



School of Coding & AI

Student First Always

HIGHER EDUCATION

Criminal Convictions Policy and Procedure

Policy Owner: Suki Gill

Full Name	Position	Signature	Date	Review Cycle
Suki Gill	Principal		01.09.2025	Annual

School of Coding Limited T/A School of Coding & AI
Company Number: 10808021 Registered in England & Wales
Registered Address: Unit 8-8b, Newton Court, Westrand, Pendeford Business Park,
Wolverhampton, WV9 5HB



1. Purpose

The purpose of this policy is to provide a clear framework for School of Coding & AI HE regarding the management of disclosures of criminal convictions. This policy aims to ensure compliance with relevant UK laws and legislation, including the **Rehabilitation of Offenders Act 1974** and the **Data Protection Act 2018**, while maintaining a safe and secure environment for all students, staff, and visitors.

2. Scope

This policy applies to all students applying to or enrolled at School of Coding & AI HE, as well as staff, contractors, and visitors, as applicable.

3. Policy Statement

School of Coding & AI HE is committed to providing equal opportunities for all individuals, including those with criminal convictions, provided that their admission or employment does not pose an unacceptable risk to others. The Institute will evaluate any disclosed convictions in line with the principles of fairness, proportionality, and safeguarding.

4. Legal Framework

This policy is underpinned by the following legislation:

- **Rehabilitation of Offenders Act 1974:** This act provides that certain convictions become "spent" after a rehabilitation period. However, some convictions are exempt from being considered spent, especially for roles that involve safeguarding responsibilities.
- **Data Protection Act 2018:** Protects individuals' personal data, including information about criminal convictions. Information about criminal convictions will be processed fairly and lawfully in accordance with this Act.
- **Safeguarding Vulnerable Groups Act 2006:** Ensures that individuals working with children or vulnerable adults undergo appropriate background checks, including criminal record disclosures.

5. Procedure for Disclosure of Criminal Convictions

5.1 Pre-Admission/Pre-Employment Disclosure

- All applicants to School of Coding & AI HE, whether for a student place or employment, are required to declare any unspent criminal convictions. This will be done as part of the application process.
- Failure to disclose a relevant unspent conviction may result in withdrawal of the offer of admission or employment.



5.2 Assessment of Disclosure

- When a criminal conviction is disclosed, the Institute will assess the risk associated with the conviction on a case-by-case basis.
- Factors considered during the risk assessment include:
 - The nature and seriousness of the offence.
 - The length of time since the offence was committed.
 - Whether the conviction is spent or unspent under the **Rehabilitation of Offenders Act 1974**.
 - The circumstances surrounding the offence.
 - The relevance of the conviction to the course of study or role at the Institute.
 - Any evidence of rehabilitation.

5.3 Outcome of Assessment

- Based on the risk assessment, the Institute may decide to:
 - Proceed with the admission or employment with no restrictions.
 - Impose specific conditions (e.g., restricted access to certain areas or activities).
 - Withdraw the offer of admission or employment if the risk is deemed unacceptable.

5.4 Criminal Convictions Acquired During Study or Employment

- Current students and staff are required to disclose any criminal convictions acquired during their time at School of Coding & AI HE, especially those that might affect their position at the Institute or the safety of others.
- The Institute will follow the same risk assessment process as outlined above.

5.5 Confidentiality

- Information regarding criminal convictions will be treated as confidential and only shared with individuals who need to know for the purposes of risk assessment and decision-making.
- Personal data related to criminal convictions will be handled in compliance with the **Data Protection Act 2018**.

6. Disclosure and Barring Service (DBS) Checks

For courses or roles that involve working with children or vulnerable adults, the Institute requires an enhanced DBS check. This includes checks of the **Barred Lists** for both adults and children, depending on the nature of the course or role.

7. Appeals

Applicants or students who feel that their disclosure has been unfairly assessed can appeal the decision in writing to the Admissions Office (for students) or the HR Department (for staff) within 14 days of the decision. The appeal will be reviewed by a senior member of staff who was not involved in the original decision.



8. Monitoring and Review

This policy will be reviewed annually to ensure it remains in line with current legislation and best practices. Updates to relevant laws and guidance will be incorporated as needed.

9. Contact Information

For any queries regarding the Criminal Convictions Policy, please contact:

- Admissions Office: [email address]
- HR Department: [email address]

This policy provides a balanced and compliant approach to managing criminal convictions at School of Coding & AI HE, ensuring both fairness to individuals and the safety of the community.