Appendix A: Criminal Convictions and the Risk Assessment Procedure

Version: 10
Revision date 18/09/2026
Document reviewer: Head of Policy & Governance
Due for review 19/09/2027

Table of Contents

1. Purpose 3
2. Scope 3
3. Definitions 3
4. Criminal convictions and safeguarding risks 4
5. Procedure 5
6. Risk assessment panel outcomes 6
7. Timescales 6
8. Appeals 7
9. Training and communication 7
10. Review and revision 7
11. Document history 7

1. Purpose

1.1 The purpose of this appendix is to provide clear guidance to applicants, students, parent/carers and staff regarding the declaration and risk assessment of relevant criminal convictions. It sets out the process for declaring relevant criminal convictions during the admissions process and the requirements for students who receive a relevant criminal conviction while studying at UCQ.

2. Scope

2.1 UCQ's Safeguarding Policy has been developed in line with statutory guidance. The Policy applies to all students and all staff (including agency and hourly paid staff) irrespective of anyone's position or role within UCQ, together with the Academic Council and any workers who are at UCQ on a voluntary/placement/other professional basis.

2.2 The term 'staff' is used throughout this appendix as a generic term that encompasses all groups of workers as outlined in the paragraph above.

3. Definitions

3.1 **Risk Assessment Panel**

UCQ's Risk Assessment Panel is the body responsible for assessing and managing potential risks to the welfare and safety of individuals within the UCQ community, particularly vulnerable individuals such as children and adults at risk.

3.2 **Spent criminal convictions**

A spent criminal conviction is one that has reached the end of its rehabilitation period under the Rehabilitation of Offenders Act 1974. The Act provides a framework for the rehabilitation of individuals with criminal convictions, allowing certain convictions to become spent after a specified period of time.

Once a conviction is spent, it means that, for most legal purposes, the individual is considered rehabilitated and does not have to disclose the conviction in many circumstances.

The length of time it will take for a criminal record to be spent will depend on:

- The disposal or sentence the applicant received
- The applicant's age at the time of the conviction

If an applicant is unsure whether their conviction is spent, they can contact Nacro's Criminal Record Support Service for advice on 0300 123 1999 or helpline@nacro.org.uk

3.3 **Unspent criminal convictions**

An unspent criminal conviction refers to a conviction for a criminal offense that has not yet reached the end of its specified rehabilitation period. The Rehabilitation of Offenders Act 1974 outlines the rehabilitation periods for different types of sentences. The rehabilitation period is the period of time during which a person with a criminal conviction must live without committing any further offenses in order for their conviction to become "spent."

Once a conviction is spent, it is considered legally 'forgiven', and individuals generally do not have to disclose it in most circumstances, such as when applying for jobs or certain types of insurance. However, during the rehabilitation period, the conviction is considered unspent.

Simple cautions, reprimands and final warnings are spent immediately, which means applicants will not need to declare these to UCQ. Conditional cautions are spent after three months.

4. Criminal convictions and safeguarding risks

4.1 As part of the admissions process, all prospective students are required to confirm on their application form whether they have any relevant unspent criminal convictions. Where an applicant declares a relevant unspent criminal conviction, UCQ will request further information in order to determine whether a safeguarding risk assessment is required.

4.2 Applicants who declare they have convictions will be contacted by a member of the safeguarding team and will provide details of the offence/s, the date the offence/s was committed and the circumstances arising at the time/s. As appropriate, this will be completed over the telephone with the applicant. The DSL will then record details on the safeguarding register.

4.3 Applicants will also be informed why UCQ is asking for the information and the risk assessment process that will be undertaken, if required (SA-003). Disclosures will be treated confidentially and, where they are reported to tutors/engagement officers, the tutor will report immediately to the Designated Safeguarding Lead (DSL); Where a tutor completes forms/documentation, these will be placed in a sealed envelope and passed directly DSL who will log the information. For clarity: in the majority of cases the disclosure will be taken directly by a DSL.

4.4 Responsibilities

The Designated Safeguarding Lead takes overall responsibility for the review of disclosure and initial RAG rating. The Risk Assessment Panel will be required to meet where a ‘Red’ rating has been applied by the DSL.

All applicants are responsible for disclosing relevant unspent criminal convictions honestly and accurately as part of the admissions process. Students are responsible for notifying UCQ of any relevant criminal conviction received while registered on their programme in accordance with section 4.5 and UCQ's Terms and Conditions.

4.5 Criminal convictions received while studying

Students must inform UCQ if they receive a criminal conviction while registered on a programme of study. Students should make the disclosure to the Designated Safeguarding Lead as soon as reasonably practicable following the conviction.

The student will be asked to provide relevant information about the conviction, including the offence, date of conviction and any relevant circumstances or restrictions. The information will be considered by the Designated Safeguarding Lead in accordance with the risk assessment process set out in section 5.

Where appropriate, UCQ may undertake a safeguarding risk assessment and/or convene a Risk Assessment Panel. The fact that a student has received a criminal conviction will not, in itself, result in withdrawal from their programme. Any decision will be based on an assessment of the circumstances and the nature and level of risk identified.

Students should also refer to UCQ's Terms and Conditions, which set out their ongoing obligations while registered with UCQ.

4.6 This appendix should be read alongside UCQ's Admissions Policy and the Terms and Conditions relevant to the student's programme of study. The Admissions Policy sets out the requirements applicable to applicants during the admissions process, while the Terms and Conditions set out the obligations applicable to students following enrolment.

5. Procedure

5.1 The DSL, in conjunction with the Strategic Safeguarding Lead, will review the disclosure and make one of the following judgements:

Green: The offence/s disclosed is judged to have no implications for safeguarding within the UCQ community or others in any placement the student may undertake as part of their programme.
Amber: The offence/s disclosed is judged to have no implications for safeguarding within the UCQ community, however, there may be some placement considerations (e.g. due to issues such as a history of theft).

Red: The offence/s disclosed is significant (e.g. sexual offences and those involving violence, terrorism and the supply of drugs) and is judged to have implications for safeguarding within the UCQ community or others in any placement the student may undertake as part of their programme.

5.2 Where a 'Green' rating has been applied the applicant will be informed at the application stage or by the course team at the enrolment stage, that they can progress to the next stage of the application/enrolment stage as appropriate.

5.3 Where an 'Amber' rating has been applied the applicant will be informed at the application stage or by the course team at the enrolment stage, that they can progress to the next stage of the application/enrolment stage as appropriate but they may be provided with appropriate IAG by the course team and the relevant head of department will review, and may amend, planned placements.

5.4 Where a 'Red' rating has been applied, the DSL, or Strategic Safeguarding Lead in their absence, will invoke a safeguarding risk assessment panel and will chair the panel. The panel will involve DSLs, including an appropriate senior manager. Written records of the risk assessment panel and outcomes will be maintained by the DSL.

5.5 The DSL, or Strategic Safeguarding Lead in their absence, will inform the applicant or student of the outcome of the safeguarding risk assessment panel. This may be verbally or, where appropriate, in writing.

5.6 Other circumstances

UCQ reserves the right to conduct a risk assessment on any applicant or any student at any time. Risk assessment panels may be invoked by the DSL, or the Strategic Safeguarding Lead in their absence, when an applicant has already been made an unconditional or conditional offer of a place on a course and when students are already on course. This may be in response to a disclosure made by a student of a relevant criminal conviction received while studying, information on a Disclosure and Barring Service (DBS) certificate that was not disclosed at the application/enrolment stage, or information received from social services, the police or other relevant agencies or organisations.

6. Risk assessment panel outcomes

6.1 The risk assessment panel will determine whether:

a) An applicant should be:
- offered an unconditional place
- offered a conditional place and what those conditions should be
- refused a place at UCQ

b) An offer of a place on a course that has already been made to an applicant will:
- be upheld with no conditions
- have identified conditions applied
- be withdrawn

c) A student who is already on a course:
- can continue, with no conditions
- can continue, subject to identified conditions
- will be withdrawn

6.2 If the outcome is that an applicant is refused a place at UCQ, an offer of a place to an applicant is withdrawn or a student on programme is withdrawn, the decision will be communicated in writing to the applicant or student. This letter will be copied to the parent/carer for a student under the age of 18.

7. Timescales

7.1 An initial review will be carried out within two working days of the information being received. Subsequent timescales will be dependent on a range of factors including the potential need to obtain further information from external sources (e.g. social services, previous educational providers, probation services or the MAPPA SPOC – JobCentre Plus as appropriate) but the process will be carried out in a timely manner to resolve application/enrolment status at the earliest possible opportunity. Please note a student already on programme may be suspended during this process.

8. Appeals

8.1 Applicants who have been refused a place at UCQ or have had an offer of a place withdrawn; and students on programme who have been withdrawn due to a safeguarding risk assessment panel, may appeal against this decision. Appeals should follow UCQ's Appeals Procedure (AC-001).

8.2 For the purposes of this Policy, an appeal is defined as a request for a formal review of the outcome of a safeguarding risk assessment panel. The appellant may appeal a decision regarding the outcome of the panel if they feel that the panel was not conducted in accordance with this Policy or that the decision did not take account of the available evidence or was unreasonable, given the evidence available. In making an application for an appeal, the appellant must state on which of these grounds the appeal is being made.

9. Training and communication

9.1 All staff will receive annual safeguarding training. Applicants are invited to review the wealth of resources available on UCQ's safeguarding, Prevent and wellbeing page, available at https://ucq.ac.uk/safeguarding-and-prevent/

9.2 Ongoing support will be provided by the Safeguarding Team. This policy will be made available on the UCQ website for all staff and potential applicants to access.

10. Review and revision

10.1 This appendix to the Safeguarding Policy will be reviewed annually, or earlier as required to ensure best practice.

11. Document history

ISSUE NO.	DATE	PAGE	REVIEWER	DETAIL OF AMENDMENT
07	02/02/2024	3, 4, 6, 7	Tara Henderson	Periodic review conducted. Appendix revised to fit recommended document template as specified in quality procedure QP02. Sections 3, 4.4, 9. 10 & 11 added.
08	31/01/2025	4	Michelle Elliott	Periodic review conducted. Links checked. Section 4.3 amended to provide further clarity.
09	30/01/2026	4, 5	Michelle Elliott	Periodic review conducted. Clarification of process, attendees at panel.
10	18/09/2026	All	Tara Henderson	Periodic review conducted. Purpose and criminal conviction disclosure requirements clarified (1.1, 4.1 and 4.4). New process added for students receiving a relevant criminal conviction while studying, including disclosure, information gathering and risk assessment requirements (4.5). Cross-references to the Admissions Policy and applicable Terms and Conditions added (4.6). Risk assessment process updated to clarify its application to existing students as well as applicants (5.2, 5.3 and 5.5), and circumstances in which a risk assessment may be initiated expanded to include convictions disclosed while studying (5.6). Document title amended to clarify that the appendix constitutes a procedure.