

College of Health, Wellbeing and Life Sciences

Good Character and Safeguarding the Public

**Guidelines for confirming the Professional Suitability of
Applicants and Students**

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Statement of our commitment

The College of Health, Wellbeing and Life Sciences is committed to ensuring that all applicants or students undertaking pre-registration health or social care courses and those students who undertake regulated activity in a placement setting are treated fairly and without discrimination in relation to race, gender, religion, sexual orientation, responsibilities, age, physical disability, or background of offending behaviour. We are committed to the principle of equality of opportunity including those with criminal records or other formal action taken against them, subject to the overriding consideration of protecting the public, in particular vulnerable groups, including children.

1.0 Introduction

- 1.1. Students applying for any of the Courses listed in Appendix 1 are subject to additional conditions for confirming professional suitability because these courses require students to undertake Regulated Activity (that is work with children and/or vulnerable adults or undertake any work in a specified setting such as a hospital, school or children's home). These guidelines relate to people who are applying for a place on a relevant course and who provide further information about their criminal record or other formal action taken against them via self-declaration at interview stage as well as students whose course does not lead to professional registration but may be required to undertake regulated activity as part of their course.
- 1.2. Students on relevant courses must be confirmed as having satisfactory certification of a Disclosure and Barring Service (DBS) enhanced check before they may be permitted to work in regulated activity with vulnerable groups, including children. Students may not proceed to any placement or shadowing experience involving Regulated Activity until such clearance has been agreed. If, when produced, the DBS certificate includes information about their criminal record that the student listed in Group A and B of Appendix 1 did not disclose when requested to do so then the matter will be referred to the University's Student Fitness to Practise regulations which may require the student to withdraw from their course.
- 1.3. When applicants accept a place on a relevant course they are required to obtain an Enhanced Disclosure from the DBS prior to commencing any placement or shadowing experience. Having a criminal record does not necessarily prevent a student from undertaking a placement or shadowing experience, unless the offence/incident debars the person. A full list of the barred offences/incidents can be found via the DBS website here [DBS Auto-bar offences](#). Please see Appendix 2 for a summary list of people banned from working with vulnerable groups, including children.
- 1.4. Applications for the enhanced DBS check must be submitted via the University, previous certificates will not be accepted. Where students have previously obtained a DBS check for the relevant workforce and have joined the DBS Update Service, they may provide the necessary information and consent to enable the University to undertake a status check using the Update Service. As well as completing the DBS application, health and social care applicants listed in Group A and B of Appendix 1 must also complete a self-declaration detailing any relevant previous criminal offences/incidents, disciplinary action or safeguarding issues found against them. The majority of these courses operate within professional, statutory and regulatory frameworks and the University has a responsibility to assess the risk posed by applicants/newly enrolled students who have a criminal record or previous disciplinary or safeguarding concerns raised about them. Because of the nature of the work that health and social care professionals undertake, no convictions or cautions are considered 'spent' under the 'exceptions'

allowed under the Rehabilitation of Offenders Act, 1974 although certain minor convictions may be "filtered" out of the Disclosure as noted below.

- 1.5. After accepting a firm offer, applicants for health and social care courses are asked to self-declare any criminal convictions, cautions, reprimands or final warnings that are "protected" as defined by the 'Rehabilitation of Offenders Act (1974) Exceptions Order 1975 (as amended in 2013). On receipt of any self-declarations the Student Policy, Casework and Compliance team will review the information declared to ensure that only offences/incidents that are subject to disclosure are considered and filter out declarations made in error using DBS filtering rules. DBS guidance on filtering of offences/incidents can be found at: [DBS filtering guidelines](#). Declarations which include only convictions which would be subject to DBS filtering are immediately processed and accepted and the Admissions Department notified.
- 1.6. Self-declarations containing any convictions that are subject to disclosure are considered by the College's Fitness to Practise Board in confidence. Applicants to courses in the department of Social Work, Social Care and Community Studies are managed slightly differently; please see Section 3 below for further details. To aid decision making, the Board may request further information from the applicant in writing. The applicant may also be invited to attend an Applicant Professional Suitability meeting to discuss any declarations further before a decision is made. If the Board cannot reach a decision to which all agree, applicants are invited to attend an Applicant Professional Suitability meeting. To assist the Board's consideration of these declarations the College provides guidelines on how convictions should be assessed when reviewing self-declaration (see Appendix 3).
- 1.7. The DBS carry out criminal record checks using the following sources:
 - Police National Computer
 - Local police records
 - The Department of Health
 - The Department for Education and Skills
- 1.8. In addition to completing the DBS check health and social care applicants are asked to declare previous issues which may not appear on a DBS Disclosure such as previous disciplinary action taken against them or involvement with a Safeguarding Authority. Where the applicant has been subject to disciplinary or safeguarding action in a previous role, they will be required to supply the Student Policy, Casework and Compliance team with relevant written documentation from third parties such as their employer or the safeguarding agency that considered the case.
- 1.9. As a result of this procedure, some applicants may be deemed unsuitable for certain kinds of work or study depending on the type and nature of the offence/incident they have previously committed or the concerns raised about them. Alternatively, applicants may be allowed to proceed on a programme with a positive DBS Enhanced Disclosure or declaration once the College is satisfied that they are likely to be professionally suitable. Decisions are made in the context of guidance from the relevant professional regulatory body and on the balance of probabilities.
- 1.10. In cases involving enrolled students, [Student Fitness to Practise Regulations](#) would be instigated rather than referral to an Applicant Professional Suitability Meeting. For health and social care students, details of a new/revised declaration will be referred to the College's Fitness to Practise Board for an

investigation under the University's Student Fitness to Practise regulations. Allegations that applicants have failed to disclose relevant information would also be investigated under the University's Student Fitness to Practise Regulations.

- 1.11 Where students take a break in study for any reason they are required to have a new DBS check before they are permitted to undertake any placement or shadowing experience. If a student returning to their studies has a change resulting in a new declaration this will be considered under the University's Student Fitness to Practise Regulations.
- 1.12. Students enrolled on Sports courses (Group C, Appendix 1) are not required to declare to the College at application stage but are subject to a DBS check. This check is carried out during the first year of their course so that they can participate in a range of activities with external partners (both curricular and co-curricular) including a formally assessed placement in Level 5.
- 1.13. On receipt of additional information disclosed on a Sport student's DBS the content is considered by the College's Sport Student Placement Suitability Panel. To aid decision making the Panel may request further information from the student in writing. The student may also be invited to attend a Student Professional Suitability meeting to discuss any DBS content before a decision is made. To assist the Panel's consideration of these disclosures the College provides guidelines on how criminal records should be assessed when reviewing DBS disclosures (see Appendix 3).
- 1.14. As a result of this procedure, some students may be deemed unsuitable for certain kinds of work or study depending on the type and nature of the offence/incident they have previously committed or the concerns raised about them. Alternatively, students may be allowed to proceed with their placement with a positive DBS Enhanced Disclosure once the College is satisfied that they are likely to be professionally suitable to undertake regulated activity. Decisions are made in the context of guidance from any relevant professional regulatory body and on the balance of probabilities.
- 1.15. If a student has commenced on a programme of study with a satisfactory DBS check but their circumstances change following submission of the DBS application they are required to inform their Course Leader and the Student Policy, Casework and Compliance team immediately. If a student is subject to criminal charges or receives a conviction while enrolled on a relevant course then the student would be required to submit a new personal declaration and a new DBS Enhanced Disclosure would be necessary.
- 1.16. For Sports students, details of a new criminal record will be referred to the College's Sport Student Placement Suitability Panel for consideration. Allegations that sport student have failed to disclose relevant information would also be investigated under the University's Student Disciplinary regulations.
- 1.17. Where Sports students take a break in study for any reason they are required to have a new DBS check before they are permitted to undertake any placement or shadowing experience. If a student returning to their studies has a change resulting in a new declaration this will be considered under the University Student Fitness to Practise regulations for health and social care students and for sports students will be considered by the Sport Student Placement Suitability Panel.

2.0 Applicant Professional Suitability Meetings

2.1. We do not have a blanket ban on accepting applicants with further information declared but rather carry out a risk assessment. The College has agreed guidelines about the impact of certain offences/incidents on the likely suitability of applicants taking into account the time elapsed since the offence/incident and whether there is a pattern of good behaviour or re-offending. These guidelines take account of relevant information provided by the professional regulatory bodies and feedback from placement providers. The guidelines are included in Appendix 3 and 4 to this document and are used by Student Policy, Casework and Compliance team staff, The Fitness to Practise Board and Panels to ensure consistency and fairness but each disclosure is considered on its own merits.

2.2. When the Student Policy, Casework and Compliance team receives a positive declaration it is compared to the Risk Assessment Tool (Appendix 4). Where a declaration falls into the likely to be low risk category, the declaration would normally be processed as acceptable and an offer to the applicant will be confirmed. When a positive declaration is received which falls outside of the low risk category the procedure is as follows:

- The weekly Fitness to Practise Board reviews the declaration and considers whether it is covered by the guidelines or otherwise
- If appropriate applicant is contacted and asked to provide further information and detail around their declaration.
- The applicant is invited to an Applicant Professional Suitability Meeting which is convened to consider the information contained within the applicant declaration and make a decision on the likely suitability of the applicant. The Applicant Professional Suitability Meeting should consist of at least one registrant of a health or social care professional body (i.e. the Nursing or Midwifery Council, Health & Care Professions Council, Social Work England etc.). This academic member of staff will chair the Applicant Professional Suitability Meeting and be the Adjudicator. Also in attendance at the meeting will be at least one member of the Student Policy, Casework and Compliance team to take a record of the meeting and provide regulatory and procedural advice where necessary. The Adjudicator may invite other staff to attend the meeting such as course leaders or senior Professional Issues staff where their expertise would be useful to the Adjudicator. The applicant may bring a friend to the meeting.
- The staff in attendance at the Applicant Professional Suitability Meeting will have access to the applicant declaration, as well as other information that the applicant may wish to supply, including references and personal statements. The Adjudicator, taking advice from other staff present if relevant, would then consider the suitability of the applicant based on the information disclosed using the Risk Assessment Tool factors (Appendix 4):
 - ◆ Relevance of the declaration to the profession applicant is wishing to enter
 - ◆ Length of time since the incident(s) occurred
 - ◆ Pattern of offending
 - ◆ Circumstances surrounding the offence/incident and explanation offered by the applicant
 - ◆ Whether the applicants circumstances have changed since the offence/incident

◆ Evidence of rehabilitation

Applicants may include information on health or other personal circumstances during the good character disclosure process. The Adjudicator would need to take into account any of this information which is relevant to the offence/incident, disciplinary action or safeguarding issue. Where an applicant maintains that a health issue is a mitigating factor, the Adjudicator should expect this to be supported by medical evidence. Non-pertinent information which does not relate to the declaration (e.g. which may be regarding the applicant's health or personal circumstances) should not be taken into account by the Adjudicator. Where a health condition is disclosed by the applicant, then the Adjudicator should consider the disclosure to be confidential. It is not the role of the Adjudicator to consider the impact of a health condition on the applicant's suitability as this would be considered by the Occupational Health screening process but the Adjudicator may wish to make it clear to the applicant that they still need to disclose via Occupational Health and/or contact the Departmental Disability Advisor where relevant.

- 2.3. The Adjudicator at the Applicant Professional Suitability Meeting decides whether the applicant is considered professionally suitable to commence the programme. As part of this decision making process, the Adjudicator may seek additional guidance from the Fitness to Practise Board. If the decision is to reject the applicant for this course at this time it does not necessarily preclude the applicant from applying for other professional courses or re-applying at a later date. Each declaration is considered on its own merits during an Applicant Professional Suitability meeting.

Following the meeting the Adjudicator will complete the Applicant Professional Suitability Meeting Outcome Criteria Form (Appendix 5), confirming the decision and the supporting grounds for this. The Student Policy, Casework and Compliance team will keep this form with the applicant declaration and a summary record of the meeting (Appendix 6).

The applicant will be informed of the decision in writing within **5 working days** of the meeting date.

3.0 Social Work and Social Care Courses

- 3.1. The process is slightly different for the Social Work and Social Care courses. These Declarations are subject to consideration by the Criminal Records Consultative Panel (CRCP). As part of the CRCP procedures, applicants may also have to attend a meeting with its members. Full details of the CRCP procedure can be found here: [CRCP Process](#).

Applicants for courses that have dual professions may need to be considered by the Applicant Professional Suitability Meeting and under CRCP procedures.

4.0 Sport Student Placement Suitability Meetings

- 4.1. We do not have a blanket ban on accepting students with criminal records but rather carry out a risk assessment. The College has agreed guidelines about the impact of certain offences/incidents on the likely suitability of students taking into account the time elapsed since the offence/incident and whether there is a pattern of good behaviour or re-offending. These guidelines take account of

relevant information provided by the professional regulatory bodies and feedback from placement providers. The guidelines are included in Appendix 3 and 4 to this document and are used by Student Policy, Casework and Compliance staff, Boards and Panels to ensure consistency and fairness but each disclosure is considered on its own merits.

4.2. Once the Student Policy, Casework and Compliance team receives information the additional information disclosed on a DBS certificate it is compared to the Risk Assessment Tool (Appendix 4). Where a disclosure falls into the likely to be low risk category, the declaration would normally be processed as acceptable and no further action take. When a disclosure is received which falls outside of the low risk category the procedure is as follows:

- The Sport Student Placement Suitability Panel reviews the disclosure and considers whether it is covered by the guidelines or otherwise
- If appropriate the student is contacted and asked to provide further information and detail around their disclosure.
- The student is invited to a Sport Student Placement Suitability Meeting which is convened to consider the information contained within the disclosure and any additional information supplied by the student and make a decision on the likely suitability of the student to undertake regulated activity. The Sport Student Placement Suitability Meeting will consist of the Sports Employability and Industry Engagement Lead and/or the Sports Undergraduate Placement Co-ordinator. This academic member of staff will chair the Sport Student Placement Suitability Meeting and be the Adjudicator. Also in attendance at the meeting will be at least one member of the Student Policy, Casework and Compliance team to take a record of the meeting and provide regulatory and procedural advice where necessary. The Adjudicator may invite other staff to attend the meeting such as course leader or senior Professional Issues staff where their expertise would be useful to the Adjudicator. The student may bring a friend or Students' Union Advisor to the meeting.
- The staff in attendance at the Sport Student Placement Suitability Meeting will have access to the students DBS, as well as other information that the student may wish to supply, including references and personal statements. The Adjudicator, taking advice from other staff present if relevant, would then consider the suitability of the student to undertake regulated activity based on the information disclosed using the Risk Assessment Tool factors (Appendix 4):
 - ◆ Relevance of the declaration to the profession applicant is wishing to enter
 - ◆ Length of time since the incident(s) occurred
 - ◆ Pattern of offending
 - ◆ Circumstances surrounding the offence/incident and explanation offered by the applicant
 - ◆ Whether the applicants circumstances have changed since the offence/incident
 - ◆ Evidence of rehabilitation

4.3. Following the meeting the Adjudicator will complete the Sport Student Placement Suitability Meeting Outcome Criteria Form (Appendix 7), confirming the decision and any guidance to be provided to the student and the supporting grounds for this. The Student Policy, Casework and Compliance team will keep this form with the applicant declaration and a summary record of the meeting (Appendix 8).

- 4.4. The student will have their DBS returned to them and will be provided of the decision and any additional guidance in writing within **5 working days** of the meeting date.
- 4.5. Where the adjudicator reaches the decision that the student needs to be provided guidance on possible placement limitations or that they are not suitable to undertake regulated activity the Student Policy, Casework and Compliance team will notify the Student Support Advisor immediately.

5.0 Overseas Applicants

- 5.1. If an applicant has lived outside of the United Kingdom for twelve months (whether consecutive or total) in the last 10 years, they will be requested to supply the Student Policy, Casework and Compliance team with confirmation from the country's government of their criminal record. The process for obtaining this information will differ depending on their country of origin. Further guidance on obtaining this information is available from the Home Office at [Overseas Criminal Record Check Guidelines](#).

6.0 Appeals

- 6.1. Decisions made on applicant declarations by the Fitness to Practise Board and at Applicant Professional Suitability Meetings are final as far as the College is concerned. As for an admissions decision, if the applicant is dissatisfied with the manner in which their application has been considered or wish to appeal against a decision they must use the University's [Appeals and Complaints procedure for applicants](#). The appeal process would not overturn an academic judgment about the suitability of an applicant but would consider complaints about an error in the process or that the findings were manifestly unreasonable based on the evidence.
- 6.2. Appeals against decisions made as part of the Student Fitness to Practise Regulations will be considered under the [Student Complaints Policy and Procedure](#). The appeal process would not overturn a professional judgment about the fitness to practise of a student but would consider new evidence, complaints about an error in the process or that the findings were manifestly unreasonable based on the evidence.
- 6.3. Appeals against decisions made under the Student Disciplinary procedures must be made in line with the [Student Complaints Policy and Procedure](#). The appeal process would not overturn an academic judgment but would consider new evidence, complaints about an error in the process or that the findings were manifestly unreasonable based on the evidence.
- 6.4. Students appealing against a decision by the Sport Student Placement Suitability Panel should be made in writing directly to the Student Policy, Casework and Compliance team. The appeal will be considered by the Head of Academy of Sport and Physical Activity but would not overturn the Panel decision but would consider complaints about an error in the process or that the findings were manifestly unreasonable based on the evidence.

7.0 Retention of Information

- 7.1. All DBS certificates are not property of the University and will be returned to the student on the conclusion of any appropriate processes.
- 7.2. All documentation in relation to positive declarations, meetings, decisions and relating correspondence with applicants and students is kept confidentially with the Student Policy, Casework and Compliance team.
- 7.3. Documentation for applicants whose declarations are accepted by the College and who enrol on a relevant programme is kept for a period of six years after the decision is made. The documentation is then destroyed confidentially.
- 7.4. Documentation for applicants whose declarations are accepted by the College but who do not enrol on a relevant programme is kept for one year after the decision is made. The documentation is then destroyed confidentially.
- 7.5. Documentation for applicants whose application has been rejected by the College on the basis of their declaration is kept for one year after the decision is made. The documentation is then destroyed confidentially.
- 7.6. Documentation for any student regardless of the findings or outcome is kept for a period of six years after the decision is made. The documentation is then destroyed confidentially.

8.0 Reporting and Quality Monitoring

- 8.1. This policy and any associated documents will be reviewed annually by the College's Fitness to Practise Steering Group.
- 8.2. Statistical analysis of declarations made to the Faculty and the outcomes of the process will be provided to the College's Fitness to Practise Steering Group on an annual basis and there may be further analysis of the data over time to monitor the effectiveness of the process.
- 8.3. The College may provide further information to professional, regulatory or statutory bodies, other HEIs and other organisations as appropriate and taking into account any statutory or professional or regulatory body requirements.

Appendix 1

Group A

A self-declaration at application stage and an Enhanced Disclosure and Barring Service Check is required for the following courses including degree apprenticeship routes:

BA (Hons) Social Work
BSc (Hons) Nursing (All fields)
BSc (Hons) Nursing (Learning Disability) and Social Work
BSc (Hons) Diagnostic Radiography
BSc (Hons) Midwifery
BSc (Hons) Occupational Therapy
BSc (Hons) Operating Department Practice
BSc (Hons) Paramedic Practice
BSc (Hons) Physiotherapy
BSc (Hons) Radiotherapy and Oncology
FDA Working with Children, Young People and Families
Masters in Art Psychotherapy Practice
Masters in Social Work
MSc Dietetics
MSc Nursing (All fields)
MSc Midwifery
MSc Occupational Therapy (pre-registration)
MSc Physicians Associate
MSc Physiotherapy (pre-registration)
MSc Radiotherapy and Oncology (pre-registration)
PGDip Physicians Associate
Return to Practice (Nursing and Health Visiting)

Group B

In addition the following courses must also undertake a local procedure involving Social Work Agency Representatives (please refer to the Criminal Record Consultative Panel procedures separately):

BA (Hons) Social Work
BSc (Hons) Nursing (Learning Disability) and Social Work
MA Social Work
FDA Working with Children, Young People and Families

Group C

The courses listed below do not lead to professional registration, they do however undertake placements as part of their course which may involve Regulated Activity and are therefore subject to an Enhanced Disclosure and Barring Service check:

BSc (Hons) Physical Education and School Sport
BSc (Hons) Physical Activity, Sport and Health
BSc (Hons) Sport Coaching
BSc (Hons) Sport Development with Coaching

BSc (Hons) Sport and Exercise Sports
BSc (Hons) Sport Business Management
BSc (Hons) Sport Studies
BSc (Hons) Sport and Exercise Technology

Appendix 2

People banned from working with Vulnerable Groups (including Children)

Under the '*Safeguarding Vulnerable Groups Act 2006*' a number of relevant offences, or 'autobar' offences, exclude a person from working with vulnerable groups and undertaking regulated activity.

A caution or conviction committed in the relevant circumstance as outlined in the above Act is likely to result in an individual being included in the Children Barred List and or The Adults Barred List as appropriate.

Below is a summary list of offences which are likely to bar a person from working with vulnerable groups:

- murder, including infanticide
- kidnapping, false imprisonment or abduction
- indecent or sexual assault or assault with intent to commit buggery
- cruelty to children
- rape or burglary with intent to commit rape
- sodomy, buggery and gross indecency between men
- trafficking people for exploitation
- offences relating to or encouraging prostitution (including child prostitution)
- lewd, indecent or libidinous behaviour
- offences related to indecency towards children
- engaging in sexual activity (including intercourse) with or in the presence of a child under 16
- offences related to extreme or child pornography and/or indecent or obscene articles
- abuse of position of trust and related offences
- incest and related offences
- supply of a controlled drug to another
- administering a substance with intent
- indecent or sexual exposure and voyeurism
- engaging in sexual activity (including intercourse) with or in the presence of a person with a mental disorder or impeding choice
- Female genital mutilation and related offences

Details of the full legislation and 'autobar' offences/incidents can be accessed at: [DBS Auto-bar offences](#)

Appendix 3

1. Guidelines for assessing the impact of declarations / disclosures on Professional / Placement Suitability

- 1.1. Before processing any self-declarations or disclosures it may be necessary for the Student Policy, Casework and Compliance team to contact applicants or students requesting further information or clarification on the declaration or disclosure with a view to providing full information for adjudication. This request should always be initiated or followed up by email or in writing, detailing what further information is necessary to proceed with the application.

The attached appendix details a Risk Assessment Tool to be used by staff to assess the likely suitability of applicants and students.

- 1.2. Individuals who declare /have offences/incidents which fall into the 'Low Risk' category should be deemed suitable and normally be accepted without interview. No direct correspondence with applicants is necessary in this scenario. For sports students the Student Policy, Casework and Compliance team confirm to the Student Support Team that they are cleared for placement and the decision is confirmed in writing to the student and provided to them on the return of their DBS certificate
- 1.3. Individuals who declare or have offences/incidents which clearly fall into the 'High Risk' and are listed on the 'Autobar' list (Appendix 2) would normally be considered by the relevant Panel / Group but unless there were queries or significant mitigation presented would not be invited for interview. In such cases, the Student Policy, Casework and Compliance team would notify the Admissions Department to reject in the case of an applicant. If the individual is already enrolled on a course then the matter would be referred to the Fitness to Practise procedures for health and social care students or to the Student Disciplinary procedures for sports students. This decision is communicated in writing to the applicant/student by the Student Policy, Casework and Compliance team. They are however invited to discuss the reasons for rejection or escalation to other procedures further with representatives from the relevant Panel / Group so as to understand the likely impact of their offence/incident or work history on future applications or opportunities.
- 1.4. All categories of declarations / disclosures will be reported to the relevant Panel / Group for sign off so that a complete record can be maintained. The relevant Panel / Group can ask that an individual attend a Suitability meeting if they deem it necessary regardless of where the conviction would fall within the categories.
- 1.5. All 'Medium Risk' declarations / disclosures would be presented to the relevant Panel / Group, which would nominate an Adjudicator to conduct a Suitability Meeting to discuss the information further with the individual.
- 1.6. The categories in the Risk Assessment Tool are used to enable a more consistent and efficient use of the assessment process. In this way an individual who has declared or has a historic minor offence /incident on record may not need to attend an Applicant Professional Suitability Meeting enabling resources to be focused on more complex cases. Equally, some individuals who have committed serious offences/incidents may justify rejection without detailed consideration because their

offences/incidents are specified in relevant regulatory guidance as indicating an unacceptable risk to safeguarding.

1.7. The use of this guidance has the benefits of:

- Clarity for applicants and students and reducing the strain on individuals by removing the need for them to attend a Suitability Meeting
- Speeding up the admissions process
- Enabling the staff resources of the Fitness to Practise Operational Group and the Sport Student Placement Suitability Panel to be focused on cases where there is a professional and academic judgement to be made about suitability
- Providing reasonable consistency in the screening and assessment process whilst also ensuring each case is considered on its merits

1.8. The guidance has been drawn up by both practice/placement colleagues and College staff to ensure that the process is transparent and supported by all Partner organisations.

1.9. Where the declaration / disclosure indicates a series of offences/incidents, the relevant Panel / Group must make a decision as to how a possible pattern of repeat behaviour even where this consists of relatively minor offences/incidents may be a bar to allowing an applicant to commence a professional course or undertake regulated activity.

For example where there is a pattern of repeat behaviour:

- Did these take place over a specified period of time for which the individual has a potentially valid explanation?
- Has there been a long period since the incidents occurred where the individual has not been the subject of further concerns?
- Is the nature of the issues the same or is there a variety of different issues?

1.10. The Risk Assessment Tool and 'risk categories' are details overleaf in Appendix 4.

Risk Assessment Tool

When considering applicant declarations or student disclosures, staff involved in the decision-making process should consider the following factors to aid their decision making.

Factor	Relevant Considerations
<p>The relevance of the declaration to the profession the individual is wishing to enter</p>	<ul style="list-style-type: none"> ➤ The entire range of duties the applicant may undertake as a student health or social care professional is relevant when considering an offence/incident. Before enrolling an individual, we have to be sure they are suitable to carry out a wide range of duties and roles, and not just the duties or roles they are currently doing. For example, we have to be sure that someone is suitable for front line roles with vulnerable groups as well as office-based management positions. ➤ The range of social care and clinical settings should also be considered. For example health or social care work may involve working in a closely supervised team in a ward environment, or working independently in a community setting. ➤ Health and social care work involves contact with vulnerable groups and health and social care workers hold positions of trust. The seriousness of declarations should be assessed with this in mind. ➤ There is sometimes a coaching or teaching element on placements for sports students where supervision of children is required and the disclosure to the University may raise concerns about their ability to undertake this type of role.

Factor	Relevant Considerations
<p>The length of time since the incident occurred</p>	<ul style="list-style-type: none"> ➤ The length of time since the incident should be considered, along with the age of the individual at the time of the incident. <p>For example someone with a conviction for threatening behaviour at the age of 18 who is now 40 and has no other convictions may not pose a risk to vulnerable groups. A 40 year old with a recent conviction for threatening behaviour may be viewed differently.</p> <p>Evidence suggests that most people who offend as juveniles do not go on to offend as adults. The exceptions to this are sexual offences/incidents and offences /incidents linked to active drug use.</p>

Factor	Relevant Considerations
The pattern of offending	<ul style="list-style-type: none"> ➤ The number of offences/incidents should be considered. Someone with a single conviction may be less of a risk than someone who has a pattern of repeat offending.

Factor	Relevant Considerations
Circumstances surrounding the incident and explanation offered by the individual	<ul style="list-style-type: none"> ➤ Mitigating circumstances need to be considered. <p>Was there a financial, domestic or political context to the offence/incident?</p>

Factor	Relevant Considerations
Whether the individuals circumstances have changed since the offence/incident	<ul style="list-style-type: none"> ➤ Individual's circumstances may now be very different to those in which the incident occurred. <p>For example, someone who has a history of offences/incidents linked to active drug use (such as theft), may have undergone treatment programmes and have been drug free for many years</p>

Factor	Relevant Considerations
Evidence of rehabilitation	<ul style="list-style-type: none"> ➤ Individuals are invited to submit evidence of rehabilitation. This may take the form of character references, evidence of community work etc.

When considering applicant declarations or student disclosures staff involved in the decision-making process should identify which category the incident falls into to aid their decision making.

Risk Category	Definition	Example
<p>High Risk</p> <p><i>Individual would normally be rejected based on declaration</i></p>	<p>Offences/incidents which suggest the individual is likely to pose a risk to the safety and well-being of patients and service users and are therefore unsuitable to undertake regulated activity</p> <p>Categories of high risk offences/incidents include:</p> <ul style="list-style-type: none"> • offences/incidents against children • sexual offences/incidents • offences/incidents involving the abuse of trust • offences/incidents involving cruelty 	<ul style="list-style-type: none"> • Indecent conduct towards child • Kidnapping, false imprisonment or abduction • Take, permit or make, distribute or publish an indecent photograph of a child or pseudo photograph of a child • Cruelty to persons under 16 • Murder • Infanticide • Incest • Cruelty to or abuse of animals • Non-consensual sex acts • Causing or inciting prostitution • Burglary with intent to Rape • Sexual abuse of trust • Repeated Medium Risk offences/incidents
<p>Medium Risk</p> <p><i>Individuals would normally be invited to attend a Suitability Meeting</i></p>	<p>Offences/incidents which suggest the offender may pose a risk to the safety and wellbeing of vulnerable groups, and may therefore be unsuitable to undertake regulated activity</p>	<ul style="list-style-type: none"> • Driving a motor vehicle with excess alcohol • Failure to provide a specimen for analysis • Possession of Class A drug • Custody or control of a false instrument or document with intent • Common assault • Theft • Repeated Low Risk Offences/incidents
<p>Low Risk</p> <p><i>Individuals would normally be accepted based on declaration</i></p>	<p>Offences/incidents which suggest the offender is unlikely to pose a risk to the safety and wellbeing of vulnerable groups and is therefore likely to be suitable to undertake regulated activity</p>	<ul style="list-style-type: none"> • Shoplifting offences/incidents as a minor • Possession of Class B or C drug • Minor motoring offences/incidents

APPLICANT PROFESSIONAL SUITABILITY MEETING

Adjudicator Guidance and Outcomes Criteria Form

As Adjudicator of the Applicant Professional Suitability Meeting please consider the suitability of the applicant based on the following Risk Assessment Tool Factors and considerations. Non-pertinent information which does not relate to the offence/incident (eg. which may be regarding the applicant's health or personal circumstances) should not be taken into account at this meeting. Other factors which may be relevant will be taken into account via other means (such as Occupational Health screening).

Factor	Relevant Considerations
The relevance of the declaration to the profession the applicant is wishing to enter	<ul style="list-style-type: none"> ➤ The entire range of duties the applicant may undertake as a student health or social care professional is relevant when considering an offence/incident. Before enrolling an individual, we have to be sure they are suitable to carry out a wide range of duties and roles, and not just the duties or roles they are currently doing. For example, we have to be sure that someone is suitable for front line roles with vulnerable groups as well as office-based management positions. ➤ The range of social care and clinical settings should also be considered. For example health or social care work may involve working in a closely supervised team in a ward environment, or working independently in a community setting. ➤ Health and social care work involves contact with vulnerable groups and health and social care workers hold positions of trust. The seriousness of declarations should be assessed with this in mind.
The length of time since the incident occurred	<ul style="list-style-type: none"> ➤ The length of time since the incident should be considered, along with the age of the applicant at the time of the incident. <p>For example someone with a conviction for threatening behaviour at the age of 18 who is now 40 and has no other convictions may not pose a risk to vulnerable groups. A 40 year old with a recent conviction for threatening behaviour may be viewed differently.</p> <p>Evidence suggests that most people who offend as juveniles do not go on to offend as adults. The exceptions to this are sexual offences/incidents and offences/incidents linked to active drug use.</p>
The pattern of offending	<ul style="list-style-type: none"> ➤ The number of offences/incidents should be considered. Someone with a single conviction may be less of a risk than someone who has a pattern of repeat offending.
Circumstances surrounding the incident and explanation offered by the applicant	<ul style="list-style-type: none"> ➤ Mitigating circumstances need to be considered. <p>Was there a financial, domestic or political context to the offence/incident?</p>
Whether the applicants circumstances have changed since the offence/incident	<ul style="list-style-type: none"> ➤ Applicant's circumstances may now be very different to those in which the incident occurred. <p>For example, someone who has a history of offences/incidents linked to active drug use (such as theft), may have undergone treatment programmes and have been drug free for many years</p>
Evidence of rehabilitation	<ul style="list-style-type: none"> ➤ Applicants are invited to submit evidence of rehabilitation. This may take the form of character references, evidence of community work etc.

College of Health, Wellbeing and Life Sciences

Please cover the following within the meeting:

- 1 **Introduction by the Adjudicator and others present, detailing possible outcomes of the meeting and timescales.**
- 2 **Confirmation that the declaration belongs to the applicant.**
- 3 **Outline of declaration (including any dates and any sanctions given)**
- 4 **Nature of declaration (detail of incident(s) and length time over which incident(s) occurred)**
- 5 **Other circumstances relating to the offence/incident (what is different in the applicant's current situation?)**
- 6 **Reasons given for behaviour**
- 7 **Applicant's attitude to behaviour**

Meeting is closed by the Adjudicator providing the applicant with details of next steps.

Please complete the following *Outcome Criteria Form* giving reasons for your decision following this meeting.

For more information please refer to the *Guidelines for confirming the Professional Suitability of Applicants*

College of Health, Wellbeing and Life Sciences

APPLICANT PROFESSIONAL SUITABILITY MEETING

Outcome Criteria Form

Please complete the following outlining reasons for your decision.

Applicant Name:
Course:
Intended Start Date/Cohort:

<input type="checkbox"/>	ACCEPTED	
<input type="checkbox"/>	REJECTED	<input type="checkbox"/> the nature of the incident(s) <input type="checkbox"/> the age at which the incident(s) occurred / recent incident <input type="checkbox"/> relevance to the professional area in question <input type="checkbox"/> any pattern of behaviour <input type="checkbox"/> reflection on their own behaviour/remorse <i>Reasons for the decision:</i>
<input type="checkbox"/>	REJECTED - reapply	<input type="checkbox"/> the nature of the incident(s) <input type="checkbox"/> the age at which the incident(s) occurred / recent incident <input type="checkbox"/> relevance to the professional area in question <input type="checkbox"/> any pattern of behaviour <input type="checkbox"/> reflection on their own behaviour/remorse <i>Reasons for the decision:</i>
<input type="checkbox"/>	FURTHER INFORMATION	<i>Reasons for the decision:</i>
<p>Please outline any additional information/disclosures provided by the applicant, detailing who the information should be passed on to (eg. Student Support Officer, Course Team, Disability Support Officer).</p>		

Signed by Adjudicator :
Name:
Position:
Date



College of Health, Wellbeing and Life Sciences

**APPLICANT PROFESSIONAL SUITABILITY MEETING
Summary Record of Meeting**

Name:

Intended Course:

Intended start date:

Date of meeting:

1 Offences or incidents (identify each separately)

(a) Date and title / category of incident

(b) Date any supervision ceased

2 Nature of incident including detail and length of time over which the incident(s) occurred

3 Other circumstances relating to the incident (ie what is different in applicant's current situation?)

4 Applicant's attitude to incident and/or behaviour

5 Outcome of meeting

6 Reasons

College of Health, Wellbeing and Life Sciences

SPORT STUDENT PLACEMENT SUITABILITY MEETING

Adjudicator Guidance and Outcomes Criteria Form

As Adjudicator of the Sport Student Placement Suitability Meeting please consider the suitability of the student based on the following Risk Assessment Tool Factors and considerations.

Factor	Relevant Considerations
The relevance of the declaration to the profession the individual is wishing to enter	<ul style="list-style-type: none"> ➤ There is sometimes a coaching or teaching element on placements for sports students where supervision of children is required and the disclosure to the University may raise concerns about their ability to undertake this type of role.
The length of time since the incident occurred	<ul style="list-style-type: none"> ➤ The length of time since the incident should be considered, along with the age of the individual at the time of the incident. <p>For example someone with a conviction for threatening behaviour at the age of 18 who is now 40 and has no other convictions may not pose a risk to vulnerable groups. A 40 year old with a recent conviction for threatening behaviour may be viewed differently.</p> <p>Evidence suggests that most people who offend as juveniles do not go on to offend as adults. The exceptions to this are sexual offences/incidents and offences/incidents linked to active drug use.</p>
The pattern of offending	<ul style="list-style-type: none"> ➤ The number of offences/incidents should be considered. Someone with a single conviction may be less of a risk than someone who has a pattern of repeat offending.
Circumstances surrounding the incident and explanation offered by the individual	<ul style="list-style-type: none"> ➤ Mitigating circumstances need to be considered. <p>Was there a financial, domestic or political context to the offence/incident?</p>
Whether the individuals circumstances have changed since the offence/incident	<ul style="list-style-type: none"> ➤ Individuals circumstances may now be very different to those in which the incident occurred. <p>For example, someone who has a history of offences/incidents linked to active drug use (such as theft), may have undergone treatment programmes and have been drug free for many years</p>
Evidence of rehabilitation	<ul style="list-style-type: none"> ➤ Individuals are invited to submit evidence of rehabilitation. This may take the form of character references, evidence of community work etc.

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Please cover the following within the meeting:

- 1 **Introduction by the Adjudicator and others present, detailing possible outcomes of the meeting and timescales.**
- 2 **Confirmation that the declaration / DBS belongs to the student.**
- 3 **Outline of declaration / disclosure (including any dates and any sanctions given)**
- 4 **Nature of declaration / disclosure (detail of incident(s) and length time over which incident(s) occurred)**
- 5 **Other circumstances relating to the offence/incidents (what is different in the student's current situation?)**
- 6 **Reasons given for behaviour**
- 7 **Student's attitude to behaviour**

Meeting is closed by the Adjudicator providing the applicant with details of next steps.

Please complete the following *Outcome Criteria Form* giving reasons for your decision following this meeting.

For more information please refer to the *Guidelines for confirming the Professional Suitability of Applicants and Students*

College of Health, Wellbeing and Life Sciences

SPORT STUDENT PLACEMENT SUITABILITY MEETING - Outcome Criteria Form

Student Name:
 Course:
 Student Number:
 Cohort:

<input type="checkbox"/> NO RESTRICTIONS OR GUIDANCE FOR PLACEMENT REQUIRED <i>Reasons for the decision:</i>
<input type="checkbox"/> NO RESTRICTIONS ON PLACEMENTS BUT FURTHER GUIDANCE PROVIDED TO STUDENT ON POSSIBLE PLACEMENT LIMITATIONS <i>Reasons for the decision and outline of additional guidance to student:</i>
<input type="checkbox"/> RESTRICTIONS ON PLACEMENTS TYPE / AREAS PUT IN PLACE <i>Reasons for the decision and outline of restrictions to placement:</i>
<input type="checkbox"/> BLOCKED FROM ALL PLACEMENT ACTIVITIES AND ESCALATED TO DISCIPLINARY PROCEDURES <i>Reasons for the decision:</i>

Signed by Adjudicator :
 Name:
 Position:
 Date:

**SPORT STUDENT PLACEMENT SUITABILITY MEETING
Summary Record of Meeting**

Name:

Course:

Cohort:

Date of meeting:

1 Offences or incidents (identify each separately)

(a) Date and title / category of incident

(b) Date any supervision ceased

2 Nature of incident including detail and length of time over which the incident(s) occurred

3 Other circumstances relating to the incident (ie what is different in student's current situation?)

4 Student's attitude to incident and/or behaviour

5 Outcome of meeting

6 Reasons

Ownership and version control

Relevant To:	College of Health, Wellbeing and Life Sciences Course details in Appendix 1
Approved By:	Fitness to Practise Steering Group
Responsibility for Policy:	Student Policy, Casework and Compliance team, Student Services
Responsibility for Document Review:	Student Policy, Casework and Compliance team, Student Services
Date Introduced:	Version 1.0 - May 2014
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