

APPENDIX 2 Criminal Record Consideration Criteria**Consideration criteria for criminal records**

1. The following consideration criteria apply to the consideration of criminal records of applicants and students. (See policy for definition of 'applicant' and 'student'.)
2. In the consideration of a criminal conviction, any or all of the following criteria may be taken into consideration by the Convictions Consideration Panel (CCP) under the Criminal Record Assessment Procedure (see Appendix 1):
 - The nature and circumstances of the offence or alleged criminal activity
 - the date of the commission of the offence or alleged criminal activity
 - any penalty imposed
 - whether the criminal or alleged criminal activity was a one-off incident or repeated
 - Whether the offence(s) demonstrates a pattern of behaviour that appears recurrent and ongoing
 - the age of the individual at the relevant time
 - the circumstances of the individual at the time of the offence
 - the individual's current circumstances
 - whether the individual has engaged in any subsequent offending or alleged criminal activity and (if so) of what nature
 - whether there is a likelihood of repeat offending
 - What evidence the applicant produces to support the view that the applicant is unlikely to re-offend.
 - the particular environment(s) that the individual would be placed in if s/he were to take up a place on a course of higher education in the School (e.g. whether s/he would undertake placements)
 - Whether the criminal conviction is deemed 'relevant' in accordance with the terms of this policy (see '**What is a relevant criminal conviction?**' in the Criminal Records Policy)
 - The seriousness of any offence(s)
 - The number of any offences
 - Whether the offence(s) involve violence, threats of violence, or related types of behaviour which would give serious cause for concern (eg harassment)
 - Whether there are any particular or unique circumstances surrounding the offence(s)
3. In the course of considering and determining cases, the CCP will (as relevant and appropriate in the circumstances of each case) seek to identify whether any risks arise to the individual applicant/student or any members of the School community (for example, in respect of their health, safety or welfare) or to the discharge of the School and Conservatoire's functions and/or to its reputation. Where any such risks are identified, the School will consider what steps it may reasonably put in place to manage those risks in practice.
4. In assessing individual cases, where the CCP deems it necessary, the School may seek to involve (as is relevant and appropriate in the circumstances) third parties such as probation officers, medical practitioners, professional bodies and character referees. Applicants may also be asked to provide a character reference.

Risk Assessment

5. Taking into account each Conservatoire Member School's duty of care towards its community, the standard that will apply is whether, in relation to unspent convictions or pending charges/investigations, the criminal record of an applicant or student gives reasonable grounds for considering that the admission or continued attendance of the individual will be compatible with registration or the continuation of registration, and that it would not:
 - present an unacceptable risk to the safety or property of staff and students
 - present an unacceptable risk to the safety or property of others coming into contact with the applicant or student during the course of their studies
 - contravene the government legislation and regulations relevant to programmes which involve working with children or vulnerable adults.

Enhanced DBS checks

6. The standard that will apply will be relevant to the regulated activity for which an enhanced DBS check has been undertaken. This means that where a criminal record disclosed in the results of an enhanced DBS check might not prevent an applicant from registering as a student, or a registered student from continuing on the programme of study, it may preclude an individual from undertaking the regulated activity.
7. In all such considerations of criminal convictions, each Conservatoire School shall take into account its safeguarding or equivalent policy.