

Criminal Convictions Policy for Undergraduate and Postgraduate Admissions

Newcastle University is committed to equality of opportunity and seeks to ensure that applicants are considered fairly, regardless of background or personal circumstances. The declaration of a criminal conviction will not result in an applicant being excluded from consideration.

The University also has a responsibility to safeguard the welfare of its students, staff, and the wider University community. All applicants who accept an offer of a place at the University are required to disclose any relevant, unspent criminal convictions. This requirement is communicated in the standard offer letter issued by the Admissions Office. Applicants may also choose to disclose earlier in the application process to enable timely completion of the risk assessment. Early disclosure will not disadvantage an applicant, and no applicant will be automatically excluded from consideration solely on the basis of a disclosed conviction.

For courses requiring an enhanced DBS check, applicants must disclose all spent and unspent convictions as part of this process.

Applicants are required to provide complete and accurate information. Failure to disclose relevant convictions, or deliberate misrepresentation, may result in the rejection of an application, withdrawal of an offer, or exclusion from the University. Offers of admission are conditional upon compliance with this policy.

All information relating to criminal convictions will be handled confidentially. Where it is necessary to share information with additional staff beyond those directly involved in this procedure, the applicant will be informed.

Applicants may also access independent advice and guidance from the following organisations:

- Nacro – a charity providing support with resettlement and rehabilitation following criminal convictions
- Unlock – a charity offering trusted information, advice, and advocacy for people with criminal convictions

1. Courses leading to professions and occupations which are exempt from the Rehabilitation of Offenders Act (1974)

Certain courses leading to professional occupations which involve working with children or vulnerable adults are exempt from the Rehabilitation of Offenders Act 1974. Individual course entry requirements for undergraduate and postgraduate programmes inform applicants if they will be required to complete a Disclosure and Barring Service (DBS) check.

For these courses, the failure to disclose any warnings, reprimands, cautions and criminal convictions may have serious consequences including the withdrawal of an offer of a place and the termination of studies. Applicants/students are reminded that it is their duty to disclose all information in relation to these matters at the earliest opportunity.

2. Applicants currently on licence or under probation conditions

For programmes that do not require a DBS check, applicants are required to declare any 'relevant' unspent criminal convictions at the point of accepting an offer.

3. What are relevant convictions?

The convictions we consider to be relevant are listed below and defined in the [Rehabilitation of Offenders Act 1974](#).

- Offences listed in the Sex Offences Act 2003
- Offences listed in the Terrorism Act 2006
- Offences involving firearms or arson
- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm, or offences that resulted in actual bodily harm
- The unlawful supply of controlled drugs or substances, where the conviction concerns commercial drug dealing or trafficking
- Custodial sentences of more than four years. Custodial sentences of more than four years can never become spent and therefore will need to be declared.

The unspent criminal convictions list also applies to criminal convictions received outside of the UK.

You need to inform us of any legal restrictions placed on you as a result of a criminal conviction that could affect your ability to complete your course. For example, if you have restrictions on your use of the internet. This is particularly relevant when considering applying for a place in student accommodation. Where possible the University will undertake to make reasonable adjustments and will suggest alternative programmes of study where available if the applicant's licence conditions make their first choice of course impractical.

Spent convictions are not relevant, and you don't need to declare them.

4. Where the University requires registered students to agree to submit to criminal record checks by the Disclosure and Barring Service (DBS) prior to working with children and vulnerable adults:

Students may be required to complete a DBS check **before working with children and vulnerable adults**, alone and unsupervised, for significant periods of time as a non-compulsory part of the programme of study. For example during placements, or as part of a research project or an optional module

Where a conviction, warning or reprimand is declared the procedure below will be followed.

If it is agreed that an applicant is unable to follow the particular element of study coming under this policy, the student will be advised of the alternative study options available.

5. Where Disclosure and Barring Service checks are not a requirement of the course of study but are a requirement when a student seeks to join a professional body during or at the end of their degree.

Applicants will need to be aware that any previous criminal conviction may impact upon joining a professional body during or at the end of their degree. Whilst this may not prevent a student undertaking a course, an applicant should seek advice about whether they will be able to progress to their chosen profession.

6. Procedure followed where an applicant declares a criminal conviction

All disclosures are initially reviewed by the Head of Admissions (or nominee) to determine whether the conviction is both relevant and unspent, in accordance with the Rehabilitation of Offenders Act 1974. Convictions that do not meet these criteria will not be considered further. Where relevant and unspent convictions are identified, the University may seek additional information from the applicant and other appropriate sources, such as probation services.

Any convictions that are determined to be relevant and unspent are referred to the University Criminal Convictions Panel, which is responsible for assessing any potential risk to the University community and determining whether the applicant can be admitted and/or accommodated.

The Panel typically comprises:

Director of Recruitment and Admissions

Senior academic member of staff

Academic Registrar

Student Services representative
Accommodation representative

The Head of Admissions (or nominee) will attend to support the process and record proceedings.

The Criminal Convictions Panel will consider all relevant information, including factors set out in this Policy and associated risk assessment frameworks. The Panel may also request further information where necessary, including details about the applicant's chosen course of study, to assess any specific risks.

Following its assessment, the Panel may decide that:

- the risk is acceptable and no further action is required, allowing the standard admissions process to continue;
- the risk can be managed through mitigating actions, in which case additional non-academic conditions may be attached to the offer (such as restrictions on accommodation, facilities, or study arrangements), and the applicant may choose whether to accept the revised offer; or;
- decide that the applicant should not be made an offer for the course applied for because of professional constraints but may be considered for other courses at the institution or;
- the risk to the University community is not acceptable and cannot be mitigated, in which case the University may withdraw the offer of a place or terminate the student contract, where appropriate and proportionate.

The Panel may request further information and/or interview the applicant if it is felt appropriate to inform the final decision.

The Panel will inform the Admissions Officer in writing of the decision and reason(s) for the decision. The notification shall be kept securely by the Admissions Officer, for one year after the end of the current academic year in the case of an unsuccessful application and for six years after the end of the student relationship with the University in the case of successful applications. The Admissions Officer will put a note on the applicant's record to state where documents relating to the disclosure are being kept.

The Admissions Officer shall inform the relevant admissions selector and Head of School of the outcome. If the applicant is to be made an offer, the Head of School will be asked to decide whether anyone else within the School needs to be informed about the conviction. The University Wellbeing Team will also be informed to provide support to the applicant if required, and any other University service where this is considered to be necessary to support the applicant and the University. The Admissions Officer will let the applicant know who else is to be informed.

The Head of Admissions will notify applicants in writing of the outcome of any Criminal Convictions Panel decision.

Admissions staff must comply with decisions made under this policy, regardless of academic judgment.

Applicants have the right to appeal in accordance with the University's appeals procedures.

7. Appeal process

An appeal against the decision of a Panel may be made only on the following grounds:

- That the decision was perverse in that no reasonable person could have reached it on the available evidence or;
- there is material new evidence which, for valid reasons, was not available at the time the Panel made its decision and which would have significantly affected the outcome or;
- procedural irregularity under Paragraph 16 or;
- bias or prejudice on the part of the Panel.

Appeals shall be made in writing to the Admissions Officer within fifteen working days of the date of the letter informing the applicant of the decision.

The Admissions Officer shall present the appeal to the Disciplinary Convenor who may dismiss an appeal which does not provide a prima facie case under the specified grounds. If the Disciplinary Convenor decides that there is a prima facie case, the appeal shall be considered by a Disciplinary Panel member, appointed by the Convenor in accordance with the Student Disciplinary Procedures.

The Disciplinary Panel member may, in determining the appeal, confirm, vary or quash the original decision. On any variation, the same range of options available to the Panel (see 16(d) above) will be available to the Disciplinary Panel member.

Where the Disciplinary Convenor dismisses an appeal or the nominated Disciplinary Panel member confirms the decision appealed against, there shall be no further appeal within the University. Where the Disciplinary Panel member quashes the original decision, the application shall be processed in the normal way.

The Admissions Officer shall inform the applicant, the relevant Head of School and the relevant admissions selector of the outcome of a successful appeal.

8. Information Supplied by a Third Party

If the University receives information that an applicant to a relevant course has warnings, reprimands, cautions and/or criminal convictions which the applicant has not declared, the information will be investigated.

If the information is found to be incorrect, no further action will be taken.

If the information is found to be correct, the applicant will be asked to explain why the conviction was not declared.

If the omission of a declaration is considered by the Admissions Officer to have been a genuine error, the application will be dealt with in the usual way under this procedure.

If the Admissions Officer believes that the applicant deliberately sought to mislead the University, the application will be rejected as fraudulent and UCAS will be informed if the application came through that route.

9. Queries about this Policy

Any queries about the policy and procedures set out in this document should be directed to:

Undergraduate – ug-admissions@newcastle.ac.uk

Postgraduate – pgadmissions@newcastle.ac.uk

Document control:

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Related Policies:	Admissions Policy Under 18s Policy and Procedure MBBS Admissions Policy School of Dental Sciences Admissions Policy Contextual Admissions Deposit Refund Policy English Language Policy
Related Procedure and Guidance:	Criminal Convictions Declaration Process Under 18 Process Admissions Appeals and Complaints Procedure Good Practice Applicant Feedback Procedure Admissions Fraud Procedure: detection, reporting and response process
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