

Student Vetting Policy

Version Number: 2.1

Effective from 16 September 2015

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Directorate of Student and Academic
Support**

Document Control Information

Status and reason for development

Update to V2.0 which updated "Guidelines and Procedures for Requesting and Considering CRB Disclosures and Independent safeguarding Authority Registration for Students V1.0" to incorporate changes in legislation and vetting requirements

Revision History

Date	Author	Summary of changes	Version	Authorised
Aug 2015	Julie Evans	<i>Update to reflect organisational structures</i>	V2.1	Dir School Ops:16/09/15
July 2014	Julie Evans & Christa Price	<i>Major updates in legislation and vetting requirements. New document focuses purely on student vetting but links to revised Safeguarding Policy</i>	V2.0	Ops Board:10/09/2014 Exec: 15/09/2014
Mar 2010	M. Rollinson, J Clements, K Ramsden, J Hinsley	<i>Safeguarding Policy created and approved</i>	V1.0	SLT

Policy Management and Responsibilities

Owner: The Director of School Operations is responsible for overseeing Student vetting on behalf of the University and has delegated responsibility for documentation and implementation of the policy to the Regulatory Body Education Manager, Directorate of Student and Academic Support.

Others with responsibilities (please specify): All subjects of the Policy will be responsible for engaging with and adhering to this policy.

Assessment	<i>Cross relevant assessments</i>	<i>Cross if not applicable</i>
Equality Analysis	X	
Legal	<input type="checkbox"/>	<input type="checkbox"/>
Information Governance	X	<input type="checkbox"/>
Academic Governance	<input type="checkbox"/>	X

Consultation

Cross relevant consultations

Staff Trades Unions via HR	N/A
Students via USSU	Sent 24/09/2014
Any relevant external bodies (please specify)	N/A

Authorised by: Director of School Operations

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Review due: Every 2 years (by August 2017) or when legislation changes

Document location: University Policy & Procedure Pages
<http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures>

Document dissemination and communications plan:

US Online, Student Channel.

1.0 Purpose

The purpose of this document is to specify University Policy for the vetting of all students undertaking work based and placement learning, study or voluntary work where they will engage in regulated activity relating to children and / or regulated activity relating to adults. This is to ensure the University can make safer recruitment and admission decisions by checking the background of applicants and details of any convictions, cautions, reprimands, and warnings. This Student Vetting Policy is directly relevant to a number of University policies and procedures (see Related Documentation).

This Policy is based on and incorporates elements of the following legislation and national guidance (including but not limited to):

- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Police Act 1997 (Criminal Records) Regulations 2002
- Disclosure and Barring Service guidance documents

2.0 Scope

2.1 To whom the policy applies

This Policy applies to all students and prospective students where their study, placement or work experience involves regulated activity relating to children and / or regulated activity relating to adults.

Education institutions which are partner organisations to the University should have their own Student Vetting Policy specifying clearance checks for entry to relevant programmes, placements and work experience. Members of those institutions are advised to follow their own organisation's Student Vetting Policy. The University of Salford will need to ensure the Collaborative Provision procedure and due diligence checks encompass a Student Vetting Policy where relevant.

It is the responsibility of Schools and Professional Services staff to be aware of and comply with the requirements of this policy and to make relevant students aware of the Policy.

2.2 Definitions

Child(ren) – a person or persons under the age of 18 years

Vulnerable adult - an adult who is in receipt of regulated activity (see below) is considered vulnerable at the time he or she requires that regulated activity, regardless of the setting or the personal circumstances of the adult receiving the activity.

Regulated activity relating to children: includes **regular** unsupervised contact with under 18's such as teaching; training; instructing; caring for; personal care for; supervising; providing advice and guidance on well-being; and driving a vehicle only for children or work for 'specified places' with opportunity for contact. Specified places can include schools, childcare premises. **Regular** contact is generally defined as "carried out by the same person frequently (once a week or more often) or on 4 or more days in a 30 day period, or overnight". Full guidance on these definitions is available from the Disclosure & Barring Service (see Related Documentation)

Regulated activity relating to adults: includes provision of healthcare, personal care, and/or social work, assistance with general household matters and/or in the conduct of the adult's own affairs; and/or an adult who is conveyed to, from, or between places, where they receive healthcare, relevant personal care or social work because of their age, illness or disability.

The generic term of '**regulated activity**' will be used in this policy as shorthand for regulated

activity relating to children and / or regulated activity relating to adults.

Further sources of guidance on 'regulated activity' is listed in Related Documentation.

2.3 This policy does not cover the following subjects / policy areas

- Employee vetting requirements
- Safeguarding procedures for the University
- Protecting under 18s as Students arrangements.

See Related Documentation for more information on these Policies.

3.0 Policy Statements

General Principles

- 3.1 In order to comply with legislation the University requires appropriate vetting of all students whose work based and placement learning, study or voluntary work involves carrying out 'regulated activity' (see Definitions above).
- 3.2 Appropriate vetting includes;
- Identity check
 - Criminal Conviction Declaration - any Convictions, Cautions, Reprimands, Warnings and any current criminal investigations taking place
 - Countersignature of Disclosure and Barring Service (DBS) application
 - Satisfactory DBS clearance and barred list checks
 - Certificate of Good Conduct from relevant Embassy or Police Force for overseas students.
- 3.3 Failure to satisfactorily complete any of the above elements may result in withdrawal of offer or place, even if the student has already registered.
- 3.4 Schools and (if relevant) Professional Services Units will ensure that the programme / post / work is legally eligible for a criminal records check (the job description must prove the individual will be carrying out regulated activity to children and / or adults) via the DBS. (see Related Documentation).
- 3.5 The 'owning' School (or relevant Professional Services Unit) will:
- 3.5.1 notify the Student in a timely manner if (s)he is required to undergo appropriate vetting for her/his programme / post / work **and**;
- 3.5.2 notify the Student of the procedure to be followed (the vetting checks involved). Fees may also be payable. Further details should be requested from the 'owning' School (or relevant Professional Services Unit). The vetting procedure may be required before the programme begins **or** the semester before the work based and placement learning begins.
- 3.6 Each student must complete the DBS application her/himself. The University will not and cannot make a DBS application on the student's behalf.
- 3.7 The University has arranged for a third party umbrella organisation to provide the DBS interface and to countersign each DBS application.
- 3.8 The DBS send the disclosure certificate directly to the student. The University does not receive a copy of the disclosure certificate. However, the University should receive notification stating that a certificate has been issued to the applicant. This notification also states whether the certificate contains 'information', but not any detail of what conviction or intelligence data it may contain.
- 3.9 Where the Criminal Conviction Declaration, Certificate of Good Conduct (overseas Students) or DBS certificate contains information about previous convictions or there is a mismatch of information, the School Admissions Panel will consider each case individually. The Student may be

asked to bring their Enhanced Disclosure Certificate for the attention of the Admissions Panel. The Admissions Panel will decide whether the information will result in withdrawal of an offer, placement / work experience or cancellation of registration from the programme.

Admissions Panel

- 3.10 The School (or relevant Professional Services) Admissions Panel will meet as required during the admissions cycle and will include;
- Head of School / Director of Professional Service
 - Director of Admissions / Associate Director of Professional Service
 - School Operations Manager / staff member nominated by Director
 - Regulatory Body Education Manager / DBS Administrator.
- 3.11 The Admissions Panel will follow the relevant Professional Bodies 'Fitness to Practice / character information guidelines' and will apply the following criteria when considering entry onto programmes requiring DBS clearance:
- Nature and gravity of the offence(s)
 - Age at the time of the offence
 - Length of time since the offence
 - Number of offences
 - Any pattern of offences
 - The severity of the sentence
 - Relevant of offence to profession
 - Applicants response to offence and rehabilitation
 - Public trust
 - Rehabilitation of Offenders Act (1975) and related guidance
- 3.12 The applicant should contact the DBS immediately if s/he believes the information on the DBS certificate to be inaccurate and must also inform the Admissions Panel (via the Regulatory Body Education Manager (School of Health Sciences and School of Nursing, Midwifery, Social Work and Social Sciences students) / DBS Administrator (Student Life)). The onus remains with the Student to resolve the situation with the DBS.
- 3.13 The Admissions Panel members will handle all DBS certificate information confidentially and will comply with DBS Guidance (See Related Documentation).

Notification of Decision

- 3.14 The Admissions Panel will notify the applicant of the decision, in writing, within seven days of the meeting. Any seconded Students, from partnership organisations, will be encouraged to discuss the outcome of the DBS check with their employer.
- 3.15 If criminal proceedings have not yet been completed, the Admissions Panel can suspend an applicant's entry to the programme pending the outcome of the case.
- 3.16 The applicant has no right to present their views in person to the Panel (regardless of whether they have already commenced the programme). There is no right of appeal to the Admissions Panel.
- 3.17 If information from the DBS is outstanding an applicant may be admitted to the programme pending the outcome. The Student will be informed in writing that the offer of the place is conditional upon a satisfactory DBS clearance and that the place can only be confirmed if this is forthcoming. Such cases will be given priority consideration by the Admissions Panel once the DBS results are received.
- 3.18 If subsequently the DBS results are unsatisfactory for any reason, the Admissions Panel have

the right to withdraw the Student from the programme.

- 3.19 Students will not be allowed to commence placement until satisfactory DBS clearance is confirmed. In some cases this may cause a delay with progression through the programme and may also have a financial impact.
- 3.20 The Admissions Panel will not accept a Student onto one of its programmes if it has good reason to believe that on completion the Student would not be able to gain employment by reason of the criminal offences made known to them.

Offences committed during the programme

- 3.21 Students (whose role requires them to be vetted) are also required to complete an annual self- declaration at the beginning of each academic year or on return to study after an interruption.
- 3.22 If Students declare any changes to their criminal history or if a Student is arrested, cautioned or charged with an offence during their studies they must inform their Programme Leader immediately and the case will be referred to the Admissions Panel. A written statement must be submitted by the Student to the Admissions Panel. The Student will also be asked to make an appointment with the programme leader to complete a Declaration of Changes to Good Conduct Reflective Account.
- 3.23 Failure to declare an offence will automatically result in the Admissions Panel referring the case to a Fitness for Professional Practice Panel.
- 3.24 The University has a legal duty to refer individuals (whose role involves regulated activity relating to children and / or adults) to the DBS:
- a. who have been removed from their regulated activity role (or would have been removed if they had not left, resigned, retired or been made redundant);
 - b. who have engaged in 'relevant conduct';
 - c. whose activity satisfies the 'harm test';
 - d. who have received a caution or conviction for a 'relevant offence'.

The Chair of the Admissions Panel should consult the Safeguarding Policy for further guidance (See Related Documentation).

4.0 What happens when the policy is not followed

Failure by Students to comply with this policy in terms of completing appropriate vetting will be treated seriously and may lead to withdrawal of offer / place / registration.

Failure to correctly oversee the appropriate vetting of Students in accordance with this Policy may be investigated and dealt with in accordance with the Staff Disciplinary Policy.

In line with the Safeguarding Policy, individuals must report suspicions / allegations of abuse or harm against children or vulnerable adults as soon as possible to a University Designated Safeguarding Officer (DSO). A list of the DSO's is included in the Safeguarding Policy. Where this is not possible and the risk of harm is immediate or substantial, concerns must be reported directly to the Social Services and / or Police.

5.0 Related Documentation

Policies:

Policies listed below are directly relevant to this Student Vetting Policy and can be found on the University Policies & Procedures pages:

<http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures>

- Safeguarding Policy
- Fitness to Practice Procedure
- Work Based and Placement Learning Policy

- Admission and Retention Policy
- Programme Design, Approval, Amendment, Review and Withdrawal
- Code of Practice for the Conduct of Postgraduate Research Degrees
- Collaborative Provision Procedures

Guidance:

- Disclosure and Barring Service
<https://www.gov.uk/government/organisations/disclosure-and-barring-service>
- DBS Guidance on Handling Disclosure Certificates (as specified in the Safeguarding Policy V2.0)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143669/handling-dbs-cert.pdf
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143662/cop.pdf

6.0 Appendices

Appendix A: Criminal Records Disclosure Process for Students

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