



**The  
Sheffield  
College**

# **Criminal Convictions Declaration Procedure**

## 1 INTRODUCTION AND PURPOSE

- 1.1 When a student or prospective student declares that they have a criminal conviction (or one is pending) a formal risk assessment process must be followed in order make a comprehensive assessment to enable the decision to enrol, not enrol, continue to enrol or enrol a student with sanctions
- 1.2 The operational procedures set out below must be followed for all students / prospective students who declare they have a criminal conviction or one is pending
- 1.3 The Rehabilitation of Offenders Act 1974 and The Equality Act 2010
- 1.4 The following documents must be completed as part of the risk assessment process.

[CCRisk Assessment PART A Learner Use.docx](#)

[CC Risk Assessment PART B Office Use Only.docx](#)

## 2 GUIDANCE NOTES

Students are not required to declare a criminal conviction if it is declared as 'Spent'. The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'Spent' or ignored after a rehabilitation period. The length of the rehabilitation period depends on the sentence given, not the offence committed.

If a student is unsure how to answer the question about 'Spent' Convictions they can be referred to the Citizens' Advice Bureau or Youth Offending Service or from NACRO (the National Association for the Care and Resettlement of Offenders). Alternatively the student can contact a solicitor, however they may have to pay for legal advice.

If a student is currently involved in a criminal investigation or is convicted of a criminal offence after they have applied to, or started, on a College course they must disclose this to the College. If a student is found not to have revealed a criminal conviction this can end any enrolment agreement with the College.

### Subcontracted Provision

If a student accessing subcontracted provision discloses a criminal offence or a pending conviction it is the subcontractor's responsibility to undertake a risk assessment using its own risk assessment process. The subcontractor can, however, opt to follow the Sheffield College process and utilise the risk assessment documentation. It is the subcontractor's responsibility to inform the lead organisation of any Criminal Conviction Risk Assessment undertaken and any agreed actions that arise from them.

### Appeals

Applicants who have been refused a place or where the College Managing Positive Engagement and Behaviour Policy has been invoked with existing students as a result of the assessment process an Appeal may be made against this decision in writing within 10 College days from the date of assessment to the Deputy Chief Executive Officer .

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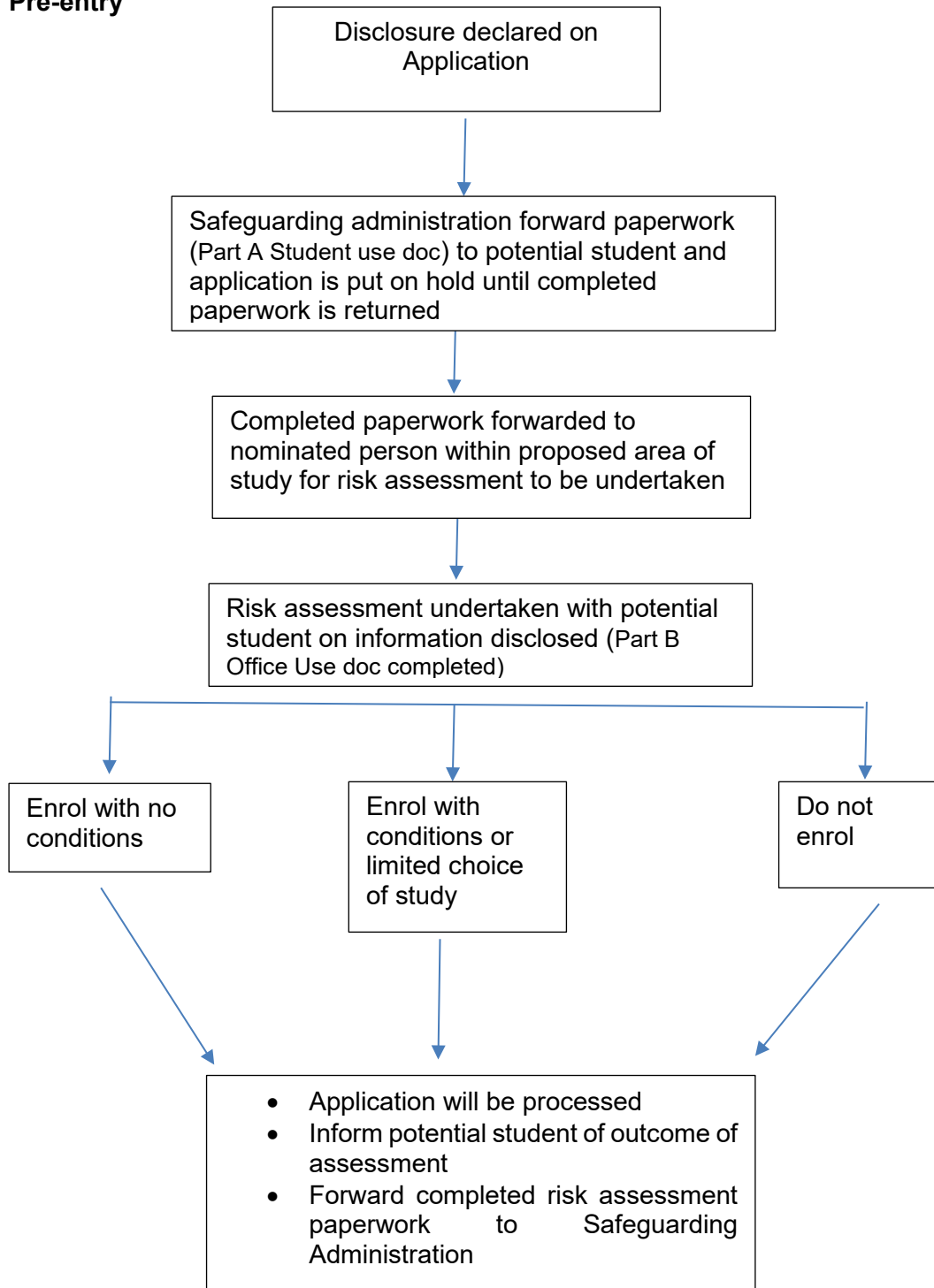
## Student Criminal Convictions Procedure

The Deputy Chief Executive Officer (or their representative) will consider each individual case and confirm their decision in writing to the appellant within 10 College days of receipt of the written appeal.

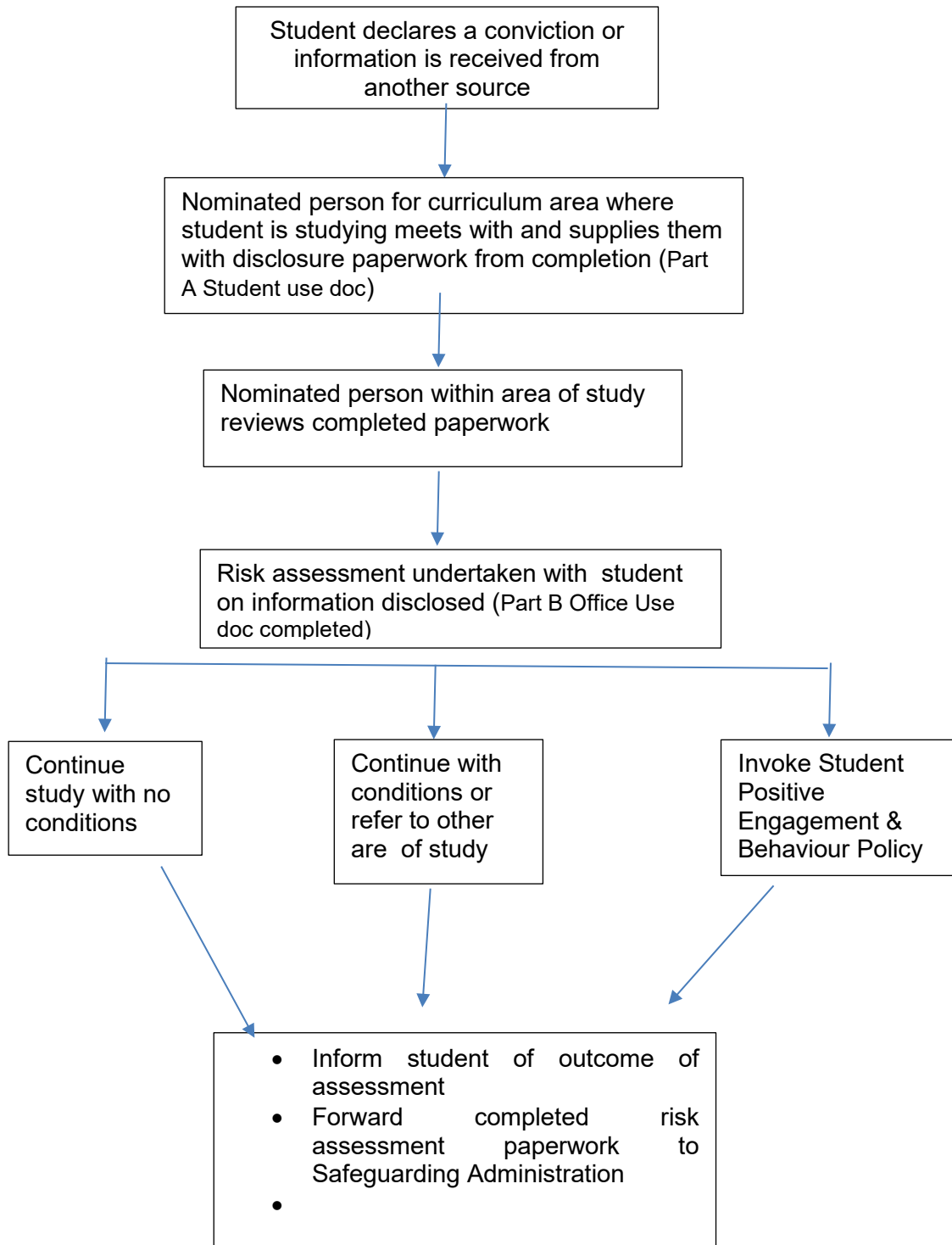
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## 3 OPERATING PROCEDURES

### Pre-entry



**On Course**



# Criminal Convictions Declaration Procedures

## Enrolment

