

Policy on the Admission of Ex-Offenders

- 1.1. As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Imperial College London will comply fully with the [DBS Code of Practice](#) and undertakes to treat all applicants for admission fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.
- 1.2. Imperial College London is committed to the fair treatment of its students, potential students or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. Having a criminal record will not necessarily bar you from studying with the College. This will depend on the nature of the position sought and the circumstances and the background of an individual's prior offences. We actively promote equality of opportunity and welcome applications from all candidates, including those with criminal records who demonstrate the required talent, skills and potential to succeed on our programmes at Imperial. We select all candidates for interview/admission based on their skills, qualifications and experience.
- 1.3. This written policy on the recruitment of ex-offenders is published on the College website and available in the public domain. This policy, along with all other College admissions policies are overseen by the Quality Assurance and Enhancement Committee (QAEC). All admissions policies are made available to all applicants on receipt of an application to undertake a degree programme at the College and are set out in the College's terms and conditions. All applicant data, including data related to criminal convictions is processed in line with the Colleges [Privacy Notice for Students and Prospective Students](#).
- 1.4. Individuals who apply via the University and Colleges Admissions Service (UCAS) for MBBS (A100) or MBBS Graduate Entry (A109) will be asked by UCAS to declare whether they hold any criminal convictions including spent convictions at the point of application. Admission to and continuation of enrolment on the MBBS programmes at Imperial College London is subject to the Rehabilitation of Offenders Act (1974) Section 4(2) (Exemption) Order 1975 and DHSS Circular HC (88) 9 guidelines regarding child protection and police checks. As such, all admission/continuation periods will include the condition of submission of an enhanced Disclosure and Barring Service (DBS) check to be completed by a specific deadline as outlined by the College. Failure to do so, may lead to an application being rejected (post-offer) or enrolment withdrawn/suspended. Applicants who have never lived in the UK will be required to provide a Certificate of Good Conduct from their Government or police force in lieu of a DBS by the required deadline. We make every subject of a DBS aware of the existence of the [DBS Code of Practice](#) and [DBS-Privacy-Policies](#). In the event an offence is disclosed, this

will be handled in accordance with [the School of Medicine Policy and Procedure for DBS Certification](#).

1.5. All applications to the College for admission onto a degree programme, other than those that are exempt as outlined in 1.4 above, are considered on academic potential/suitability for the programme for which admission is sought independently of and prior to any request from the applicant to declare any prior criminal offences. Applicants who are made an offer of admission, will be made aware that in accepting their offer they will enter into a contract with the College and the relevant terms and conditions and governing policies of their contract will be made available to them. Applicants will be required to confirm that they wish to accept their offer and the associated terms and conditions, prior to any request from the applicant to declare whether they hold any relevant unspent criminal convictions. For the purpose of this policy, relevant convictions include one or more of the following:

- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which results in actual harm of an individuals.
- Sexual offences included those listed in the Sexual Offences Act (2003).
- The unlawful supply of controlled substances or drugs where the conviction concerns commercial drug dealing or trafficking.
- Offences involving firearms or weapons.
- Offences involving arson.
- Offences involving terrorism.

Applicants will not be required to declare any spent convictions. Information on the definitions of 'spent' and 'unspent' convictions can be found on the UK Government's [Guidance on the Rehabilitation of Offenders Act 1974](#) and on [NACRO's advice-service/support for individuals disclosing criminal records](#) . In the event an offence is disclosed, this will be handled in accordance with procedure outlined in 1.6 below.

1.6. Where an applicant declares that they have a relevant unspent criminal conviction, we will request that the applicant complete a criminal conviction questionnaire, providing details of the offence, conviction and sentence. Where appropriate, an applicant will also be able to provide their consent for Imperial to contact a 3rd party, such as a probation officer or social worker who can provide relevant comment/information. This is requested as a separate confidential cover independent of the application itself and will only need to be submitted to a designated person within the College. We guarantee that this information will only be seen by those who need to see it as part of the relevant evaluation process.

All evaluations of declarations will be considered in the context of a risk-based assessment that is both proportionate and relevant to the position concerned, balancing the interest of the applicant with the College's safeguarding duties/responsibilities. The College reserves the right to withdraw an offer of admissions or enrolment, where the outcome of any assessment related to the criminal conviction declarations are deemed to determine that granting admission/enrolment would;

- a) pose an unacceptable level of risk to the College, its reputation, property, or community of staff, students and/or visitors
- b) pose an unacceptable level of risk to the applicant in the context of their rehabilitation
- c) be contrary to the law or to the requirements of any relevant professional or other regulatory body with which the College must legally comply.

It is within the rights of any applicant to refuse to provide information related to their unspent criminal convictions. Where this is the case, the College reserves the right to withdraw an offer of admissions or enrolment, on the basis of an undetermined level of risk with respect to the College's safeguarding duties/responsibilities and legal obligations.

Applicant declarations will initially be reviewed by the Director and Deputy Director, of the College's central Admissions Directorate, who may determine that the offence presents little to no risk, in which case the proceedings are ended. If it is determined that there is a level of risk that requires further evaluation, the case will be referred to the Academic Registrar (their deputy or delegated authority) who will convene a review panel that will normally include the Director of Student Services, Director of Campus Services and Senior representatives from either or both the Faculty/Department to which admission/enrolment is sought (e.g. Dean of Faculty, Head of Department, Director of Study or Programme Lead).

It may be determined that an interview or separate discussion with the applicant should be undertaken in order to reach an appropriate risk based-judgment/outcome on the nature of any previous offences. Where required, the applicant will be provided further information/an invitation to attend an interview where the relevant assessors would seek to ensure an open and measured discussion on the subject of any offences or other matter(s) that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer/enrolment.

The outcome of the above proceedings will be communicated/confirmed to the applicant. The outcome may be:

- d) Admissions/enrolment is approved
- e) Admission/enrolment is approved subject to additional conditions that will be confirmed to the applicant. These may include, but not be limited to; prohibited to use or be found on or in on-campus accommodation or child-

care facilities, an occupational health referral or agreed schedule of meetings/appointments with the College Student Support services.

- f) Withdrawal of admission/enrolment. Where this is the case, we will undertake to discuss the matter with the applicant and make clear the reasons for the outcome prior to withdrawing their offer of admission/enrolment.
- 1.7. Where the evaluating Panel's outcome is 1.6 (f), an applicant will have the right to appeal, which should be submitted in writing to the Academic Registrar within 10 days of the outcome. The Academic Registrar will then refer the appeal to either the office of the College President or Provost, whose review and decision will be final.
- 1.8. We will ensure that all those in Imperial College London who are involved in the recruitment process have received appropriate guidance and training to identify and assess the relevance and circumstances of offences in the context of relevant legislation relating to the recruitment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- 1.9. All data related to criminal convictions and supplied to the College will be processed in accordance with the College's relevant privacy notices. For the purposes of any applicable data protection laws in England and Wales, including from 25 May 2018 the EU General Data Protection Regulation 2016/679 (GDPR), the College is the data controller of your personal data. The College has appointed a Data Protection Officer, who can be contacted via email at dpo@imperial.ac.uk, via telephone on 20 7594 3502 and via post at Imperial College London, Data Protection Officer, Faculty Building Level 4, London SW7 2AZ. For more information about the College's data protection policies please refer to our data protection webpage <https://www.imperial.ac.uk/admin-services/secretariat/information-governance/data-protection/>

Document title:	Policy on the Recruitment of Ex-Offenders
Version:	3
Date:	September 2019
Location and filename:	R:\7.Quality Assurance \3. Policy Framework\2. Admissions, Registration & Withdrawal\Policy on the Recruitment of Ex-Offenders
Approved:	09.10.2019
Effective from:	October 2019
Originator:	Registry Admissions
Contact for queries:	Director of Admissions and Student Support
Cross References:	Data Protection: https://www.imperial.ac.uk/admin-services/secretariat/information-governance/data-protection/ Admissions Policies: https://www.imperial.ac.uk/about/governance/academic-governance/academic-policy/admissions/ Faculty of Medicine Policy and Procedure for DBS Certification: https://www.imperial.ac.uk/media/imperial-college/study/public/Disclosure-and-Barring-Service-Certification-Policy.pdf
Notes and latest changes:	Updated September 2019