

SCHOOL OF HEALTH AND SOCIAL SCIENCES

DISCLOSURE OF CRIMINAL RECORD A Guide for Nursing and Midwifery applicants and students

Why do I have to disclose any criminal record?

It is a legal requirement for anyone who intends to or is working with children or vulnerable adults to disclose their criminal record, and to be subject to an enhanced Criminal Records Bureau (CRB) check. If you fail to disclose a criminal record that is later reported by the CRB this will be considered a breach of University regulations and will be dealt with under the Disciplinary procedure, and is likely to result in your offer of a place being withdrawn.

Will having a criminal record prevent me from becoming a nurse or midwife?

Not necessarily, each case is considered on an individual basis. You will be given an opportunity at your selection interview to discuss this with your interviewers.

What do I have to disclose?

You must disclose any convictions, cautions, warnings or occasions when you have been bound-over. Sometimes police may have urged those arrested to take a caution or warning and advised that after some years this will not appear on any record. This is normally true, but not for those wishing to enter some professions, including nursing and midwifery. If in doubt - disclose. Any history at all will be apparent when your criminal bureau check is received by the university. You should also disclose whether you are currently being investigated by the police and/or social services even though this may not yet have resulted in a criminal record.

I received a caution for shoplifting when I was 14 (10 years ago) and was told that it is now considered as spent so do I need to disclose this?

Nursing and midwifery are professions that are exempt from (ie are required not to abide by) the Rehabilitation of Offenders Act (1975) and therefore you **MUST** declare any convictions, cautions, warnings or occasions when you have been bound-over no matter how long ago they occurred and whether they were in this country or any other. We consider each case individually, and in this case the failure to disclose would be considered as more serious than the disclosure of a single minor offence committed as a minor 10 years previously.

I'm not sure if I was given a warning or caution – what should I do?

Ignorance or uncertainty will not be accepted as excuses for non-disclosure. If you do not remember you should give details of any occasions when you are unsure of the outcome of any interaction with the police so that when your CRB report is received there will be a record of you having made your best attempt to disclose.

What happens to my CRB report?

When we receive a copy of your CRB report we will check it against your disclosure, and should there be any discrepancies you will be required to attend a disciplinary meeting at which this will be considered. You will also receive a copy of your CRB report, and you will need to keep this safely as you will be required to present this when you attend every placement. If you do not have your CRB report copy you will not be allowed to start your placement. ***We strongly recommend that you make a photocopy of your CRB report in case the original is lost or damaged – we are not able to provide you with a copy.***

What if I get a conviction, caution, warning, or am bound-over once I have started the programme?

You must inform your Professional Development Tutor or Programme Leader immediately, and they will advise you how to proceed. You should also be aware that, if the police or social services are in any way concerned about your conduct they are required to contact us directly. If you fail to disclose a criminal record that is acquired during your programme it will be considered a breach of University regulations and will be dealt with under the Disciplinary procedure. Failure to disclose is considered a very serious offence, and if you fail to disclose whilst on the programme, and this is revealed when you apply for a job, this will be reported to the NMC for disciplinary action. At the end of both the first year and the second year you are required to make a signed declaration affirming that you remain of good health and character and free from any further criminal record.

Dr Kay Caldwell – Head of Institute of Nursing and Midwifery (Revised – January 2009)