

Version Control Statement

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Criminal Convictions Policy

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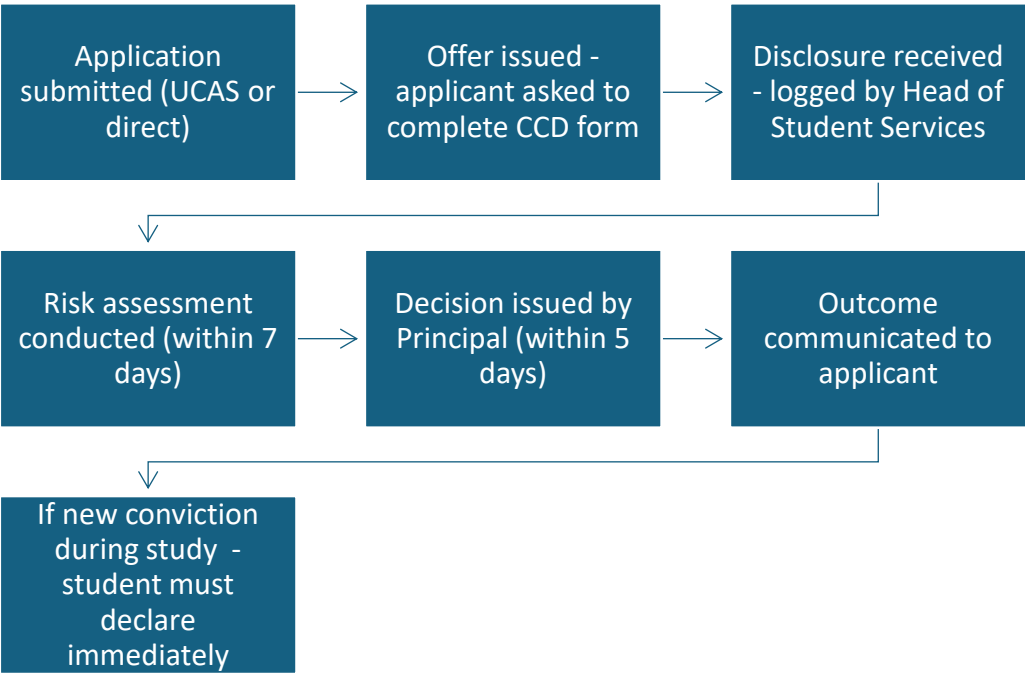
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1 Purpose and Principles

- 1.1 Futureworks supports fair access to higher education while maintaining a safe, inclusive environment. A declaration of a relevant unspent criminal conviction does not automatically bar admission; each case is assessed individually through a proportionate, documented risk assessment that is separate from academic selection.

2 Scope

- 2.1 This policy applies to all applicants to Futureworks programmes (direct and UCAS routes) and to all current students who receive a new relevant unspent conviction during their studies. Futureworks does not currently offer programmes that require an enhanced DBS check for study.

3 Definitions and Legal Context

- 3.1 Relevant unspent convictions include, for example, offences involving violence or sexual offences, serious drugs offences, firearms/offensive weapons, hate offences, terrorism-related offences, or any offence that resulted in a custodial sentence. Spent convictions must not be declared unless a course is exempt under the Rehabilitation of Offenders (ROA) Act 1974 Exceptions Order (not currently applicable to Futureworks provision).

- 3.2 Key references include:

- Rehabilitation of Offenders Act 1974 - <https://www.legislation.gov.uk/ukpga/1974/53>
- Ministry of Justice ROA guidance - <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>
- UCAS guidance on criminal convictions - <https://www.ucas.com/applying/applying-to-university/students-with-individual-needs/criminal-convictions-what-you-need-to-know>
- Unlock fair admissions guidance and toolkit - <https://unlock.org.uk/advice/university/>
- ICO guidance on processing criminal offence data (UK GDPR Article 10; DPA 2018 Schedule 1).

4 When and how we request disclosure

- 4.1 **Application stage:** We do not ask applicants to disclose at application. Instead, we clearly signpost this policy on our Policy Hub and explain how disclosures are handled on our website and application pages.
- 4.2 **Offer stage (direct and UCAS):** If you receive an offer, we will ask you—at that point only—to complete a confidential Criminal Convictions Disclosure Form covering relevant unspent convictions within 10 working days of the offer email (or by the deadline stated in your offer). Academic selection is separate and academic decision-makers do not see conviction information
- 4.3 Any offer made by Futureworks is conditional upon the applicant completing a criminal convictions declaration (where required) and Futureworks determining, through its risk assessment process, that any identified risks can be reasonably mitigated. Futureworks reserves the right to withdraw an offer where risks cannot be appropriately managed.
- 4.4 **Rationale and applicant protection:** The typical time from application to offer is minimal at Futureworks, and decisions on disclosures are reached quickly using the timelines below. This means applicants are not disadvantaged by offer-stage disclosure. Futureworks does not run DBS-requiring courses; therefore, the likelihood that reasonable mitigations cannot be put in place is very low.

5 How Disclosures Are Handled and Who Decides

- 5.1 All disclosures are assessed on a case-by-case basis, and where appropriate, reasonable and proportionate mitigations will be considered to ensure the safety and wellbeing of the Futureworks community.
- 5.2 Conviction information is handled confidentially by the Head of Student Services (lead for information gathering and initial risk assessment). Final decisions are made by an Admissions Risk Panel, normally chaired by the Principal and comprising the Principal, the Head of Student Services and at least one safeguarding specialist; the Data Protection Officer and other relevant specialists (e.g., probation services, with consent) or legal advisers may be consulted or co-opted as required to ensure proportionality and compliance. Academic Tutors and selectors are not informed of any disclosure.

- 5.3 Communication: Applicants receive the outcome in writing, with reasons, any conditions and review points, and information about appeals and support.

6 Risk-Assessment Process and Timelines

- 6.1 Timelines (working days, from receipt of completed disclosure form):
- Acknowledgement within 3 days.
 - Assessment and recommendation by Head of Student Services within 7 days of a complete file.
 - Decision issued (normally by the Principal, co-signed with Head of Student Services) within 5 days of recommendation (updates at least every 7–10 days if complex).
- 6.2 Criteria include: nature/severity, recency, pattern, rehabilitation evidence, licence conditions, course context, people impact, and feasibility of proportionate mitigations.
- 6.3 Possible outcomes: admit; admit with conditions; defer; refuse (if risks cannot be mitigated).

7 New convictions received post offer but before study has commenced

- 7.1 Applicants must promptly (within 10 calendar days from the date of receipt of a conviction) declare any relevant unspent conviction received after an offer has been made but before study commences by contacting Student Services. The same risk-assessment process applies; conditions may be set (including adjustments to start date) or—if risks cannot be mitigated—the offer may be withdrawn in line with the Admissions Policy and safeguarding obligations.
- 7.2 The Criminal Convictions Disclosure Form and the Regulations for the Conduct of Students can be found here - <https://futureworks.ac.uk/policies-procedures-and-notices/>.

8 New Convictions During Study

- 8.1 Students must promptly (within 10 calendar days from the date of receipt of a conviction) declare any relevant unspent conviction received during study by contacting the student services team. The same risk-assessment process applies; conditions may be set, or—if risks cannot be mitigated—interruption/withdrawal may be considered in line with the Regulations for the Conduct of Students.

8.2 The Criminal Convictions Disclosure Form and the Regulations for the Conduct of Students can be found here - <https://futureworks.ac.uk/policies-procedures-and-notices/>.

9 Failure to Disclose

9.1 If a required disclosure is not made and a relevant unspent conviction is later identified, Futureworks may review enrolment status and consider action under the Regulations for the Conduct of Students or withdraw admission if risks cannot be managed.

10 Data Protection and Records

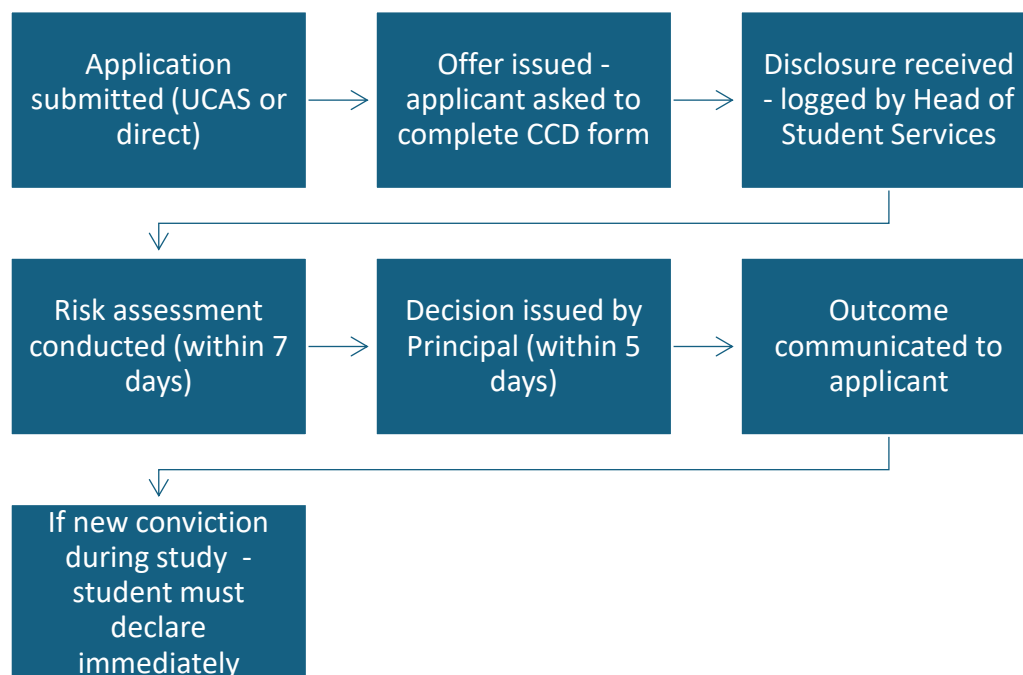
10.1 Lawful basis: Article 6(1)(f) legitimate interests (safety and feasibility of study). DPA 2018 Schedule 1 substantial public interest conditions (e.g., preventing/detecting unlawful acts; safeguarding). An Appropriate Policy Document (APD) and a DPIA are maintained. Data is stored separately from the student record, on a need-to-know basis, and retained only as long as necessary (normally admissions outcome +1 year if not enrolled; duration of study +1 year if enrolled).

11 Appeals and Complaints

11.1 Applicants may request a procedural review via the Applicant Complaints & Appeals route. If enrolled, further complaints follow the Student Complaints Procedure. These documents can be found here <https://futureworks.ac.uk/policies-procedures-and-notices/>



12 Process Summary





13 External Advice and Support

- Unlock – applying to university (advice and fair admissions resources):
<https://unlock.org.uk/advice/university/>
- UCAS – Criminal convictions: what you need to know (applicant guidance):
<https://www.ucas.com/applying/applying-to-university/students-with-individual-needs/criminal-convictions-what-you-need-to-know>
- Nacro – Rehabilitation of Offenders Act (clear explanations and helpline):
<https://www.nacro.org.uk/resource/rehabilitation-of-offenders-act/>
- Office for Students – People with criminal convictions (resources for HE):
<https://www.officeforstudents.org.uk/for-providers/equality-of-opportunity/effective-practice/people-with-criminal-convictions/resources/>