



LIVERPOOL
HOPE
UNIVERSITY

Est. 1844

Criminal Convictions Policy

Regulated and Non-Regulated Courses

Responsibility for Policy:	Head of Governance
Approved by and date:	University Council - 15th April 2026
Frequency of Review:	Every Three (3) Years
Next Review date:	2029
Related Policies:	Recruitment and Admission Policy, Data Protection Policy
Minor Revisions:	
EIA:	

1. Introduction

- 1.1. Liverpool Hope University (“the University”) is committed to providing and maintaining an atmosphere which is conducive to the academic and social well-being of the University community. The University has a duty of care to staff, students, visitors and clients. In order to discharge this duty, the University must consider the impact of any criminal convictions. The University acknowledges that some applicants and students may have criminal conviction(s) or be subject to police investigation.
- 1.2. Wherever possible, the University is committed to supporting the successful reintegration of students with convictions in line with our overarching mission and values.
- 1.3. Courses which are offered at the University fall within two categories; **Regulated** and **Non-Regulated Courses**.

Regulated Courses

- 1.4. **Regulated Courses** relate to courses which are recognised by regulatory bodies in England and where completion of the relevant course would provide professional status with that regulatory body.
- 1.5. There is a requirement for applicants and students on the following courses to declare criminal convictions, including **unspent or spent** convictions, conditional cautions, bind-over orders, and police investigations to the University. **Note: this list is not exhaustive:**
 - i) Education courses providing Qualified Teacher Status (QTS)
 - ii) Social Work
 - iii) Sports Rehabilitation
 - iv) Youth & Community Development
 - v) Physiotherapy
 - vi) Postgraduate Certificate of Education (PGCE)
 - vii) Applied Developmental Psychology

Regulated courses require a higher level of criminal conviction checks. These checks are completed within the admissions process. Please see the [Recruitment and Admissions Policy](#) for further information surrounding admissions.

These courses are exempt from the **Rehabilitation of Offenders Act (ROA) 1974** and require full disclosure of all convictions, investigations, cautions or reprimands.

Applicants should refer to Government guidance on the Rehabilitation of Offenders Act 1974 for detailed information.

Non-Regulated Courses

- 1.6. **Non-Regulated** Courses are all other courses offered by the University, regardless of mode of delivery and whether studied full or part-time.

- 1.7. Applicants applying to study, and students currently studying, on any course at the University are required to declare relevant **unspent** criminal convictions, conditional cautions, bind-over orders, and police investigations to the University.

2. General Principles

- 2.1. The assessment of an applicant's academic suitability is conducted prior to, and separately from, any assessment of risk related to criminal convictions.
- 2.2. There is a requirement for all applicants holding a firm choice application and current students to declare relevant police investigations and criminal convictions to the University prior to, and throughout the duration of their course. Failure to do so is classed as Serious Misconduct under the [Student Code of Conduct](#).
- 2.3. The University reserves the right to refuse to admit applicants, or to withdraw students where their criminal record makes it inappropriate for them to be admitted/attend.
- 2.4. Once registered as a student, any criminal investigation, convictions or cautions which postdate registration will be dealt with via the appropriate process, which would be either via the Fitness to Practise Process for **regulated courses** or via a Criminal Convictions Panel for **non-regulated courses**; other relevant policies will also be considered.
- 2.5. The test the University will use is whether the criminal record of an applicant/student gives reasonable grounds for considering that the admission/continuation of studies of the individual poses a risk to the safety of staff, students, visitors, and those coming into contact with the applicant/student during their studies. Other factors may also be considered, including significant incompatibility with the University missions and values.
- 2.6. Where a **regulated** or **non-regulated course** offers a placement opportunity for the applicant and student, in the context of safeguarding, relevant information may be disclosed to the placement provider.
- 2.7. The University reserves the right to amend and review this Policy in the light of operating experience and/or prevailing circumstances such as Government legislation or changes to professional body requirement.
- 2.8. If an applicant or student requires impartial advice, they should contact the University's Student Union on suadvice@hope.ac.uk or 0151 291 3707.
- 2.9. If an applicant or student requires information on this Policy, they should contact the Governance and Legal Services Team via caseworker@hope.ac.uk

3. The definition of a 'Criminal Conviction'

- 3.1. The University defines **relevant unspent convictions** in line with the [Rehabilitation of Offenders Act 1974 \(“ROA”\)](#).
- 3.2. The University considers the following offences to be relevant unspent convictions. Please note that this list is not exhaustive:
 - 3.2.1. Any kind of violence against the person including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
 - 3.2.2. Sexual offences including those listed in the Sex Offences Act 2003.
 - 3.2.3. The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking.
 - 3.2.4. Offences involving firearms.
 - 3.2.5. Offences involving arson.
 - 3.2.6. Offences involving terrorism.
 - 3.2.7. Any “hate crime” as defined by the Crown Prosecution Service (<https://www.cps.gov.uk/hate-crime>).
 - 3.2.8. Offences involving use of a computer to gain unauthorised information /data.
 - 3.2.9. Offences concerned with harassment, stalking or malicious communications.
- 3.3. A “spent” conviction does not have to be disclosed in accordance with the **ROA 1974** unless the applicant is applying to a regulated course. All cautions and convictions eventually become spent, with the exception of prison sentences relating to serious violent, sexual, or terrorist offences. In considering whether a conviction is “spent” applicants are advised to consult Ministry of Justice guidelines or speak to their Probation Officer (if applicable).
- 3.4. Spent convictions are not relevant criminal convictions and do not need to be disclosed unless the specific course or programme requires such disclosure.
- 3.5. [Government Guidance](#) on the ROA 1974 provides information on Rehabilitation periods, exceptions and Disclosure and Barring Service Disclosures.
- 3.6. Court orders which may materially impact upon presence at the University or signify a potential risk to others (for example a Sexual Harm Prevention Order) then these must also be declared to the University via caseworker@hope.ac.uk.

4. Disclosure and Barring Service (DBS)

- 4.1. Successful applicants for **Regulated Courses** require a Disclosure and Barring Service (“DBS”) check.
- 4.2. A DBS check is a necessary requirement for enrolment onto a **Regulated Course**, either as a result of the professional regulations or a high standard of care and welfare which is applicable to the role.
- 4.3. Applicants and students should refer to Government Guidance on the ROA 1974 for detailed information on rehabilitation periods, exceptions and DBS disclosures.
- 4.4. **Regulated** courses may also request that all students declare annually that no further or new convictions have been obtained.
- 4.5. Applicants may be accepted onto a course, subject to satisfactory police checks. Applicants will not be allowed to commence placements until a satisfactory DBS is received. Applicants can be suspended/discontinued from the course at any time if DBS disclosures are unsatisfactory.
- 4.6. Where it is a condition of the offer of a place to secure a DBS check, failure to obtain a DBS check is likely to result in the withdrawal of an applicants’ offer of a place at the University.
- 4.7. Where you are studying a **Non-Regulated Course**, it may be that you are still required to undertake a DBS check as part of placement requirements or optional elements. This may include placements or research involving regulated activity with children or vulnerable adults.
- 4.8. Any DBS applied for will be at the correct level and cover the appropriate clearance required. It is essential for students to apply using the correct link and at the correct level for the clearance required and failure to do so may impact their ability to commence placement.
- 4.9. For those studying on an apprenticeship, a new DBS through Liverpool Hope University may not be required where an employer DBS has been obtained. In these instances, confirmation of appropriate employer DBS would need to be evidenced to the Apprenticeship Team at the University.

5. Police Clearance

- 5.1. Any applicant who has spent 12 months or more outside of the UK within 10 years of making an application will be asked to obtain police clearance from the relevant country. This is applicable to all applicants (UK, EU, Overseas).
- 5.2. If it proves impossible to obtain official police clearance from overseas, the applicant will be asked to provide evidence that all reasonable steps have been taken to obtain such.
- 5.3. In addition, the applicant is required to provide, at the applicant’s expense, a signed declaration of good character which has been countersigned by somebody who either works in or is retired from a recognised profession or is a ‘person of good standing in their community’. This may include, for example:

- (i) a police officer,
- (ii) a teacher,
- (iii) a minister of religion,
- (iv) a barrister or solicitor

- 5.4. A full list of recognised professions can be found on the [UK Government website](#).
- 5.5. The University will consider such cases on an individual basis in line with the overall principles of this policy.
- 5.6. Any information disclosed by the applicant about a criminal conviction will be shared with the University's Criminal Convictions Panel. See section 11 for details on the composition of the Panel.

6. Applicants from outside the United Kingdom and European Economic Area

- 6.1. The ROA is relevant to those of all nationalities and residencies, and the concept of "spent" convictions as set out in the ROA applies regardless of the jurisdiction of the court where the offender was convicted.

However, the applicant should note the following:

- 6.1.1. Whilst a conviction acquired outside England and Wales may be spent under the relevant national law, it is not automatically deemed spent under English law.
- 6.1.2. In determining whether a conviction is capable of becoming spent, a sentence imposed by a court outside of England and Wales will be treated in the same way as the corresponding sentence under English law, or its nearest equivalent.
- 6.1.3. Where a sentence is imposed by a court outside of England and Wales, the period before which the conviction is deemed spent will be calculated according to English law, as set out in the ROA.
- 6.1.4. If the applicant is unsure whether their conviction is deemed relevant and spent under English law then we strongly encourage them to seek legal advice before answering this question.
- 6.2. If the applicant requires a visa or is extending their visa, then the applicant must declare any unspent criminal convictions, including driving offences, when they apply to UK Visas and Immigration (UKVI).

7. Data Protection

- 7.1. The University is entitled to request that applicants and students make a relevant conviction disclosure in accordance with this policy. Criminal convictions and offences data is protected in line with the safeguards provided by the **Data Protection Act 2018**.

- 7.2. Information about criminal convictions is only collected and processed where it is appropriate to do so for the safety and welfare of all those on the University campus, or where necessary for the purpose of a specific academic programme. All information is retained in accordance with the University's Data Protection Policy and Privacy Notice, both of which can be found on the [University website](#).
- 7.3. Unless otherwise set out in this policy owing to a requirement of a course, the University will not in the first instance seek personal data concerning relevant criminal convictions from any source other than a student or applicant, but it may require additional information to be sought from a third party (such as the Police, Probation or the Disclosure and Barring Service) to enable the University to reach a decision on admission, enrolment or other measures set out in this policy.
- 7.4. The University recognises that personal data relating to criminal offences, including relevant criminal disclosures, is a sensitive category of personal data. In order to protect this category of personal data, the University has in place additional organisational measures to ensure that this data is accessed only by those who need to see it and that it is held securely and protected from unauthorised or unlawful processing.

7.5. Retention of Data

- 7.5.1. The University will only retain criminal conviction and offences data for as long as necessary, given the purposes for which it was processed. Retention periods for personal data are set out in the University's [retention schedule](#).

8. Disclosing Convictions

- 8.1. Students and applicants will have **14 working days** to respond to requests for information regarding disclosed convictions; students and applications may be suspended and will be unable to resume or commence studies until the information is received by the University.
- 8.2. If an applicant or student is convicted of a relevant criminal conviction after submission of their Criminal Declaration they must inform the University at the earliest opportunity.
- 8.3. Applications are considered according to the established admission procedures. Only once an applicant accepts (or "firms") their offer will they be asked to complete an online Criminal Conviction Declaration. Failure to complete the process may delay or prevent registration onto a course.
- 8.4. Current registered students disclosing any relevant conditional cautions, criminal convictions or pending charges/investigations must do so by writing to caseworker@hope.ac.uk.

- 8.5. The University may become aware of or be notified that a student or applicant has a relevant criminal conviction via a third party. The University reserves the right to consider such disclosures, and request further information from students and applicants. The University will then decide whether it is appropriate to consider the information under this policy or any other University procedure/policy, such as the [Student Code of Conduct](#).

9. Failure to Disclose

- 9.1. Applications which fail to declare cautions, criminal convictions or pending charges/investigations may be considered to be 'fraudulent'. Applications may be rejected for non-declaration or partial disclosure.
- 9.2. Students who fail to declare cautions, criminal convictions or pending charges/investigations may be subject to disciplinary proceedings and may be withdrawn from their course and/or asked to leave their Halls of Residence.
- 9.3. For **regulated courses**, applicants and students are advised to seek advice from relevant professional bodies, regarding the impact of criminal conviction(s) on their chosen course.
- 9.4. While the University may be willing to admit an applicant on a course or allow a current student to continue their studies, successful completion of the course does not guarantee that the applicant/student will be able to practise, or take up a related profession.

10. Procedure following the disclosure of a criminal conviction(s)

- 10.1. Upon receipt of a criminal conviction disclosure, the Governance and Legal Services Team will be informed and will liaise with appropriate staff to determine if any immediate action needs to be taken. If no action is necessary, the application can proceed.
- 10.2. Applicants and students are normally required to respond to the request for further information within **14 working days**. If no response is received then the applicant may have their offer withdrawn, or will be referred to a Criminal Convictions Panel ("CCP"). Students will be referred to a CCP immediately.

11. Criminal Convictions Panel

- 11.1. All conviction(s) will be considered by the appropriate CCP, taking into account the individual circumstances of the case.
- 11.1.1. Students and applicants will be given the opportunity to provide written representation to the Panel. In some circumstances the Student or Applicant may be invited to attend the CCP.

11.1.2. The CCP will consider all information provided and will assess the declared conviction(s) and consider whether there is any risk to the safety of staff, students, visitors, and those coming into contact with the applicant/student during their studies. Other factors may also be considered, including significant incompatibility with the University missions and values.

11.2. The CCP may:

11.2.1. Seek advice from professional/academic members of staff;

11.2.2. Defer consideration of a decision where there is a pending charge or ongoing investigation;

11.2.3. Seek additional information from the applicant or student;

11.2.4. Refer the case for consideration under the Student Code of Conduct or any other University Policy and Procedure;

11.2.5. Make a recommendation as set out below in 11.3.

Recommendations

11.3. After consideration of the disclosed conviction(s) the **CCP** may make the following recommendations (please note that this list is not exhaustive):

(a) Applicants:

- (i) Withdraw the application
- (ii) Defer entry to the course for a defined period
- (iii) Recommend that the applicant is advised to consider an alternative course.
- (iv) Recommend the application is accepted, subject to satisfactory police checks (such as Enhanced DBS Disclosure).
- (v) Recommend the application is accepted.
- (vi) Prohibit the applicant from entering into an Accommodation Contract for University owned Halls.
- (vii) Decisions are independent from the academic assessment of an application. After the CCP issue a permission to make an offer, the applicant would still need to meet the terms and conditions of the offer as set out in the offer letter.

(b) Students:

- (i) No further action is required and the student is allowed to continue on the Course. CCP must determine who, if anyone, within the University should be provided with details of the conviction.
- (ii) Recommend to the Deputy Vice-Chancellor that the student be excluded from the Course.
- (iii) Recommend that the student is advised to consider an alternative course.
- (iv) Recommend that the student is referred to other University procedures such as Student Code of Conduct.
- (v) Terminate the Accommodation Contract for University owned Halls.

11.4 Students who are allowed to remain on a course may be subject to further measures. A failure to comply with specified measures will be considered by the University as Serious Misconduct under the Student Code of Conduct.

11.5 The decision of the CCP will be notified to the applicant or student in writing. Such correspondence will contain the appeals process. Notes of decisions will be taken and made available upon request to the individual concerned. Verbatim notes will not be recorded.

Appeal

11.4. If the applicant or student is dissatisfied with the outcome and considers that the decision of the CCP is unreasonable, they may appeal against the decision to the Vice Chancellor. **Disagreement with the decision of the CCP is not in itself sufficient grounds for appeal.**

11.5. Grounds for appeal may include, but are not limited to:

- (i) The process has not been conducted correctly, in accordance with the procedures; or
- (ii) There has been a material administrative error; or
- (iii) The decision of the CCP is unreasonable.

11.6. The applicant or student must write to caseworker@hope.ac.uk within **10 working days** of receiving the written decision of the CCP. A full statement detailing the reasons for the appeal and supporting evidence must be provided. Appeals will not be accepted if they are submitted outside of the deadlines or if the appeal contains no reference to the grounds for appeal.

11.7. The Vice Chancellor (or nominee) will review the decision of the CCP and may take advice from the University's Legal Officer and/or constitute a new panel (an Appeal Panel). **If the rejection is confirmed, the applicant will have no recourse to any other University process.**

11.8. The Vice Chancellor may:

- (i) Amend the decision of the original CCP;
- (ii) Uphold the decision of the original CCP;

- (iii) Refer the case back to the CCP for reconsideration
- (iv) Defer the decision pending further information;
- (v) Reject the appeal.

11.9. The decision and any recommendations or advice of the Vice Chancellor will be notified to the student or applicant and to the Head of Governance.

11.10. If a student remains dissatisfied, they may seek an independent review by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body established to consider student complaints which have not been resolved internally.

11.11. The deadline for an application to the OIA is **twelve months** from the date of the “completion of procedures” letter. This service is free to students/apprentices. More information can be found on the OIA website: www.oiahe.org.uk