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**Regulations for Disclosure and Barring Service Screening**

**Policy, Codes of Practice and Guidance Notes**

**July 2024**

1. **Introduction**

A number of programmes at St Marys University involve students undertaking a placement that includes contact with children or vulnerable adults. This is known as Regulated Activity.

The University of St Marys, and other Higher Education Institutions who offer programmes of study where students engage in Regulated Activity, are required to ensure that these students have applied for an enhanced disclosure of criminal records through the Disclosure and Barring Service [DBS].

Any student who is on a programme that involves Regulated Activity will not be registered as a current student until they have been issued with an up to date enhanced DBS certificate that has been issued through St Marys University.

1. **Regulated Activity Programmes**
	1. The list of programmes at St Marys University to which these regulations apply includes:

BA Primary Education

PGCE Primary

PGCE Secondary

Physical and Sport Education

Sport Rehabilitation

Sports Coaching

Physiotherapy

Some of the selected Workplace Learning modules will also require students to have a current DBS certificate.

**2.2** Applicants to these programmes will be informed via the Prospectus, UCAS website and other course related information that these courses are not exempted under the Rehabilitation of Offenders Act (1974). This means that all convictions (including cautions, reprimands or warnings), whether spent or not, must be disclosed. All applicants will be asked to disclose all information regarding criminal offences during their application. In order to verify this, applicants will undergo an Enhanced Disclosure screening.

**2.3** The declaration of a criminal offence (including convictions, cautions, reprimands or warnings) is not in itself a bar to entry onto the course. However any offence will be considered together with the applicant’s qualifications, experience, and overall profile and any professional or statutory body requirements.

**2.4** In the health, education and social care professions, honesty and trustworthiness are of the utmost importance and normally failure to disclose a conviction (including a caution, reprimand or warning) will lead to the applicant being rejected.

**2.5** Please note that the University does not currently accept DBS checks from any other employer. New students will therefore have to apply for a new check through the university as a registered body.

1. **Ongoing requirement for disclosure and the Update Service**

**3.1** Once a student has been through the DBS screening process, they will not normally be screened again during their course unless there has been a period of interruption.

**3.2** Students who are on the teacher training courses will be required to complete a self-disclosure form on enrolment and at the commencement of each further year on their course.

**3.3** St Marys also insists that students who are on the teacher training course register with the Update Service. The Update Service allows individuals to apply to have their criminal record check kept up to date and the university to check that the information is current. Individuals can apply for the Update Service at the same time as their DBS application, or up to 28 days after the issue of the DBS Certificate.

1. **Disclosure at application**

**4.1** Applicants applying through UCAS complete a declaration on the UCAS form relating to criminal convictions. The notes provided by UCAS to assist students in completing their form provide guidance on what convictions need to be declared and for which types of courses.

**4.2** Applicants applying directly via the University are also required to provide information relating to convictions on their University application form.

**4.3** In addition all applicants will be required to complete a Declaration of Suitability Form at interview to ensure that they have declared all convictions including cautions reprimands and warnings and have had no further convictions since application.

**4.4** Any applicant who is non-UK resident or who is currently living in the UK but has lived outside of the UK for a period of 6 months or more during the five year period prior to the date of their application must provide a criminal record check or “Certificate of Good Character” from each applicable country as The DBS cannot currently access overseas criminal records or other relevant information as part of its disclosure service.

For information in relation to overseas procedures please refer to the government website <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants> which lists the websites of all embassies and High Commissions where information on the current practices for applying can be found.

Please also refer to the [Criminal records check for overseas applicants](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants) for further guidance on how to obtain the required certificate or letter of authority.

All documents obtained from abroad must be translated (at the applicant’s cost) from the relevant language into English. Applicants should contact the relevant foreign embassy for further information regarding the verification of documents.

**4.5** In order to fulfil admission requirements overseas (including EU) applicants who have never resided in the UK, will be required to undertake an enhanced DBS check once they have moved to the UK, and have a UK address due to the DBS being unable to undertake a check unless a UK address is provided.

**5. Disclosure and Barring Service Screening**

**5.1** All applicants for the above courses who are made an offer will be required to make an application for an enhanced disclosure application to the Disclosure and Barring Service (DBS). The University will be responsible for countersigning the application and forwarding it to the DBS.

**5.2** Once you have undergone an Enhanced Disclosure of criminal records you will be issued with a certificate by DBS. The university as an employer is entitled to view a copy of your certificate.

**5.3** Students will not be allowed to engage in Regulated Activity or be registered as a current student until their certificate has been issued.

**5.4** If a Disclosure Certificate reveals a criminal conviction (including a caution, reprimand or warning) that has not been previously declared, the offer will normally be withdrawn as non-disclosure is not considered compatible with the requirements of the Professional, Statutory and Regulatory Bodies [PSRB] codes of conduct. If the University were to decide not to withdraw the offer, the conviction will be considered by a DBS Screening Panel outlined below.

1. **Consideration of Criminal Convictions**

**5.1** The St Mary’s University policy on the Admission of Applicants with Criminal Convictions can be accessed on the university’s intranet site, Staffnet, under the Academic Regulations and Registry Policies field, or via the following link:

<https://staffnet.stmarys.ac.uk/academicservices/RegistryQualityStandards/Documents/RegistryPolicies/4.%20Policy%20on%20Admissions%20of%20Applicants%20with%20Criminal%20Conviction.docx>

1. **Current Students**

**6.1** Programmes are required to notify Registry Services of any students who will be working with children or vulnerable adults (e.g. as part of work experience, placements, extended independent study or research) at least 12 weeks in advance of the commencement of that activity. Registry Services will email details of the DBS application procedure, the online link and notes for guidance to the student.

**6.2** Students should obtain the online link and notes for guidance from Registry Services at least 12 weeks in advance of the activity start date. They should discuss the nature of the role/work they will be undertaking with Registry Services so the level of check and payment required can be agreed. Students must then take their supporting documentation and evidence of payment, to Registry for verification at least 8 weeks before the activity start date. Failure to comply with the above deadlines could mean that placements are cancelled. Where this happens, students maybe expected to repeat a year or change the route of their qualification, ie, to a non-accredited award.

**6.3** The Workplace Learning team are responsible for obtaining DBS checks for students’ undertaking workplace learning modules only.

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| **Last Updated** | **Review Required** | **Links to other policies**  |
| July 2024 | January 2025 | St Mary’s University Disbarring and Disclosure checks for staff and Admissions Policy |