Policy for Medical Students

Enhanced Disclosure and Barring Service Check

1. Introduction

The Medical School requires that medical students’ behaviour justifies the trust that patients and the public place in the medical profession. A condition of acceptance and continuation on the course is that all incoming and continuing students must have completed an enhanced criminal record disclosure at the beginning of their course and again during their clinical years. In addition, while on the course, all students must re-register each year. During registration students are asked if there are any criminal convictions or cautions, pending or received, since their last registration. If a new conviction has occurred or is pending, the Medical School must be informed immediately.

Disclosures, whether standard or enhanced, contain information which is held by government and police departments. This information is accessed by the Disclosure and Barring Service (DBS) who provides the disclosures. An enhanced disclosure will contain the following details:

a. All current and ‘spent’ convictions, includes cautions, reprimands and final warnings;

b. Additional information which may be contained on local police records.

c. Any bans from working with children or vulnerable adults recorded on Department for Children Schools and Families (DCSF) and Department of Health (DH) lists.

The Medical School reserves the right to decline an applicant where their record is deemed inappropriate for admittance onto the medical programmes.
2. **Applying for Medicine**

When making an application through UCAS, all applicants are required to provide information on criminal convictions. Applicants must also inform the Admissions Officer, giving full details of any prior criminal charges or convictions which could include, but are not limited to:

- Anti-social behaviour order (ASBO);
- Bind-over orders;
- Cautions – formal warnings given by police officers after an offence has been committed;
- Criminal Behaviour orders;
- Fixed penalty notices;
- Final warnings – a second formal warning about future conduct
- Penalty notices for disorder (PND);
- Reprimands – this has replaced the caution for people under the age of 18 years;
- ‘Spent’ convictions;
- Violent offender order (VOO).

The Medical School reserves the right to request further information on any spent or unspent convictions.

All applications are considered in the normal way (see Admissions Policy Appendix 1) regardless of whether or not any of the above has been declared.

When making a conditional or unconditional offer, applicants will be advised that the offer is subject to a satisfactory police and health check.

Upon acceptance of a conditional or unconditional offer, made by the Medical School, applicants will be required to complete a Disclosure and Barring Service Application form for an enhanced disclosure to be carried out. The cost of this application is £44.00 (2012 fee charge) and will appear on the Student’s Portal for payment by the student.

Having received the completed application form, the Medical School will send the DBS Application form to the Disclosure and Barring Service.

Two copies of the Disclosure are provided by the Disclosure and Barring Service; one copy to the applicant, the second copy to the Medical School.

All positive disclosures (i.e. showing a criminal offence) will be considered by a panel consisting of the Director of Medical Education and the Admissions Sub-Dean or their nominees

- The panel will review the disclosure and the applicant will be required to provide a detailed statement;
- The applicant may be required to attend a meeting with the Director of Medical Education and the Admissions Sub-Dean or their nominees to discuss the disclosure further;
- The applicant may be required to provide information from third parties to seek further views;
• Specialist advice may also be sought by the panel.

The panel will reach a decision based on whether:

• the criminal record or other matter revealed is relevant to the programme on offer (including any secondments or placements);
• the offence was premeditated or involved violence or threats of violence;
• the circumstances surrounding the offences were unique;
• the student’s circumstances have now changed;
• the applicant has adequately taken responsibility for his/her actions and shown remorse;
• the evidence produced by the applicant supports the unlikelihood of him/her offending again;
• the offence occurred recently.

The panel will also consider:

• the seriousness, frequency and pattern of any offences;
• The implications of any lack of appropriate judgement on their future medical career.

The panel will make one of the following decisions:

• Allow the applicant to join the medical course. The applicant will receive written notification advising of the possible repercussions should the standard of behaviour expected of medical students be breached by any further incidents (specifically a referral to the Fitness to Practise committee), or
• The applicant’s admission to the BMBS medical programme will be rejected.

The applicant will receive the decision in writing.

Appeals should be made in writing within 21 days to the Secretary of the Faculty of Medicine and Health Sciences. Appeals will be considered by a panel comprised of three members of the Medical School Admissions Committee. An appeal will only be considered if:

• New evidence is presented which may have an impact on the applicant’s case;
• Procedures were not followed correctly.

3. Current Students

Existing students are required to re-register at the beginning of each year. During this process, students are required to make known any new convictions, received or pending and required to provide full details to the Medical School.

Existing students will be required to complete a new enhanced Disclosure and Barring application during their clinical years when on placement in NHS Hospitals.

Where a new criminal conviction has occurred, students may be required to complete a new enhanced Disclosure and Barring application form.

The Director of Medical Education will review the nature of the offence and make one of the following decisions:
- No further action required;
- A formal warning is given to the student by the Director of Medical Education. The student will be advised that any further incidents may result in a fitness to practise investigation.
- The Director of Medical Education or their nominee will meet the student to give a final warning and be advised that any further incidents may result in a fitness to practise investigation.
- The student may also be required to undergo a formal treatment programme i.e. counselling, anger management, alcohol abuse etc.

The Fitness to Practise panel would consider the nature of the offence and determine whether the student will be required to suspend their studies. A decision will be made by the Dean of the Faculty of Medicine and Health Sciences.

**Failure to disclose full information concerning any criminal matters could lead to the withdrawal of an offer to study medicine at Nottingham, or discontinuation of your studies if a current medical student.**
Appendix 1

Handling of DBS Certificate Information

General Principles
As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of medical students, The University of Nottingham Medical School complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information.

Storage and Access
Certificate information will be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling
In accordance with Section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates and certificate information has been revealed.

Usage
Certificate information is only used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

Retention
Once a decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any issues. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout the time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal
Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. Whilst awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.