



# QAHE Limited Criminal Convictions Disclosure and Risk Assessment Policy

Prepared by: Assistant Director Safeguarding Student Life and Wellbeing

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## **INTERNAL**

**This document must not be disclosed outside of the QA group of companies without the permission of QA's Legal and Financial Teams.**



# Version Control

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## 1. Introduction

QAHE Limited (QA Higher Education) is committed to the fair treatment of its staff, students and applicants, and no individual will be unjustifiably discriminated against on the basis of gender, race, nationality, ethnic or national origin, religious or political beliefs, disability, marital status, family circumstance, sexual orientation, criminal record, age or for any other reason.

QA Higher Education strives itself in promoting educational opportunity and social justice by providing high-quality university education and arming students with the skills to achieve their career aspirations. We are committed to widening participation and upholding our enduring value of inclusivity.

Having a criminal record does not necessarily stop an applicant from studying, or a current student from remaining at QA Higher Education. This will depend on the nature of the programme of study, and if relevant, the outcome of any Disclosure and Barring Service (DBS) check.

At all times we work with our partner universities to ensure compliance with both government legislation and university policies and procedures.

## 2. Scope

This policy applies to all QA Higher Education applicants and students, including those who disclose criminal convictions, are subject to criminal proceedings, or are subject to legal orders or restrictions that may affect their studies.

It also applies in circumstances where QA Higher Education becomes aware, through other legitimate means, that an applicant or student may have a relevant criminal conviction, ongoing criminal proceedings, or legal restrictions that could impact their participation in their programme of study.

Such information may arise through a variety of sources, including Disclosure and Barring Service (DBS) checks (where applicable), information provided by partner universities or placement providers, safeguarding reports, police notifications, or open-source checks of publicly available information where there are legitimate concerns regarding the behaviour of an applicant or student, or potential risks to themselves or others.

Open-source checks are not routinely carried out on all applicants or students and will only be undertaken where there are specific and legitimate safeguarding, conduct, or reputational concerns that warrant further consideration.

Any information obtained or processed under this policy will be handled in accordance with applicable data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, and will only be used where there is a lawful basis to do so, such as safeguarding responsibilities, legal obligations, or legitimate interests.

QA Higher Education reserves the right to review an application, enrolment, or continued registration where relevant criminal convictions, investigations, or legal restrictions come to light after an applicant has been admitted or a student has enrolled. In such circumstances, QA Higher Education may undertake a risk assessment and consider appropriate actions in line with its



safeguarding, conduct, and regulatory obligations.

### 3. Responsibilities

QA Higher Education has a responsibility to ensure the safety of its student and staff communities, as well as others with whom students may interact as part of their course of study, and to take reasonable steps to prevent unlawful acts. QA Higher Education also recognises its responsibility to consider the needs of each individual applicant and student, ensuring they can receive appropriate support while protecting the wider QA Higher Education community.

Applicants or students who are currently, or who become, subject to an order, restriction, or arrangement imposed by a court or authorised body must inform QA Higher Education immediately of any conditions that may impact their studies. This disclosure enables QA Higher Education to support students in complying with such conditions while studying and ensures that safeguarding obligations are met. This includes individuals subject to Sex Offender Registration requirements or Sexual Harm Prevention Orders.

Since October 2009 it has been a criminal offence for an organisation knowingly to permit a barred individual to undertake Regulated Activity. Any applicant or student who is included on a Disclosure and Barring Service (DBS) barred list and who has applied to, or enrolled on, a programme that includes regulated activity will not be permitted to undertake the programme and will be withdrawn.

Staff are expected to notify the Safeguarding, Student Life and Wellbeing (Welfare) team if a student discloses a criminal conviction or ongoing criminal proceedings.

Where legal restrictions or conditions make a student's preferred course of study impractical, QA Higher Education will consider reasonable adjustments and, where possible, suggest alternative programmes of study.

Responsibility for the implementation and operation of this Criminal Convictions Disclosure and Risk Assessment Policy sits with the Safeguarding, Student Life and Wellbeing team.

Responsibility for the review process for this policy rests with the Governance Team.

The Assistant Director of Safeguarding, Student Life and Wellbeing has overall responsibility for this policy.

All staff are responsible for adhering to this policy and for ensuring they familiarise themselves with QA Higher Education policies by keeping up to date with changes published on the Policy Hub.

### 4. Related policies and procedures

- QAHE Safeguarding Policy
- Equality and Diversity Policy
- QAHE Respect for All Policy
- Admissions Framework
- Data Protection Policy



## 5. Definitions

### 5.1. Regulated Activities

Regulated activity refers to certain roles that involve working closely with children or adults at risk, such as teaching, training, supervision, care, or providing advice or support. These roles are defined under safeguarding legislation and are subject to restrictions for individuals listed on the Disclosure and Barring Service (DBS) barred lists.

Individuals who are included on a DBS barred list are prohibited from engaging in regulated activity with the relevant group.

Programmes of study that involve regulated activity may require students to undergo an Enhanced DBS check, which may include a check of the children's and/or adults' barred lists.

### 5.2. 'Relevant' convictions

QA Higher Education requires applicants and students to disclose unspent convictions that may be considered relevant to safeguarding, the safety of the QA Higher Education community, or the requirements of a programme of study.

Examples of relevant convictions may include, but are not limited to:

- a) Offences listed under the Sexual Offences Act 2003 (or equivalent legislation outside the United Kingdom).
- b) Offences involving violence, including threatening behaviour, offences with intent to harm, or offences resulting in actual bodily harm.
- c) Offences listed under the Terrorism Act 2006 (or equivalent legislation outside the United Kingdom).
- d) Offences involving the unlawful supply of controlled drugs or substances, including drug dealing or trafficking.
- e) Offences involving weapons, firearms, crossbows, or knives.
- f) Offences involving arson.
- g) Fraud or financial offences.
- h) Offences relating to human trafficking, modern slavery, or forced labour.

QA Higher Education will also consider offences involving a person under the age of 18, who is recognised as a child under English law (Children Act 2004), to be relevant.

Applicants and students are also required to disclose ongoing criminal investigations where they are subject to bail conditions, licence conditions, restrictions, or court orders. Individuals may be asked to provide documentation such as bail conditions or charge sheets where relevant.

The examples above are not exhaustive, and QA Higher Education reserves the right to consider other offences where relevant to safeguarding obligations, the safety of the community, or the requirements of a programme of study.

### 5.3. Unspent Convictions

Under the Rehabilitation of Offenders Act 1974, most convictions become "spent" after a specified rehabilitation period. However, convictions that have not yet reached the end of this rehabilitation period are considered unspent convictions.



Applicants and students are required to disclose any relevant unspent convictions in accordance with this policy.

For programmes that involve regulated activity, disclosure requirements may differ and additional checks, such as an Enhanced DBS check, may be required.

Guidance on whether a conviction is spent or unspent can be found using the [Unlock Disclosure Calculator](#) - [Unlock](#)

## 5.4. Convictions That Do Not Need to Be Declared

Applicants and students are not required to disclose:

- Fixed penalty notices, such as minor speeding offences
- Any conviction that is considered spent under the Rehabilitation of Offenders Act 1974, unless the programme requires an Enhanced DBS check or falls within an exempt category under relevant legislation.

Advice on disclosure and rehabilitation periods can also be obtained from organisations such as the National Association for the Care and Rehabilitation of Offenders (NACRO) and UNLOCK.

You can also contact QA Higher Education Welfare team [qahe.welfare@qa.com](mailto:qahe.welfare@qa.com), who will be able to support you with understanding what you need to disclose.

## 6. Implementation Procedures

### 6.1. Applicants who disclose an unspent or relevant conviction prior to enrolment

If an applicant declares an unspent or relevant conviction, caution, charge, or arrest, they will be contacted by a lead member of the Safeguarding, Student Life and Wellbeing (Welfare) team to discuss the circumstances surrounding the matter. This discussion is intended to ensure that QA Higher Education understands the context of the offence or allegation, any mitigating circumstances, and any potential risk factors.

Where appropriate, the Welfare team may request the applicant's consent to seek further information from relevant third parties, such as an investigating officer, probation officer, or other agency, where this information may assist in assessing the circumstances and potential risks.

Depending on when the declaration is made and the time required to complete the necessary risk assessments, the applicant's start date may be deferred to a later intake.

Following completion of the initial risk assessment, the Welfare team will present their findings and recommendations to the Safeguarding Risk Panel for review and a decision.

The outcome of the risk assessment process will be communicated to the applicant and shared with relevant internal teams, including Admissions, as well as with the partner university and, where appropriate, the recruitment agent.



## **6.2. Students who declare and unspent or relevant conviction or criminal proceeding during study**

If a student becomes subject to a criminal investigation, charge, conviction, or legal restriction while studying at QA Higher Education, they must inform the Safeguarding, Student Life and Wellbeing (Welfare) team as soon as possible so that a declaration and risk assessment can be completed. In addition to this requirement to self-disclose during the academic year, students will also be required to complete a declaration as part of the re-enrolment process.

Once a disclosure is made, the student may be assigned a Welfare Advisor who will support them through the disclosure and assessment process.

If a student does not disclose a relevant conviction, criminal proceeding, or legal restriction at registration or shortly after it becomes relevant, they will be asked to provide a written explanation for the delay. Where no mitigating circumstances are identified, the matter may be referred to the Safeguarding Risk Panel to consider whether any disciplinary action is appropriate.

Depending on the nature and circumstances of the offence, precautionary measures may be implemented while the risk assessment is being completed. These may include temporary restrictions or suspension from attending campus or participating in certain activities.

The student will be contacted by a lead member of the Welfare team to discuss the circumstances surrounding the alleged offence, conviction, or legal restriction. This discussion is intended to ensure that QA Higher Education understands the context of the matter, any mitigating circumstances, and any potential risk factors.

Where appropriate, the Welfare team may request the student's consent to seek further information from relevant third parties, such as an investigating officer, probation officer, or other agency that may hold information relevant to the assessment.

Following completion of the initial risk assessment, the Welfare team will present their findings and recommendations to the Safeguarding Risk Panel for review and decision.

QA Higher Education aims to complete risk assessments within 30 days; however, this may vary depending on the availability of information or evidence required to complete the assessment.

The outcome will be communicated to the student and shared with relevant internal teams and the partner university where appropriate.

## **6.3. Students Undertaking Relevant Placements**

Some programmes of study may include placements where students are required to undertake activities that fall within the definition of regulated activity. In these circumstances, an Enhanced Disclosure and Barring Service (DBS) check may be required by the placement provider.

Students are responsible for liaising with the placement provider and complying with any safeguarding or disclosure requirements associated with the placement, including the completion of an Enhanced DBS check where required.

Applicants who intend to enrol on a programme that may involve a relevant placement and who have a prior or unspent conviction, caution, or ongoing criminal proceedings are strongly advised to discuss their circumstances with the Safeguarding, Student Life and Wellbeing (Welfare) team prior to enrolment. This will allow QA Higher Education to provide guidance on potential implications for placement eligibility and ensure appropriate support can be provided.



Where a placement provider determines that a student does not meet their safeguarding or DBS requirements, this may affect the student's ability to undertake the placement component of their programme. QA Higher Education will work with the student and the relevant partner university, where possible, to consider alternative options; however, this may impact the student's ability to complete the programme if the placement is a mandatory requirement.

## **6.4. QA Higher Education investigation process and risk assessment**

Following disclosure, the individual will be contacted by a senior welfare team member to complete the university's criminal convictions declaration. Once received, an appointment will be arranged to gather further understanding and supporting evidence. This may include contacting external parties, such as probation officers and other justice agencies. Further information relating to the process can be found in Appendix 1.

The Welfare team will complete a risk assessment, see Appendix 2 and share this with the Safeguarding Risk Panel for review and decision.

## **6.5. Enrolment and Progression**

### **6.5.1. Applicants**

Applicants who disclose relevant or unspent convictions will normally be permitted to continue through the enrolment process while assessments are ongoing.

However, if assessments are not concluded by the point of enrolment:

Enrolment may be temporarily held,

And in some instances, deferred until an outcome is reached.

You will be kept informed throughout the process.

### **6.5.2. Students**

Where a student discloses a relevant or unspent conviction after enrolment, or where QA Higher Education becomes aware that a student may have an unspent conviction that has not previously been declared, the matter will be reviewed in accordance with QA Higher Education's safeguarding and student conduct procedures.

While any assessment is ongoing, QA Higher Education may consider precautionary measures where appropriate. These may include temporary restrictions, suspension from studies, or a request for the student to undertake an interruption of studies pending the outcome of internal assessments or any police investigation or criminal proceedings.

Where the matter relates to conduct that may constitute a criminal offence, QA Higher Education may also defer or suspend any internal misconduct investigation while police or other external authority investigations are ongoing. Students will normally be kept informed of the process and any decisions affecting their enrolment or progression.

## **6.6. Support for Students**

If a student has declared a conviction or is the subject of a criminal investigation, a Welfare Advisor will be allocated to the student. The Welfare advisor's role is to provide non-judgemental pastoral



support, liaising with internal teams and external agencies, where appropriate.

Their role is deliberately separated from QA Higher Education investigations and risk assessments to ensure the student has access to a safe space.

### **6.7. Reporting of Convictions by Third Party**

If a third party knows that a student may have an unspent conviction and/or legal restrictions, they are advised to report it to [qahe.welfare@qa.com](mailto:qahe.welfare@qa.com). The aim is to ensure the safety of our community and respect individuals' situations. The report will be investigated using the safeguarding policy and, if necessary, both QA Higher Education's and the partner university's student code of conduct. Any reports subsequently determined as malicious, may also be deemed as a breach of the Student Code of Conduct and investigated accordingly.

### **6.8. Requests from Third Parties for Information about Students**

From time to time, QA Higher Education is asked to provide information about students primarily to police or related external organisations (e.g. a social services team) or other justice organisations. Information is only released through formal requests processed by our Privacy team.

### **6.9. Prevent Strategy Duty**

QA Higher Education has a statutory duty regarding the need to prevent people from being drawn into terrorism. If there is reason to believe that a member of staff or student may be at risk of being drawn into terrorism, any action taken under this policy will be taken in consultation with QAHE Prevent Co-ordinator and the Safeguarding Risk Panel.

### **6.10. Failure to declare untrue and inaccurate Declarations**

If there has been a failure to declare and/or an individual has made an inaccurate declaration. Dependant on the circumstances, this may be investigated under the QA Higher Education and University's Student Code of Conduct and could lead to disciplinary proceedings. Any breach may mean either deferral or termination of studies.

### **6.11. Reporting of Unlawful Acts**

QA Higher Education may share personal data where it is necessary to comply with a legal obligation, to detect or report a crime, to enforce or apply contractual obligations, or to protect the rights, property, or safety of applicants, students, staff, or others.

Where appropriate, this may include sharing information with relevant authorities, partner universities, or other authorised bodies. Any such disclosures will be made in accordance with applicable legal and safeguarding obligations, and QA Higher Education will take reasonable steps to ensure that individuals' privacy rights continue to be protected.

Further information regarding the handling and sharing of personal data can be found in QA Higher Education's Data Protection Policy.

## **7. Monitoring and Compliance**

The Safeguarding, Student Life and Wellbeing Services will:

- Collect feedback to assess the effectiveness of support services
- Report annually to the Student Welfare Risk Panel and Academic Board



Policy updates will be informed by feedback from student carers and relevant stakeholders.

## 8. Equality Impact Assessment

This policy aims to ensure that disclosures of criminal convictions or legal restrictions are managed fairly, consistently, and proportionately, while maintaining QA Higher Education's responsibility to safeguard its community. Having a criminal record does not automatically prevent an individual from studying at QA Higher Education, and each case will be considered on an individual basis.

Decisions made under this policy will consider the circumstances of the offence, mitigating factors, and the requirements of the programme of study. QA Higher Education recognises that some groups may be disproportionately represented within the criminal justice system and will therefore ensure that the policy is applied in a fair and non-discriminatory manner.

QA Higher Education will monitor the implementation of this policy and review it periodically to ensure that it remains aligned with equality, diversity, and inclusion principles.

## 9. Data Protection

Any disclosure obtained through the Disclosure and Barring Service (DBS), or by other means, must be stored, handled, used, retained, and disposed of in accordance with current DBS guidance on the secure storage, handling, use, retention, and disposal of disclosure information (see the DBS website). All other documentation must be managed securely and in accordance with QA Higher Education's Data Protection Policy and the Data Protection Act 2018.

DBS disclosure certificates must not be retained on a student's academic record. Where it is necessary to retain a copy, one copy may be securely held by the Safeguarding, Student Life and Wellbeing team Salesforce Welfare Case Management for a maximum period of six months. Any retention beyond this period will require permission from the Disclosure and Barring Service.

Information relating to an individual's criminal record that has not been obtained through a DBS disclosure must also not be stored on the student record system. Such information will instead be securely maintained within the Salesforce Welfare Case Management. Any additional copies of disclosure information must be securely destroyed.

All personal data collected or processed under this policy will be handled in accordance with applicable data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

## 10. Further information

For further information about this policy, clarification on its application, or advice on Criminal Conviction disclosure matters, please contact the welfare team on [qahe.welfare@qa.com](mailto:qahe.welfare@qa.com).



General enquiries relating to policy oversight or governance may also be directed to the Head of Safeguarding and Student Wellbeing or the Assistant Director of Safeguarding, Student Life and Wellbeing through the Student Wellbeing Team.

## **11. Review**

This Criminal Convictions Disclosure and Risk Assessment Policy will be reviewed on a regular basis to ensure it remains effective, proportionate and compliant with relevant legal and regulatory requirements.

The policy will be reviewed at least every three years, or sooner where required due to changes in legislation, regulatory guidance, institutional risk, or following significant incidents or themes arising from case reviews.

Responsibility for initiating the review sits with the Assistant Director of Safeguarding, Student Life and Wellbeing, with operational input from the Head of Safeguarding and Student Wellbeing. Any substantive changes to the policy will be approved through QA Higher Education's governance processes.

## **12. Complaints and Appeals**

Any complaints or appeals should be sent to [qahe.complaints@qa.com](mailto:qahe.complaints@qa.com).



## 13. Appendices

### 13.1. Appendix 1 - Criminal Convictions Information Sheet for Applicants and Students

At QAHE Limited (QA Higher Education), we recognise that people's lives are complex and that past experiences do not define future potential. Having a criminal record does not automatically prevent someone from studying with us.

We are committed to widening participation, inclusion, and social justice, while also meeting our safeguarding and legal responsibilities. This document explains what you are asked to disclose, why we ask for this information, and how we will support you throughout the process.

#### 1. What You Are Asked to Confirm

As part of your application and conditional offer, you will be asked to confirm one of the following:

That you have no unspent convictions or ongoing criminal proceedings,

or

That you have unspent convictions or ongoing criminal proceedings.

If you answer "yes", a confidential safeguarding case will automatically be created within our secure Wellbeing Case Management System in Salesforce. This allows the Safeguarding/Wellbeing Team to review your disclosure.

You may provide as much information as you feel able to at that stage. You may also add further information later if needed.

All information is held securely and is accessible only to authorised members of the Safeguarding and Wellbeing Team.

#### 2. Why Disclosure Is Important

Disclosure enables QA Higher Education to:

Meet legal and safeguarding obligations

Fulfil our duty of care to students, staff, placement providers, and the wider community

Support you in complying with any court-imposed conditions

Consider reasonable adjustments or alternative programmes where appropriate

For certain programmes involving regulated activity, a Disclosure and Barring Service (DBS) check may be required.

Since October 2009, it has been a criminal offence for an education provider to knowingly allow a barred individual to undertake regulated activity. If an applicant is on a DBS barred list and applies for a programme involving regulated activity, we will not be permitted to



enrol them on that programme.

Where legal restrictions make a first-choice programme impractical, QA Higher Education will consider reasonable adjustments or alternative programmes where available.

### 3. What You Need to Disclose

Disclosure requirements are determined by the awarding University. In general, relevant convictions may include:

- Offences listed under the Sexual Offences Act 2003 (or equivalent legislation outside the UK)
- Violent offences, including threatening behaviour or offences resulting in harm
- Offences under the Terrorism Act 2006 (or equivalent legislation outside the UK)
- Commercial supply or trafficking of controlled drugs
- Offences involving weapons, firearms, knives, or crossbows
- Arson
- Fraud
- Human trafficking, slavery, or forced labour
- Offences involving a person under 18 (as defined under the Children Act 2004)

You are not required to disclose:

- Spent convictions
- Minor fixed penalty notices (for example, minor speeding offences)

If you are unsure whether something needs to be disclosed, you are encouraged to seek advice before submitting your declaration. You may contact the Welfare Team at [qahe.welfare@qa.com](mailto:qahe.welfare@qa.com) for confidential guidance.

### Additional Requirements for Health and Social Care Students

If you are applying for a Health and Social Care programme, or any programme that involves professional placement or regulated activity, you may be required to disclose additional information relevant to your suitability for placement.

This is because placement providers have safeguarding responsibilities to service users, which may include children, young people, or vulnerable adults.

For these programmes, relevant convictions may include (but are not limited to):

- Offences involving abuse, neglect, or safeguarding concerns
- Offences involving dishonesty where professional trust is required



- Drug-related offences where they may impact professional practice
- Any offence that could reasonably affect your suitability to work with vulnerable individuals

Disclosure allows us to:

- Assess your eligibility for placement
- Meet safeguarding and regulatory requirements
- Liaise, where necessary, with placement partners
- Consider reasonable adjustments or alternative pathways where appropriate

Each case is considered individually and proportionately. Having a conviction does not automatically prevent enrolment or placement, but failure to disclose relevant information may impact your ability to undertake required placement activity. An Enhanced DBS check may be required.

## Overseas Convictions

If you have lived outside of the United Kingdom, you are required to disclose any unspent convictions or ongoing criminal proceedings from overseas jurisdictions that would be considered relevant under this policy.

We recognise that legal systems and terminology differ between countries. If you are unsure whether an overseas matter is equivalent to a UK conviction or whether it needs to be disclosed, we encourage you to seek confidential guidance from the Welfare Team before submitting your declaration.

For programmes involving regulated activity or professional placement (such as Health and Social Care), you may be required to provide:

- A police clearance certificate or certificate of good conduct from the relevant country or countries; and/or
- Additional information to enable us to assess safeguarding and suitability requirements.

Any overseas information requested will be:

- Relevant and proportionate
- Considered on an individual basis
- Assessed with regard to differences in legal systems and cultural context

Failure to disclose relevant overseas convictions or proceedings may affect your eligibility for enrolment or placement.

All overseas disclosure information is handled in accordance with QA Higher Education's safeguarding procedures, the Data Protection Act, and stored securely within the Wellbeing



Case Management System in Salesforce, accessible only to authorised Safeguarding and Wellbeing personnel.

#### 4. What Happens After You Answer “Yes”

If you confirm that you have unspent convictions or ongoing proceedings:

- A safeguarding case is created in Salesforce.
- A member of the Wellbeing Team will review your initial declaration.
- You will receive an email requesting completion of a partner-specific disclosure form, where required by the awarding University.

This form enables us to gather the information required to meet safeguarding and regulatory responsibilities.

You will receive clear guidance on how to complete the form, and support is available if needed.

#### 5. After You Return the Disclosure Form

Once the completed form has been received, a member of the Wellbeing Team will contact you to arrange a meeting.

The purpose of this meeting is to complete an initial risk assessment.

This meeting is intended to be:

- Confidential
- Respectful and non-judgemental
- An opportunity for you to share context in your own words
- A space to discuss mitigating factors, evidence of change, and support needs

Each case is considered individually and proportionately.

#### 6. Requesting Further Information

Following the initial risk assessment, we may determine that additional information is required in order to reach a fair and informed decision.

Where this is necessary, we may request your written consent to obtain relevant information from external agencies, such as:

- Police services
- Probation services

We will clearly explain:

- What information we are requesting
- Why it is necessary



- How it will be used

We will only request information that is relevant and proportionate to our safeguarding responsibilities.

## Consent and Enrolment

Your written consent is required before we contact any external agency.

If consent is not provided, we will be unable to obtain the information necessary to complete the risk assessment. Without sufficient information to assess risk appropriately, QA Higher Education cannot fulfil its safeguarding duties and legal obligations.

In these circumstances, we would be unable to approve your enrolment onto the programme.

This requirement reflects our duty of care and regulatory responsibilities. It is not intended as a penalty, but as a necessary safeguard to ensure informed and lawful decision-making.

## 7. Safeguarding Risk Panel

Once the Wellbeing Team has completed the initial assessment (and gathered any necessary additional information), findings and recommendations may be presented to the Safeguarding Risk Panel.

The Panel ensures decisions are:

- Fair
- Consistent
- Proportionate
- Aligned with safeguarding obligations

The outcome will be communicated to you and relevant internal teams.

## 8. Progression and Enrolment

Applicants who disclose relevant or unspent convictions will normally be permitted to continue through the enrolment process while assessments are ongoing.

However, if assessments are not concluded by the point of enrolment:

- Enrolment may be temporarily held,
- And in some instances, deferred until a final outcome is reached.

You will be kept informed throughout the process.

## 9. Confidentiality and Data Protection

All information disclosed as part of this process is stored securely within the Wellbeing Case Management System in Salesforce. Access to this system is strictly limited to authorised members of the Safeguarding and Wellbeing Team.



All disclosure information is handled in accordance with:

Disclosure and Barring Service (DBS) guidance on the secure storage, handling, use, retention, and disposal of disclosure information

- The Data Protection Act
- QA Higher Education's Data Protection and Information Governance policies

DBS disclosures are not stored on academic student records. Where necessary, a single copy will be stored within the Wellbeing Case Management System in Salesforce for a maximum period of six months, unless extended retention is authorised by DBS.

Other non-DBS disclosure information relating to criminal convictions is stored securely within the Wellbeing Case Management System in Salesforce and is not held on the student record system. Access is restricted to authorised safeguarding personnel only and is shared strictly on a need-to-know basis.

Information is retained only for as long as necessary to meet safeguarding, regulatory, and legal obligations, after which it is securely disposed of in line with applicable guidance.

## 10. Our Commitment

We recognise that disclosure can feel vulnerable and stressful. Our commitment is to:

- Treat you with dignity and respect
- Consider each case individually
- Make proportionate and transparent decisions
- Balance safeguarding with inclusion and opportunity
- Support your wellbeing wherever possible

If you have questions at any stage, or would like confidential guidance before making a disclosure.



## 13.2. Appendix 2 – Criminal Convictions Disclosure Record and Risk Assessment

### Criminal Convictions Disclosure Record and Risk Assessment

<b>Student ID:</b>		<b>Completion Method:</b>	
<b>Completion Date:</b>		<b>Completed By:</b>	
<b>University Partner</b>		<b>Intake</b>	
<b>Programme</b>			
<b>Campus</b>			
<b>Is the applicant/student on a relevant course?</b>		<b>Is the student sponsored?</b>	

#### To discuss with applicant/student

<b>Date, nature of offence and sentence (may be multiple)</b>
<b>Was the conviction(s) in the UK? If not, please detail country of conviction</b>
<b>Were there any mitigating circumstances surrounding the offence(s)</b>
<b>Bail/Licence Conditions</b>
<b>Does the applicant/student need to seek approval from their probation officer to enrol?</b>
<b>Are there any changes in lifestyle, circumstances, attitude on the part of the applicant/student subsequent to the offence(s)</b>



**Does the applicant/student wish to make any further comments/representation?**

**Does the applicant/ student want to provide contact details and give consent for character references ( the referee must be 'a person of good standing in their community' or work in (or be retired from) a recognised profession.**

**Checklist for external reports**

<b>Has a Probation Officer report or other appropriate professional or agency evidence, including comments concerning the applicant's rehabilitation and risk of re-offending, level or risk to alleged victim and/or public been received?</b>	
<b>If the conviction was overseas, has a Certificate of Good Character been received?</b>	
<b>Have further character reference(s), where appropriate, been received?</b>	
<b>If student is on a relevant course, do we have current EDBS?</b>	



## QA HIGHER EDUCATION RISK ASSESSMENT

<b>Date</b>		<b>Mode</b>	
<b>Assessing Staff members</b>			

<b>Factors</b>	<b>Things to consider</b>	<b>Discussion</b>
<b>1. Relevance</b>	Do any of the convictions relate to, or impact on the applicant/students' ability to complete placements and / or work in their chosen field?	
<b>2. Age/time</b>	<p>Look at:</p> <ul style="list-style-type: none"> <li>• The length of time since the offence was committed</li> <li>• Country the offence was committed</li> <li>• Their age when the offence was committed</li> <li>• The person's age now</li> </ul> <p>Remember: conviction dates can often be much later than when the offence was committed</p> <p>Also consider if overseas conviction would length of sentence be different?</p>	
<b>3. Nature</b>	<p>Consider not just the category of the offence, but what the offence involved and what the applicant's actions were. For instance:</p> <ul style="list-style-type: none"> <li>• Financial offences – was it theft or fraud?</li> <li>• Violent offences – was it against a vulnerable person, what was the level of harm caused?</li> </ul>	

Factors	Things to consider	Discussion
	<ul style="list-style-type: none"> <li>• Drugs offences – was it possession or supply</li> </ul>	
<p><b>4. Seriousness</b></p>	<p>How serious the offence is, as determined by the charge and sentence and may help you determine whether an offence is relevant when balanced against other factors.</p>	
<p><b>5. Pattern</b></p>	<p>Consider whether the person committed a single offence, or whether there is/was a pattern of offending.</p> <ul style="list-style-type: none"> <li>• If they committed a number of offences, is there a significant gap between them?</li> <li>• Were the offences committed over a particular period of time?</li> </ul> <p>What was happening for them at that time?</p> <ul style="list-style-type: none"> <li>• Have their circumstances or motivation changed?</li> </ul> <p>It's important to remember that some people may receive multiple convictions relating to the same time/incident. This means that multiple convictions do not automatically indicate a pattern of offending.</p>	
<p><b>6. Circumstances</b></p>	<ul style="list-style-type: none"> <li>• What happened</li> <li>• Who was involved</li> <li>• Why it happened (e.g. whether there were any particular aggravating factors such as finances/accommodation/drug use etc.</li> </ul>	

Factors	Things to consider	Discussion
<p><b>7. Legal restrictions/licence conditions</b></p>	<p>Some applicants/students may be under supervision or have certain requirements for what they do and where they go. These could be bail conditions, licence conditions or reporting requirements with the police.</p> <p>Restrictions of these kinds may have a direct practical effect on whether an applicant is able to conduct the role they have applied for.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Curfews or exclusion zones – can the applicant carry attend campus at the particular time and location?</li> <li>• Restrictions on use of the internet or electronic devices.</li> </ul> <p>In the course of their studies, will the applicant/student need to access specific devices that are internet-enabled?</p> <ul style="list-style-type: none"> <li>• Electronic device monitoring. If this restriction is in place, will this pose any challenges to your organisation?</li> </ul>	
<p><b>8. Mitigating Factors</b></p>	<p>For any of the potential challenges identified, list here what positive or mitigating factors are also present.</p> <p>You may have already identified some of these above (such as it having been a long time since the last offence) but this is a space to collate and consider others.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• Any existing risk management measures on campus. Such as: CCTV, training, passwords, lockers, supervision, employee</li> </ul>	



Factors	Things to consider	Discussion
	<p>wellbeing services, etc.</p> <ul style="list-style-type: none"> <li>• Whether the applicant/student has made effort to move forward and/or avoid risk in future (such as rehabilitative courses/education or healthier relationships).</li> <li>• Whether the applicant/student is currently being monitored by police/probation – if so, mitigations may include:               <ul style="list-style-type: none"> <li>A) They will likely have had to seek approval to make an application – which could mean supervising staff don't consider them a risk in this role</li> <li>B) They will continue to be monitored and risk assessed by professionals</li> </ul> </li> </ul>	

Outcome

Risk Title	Decision	Risk Management Measures required
Is there a transferrable risk?	Yes/No/Further info req	
Is there a risk reputational damage?	Yes/No/Further info req	
Can the applicant/student comply with bail/licence conditions?	Yes/No/Further info req	
Outcome:		
Date applicant/student informed:		

