



Applicants and Students with Criminal Convictions

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This document explains how the University handles disclosures of serious unspent criminal convictions from applicants and students. It applies to all offer-holders and enrolled students, outlining when disclosure is required, how cases are assessed, annual declarations, data handling and appeal routes.

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Applicants and Students with Criminal Convictions

1 Introduction

- 1.1 The University is committed to extending the opportunities of higher education to students who meet the academic requirements specified by the University and who can benefit from it. The University welcomes applications from diverse candidates. Criminal records will be considered only where the conviction is relevant. Such circumstances will be
- where the nature of the programme of study has special requirements relating to professional registration e.g. teacher education or health related courses;
 - where a criminal conviction might raise concerns in the context of activities associated with the programmes;
 - the prospect of employment at the end of a professionally or vocationally related programme would be substantively comprised by a criminal conviction; and
 - it is judged that the safety of the University community and property will be at risk.

2 Definitions

- 2.1 **Unspent conviction:** a criminal conviction that has not yet become 'spent' under the [Rehabilitation of Offenders Act 1974](#).
- 2.2 **Serious conviction:** offences involving violence, sexual misconduct, stalking, arson, terrorism, domestic abuse, coercive control, or supply of drugs.
- 2.3 **Spent conviction:** a conviction which, after a specified period, no longer needs to be disclosed (unless applying for certain regulated professions).

3 Scope

- 3.1 The University makes admissions decisions in good faith based on the information supplied on application forms and signed off as accurate and truthful by an applicant.
- 3.2 This policy applies to
- applicants who have accepted an offer for a place at the University of Hull; and
 - all students enrolled at the University of Hull studying on a University campus
 - Campus refers to the University of Hull campus in Hull, the campus/study centre in London, and any relevant learning spaces that may be determined by the University.
- 3.3 The University reserves the right to terminate a student's enrolment on a programme of study if it becomes apparent while they are enrolled on their programme that
- they have deliberately withheld or falsified information on criminal convictions requested in the application process; or
 - they have failed to notify the University of any serious unspent criminal convictions (as defined by the Rehabilitation of Offenders Act 1974) received following their enrolment on the programme of study.
- 3.4 Such a dismissal would only be enforced following investigation under the Student Disciplinary Regulations and a Criminal Convictions Risk Assessment Panel under this



policy.

4 Purpose

- 4.1 The University requires prospective students to disclose any serious unspent convictions so that an assessment can be made as to whether admissions can be granted or granted with restrictions or conditions.
- 4.2 The University recognises that people with criminal convictions may face significant social and systemic barriers to higher education. We are committed to a fair and inclusive admissions process that assesses applicants on their academic merit and potential, while maintaining a safe and supportive learning environment.
- 4.3 Programmes that require an enhanced [Disclosure and Barring Service \(DBS\) check](#) will be clearly flagged in publicity and marketing material and a satisfactory DBS check will be included as one of the applicant's conditions of entry at the point of offer.
- 4.4 Applicants for programmes that do not require a DBS check will be asked to declare any unspent criminal conviction (as defined by the Rehabilitation of Offenders Act 1974) relating to the following offences:
 - a. violence (including aggravated bodily harm, grievous bodily harm and other crimes under the offences against the person act)
 - b. possession of firearms or other dangerous weapons
 - c. offences relating to terrorism
 - d. arson
 - e. hate crime (i.e. offences with an aggravated element relating to race/religion/disability/sexual orientation/gender identity)
 - f. sexual offences
 - g. sexual or other forms of harassment
 - h. stalking
 - i. domestic abuse
 - j. coercive control
 - k. the illegal supply of drugs
- 4.5 Applicants will be required to declare these to the University after an offer has been accepted (firm and insurance acceptances) and provide full details.
- 4.6 Failure to disclose relevant offences will constitute a breach entitling the University to terminate enrolment and may also constitute a disciplinary offence.
- 4.7 If you receive a serious unspent criminal conviction, caution, community resolution order and/or you are investigated by the Police at a later stage (whether before enrolment or during your time at the University), you should declare to the Conduct and Complaint Office, providing full details. Failure to do so may constitute a disciplinary offence and give the University right to terminate the contract.

5 Process

- 5.1 Applicants who are unsure whether they are required to declare a conviction are encouraged to contact the Admissions team in confidence before submitting their



application. They can also seek independent advice from support charities such as [Unlock](#) and [Nacro](#).

- 5.2 Enrolled students should report any convictions to the Conduct and Complaints Office via conductandcomplaints@hull.ac.uk. Failure to disclose a criminal conviction may result in formal investigation under the Student Disciplinary Regulations (see 5.12).
- 5.3 Staff involved in managing disclosures and admissions decisions will receive training in equality legislation, unconscious bias, safeguarding, and data protection to ensure that decision-making is fair, confidential, and legally compliant.

A Applicants to programmes of study which require an enhanced DBS check

- 5.4 Where a programme of study is subject to the requirements for disclosure of all criminal record information through the DBS disclosure process, this will be notified to potential applicants in course publicity and at the time a course offer is made.
- 5.5 Normally, an offer of a place on the programme of study will be made subject to the satisfactory completion of the DBS disclosure process.
- 5.6 Applicants will be invited to embark on the DBS disclosure process once the offer of a place has been accepted.
- 5.7 If a criminal record has been disclosed voluntarily on the application for such a programme, an initial assessment of the case will be made according to the principles outlined in 4.1. A course offer will be made subject to engaging in the disclosure process. The applicant will be informed that the offer will stand subject to no material additional information emerging from the disclosure process.
- 5.8 Should additional information emerge from the disclosure process which appears to contradict earlier information, the University will contact the applicant who will be given the opportunity to comment on the situation. This discussion will be with the Director of Admissions, Admissions Manager or another designated countersignatory. The information offered under the disclosure process will be shared with the Criminal Convictions Risk Assessment Panel who will determine whether a place on the programme of study can be confirmed (subject to academic conditions also being met).
- 5.9 Given that a disclosure will only be sought at the beginning of a programme of study, students on designated courses such as teacher education or health professions will also be asked to make a self-declaration annually at the time of enrolment, that the position regarding criminal convictions has not changed since entry on the course. If such a change is notified the Criminal Convictions Risk Assessment Panel will consider whether any action should be taken in the light of the change in circumstances and enforced if necessary, under the Student Disciplinary Regulations.

B Criminal Convictions Risk Assessment Panel

- 5.10 Applicable to
 - a. applicants to programmes of study which do not require an enhanced DBS check
 - b. enrolled students who failed to declare a criminal conviction
 - c. annual declaration for enrolled students
- 5.11 Where an applicant declares a criminal conviction, via an annual declaration for an enrolled student or when an enrolled student has failed to declare a criminal conviction, the information supplied will be considered in confidence by the Criminal Convictions



Risk Assessment Panel.

- 5.12 For applicants, a previous conviction will not normally debar the offer of a place unless issues relating to the nature of the programme or security of the University community apply.
- 5.13 For enrolled students, a previous conviction may result in formal investigation under the Student Disciplinary Regulations and a Criminal Convictions Risk Assessment Panel will determine the outcome of which can be any penalty under the Student Disciplinary Regulations including suspension, exclusion and expulsion.
- 5.14 During the investigation process for students who have failed to disclose a criminal conviction, students may be subject to any precautionary action under the Student Disciplinary Regulations.
- 5.15 In making the assessment, the Criminal Convictions Risk Assessment Panel will consider
 - a. the seriousness of the offence and its relevance to the safety of the university community and property;
 - b. the length of time since the offence occurred;
 - c. any relevant information offered by the applicant about the circumstances which led to the offence;
 - d. the country in which the offence took place;
 - e. whether the offence has been de-criminalised by Parliament;
 - f. whether there is any history of repeat reoffending;
 - g. whether the offence will effectively debar the applicant from employment opportunities associated with a programme leading to a professional registration or with direct vocational links; and
 - h. whether the offence raises difficulties associated with the nature of the programme where professional registration is not an issue.

6 Annual declarations: clarification

- 6.1 Students on professionally regulated programmes will be asked to confirm annually that there has been no change in their criminal conviction status. This self-declaration process is designed to support a safe learning environment and should not be interpreted as punitive. Any new convictions should be disclosed confidentially and will be reviewed sensitively and fairly.
- 6.2 Students who have been subject to a Criminal Convictions Risk Assessment Panel previously may be required to make annual declarations while enrolled as a condition of the panel outcome.
- 6.3 Annual Declarations are subject to review by the Criminal Convictions Risk Assessment Panel (see section 5).

7 Policy review cycle

- 7.1 This policy will be formally reviewed every two years, or earlier if required due to changes in legislation or regulatory guidance from bodies such as the Office for Students (OfS), the Disclosure and Barring Service (DBS) or UCAS.



8 Data security

- 8.1 No information regarding criminal convictions or disclosure will be released to any individual or organisation not authorised to receive it under [Section 124 of the Police Act 1977](#).
- 8.2 The DBS countersignatories will ensure that information supplied will only be released to the Conduct and Complaints Office, Director of Student & Academic Administration, Director of Admissions and the relevant Subject / Programme Director who are empowered to make the admissions decision. The information will also be seen by the designated member of the Admissions team who will handle the disclosure process.
- 8.3 All disclosure information will be stored securely under the direct supervision of the DBS countersignatories within the Admissions Office and the Conduct and Complaints Office.
- 8.4 Disclosure will be held for a period of six months after the recruitment decision. After this time the information will be destroyed under the direct supervision of the countersignatories.
- 8.5 No copy or other image of a disclosure will be retained.
- 8.6 A record that a satisfactory disclosure has been obtained will be retained on the student record / file. This will include
 - a. name
 - b. date of disclosure
 - c. unique CRB record number of the disclosure
- 8.7 These files will be stored securely within Registry, but it is recognised that the file will be consulted by Registry staff in connection with their duties.
- 8.8 Annual self-declarations relating to criminal convictions provided by returning students on designated courses will be retained on file.
- 8.9 Where information concerning a criminal conviction has been supplied voluntarily in connection with an admission and outside the disclosure scheme, the information will be subject to the same treatment as information supplied under disclosure. The information supplied will be stored securely and separately and will be destroyed 6 months after the admissions decision has been taken. No record will be retained unless the programme of study is also covered by the requirement for disclosure.

9 Appeals and complaints

- 9.1 If an applicant considers that the University has reached an unreasonable decision in connection with the admission in the context of a disclosure of criminal record, they may submit an appeal or complaint which must outline the grounds of the appeal, including relevant detail, and should be addressed, marked 'Strictly Confidential' to Conduct and Complaints Office, The University of Hull, Hull HU6 7RX
- 9.2 Your case will be reviewed independently of the Criminal Convictions Risk Assessment Panel, though a part of this process the reviewer may interview and/or seek information from the Panel and/or complainant.
- 9.3 Applicants for the Hull York Medical School (HYMS) should refer to the information on the [HYMS website](#) and the Student Disciplinary Regulations.



- 9.4 There is no right of appeal against an admissions decision regarding an applicant's failure to satisfy non-academic requirements specified by external agencies for a particular programme (i.e. for programmes of study requiring an enhanced DBS check).
- 9.5 An applicant is entitled to appeal to the Disclosure and Barring Service if they believe that the information supplied is inaccurate. They may also complain to the Criminal Records Bureau if they believe the University has not complied with the DBS Code of Practice.

DBS, PO Box 9, Liverpool L69 2UH (Tel. 0870 90 90 811)