
Criminal Convictions Policy and Procedure

The Open University Validated Programmes

1. Ada must balance its responsibilities to provide a safe and secure environment for its staff, students and visitors with its responsibilities towards the individual. As such, prior to being admitted to Ada, applicants must declare, subject to the Rehabilitation of Offenders Act 1974, any relevant criminal convictions to Ada.

Current students must also declare any relevant criminal convictions to Ada as soon as they are obtained. Information on what is meant by 'spent', 'unspent' and 'conviction' can be found in the UK Government's [Guide to the Rehabilitation of Offenders Act](#)

2. Ada considers the following offences to be relevant.
 - Any kind of violence against the person including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
 - Offences listed in the Sex Offences Act 2003.
 - The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking.
 - Offences involving firearms.
 - Offences involving arson.
 - Offences listed in the Terrorism Act 2006.
 - Offences involving use of a computer to gain unauthorised information/data.
3. Warnings, penalty notices for disorder (PNDs), anti-social behaviour orders (ASBOs) or violent offender orders (VOOs) are not classed as convictions for the purpose of this policy, unless a PND has been contested or the terms of an ASBO breached and this has resulted in a relevant criminal conviction.
4. If an applicant or student requires advice on Ada's Criminal Conviction Policy they should contact the Admissions Office, apprenticeship@ada.ac.uk
5. All candidates undertaking the Ada's programmes may potentially come into unsupervised contact with "vulnerable adults" and must then declare, at the point of application, any spent or unspent convictions or punishments that would appear on a criminal records check, regardless of whether Ada classifies them as relevant.
6. Current students should declare a criminal conviction as soon as it has been obtained.

7. Whenever a conviction is declared, the individual will be contacted in writing and asked to provide full details of the offence, conviction and sentence. Where appropriate they can also give permission to contact a third party, such as a probation officer or social worker who can provide further information. All information provided will be treated with confidentiality and only used to assess risk to the individual, other students, staff or visitors of Ada.
8. Once information has been obtained from the candidate an Assessment Panel will be convened to consider the case.
9. The Assessment Panel will conduct a risk assessment and consider actions that could practicably be taken to mitigate any identified risks without detriment to the individual's ability to pursue their chosen programme of study. They will then either:
 - a) Confirm the admission/continual registration of the student. Such confirmation may impose conditions aimed at mitigating any identified risk.
 - b) Recommend that the student not be admitted to Ada or, if a current student, their registration be terminated. In such cases, an applicant's offer of admission will be withdrawn.
10. Should an applicant not declare a conviction during the admissions process that comes to light prior to, or following, enrolment then an offer of admission may be withdrawn, or a student's registration may be terminated.
11. Should the Panel recommend at any stage that an individual not be admitted to Ada, or an enrolled student's registration is terminated, they have the right of appeal.
12. Candidate's employer may undertake a DBS Enhanced Disclosure certificate during the recruitment of the student. The enhanced disclosure certificate is sought from the Disclosure and Barring Service (DBS), the Government agency established to provide employers and others with information about any criminal convictions that an individual might possess. The employer is expected to share the outcome of the DBS check with Ada.

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