

Criminal Conviction Declarations

(student applications)

Policy on the declaration and storage of criminal conviction information and Disclosure and Barring Service disclosures for applicants to the College

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Background

King's College London is committed to recruiting the best students on the basis of their merit and potential and preparing them for work, citizenship and personal development. All applications are considered on their individual merits and treated in a fair and equal way, utilising a holistic approach, based on all information provided to the College through the application process.

The College also recognises its duty to protect the King's community and the communities around us, and that information regarding an individual's criminal convictions may need to be taken into account when deciding whether that individual may begin or continue their studies. The College also notes the specific duties which it holds in relation to certain careers or professions which graduates of our programmes may enter.

Purpose/Scope

The policy statement is designed to provide protection to the people and property within the College community and any vulnerable persons who may come into contact with students pursuing their studies at the College.

This policy has regard to specific duties of the College in relation to certain careers or professions which graduates of our programmes may enter and sets out the processes and principles for staff undertaking criminal conviction checks and using disclosure information to inform risk assessments on applicants to College programmes.

The policy statement is also dedicated to the fair treatment of all its applicants and students and is dedicated to the values enshrined in the Rehabilitation of Offenders Act (ROA, 1974).

The policy is not for the purpose of criminal record checks on staff members at the College. Further details regarding this policy can be found on the HR A-Z pages on the College's intranet.

Responsibilities

The Senior Vice-President (Operations), will be ultimately responsible for implementation of and adherence to the policy statement and related procedures. Operational responsibility may be delegated to the Director of Admissions, who also oversees cases relating to convictions for courses which do not require DBS checks.

The Admissions Office will have operational responsibility for ensuring that robust procedures are in place for conducting disclosure checks on students, that monitoring of the effectiveness of said procedures is conducted, that adequate training for any academic and Professional Services staff involved in disclosure checks is provided, and that adequate storage facilities and legally-compliant retention schedules are maintained. In particular, where programmes of study require standard or enhanced criminal conviction checks through the government's Disclosure and Barring Service (DBS) the College

will identify members of staff to act as DBS countersignatories , or alternatively as liaisons with any umbrella Registered Body¹ acting as countersignatory and will provide appropriate training on staff responsibilities under the DBS Code of Practice.²

Resource Implications

Adequate training will be provided for all staff involved or in receipt of information regarding disclosures of criminal convictions, including where appropriate, specific training for staff involved in DBS checks on students.

Reference

- Fair Admissions to higher education: recommendations for good practice (the Schwartz Report 2004). www.admissions-review.org.uk/
- Disclosure and Barring Service guidance and Code of Practice (an agency of the Home Office): www.gov.uk/dbs.
- Department for Business Innovation and Skills – Safeguarding Children: Guidance for English Higher Education Institutions www.bis.gov.uk/assets/biscore/corporate/migratedD/ec_group/D1672361207
- Supporting Professionalism in Admissions- Criminal Convictions: Statement for Good Practice www.spa.ac.uk/good-practice/criminal-convictions.html

Communications

- To be published on the Governance Zone with email notification to Heads of Schools, Admissions Office staff, Admissions Tutors, and Directors of School Administration. Inclusion into published admissions policies and guidance on the College Website.

¹ Registered Bodies for the Disclosure and Barring Service can be found at <https://www.gov.uk/government/publications/disclosure-and-barring-service-list-of-registeredumbrella-bodies>.

² <http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/dbs-checking-service-guidance/cop>

Section 1: General principles

King's College London is committed to the fair treatment of its students and applicants and seeks to ensure that all students and applicants are treated solely on the basis of their merits, abilities and potential. Having a criminal record does not necessarily bar an applicant from studying at the College, which will depend on the circumstances and background to the offences.

For admission to (or continuing study on) the majority of its programmes, the College will not require applicants/students to provide information pertaining to spent convictions, but will require applicants/students to provide information regarding unspent convictions (or those which can never be spent³) as defined in the Rehabilitation of Offenders Act 1974. Section 2 outlines the College policy and processes for individuals with criminal convictions who are applying to or studying on these courses. Some of the College's programmes or modules involve students coming into contact with vulnerable members of the public and are exempt from the Act. Under the Exceptions Order to the Rehabilitation of Offenders Act 1974 it is permissible for the College to ask applicants to these programmes or modules exempt questions about the applicant's previous criminal history. For such programmes or modules where an enhanced disclosure is required, the online prospectus will give details of this requirement, and detailed instructions and guidance will be available for participating students from the Admissions office. Section 3 outlines the College policy and processes for those applying to or studying these courses. A list of programmes at the College currently identified as requiring DBS disclosure is included as Appendix A. All applicants should note that the failure to declare information about a conviction (where required) or the provision of untrue or inaccurate information about a conviction may lead the College to refuse admission or to terminate without notice a student's registration. During their period of registration, students must inform the College of any breaches of the law which fall within the category of those required to be disclosed at admission; failure to do so may lead to disciplinary action⁴.

Section 2: Where a programme of study does *not* require a Disclosure and Barring Service check

Having a criminal record does not necessarily bar an applicant from studying at the College, which will depend on the circumstances and background to the offences. Tutors and admissions tutors should not be privy to any criminal conviction information involving potential students or current students, unless the Director of Admissions determines that it is likely to directly affect the teaching of the course, or any students or staff involved with the student concerned.

All applicants will be asked as part of the application process whether they wish to declare a relevant Criminal Conviction. Where an applicant to a programme which does not require a DBS check discloses information about a conviction which is not 'spent' in terms of the Rehabilitation of Offenders Act 1974 (because the necessary period of time has not elapsed or because the nature of the offence means that the conviction can never be spent), the College will initially assess the application based on the normal entrance requirements for the programme. If the application is unsuccessful, no further information will be sought about the applicant's convictions.

If the Admissions Office decides that it wishes to make an offer of a place (based on standard entry requirements), the Office may contact the applicant prior to an offer being made to request further information about the offence. Further guidance will be given with the request, and applicants will provide information in confidence to a named individual by a reasonable deadline.

Where the applicant reveals that the disclosure was made in error, no further information will be sought and the application will be processed in the normal way.

Where the applicant fails to provide the requested information by the stated deadline, the College will notify the applicant that their application has been unsuccessful.

Any additional information provided by the applicant about the offence and the original disclosure will be used to determine whether or not an offer shall be made to the applicant and, if an offer is to be made, whether the offer should be subject to conditions.

Information will be collated and referred in the first instance to the Admissions Policy and Enquiries Manager, who may request clarification or any further details as appropriate. In some cases a decision as to whether or not an offer can be made will be issued at this point. The Admissions Policy and Enquiries Manager may, due to the gravity of the conviction or another issue, escalate the query should be to the Director of Admissions (or representative) who will either make a decision or call a panel to consider the decision. Any panel will be comprised of the Director of Admissions (or suitable representative), and an

³ www.justice.gov.uk/downloads/offenders/rehabilitation/rehabilitation-offenders.pdf

⁴ A2 regulations for Admissions and Registration (Academic and Related Regulations) 9.1
www.kcl.ac.uk/college/policyzone/index.php?id=416

academic from the relevant School (or suitable representative). The panel may recommend appropriate student support arrangements or other assistance for applicants they wish to admit. When considering the information provided by the applicant the College will take into account a number of factors including but not limited to:

- The nature of the conviction, including the seriousness of any offence or other matter revealed.
- The nature of the degree programme and learning environment
- The relevance of the offence to the College's activities, students and staff
- The length of time that has elapsed since the last offence.
- Whether the offence was a 'one-off' or if the applicant has a pattern of offending behaviour.
- Whether the applicant's circumstances have changed since the offending behaviour, or other relevant matters making re-offending less likely.
- The circumstances surrounding the offence and the explanation(s) offered / degree of remorse expressed by the convicted person and their motivation to change.
- Any mitigating circumstance or other relevant issues raised in any references
- Whether the offence has since been decriminalised by Parliament.

Section 3. Where a programme of study requires a Disclosure and Barring Service check

This section refers to programmes of study which involve students coming into contact with vulnerable members of the public as recognized under the Exceptions Order to the Rehabilitation of Offenders Act 1974. Appendix A outlines the known affected programmes at the time of publication.

About DBS checks

The College uses the Disclosure and Barring Service (DBS) - previously known as the Criminal Records Bureau - to undertake checks as to whether students hold previous criminal convictions, cautions and reprimands. The check may also look at whether the applicant is on any of two lists of individuals barred from working with children or adults, together with any information held locally by police forces that is reasonably considered to be relevant to the role applied for. The checking process will be initiated by the College, and with any Registered Body umbrella body⁵ the College is permitted to use to process DBS checks.

The College complies fully with the DBS Code of Practice and is committed to treating all applicants for places fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed. The Admissions Office will provide the applicant with details of the DBS process including costs, guidance on acceptable documents for identification checks, and the designated countersignatory or specific umbrella Registered Body used for the checking process.

DBS checks within the admissions process

A DBS check will often be included as part of the Fitness to Practise requirements for entry to a particular programme and only offer holders may be asked to complete this. However, where it is known that a programme will require a DBS check, the College encourages applicants to disclose their criminal record at an earlier stage in the admissions process and will usually ask applicants to complete a confidential Criminal Conviction Disclosure Form if reaching interview stage (see Appendix B). The contents of this form will only be viewed by select members of staff if, as a result of interview, the College is considering making the applicant an offer.

An early disclosure allows the College a greater amount of time to consider an individual's situation. While early disclosure will in no way replace a requirement for a DBS check before a student is permitted entry to a programme, it may be the case that an early disclosure could provide sufficient information for the College to reject an applicant without undergoing a DBS check.

Where an individual has very substantial gaps in their UK residence or little previous residence in the UK, a DBS disclosure may not provide a complete picture of their criminal record. Some countries have arrangements in place which allow their citizens to obtain certificates of good conduct to show to prospective employers. The Admissions Office may occasionally ask applicants with overseas residency to apply for the equivalent of a Disclosure, if available.

Consideration of Disclosures

⁵ The College may use the services of a Registered Body (RB) acting as an umbrella organisation which is permitted by DBS to undertake the administration of the DBS checking process on the College's behalf. Further information on DBS checking service guidance and RBs available at www.gov.uk/government/collections/dbs-checking-service-guidance-2.

Once a DBS check is complete, a DBS certificate detailing any relevant information from the check will be sent directly to the applicant. It is the applicant's responsibility to ensure the certificate is presented to the Admissions Office by any stated deadline. Where a DBS check provides information of previous offences, or information deemed relevant by any police force, this together with any additional information provided by the individual will be reviewed by the appropriate Admissions Manager (who may request clarification or any further details as appropriate).

The Admissions Manager will decide in collaboration with the programme lead (or appropriate representative) whether an applicant is suitable for admission. If the Admissions Manager and programme lead disagree or do not feel able to make a decision due to the gravity of the conviction or other complexities, the query should be escalated to the Director of Admissions (or representative) who will either make a decision or call a panel to consider the decision. Any panel will be comprised of the Director of Admissions (or suitable representative), and an academic from the relevant School (or suitable representative) and/or appropriate representative of the relevant NHS trust if appropriate. With the exception of individuals on the DBS barred lists, having a criminal record does not necessarily bar an applicant from studying or working in healthcare, education or related courses, which will depend on the circumstances and background to the offences. When considering the information provided by the applicant the College will take into account a number factors including but not limited to:

- Whether the individual is on a DBS 'barred list' (previously known as ISA barred lists) of individuals considered unsuitable for working with adults or children. This will override all other considerations and the application will be rejected.
- The nature of each conviction, including the seriousness of any offence or other matter revealed.
- The nature of the professional accreditation or qualification attached to the course, and any guidance or regulations from the relevant professional or regulatory body as to eligibility or fitness to practise or register that profession during or after the programme.
- The nature of the degree programme and learning environment
- The relevance of the offence to the College's activities, students and staff
- The length of time that has elapsed since the last offence.
- Whether the offence was a 'one-off' or if the applicant has a pattern of offending behaviour.
- Whether the applicant's circumstances have changed since the offending behaviour, or other relevant matters making re-offending less likely.
- The circumstances surrounding the offence and the explanations(s) offered / degree of remorse expressed by the convicted person and their motivation to change.
- Any mitigating circumstance or other relevant issues raised in any references
- Whether the offence has since been decriminalised by Parliament.

The enhanced disclosures will be reported as being "satisfactory" or "not satisfactory" in a timely manner, and in the case of a disclosure ruled "not satisfactory" the applicant will be directly informed and unable to take up a place of study. The panel may recommend appropriate student support arrangements or other assistance for applicants they wish to admit.

The College will make every applicant who is subject to a DBS disclosure aware of the existence of the DBS Code of Practice and make a copy available on request. The Admissions Office will undertake to discuss any matter revealed in a disclosure with the prospective student before withdrawing an offer of study. Where an applicant has already registered on the programme, the College reserves the right to terminate registration without notice (Regulation 9.1 of A2 Academic Regulations for admission and registration refers).

After decision

Once a decision has been reached, the Admissions Office will notify the applicant. Section 4. Appeals

Where the applicant/student is not satisfied with the decision, they may appeal using the standard Admissions Appeal procedure.⁶

Section 5. Storage and retention of criminal conviction disclosure information

King's College London complies fully with the DBS Code of Practice with regard to the correct handling, use, retention, storage and disposal of DBS Disclosure information.

⁶ Available on the College PolicyZone website

Storage

The College will ensure that recipients of disclosure information store disclosures and other confidential documents issued by the DBS in secure conditions. Documents will be kept in locked, non-portable storage containers and keys or combinations for such storage units will be restricted to named individuals. Wherever possible, access to rooms containing storage containers will be restricted to staff engaged in admissions work.

Handling

In accordance with section 124 of the Police Act 1997, DBS disclosure information will only be passed to those who are authorised to receive it as part of their duties. Other disclosure information will similarly be restricted to only necessary staff and at all times treated in confidence and with sensitivity. Tutors and admissions tutors should not be privy to any criminal conviction information involving potential students or students, unless the Director of Admissions or the Director of Students and Education determines that it will directly affect the teaching of the course, or any students or staff involved with the student concerned. An exception may fall where a tutor or admissions tutor is required to act in their capacity as academic representative of a convened panel within Section 2 or 3 of this policy, or as a programme lead within Section 3

Retention of disclosure information

The content of a DBS disclosure and associated correspondence will in general not be retained for longer than six months to allow for consideration and resolution of any disputes or complaints after a suitability decision has been made. If, very exceptionally, it is considered necessary to retain disclosure information for a longer period the College will consult with the DBS. In dealing with such a case, the DBS will give full weight to the rights of the subject of such information under Human Rights as well as Data Protection legislation.

The College may however keep a record of the date of a DBS check, the name of the subject, the type of Disclosure, the disclosure certificate number, and whether the applicant was deemed 'satisfactory' or 'unsatisfactory' for the duration of the retention of the application record (completion of study plus three months). This information should be kept as confidential and secure and will only be shared with a third party where absolutely necessary with the applicant's prior knowledge. An example might be where King's liaises with schools and colleges to provide teacher training experiences for PGCE⁷ students and there is a requirement to confirm to the school that a DBS check has been carried out. At no point will the external organisation see the content of the disclosure.

Details of unspent criminal convictions disclosures for programmes which do not require DBS checks (see section 2) are still considered highly confidential, and will in general not be retained for longer than six months for unsuccessful applicants, to allow for consideration and resolution of any disputes or complaints. Where an applicant is successful in gaining a place on the programme, information will not be retained for longer than the completion of the course plus seven years in accordance with College Retention guidelines.⁸

Disposal

Disclosures and correspondence regarding disclosures should be destroyed by suitably secure means after the retention period – i.e. by shredding, pulping or burning.

⁷ Excluding the School Direct teacher training route

⁸ <http://www.kcl.ac.uk/library/using/info-management/records/retention/rdrs-student.pdf>

Appendix A: Programmes requiring DBS disclosure

The list below is designed to be a useful guide for applicants joining a programme for the 2013-14 academic year. While subject to annual review, there may be changes or additions to this list. Any new programmes requiring DBS disclosure (previously known as Criminal Records Bureau or CRB disclosure) will state this information when advertised in the online prospectus on the King's website, and should be considered as included in this list for the purposes of this policy. Applicants are encouraged to contact the Admissions Office if requiring any clarification.

Undergraduate Programmes requiring DBS checks

School/Subject area	UCAS code	Degree/Programme of study	
Medicine	A100	MBBS	Medicine
	A101	MBBS	Extended Medical Degree Programme
	A102	MBBS	Medicine Graduate/Professional Entry Programme
	A104	MBBS	Medicine Maxfax Entry Programme
Dentistry	A202	BDS	Dentistry Graduate/Professional Entry Programme
	A205	BDS	Dentistry
	A206	BDS	Enhanced Support Dentistry Programme
	A207	BDS	Dentistry Entry Programme for Medical Graduates
Physiotherapy	B160	BSc	Physiotherapy
Pharmacy	B230	MPharm	Pharmacy
Nutrition	B401	BSc	Nutrition and Dietetics
Nursing and Midwifery	B720	BSc	Midwifery Studies with Registration as a Midwife
	B730	BSc	Nursing Studies with registration as a nurse (Children's Nursing)
	B740	BSc	Nursing Studies with registration as a nurse (Adult Nursing)
	B760	BSc	Nursing Studies with registration as a nurse (Mental Health Nursing)

Postgraduate Programmes requiring DBS checks

School/Subject area	UCAS code	Degree/Programme of study	
Nursing and Midwifery	B721	PGDip	Midwifery Studies with Registration as a Midwife
	B731	PGDip	Nursing Studies with registration as a nurse (Children's Nursing)
	B741	PGDip	Nursing Studies with registration as a nurse (Adult Nursing)
	B761	PGDip	Nursing Studies with registration as a nurse (Mental Health Nursing)
Education	Various	PGCE	Postgraduate Certificate of Education (Teacher Training)
	Various	PGCE	School Direct (non-salaried) programmes
Pharmacy	N/A	MSc/Dip/Cert	Pharmacy Practice
Dentistry	N/A	PGDip	Conscious Sedation
	N/A	MClinDent	Endodontology
	N/A	MSc	Orthodontics
	N/A	MSc	Paediatric Dentistry
	N/A	MClinDent	Periodontics
	N/A	MClinDent	Prosthodontics
	N/A	MSc	Regenerative Dentistry
	N/A	MSc	Special Care Dentistry
	N/A	Research degrees (where applicable)	
Institute of Psychiatry	N/A	MSc/Cert	Family Therapy**
	N/A	MSc	Forensic Mental Health Science
	N/A	MSc	Clinical Neuroscience
	N/A	MSc	Epilepsy
	N/A	DClinPsy	Doctorate in Clinical Psychology
	N/A	MSc//PhD	Addictions**
	N/A	MSc	Child and Adolescent Mental Health**
	N/A	MSc	Health Psychology**
	N/A	Research	Mental Health Services**
	N/A	MSc	Neuroscience**
	N/A	MSc	Psychiatric Research**
	N/A	MSc+PhD	Social, Genetic & Developmental Psychiatry and PhD**
	N/A	MSc	Mental Health Studies **
	N/A	MSc	Organisational Psychiatry and Psychology **
	N/A	MSc	Advanced Care in Dementia**
N/A	MSc	Early Intervention in Psychosis**	

School/Subject	UCAS	Degree/Progr	School/Subject area
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area	code	amme of study	
Medicine	N/A	MSc	Advanced Neuromusculo-skeletal Physiotherapy
	N/A	MSc	Clinical Dermatology (Full-time)
	N/A	MSc/Dip	Dietetics
	N/A	MSc	Physiotherapy (pre-reg)
	N/A	Research degrees (where applicable)**	

* Note for School Direct, DBS checks may be conducted by employer school rather than King's.

** Note that DBS checks may only be required at later stages of the programme of study (for example, depending on the content of chosen modules) or only if required of the particular topic/method of research, particularly in health or clinical related programmes. Applicants are encouraged to contact the Admissions Office for further guidance.

Appendix B: Example Covering Letter for Criminal Conviction Disclosure (CCD) form (non-DBS programmes).

For use where applicants have declared a criminal conviction. Content may vary according to programme

[Application number]

[Address]

[Date]

Dear [applicant],

Thank you for your application to [Programme] at King's College London. In processing your application we have noticed that you have made a positive declaration to the question regarding relevant criminal convictions. To help the College establish the details of your situation, so that we may consider whether or not this affects your eligibility for your programme, **please complete the enclosed form and return it to me as soon as possible**, noting the deadline stated below.

Why is King's asking for this information?

King's is committed to recruiting the best students on the basis of their merit and potential and preparing them for work, citizenship and personal development. This is balanced with our duty to protect the College community and the communities around us, meaning that information regarding an individual's criminal convictions may need to be taken into account when deciding whether that individual may begin or continue their studies. We are committed to the principles of the Rehabilitation of Offenders Act 1974, and to considering all applications in a fair and equal way, using a holistic approach based on all information provided to us.

Which convictions need to be disclosed?

We usually ask applicants to disclose details of all **unspent convictions, cautions, reprimands or final warnings, unless they are that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 by SI 2013 1198)**⁹.

For the majority of our courses (those not subject to a Disclosure and Barring Service check), a relevant criminal conviction is:

- A conviction or caution for a criminal offence which is not 'spent' or 'protected' under the *Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 by SI 2013 119)*. All cautions and convictions eventually become spent, with the exception of prison sentences of over 2 ½ years. For further guidance as to whether your conviction is considered 'spent' please see the Ministry of Justice guidelines here: www.justice.gov.uk/offenders/rehabilitation-of-offenders-act.
- For these purposes a 'relevant criminal conviction' criminal offence excludes motoring offences for which a fine and/or up to three penalty points were imposed).

Supporting information

In many cases, it is helpful for the College to have any understanding of the circumstances of an offence. If you would like to offer information of that nature, please provide a separate letter or statement with the return of this completed form.

In addition, , particularly where there have been custodial sentences, we would ask for confirmation of the details of the offence, sentence and further supporting information from another source such as a **probation officer or social worker**. Wherever possible, we strongly advise providing a formal letter of reference from a probation officer or other suitable third party to advise on your suitability for the course.

Declarations made in error

If you have made a positive declaration in error, and in fact do not have any relevant criminal convictions, please state this on the attached form. We will update your records and proceed with processing your application.

Who will see this information?

We recognise the sensitivity of the information you are providing, and will ensure that this is kept confidential to those involved in the College's risk assessment process. This process seeks to consider the relevance of the conviction to the programme to which you are applying, and the safety of the College community, including students, staff, visitors and property. If you would like to learn more, please search for [*link to policy*] in the King's policy zone, or feel free to contact me to request a copy.

Deadline for response

Completed responses and any supporting materials should ideally be scanned and sent electronically to the named contact at the email address below.

As your application cannot be considered further until a reply is received please ensure that your response reaches me no later than [**DD Month Year**]. If we do not receive any reply by this date we shall assume that you no longer wish to proceed with your application and it will be deemed unsuccessful.

Please contact me if you wish to discuss any aspect of this letter.

Yours sincerely,

[Signature]

[Name], [Job title] [email address]

⁹ For further details on the latest definitions of protected convictions which are 'filtered' from all declarations up to and including Enhanced Disclosure and Barring Service checks, see further guidance and definitions at www.gov.uk/government/publications/dbs-filtering-guidance (this also includes links to independent charities who have established useful guidance for individuals when considering their own situation).

Appendix C: Example Covering Letter for Criminal Conviction Disclosure (CCD) form (DBS programmes).

For use where applicants have declared a criminal conviction. Content may vary according to programme

[Application number]

[Address]

[Date]

Dear [applicant],

Thank you for your application to [Programme] at King's College London. In processing your application we have noticed that you have made a positive declaration to the question regarding relevant criminal convictions. To help the College establish the details of your situation, so that we may consider whether or not this affects your eligibility for your programme, **please complete the enclosed form and return it to me as soon as possible**, noting the deadline stated below.

Why is King's asking for this information?

King's College London is committed to recruiting the best students on the basis of their merit and potential and preparing them for work, citizenship and personal development. This is balanced with our duty to protect the King's community and the communities around us, meaning that information regarding an individual's criminal convictions may need to be taken into account when deciding whether that individual may begin or continue their studies. We are committed to the principles of the Rehabilitation of Offenders Act 1974, and to considering all applications in a fair and equal way, using a holistic approach based on all information provided to us.

In addition to this declaration, you will also need to undertake an Enhanced Disclosure and Barring Service check if you are applying to certain health and teaching qualifications such as those leading to professional registrations, those involving access or care for patients, children or other vulnerable groups, and/or those involving access to certain clinical environments. Such programmes include but are not limited to:

- Programmes leading to a Medicine, Dentistry, Pharmacy or Physiotherapy degree
- Programmes leading to a Nursing or Midwifery degree
- Programmes leading to a Teacher Training qualification (such as PGCE)

For these programmes it will be necessary for all applicants to undertake an Enhanced Disclosure and Barring Service ("DBS") check. These students will be contacted separately about the DBS checking process if they are successful in being made an offer of a place, but early disclosure of any relevant convictions is encouraged. The details of your declaration will not be reviewed in our initial consideration of your application, and will **not be made available to any interviewers at that stage**. However, should it be recommended that you are to be made an offer, we will then check the details of your declaration as an early indication as to your eligibility. This does **not** preclude the need for an Enhanced Disclosure and Barring Service check or replace any future consideration of any further information provided in that DBS Check.

A DBS check will inform the College as to whether you have any relevant convictions, cautions, reprimands, final warnings. It will also provide us with any additional information held locally by police forces that is considered reasonably relevant to the course applied for. The DBS check will also check your details against the DBS 'Barred lists' of individuals who are unsuitable for working with children or adults.

Which convictions need to be disclosed?

You should disclose any convictions, cautions, reprimands or final warnings that are **not** "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). We strongly recommend that you view the information available on the DBS website for further guidance and definitions at www.gov.uk/government/publications/dbs-filtering-guidance (this also includes links to independent charities who have established useful guidance for individuals when considering their own situation.¹⁰).

Supporting information

In most cases, it is helpful for the College to have any understanding of the circumstances of an offence. If you would like to offer information of that nature, please provide a separate letter or statement with the return of this completed form.

In addition, it is usually helpful, particularly where there have been custodial sentences, for the College to obtain further information from another source such as a probation officer or social worker. Where possible, we advise providing a formal letter of reference from a probation officer or other suitable third party to advise on your suitability for the course. Alternatively, please give their name, contact details and your agreement that we may contact them and seek information on your offences and on their opinion of you.

Declarations made in error

If you have made a positive declaration in error, and in fact do not have any relevant criminal convictions, please state this on the attached form. We will update your records and proceed with processing your application.

Who will see this information?

We recognise the sensitivity of the information you are providing, and will ensure that this is kept confidential to those involved in the College's risk assessment process. This process seeks to consider the relevance of the conviction to the programme to which you are applying, and the safety of the College community, including students, staff, visitors and property. If you would like to learn more, please search for [link to Policy] in the King's College London's policy zone, or feel free to contact me to request a copy.

Deadline for response

Completed responses and any supporting materials should ideally be scanned and sent electronically to the named contact at the email address below.

As your application cannot be considered further until a reply is received please ensure that your response reaches me no later than **[DD Month Year]**. If we do not receive any reply by this date we shall assume that you no longer wish to proceed with your application and it will be deemed unsuccessful.

Please contact me if you wish to discuss any aspect of this letter.

Yours sincerely,

[Signature]

[Name]

[Admissions Manager]

[email address]

¹⁰ For example, 'Unlock' offers guidance at www.unlock.org.uk/userfiles/file/informationhub/dbsfilteringprocess.pdf

Following pages:

Appendix D: Example Criminal Conviction Declaration (CCD) Form

To be completed by applicant

Appendix E: Example Criminal Conviction Risk Assessment (internal)

To be completed by Admissions Staff

Content may vary according to programme and any requirements of professional/regulatory bodies.

Criminal Conviction Disclosure Form

Confidential

Please complete this form if requested by the Admissions Office. If you are unsure about whether or not you need to declare a conviction please read the covering notes, or [contact the Admissions Policy and Enquiries Manager in confidence](#). Copies of our policy on Criminal Conviction declarations are available on request, or on the College Policy Zone website [\[link\]](#).

Applicant's full name			
myApplication/student number		Date of Birth	
Programme applied for			
Level of study applied for:	<input type="checkbox"/> International Foundation	<input type="checkbox"/> Undergraduate	
	<input type="checkbox"/> Postgraduate Taught	<input type="checkbox"/> Postgraduate Research	
Proposed month/year of entry			

Please complete either Section A or Section B as appropriate

Section A: Declaration made in error

I confirm that I do not hold any relevant criminal convictions, and that the positive declaration in my application form was made in error.

Section B: Further details of relevant convictions

Please give full particulars below of any relevant convictions or cautions (see covering letter for further guidance) or any cases pending (or where you have been reported for consideration of possible prosecution) concerning an alleged criminal offence. *Please attach additional pages if required*

Date of offence /alleged offence	Date of conviction	Age at time of offence	Country/court where convicted

Full details of the offence or alleged offence (e.g. theft, drink-driving, possession of drugs etc.)

Details of sentence/fine/other penalty or community order

Any extenuating or mitigating circumstances you wish to be considered

Please attach additional pages if required.

Any subsequent treatment or change in circumstances which you wish us to be aware of (you are advised to provide confirmation from a third party – see Section C)

Section C: Information from a third party

Where possible, particularly for convictions with custodial sentences, we advise **providing a formal letter of reference** from a probation officer, social worker or other suitable third party to advise on your suitability for the course. Providing this at this early stage will help avoid later delays. Please tick any that are provided and return with this form:

- | | |
|---|-----------------------------------|
| <input type="checkbox"/> Probation Officer | <input type="checkbox"/> School |
| <input type="checkbox"/> HMP Official | <input type="checkbox"/> Employer |
| <input type="checkbox"/> Social Worker | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Higher Education Institution | |

Alternatively, please give their name, contact details and your agreement that we may contact them and seek information on your offences and on their opinion of you. Note that this is likely to add delays to your application. Please provide professional/work contact details wherever possible.

Name			
Company/Organisation			
Role/position/relationship to you			
Email address		Tel	
Address			
<input type="checkbox"/> Please tick to confirm that we can discuss in confidence with this individual: the content of this form, and their opinion of you.			

Section D: Declaration

I confirm that the information given on this form is true, complete and accurate and that no information requested or other material information has been omitted. I understand that failure to declare information about a conviction (where required) or the provision of untrue or inaccurate information about a conviction may lead the College to refuse admission or to terminate without notice a student's registration (9.1 of A2 Regulations for Admission and Registration refers).

Signed:

Date:

Please return this form as instructed in the covering letter, marked as 'Confidential'.

You will receive an acknowledgment of receipt, and we will contact you if we require clarification of any of the information you have provided. We will notify you of our decision as soon as we can through the myApplication admissions portal, or by email.

BASIC DETAILS: To be completed by Admissions Officer/Manager		RISK ASSESSMENT : To be completed by Admissions Policy		
myApplication/student number		Date of Birth		
Programme applied for				
Level of study applied for:	<input type="checkbox"/> International Foundation <input type="checkbox"/> Undergraduate <input type="checkbox"/> Postgraduate Taught <input type="checkbox"/> Postgraduate Research			
Proposed month/year of entry				
BASIC DETAILS: To be completed by Admissions Officer/Manager		RISK ASSESSMENT : To be completed by Admissions Policy		
Questions	Notes	HIGH	MEDIUM	LOW
Did the applicant disclose past convictions/cautions in the application form?		<input type="checkbox"/> No/attempts at concealment	<input type="checkbox"/> Yes , disclosure as appropriate	
What was the offence? (use additional forms if more than one offence)		<input type="checkbox"/> Multiple instances or serious offence	<input type="checkbox"/> Moderately serious offence	<input type="checkbox"/> Minor offence
What was the sentence?		<input type="checkbox"/> Custodial	<input type="checkbox"/> Suspended/ community / conditional discharge	<input type="checkbox"/> Warning/caution/ reprimand/ fine/ absolute discharge
When was the offence committed?		<input type="checkbox"/> In the past 3 years	<input type="checkbox"/> Between 3 and 10 years	<input type="checkbox"/> More than 10 years
Is the type/nature of the offence directly relevant to the programme applied for? How?		<input type="checkbox"/> Yes		<input type="checkbox"/> No
Is there a pattern of specific offences? If yes, give details	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Some instances	<input type="checkbox"/> No pattern
Has the applicant supplied additional references? Tick all that apply	<input type="checkbox"/> Probation Officer <input type="checkbox"/> HMP Official <input type="checkbox"/> Social Worker <input type="checkbox"/> Higher Education Institutions	<input type="checkbox"/> School <input type="checkbox"/> Employer <input type="checkbox"/> Other:	How do the referees rate the applicant's suitability for attendance at the HE provider and participation in the life of the provider?	
			<input type="checkbox"/> Referee(s): declare applicant unsuitable	<input type="checkbox"/> Referee(s): some reservations

Questions	Notes	HIGH	MEDIUM	LOW
Does the applicant/referee offer any mitigating circumstances concerning past offence/s? Brief details.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> Some mitigating circumstances	<input type="checkbox"/> Yes
Any aggravating factors to take into account? Tick all that apply	<input type="checkbox"/> Intent <input type="checkbox"/> Harm against the person <input type="checkbox"/> Exploitation <input type="checkbox"/> Breach of Trust <input type="checkbox"/> 'Hate Crime' Other:	<input type="checkbox"/> Yes, serious cause for concern	<input type="checkbox"/> Some	<input type="checkbox"/> No
Any key factors which have changed since offence occurred (e.g. treatment?) Give brief details and evidence.		Consider as applicable to the offence and time since the offence:		
Applicant's attitude towards offence/s?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Who else has been consulted about this disclosure (partner agencies/probation officer etc):	Name: Position: Date consulted: Reply:	<input type="checkbox"/> Strong reservations (give details):	<input type="checkbox"/> Some reservations (give details):	<input type="checkbox"/> No reservations
Any other factors to consider?				

Decision

To be completed by Admissions Policy team

Considered by (tick all that apply)

Decision

Admissions Policy and Enquiries Manager

Request further information (specify):

Deadline for receipt:

Director of Admissions

Panel convened by Director of Admissions consisting of:

Reject

Accept

1.

2.

3.

4.

Accept with additional conditions (see below)

On consideration of the risk assessment form and other materials submitted by the applicant and others the College determines that the applicant should/should not be invited to proceed with the admissions process for the following reason(s):

Where applicant is admitted, please note any conditions, how those conditions will be monitored (and by whom) and who at the college needs to be notified of the offence and/or conditions:

Signed:

Date:

Role:

Date applicant informed of decision:

Date of any appeal:

Outcome of any appeal: