ Date: _____

Information requested by:

Name: _____

Signature: _____ Date: _____

ACTION: