

## **UNIVERSITY OF KENT**

### **Criminal Convictions Disclosure: Admissions Policy Statement**

1. As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, the University of Kent complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
2. The University of Kent is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
3. We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview or offer of a place based on their skills, qualifications and experience.
4. A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the programme of study concerned. For those Programmes where a Disclosure is required, all admissions materials will contain a statement that a Disclosure will be requested in the event of the individual being offered a place.
5. Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the University of Kent and we guarantee that this information is only be seen by those who need to see it as part of the recruitment and admissions process.
6. Unless the nature of the position allows the University of Kent to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
7. We ensure that all those in the University of Kent who are involved in the student recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

8. At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer to study at the University.

9. We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

10. We undertake to discuss any matter revealed in a Disclosure with the person seeking admission before withdrawing a conditional offer of employment.

11. Having a criminal record will not necessarily bar you from studying with us. This will depend on the nature of the position and the circumstances and background of your offences.

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## UNIVERSITY OF KENT

### PROCEDURES FOR HANDLING DBS DATA

#### General principles

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, the University of Kent complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

Essential information on all aspects of the system should be obtained by accessing the DBS website at <https://www.gov.uk/disclosure-barring-service-check>.

The University procedures for dealing with the DBS are outlined below: (Further clarification can be obtained by contacting Steven Holdcroft, Director Enrolment Management Services.)

1. If you are required either prior to or during your programme of study at the University of Kent (or designated collaborative arrangements with Kent and Medway Medical School or Medway School of Pharmacy) to obtain a DBS disclosure, you will be provided details of how to apply online via our designated provider, along with instructions as to how to complete the application.
2. Admission Central Support team will act as the main contact point for Schools and Faculties, but will not advise students on individual applications. All queries should be referred to the requesting School/department in the first instance.
3. All staff disclosures will be dealt with by the Personnel Office, with the exception of volunteer Student Ambassadors, who will be assigned a member of staff to aid in the application process.
4. The online application process should be used and the appropriate application fee (where applicable) can be made online.
5. Appropriate identity checks must be completed on each applicant, the university will recommend using the online application service provider and Post Office ID checking service for all applicants. Where this is not possible in person ID checks will be required.
6. If a student is expected to pay for the DBS check, payment will be requested by either our designated provider or the Post Office, depending on the ID verification channel. The current fee for an Enhanced disclosure is £40 plus administration fees; these vary depending on the ID verification channel.

8. The DBS is aiming to provide Enhanced Disclosures within 4 weeks of receiving a correctly completed application form. It is advised that those Schools/departments needing Disclosure outcomes by the start of term must apply well in advance

#### Storage & Access

Disclosure information is never kept on an applicant's file and is always kept separately and securely, in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

#### Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

#### Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

#### Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

#### Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.