



Queen's University
Belfast

ADMISSIONS AND ACCESS
SERVICE

UNDERGRADUATE
ADMISSIONS

ADMISSION OF APPLICANTS WITH
A CRIMINAL RECORD

SEPTEMBER 2016 ENTRY

WE ARE QUEEN'S UNIVERSITY BELFAST
We are exceptional!

Admission of Applicants with a Criminal Record

It is the policy of the University to consider applications for admission on their individual merit in the light of all available information. The primary selection criteria are those related to the qualifications, skills, abilities and personal qualities of an applicant. The University will investigate the criminal record of a new applicant only if the primary selection criteria for a course have been met. The University acknowledges the key role of education in the rehabilitative process and a criminal record will not debar an applicant unless the nature and seriousness of the offence in question is incompatible with:

- (i) the course applied for;
- (ii) the ultimate professional or vocational goal;
- (iii) participation in an academic and social setting and the University's responsibility to ensure a safe and neutral environment.

The following regulations are therefore intended to establish appropriate procedures so that applications from applicants who have a criminal record are handled in an open and non-discriminatory manner. All information will be treated in strictest confidence.

Regulations Concerning Admission of Applicants who have a Criminal Record

1. To help the University reduce the risk of harm or injury to its students, staff, visitors or other users of its facilities, it must know about any relevant items on a criminal record that an applicant may have. In addition, the University must also meet its obligations under the Safeguarding Vulnerable Groups legislation as amended by the Protection of Freedoms Act 2012. Applicants seeking further information on the following regulations should contact the Admissions and Access Service at the University or the relevant School and, where appropriate, refer to the University's Safeguarding Children and Vulnerable Adults Policy available at:

www.qub.ac.uk/directorates/HumanResources/LegalServicesUnit/SafeguardingVulnerableGroups/

2. **Applicants to courses in Medicine, Dentistry, Pharmacy, Education, Nursing, Midwifery, Psychology (postgraduate only), Social Work, Professional Legal Studies, and other courses covered by the Safeguarding Vulnerable Groups legislation, as amended by the Protection of Freedoms Act 2012.**

Applicants must declare any criminal convictions that are not 'protected' as defined by the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014. Prior to admission to these courses, the University will request that the appropriate authority carries out the required checks on applicants under the University's Safeguarding Children and Vulnerable Adults Policy. In Northern Ireland this organisation is called AccessNI. Applicants should be aware that the Enhanced Disclosure Certificate (EDC) which is issued contains details of any spent and unspent convictions, as well as any cautions, informed warnings and diversionary youth conferences that are not protected. It may also contain non-conviction information (for example attempted prosecutions which were unsuccessful) that are held in police records which a Chief Police Officer thinks may be relevant to the post applied for (i.e. "soft police intelligence"). The police may also include information that is protected and has been filtered by AccessNI on the basis that "it might be relevant and ought to be disclosed." EDCs also contain the results of checks of The Children's Barred List and/or The Adults' Barred List as appropriate.

Failure to provide permission for an appropriate check will prevent further consideration of the application.

An applicant who acquires a criminal conviction after applying and before the date of admission to the University should inform the Head of Admissions and Access Service of this matter in writing without delay.

3. Applicants to all other courses

- (a)** Applicants must declare **on their applications** any relevant criminal convictions. Relevant is defined as criminal offences involving any kind of violence, offences concerning the intention to harm or resulting in actual bodily harm, the unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking, offences involving firearms, arson or those listed in the Sex Offences Act 2003 or the Terrorism Act 2006 . Items that are spent (as defined by the Rehabilitation of Offenders Order (NI) 1978) are not considered to be relevant and should not be revealed.
- (b)** If the University discovers that an applicant has failed to disclose information about relevant items on a criminal record, as outlined in paragraph 3(a) above, it may withdraw or amend any offer(s) of admission or terminate the applicant's subsequent enrolment at the University.

An applicant who acquires a relevant criminal conviction after applying and before the date of admission to the University should inform the Head of Admissions and Access Service in writing without delay.

- 4.** In line with the procedures used for all applicants and following the requirements of its Statutes, the University may, subject to the applicant's permission, seek further information, including a character reference, from any individual or body where it is considered appropriate.

5. Consideration of cases

Cases will initially be considered by the Head of Admissions and Access Service or nominee within the relevant School. The School may decide to invite the applicant for interview, if considered appropriate. If an offer is not made at this stage, or if the case requires further consideration, it will be referred to the Admissions Review Panel (ARP). The ARP will normally comprise:

- (i) the Director of Academic and Student Affairs or nominee (in the Chair)
- (ii) the Head of Admissions and Access Service or nominee
- (iii) a Head of School or Director of Education, usually from the School or one of the Schools (as appropriate) applied to
- (iv) the Legal Services Manager or nominee.

The meeting will be serviced by the Admissions and Access Service. The panel membership will be chosen as far as possible to reflect the diversity of the Northern Ireland Community. Neither applicants nor their representatives will have the right to appear before the ARP. Minutes shall be taken as a formal record of the meeting and retained.

- 6.** If an applicant is rejected on the basis of the information obtained under the above regulations, the applicant will be informed of the decision in writing by recorded delivery. The letter will also state whether he or she can re-apply for that course and the minimum amount of time that must elapse before any re-application will be

considered. Potential applicants who were rejected on a previous occasion should contact the relevant School for further details.

7. Appeals

The applicant may appeal in writing to a Pro Vice Chancellor on any of the following grounds:

- (i) new evidence has become available which could not have been made available to the ARP (evidence withheld from the ARP will not normally constitute new evidence); or
- (ii) the decision was too severe or inappropriate.

The appeal, stating with reasons the grounds for appeal, must be made in writing within ten working days of the date of the letter stating the decision. Copies of previous correspondence and any supporting documentation must be attached to the letter of appeal.

- 8.** A Pro-Vice-Chancellor will convene the Admissions Review Appeal Panel (ARAP) to consider the grounds for appeal (see below).

The Panel normally will comprise:

- a Pro-Vice-Chancellor or Dean (in the chair);
- a Head of School or Director of Education from a School other than the one(s) applied to;
- a member of staff from the School or one of the Schools (as appropriate) applied to; and
- the Legal Services Manager or nominee.

The meeting will be serviced by the Admissions and Access Service. Panel members will not have had any prior involvement in the case. The Panel membership will be chosen as far as possible to reflect the diversity of the Northern Ireland community. Minutes shall be taken as a formal record of the meeting and retained.

- 9.** If it is decided that there are no grounds for appeal, the applicant will be informed of the decision in writing, with reasons, within five working days of the decision date. The decision of the ARAP is final.
- 10.** Where the ARAP decides that there are grounds for appeal it will normally meet within 15 working days of the date of that decision. The Admissions and Access Service shall write to the applicant notifying him or her of the date and venue of the meeting. The appellant will have the right to appear before the ARAP accompanied by a member of teaching staff from his or her present or former school or college or a friend. No legal representation will be permitted at any stage during the procedure. Minutes shall be taken as a formal record of the meeting and retained.
- 11.** The ARAP may seek written evidence from any witness or person who in the ARAP's judgement may have relevant information to contribute. Any such person will have the right to see relevant documentation to be considered by the ARAP in advance of the hearing and shall have the right to appear in front of the ARAP if he or she wishes, accompanied by a student or staff member of the University. However, neither the appellant nor any witness will be required to appear in front of the ARAP if they do not wish to appear.

- 12.** Should the appellant fail to appear before the ARAP at an appointed time and without valid reason, the ARAP will have the right to reach a decision in the appellant's absence.
- 13.** The ARAP's findings and recommendations will be communicated to the appellant in writing by recorded delivery within 5 working days of the ARAP's meeting. The letter will also state whether he or she can re-apply for that course and the minimum amount of time that must elapse before any re-application will be considered.
- 14.** The ARAP will also send a report to the Director of Academic and Student Affairs and Head of Admissions and Access Service, summarising the ARAP's conclusions and recommendations. The decision of the ARAP is final.