

Guide to the Criminal Records

Policy and Procedures

What is the policy?

Central School of Ballet have a responsibility to provide a secure, safe environment for staff, students, visitors and others, and must balance this alongside any legal requirements, such as those to protect vulnerable individuals.

The Criminal Records Policy sets out the approach by which the School manages criminal records data of both applicants and students registered on its courses in the following circumstances:

Applicants:

- When applying for entry to a course that involves regulated activity (such as working with children or vulnerable adults) and thus necessitates an enhanced Disclosure and Barring Service (DBS) check.

Registered students:

- Students on a course that involves regulated activity and thus necessitates an enhanced DBS check.
- Students who are charged with and/or convicted of a relevant criminal offence during the course of their studies.
- Related criminal matters relating to registered students (e.g. registration of a student on the Sex Offenders' Register).

Additional considerations for applicants

For any course of study which includes some regulated activity as a compulsory part of the course, an enhanced DBS check will be an admission requirement. This means applicants will need to undertake an enhanced DBS check before admission to the course can be confirmed. The School will only ask an applicant to complete an enhanced DBS check in the event that they have satisfied all other entry criteria first, and therefore will not require applicants to undertake such a check until the School makes a conditional offer of a place to study on that course.

Where, after due consideration under its policies and procedures, the School determines that it is necessary to do so, it may decide not to admit an applicant, or to remove student status from a registered student, as a consequence of a criminal record.

Where an applicant has undertaken an enhanced DBS check for a course requiring regulated activity, had an offer subsequently confirmed, and then is charged with or convicted of a criminal offence prior to formally registering as a student, the applicant must inform the School as soon as possible, as this may have a bearing on the individual's eligibility for the place.

Additional considerations for registered students

In the event that a registered student is charged with and/or convicted of a criminal offence, the school does not require the student to disclose this. However, where such matters come to light, the School will determine whether any action is necessary, in accordance with its obligations and duty of care towards all members of its community.

Where a registered student chooses to disclose that they have a criminal record to the School that was incurred prior to registering as a student of the School, the matter may as necessary be referred to the Convictions Consideration Panel (CCP) as part of assessing whether any additional support may be needed by that student, and any appropriate measures the School might need to take.

Where a registered student obtains or is charged with a criminal conviction that would normally lead to a custodial sentence during the course of their studies, this may constitute a disciplinary matter and the student's case may accordingly be referred under other School policies.

Consideration of criminal records: Convictions Consideration Panel

The Convictions Consideration Panel (CCP) is the Panel that considers the details of criminal records (and where appropriate, criminal charges) to determine the School's next steps. The Convictions Consideration Panel will consider all criminal record data under the relevant procedure for either applicants or registered students.

For more information and different procedures of CCP, please see appendices 1 – 4 under Criminal Records Policy on the School's [website](#).

FAQs

What is “regulated activity”?

Regulated activity in the context of a course of study at the School normally (but not exhaustively) refers to activities which involve working closely with children/other vulnerable individuals, such as caring for, training, supervising, or being solely in charge. For further details, please see the government guidance at the following link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/299916/rehabilitation-of-offenders-guidance.pdf

What is an enhanced DBS check?

An Enhanced criminal record check, also known as an Enhanced DBS Check, details any cautions, warnings, reprimands or convictions on an individual's criminal history, as well as spent and unspent convictions. It can also search the children and vulnerable adults 'barred list' to see if the applicant is prohibited from working with these groups. Enhanced DBS checks are available for organisations to make a suitability decision on applicants; therefore, if you are required to undergo one, the School will apply for it on your behalf.

How do I know if I need an enhanced DBS check for a course I am applying to?

If you need to undergo an enhanced DBS check due to regulated activity being a compulsory element of the course, it will be stated in the course summary document and relevant course page online.

What if regulated activity is an optional strand of the course I am applying to?

Where a course of study has some regulated activity as an optional strand and is not a compulsory element of a course, applicants will not be required to undertake an enhanced DBS check prior to admission to the course. However, registered students will not be able to participate in optional regulated activity as part of their course of study without first undertaking an enhanced DBS check.

If I am charged with or convicted of a criminal offence after I have passed an enhanced DBS check, do I need to disclose it?

Yes, you must inform the School as soon as possible. In such circumstances, the School will refer the known details of the criminal charge(s)/conviction to the Convictions Consideration Panel (CCP) to determine whether:

- The confirmed offer of a place may stand;
- The confirmed offer of a place may stand but with conditions;
- The confirmed offer of a place may be deferred;
- The confirmed offer of a place needs to be withdrawn in light of the criminal charge(s)/conviction.

Failure on your part to declare such a change in circumstances will normally be deemed by the School to constitute a breach of contract and may result in termination of that contract.

If I am charged with and/or convicted of a criminal offence during my studies, do I need to disclose it?

Registered students are under no obligation to do so, but in the event that the student chooses to make such a disclosure, the School will determine whether any action is necessary and may refer the matter to the CCP as part of assessing whether any additional support may be needed by that student, and any appropriate measures the School might need to take.

What will happen to my data after I disclose it?

All data will be handled sensitively, confidentially, and in accordance with the relevant legislation. Generally, no information on an unsuccessful applicant's criminal record will be kept for longer than six months after completion of the admissions process. Once admitted onto a course of study, generally no personal data on a student's criminal record will be kept for longer than six months after completion of that course by the student.

More specific details are set out in the School's and Schools' Data Processing Statements (see each School's website for their individual Data Processing Statements and <http://www.cdd.ac.uk/about-us/how-we-work/resourcesand-policies/>).

Can I undertake regulated activity while I am waiting for my enhanced DBS check results? What if it's delayed?

No regulated activity can be undertaken by a student for whom the results of an enhanced DBS check have not been received and assessed by the School. It is a legal requirement for persons undertaking regulated activity to undertake an enhanced DBS check before they can be permitted to engage in that activity.

Where a student has completed all of the necessary steps for an enhanced DBS check but there is a delay that is outside of their control, the student does not have the right to attend placements or complete any activity for which the DBS check is required. However, the Executive Director of the School may exercise discretion, taking account of the circumstances of the case, and subject to any requirements and due diligence.

Can I appeal against a decision concerning a criminal record?

Yes, you can. Applicants should consult Appendix 3 to this policy, and registered students should consult Appendix 4, both of which are accessible on the School's [website](#).

I still have questions. Whom can I ask?

Applicants should contact the School and request to speak with the 'School Contact' for the Criminal Records Policy with any queries. The School Contact is a senior member of staff at the School who is not involved in the admissions selections decision-making.

Registered students should contact a member of staff responsible for student support and welfare in their School, or the named School Contact with any queries.