

Relevant Offence Risk Assessment Policy



Policy owner UCD Registry – Admissions **Approval date and body** AC 5 August 2020

1 Purpose

University College Dublin (the “University”) actively promotes equality, diversity and inclusion (EDI) and is keen to encourage a student population with a wide range of talents, backgrounds and experiences. Having a criminal conviction or pending prosecution (an “Offence”) will not necessarily prevent an applicant from gaining admission to the University or prevent a student from progressing within their program.

However, in order to balance the interests of the applicant / student with the University’s reputation and responsibilities to provide a safe and secure environment for its staff, students, visitors and others, the University reserves the right to carry out a risk assessment on any current or prospective student with respect to an Offence. For the avoidance of doubt, references to “Offence” and “Relevant Offence” in this policy include both convictions and pending prosecutions.

2 Scope

This policy relates to applicants and registered students of all University modules and programmes. A relevant offence (“Relevant Offence”) as referenced in this policy includes Offences in Ireland or abroad, and include:

- a. crimes against the person of a violent or sexual nature; or
- b. offences involving the unlawful supply of controlled drugs or substances, where the offence concerns commercial drug dealing or trafficking; or
- c. any offence involving firearms, arson, terrorism, cybercrime; or
- d. any other offence that the University deems relevant.

3 Principles

3.1 Risk Assessment

Where an applicant or student has declared or disclosed a Relevant Offence to the University, the individuals’ disclosure will be considered initially by the Dean of Students and the Director of Admissions who may consult with others as needed. The offence will subsequently be categorised as ‘No Risk Assessment required’ or ‘Risk Assessment required’. As part of this initial review, the student may be requested to submit a student vetting application to UCD.

In the case where a risk assessment is deemed to be required, it will be referred to the “Risk Assessment Standing Committee” (the “Standing Committee”).

The Standing Committee will consider all matters referred on an anonymised basis.

The Membership of the Standing Committee¹ is:

- Dean of Graduate Studies and/or Dean of Undergraduate Studies
- Dean of Students
- Director of Admissions
- Academic representative (of programme applied for)
- UCD Legal
- UCD Student Advisers' representative

As part of this committee review, consideration will be given to any or all of the following:

- whether the 'Relevant Offence' or other matter revealed is relevant to the programme on offer (including any secondments or placements);
- the seriousness of any offence(s);
- the number of any offence(s);
- the time elapsed since the offence(s);
- whether the offence(s) shows a pattern of behaviour that seems to be recurrent and ongoing;
- whether the offence(s) involves violence or threats of violence;
- whether the circumstances surrounding the offence(s) are a threat to the safety of students, staff, visitors and others;
- whether the applicant or student's circumstances have now changed; and
- evidence provided to support the view that the applicant or student is unlikely to offend again.

The risk assessment shall uphold the University's strategic commitment to EDI, to ensure that it will not negatively impact an individual as a result of their membership of a group, represented under UCD's equality grounds.

Having regard to the Relevant Offence, the Standing Committee may consult with UCD Units (e.g. Estates Services, Student Services, SIRC unit²), and or external experts in carrying out the risk assessment.

The Standing Committee may consider any representations made by or on behalf of the applicant or student and may make inquiries as it sees fit to third parties.

3.2 University Response to Relevant Offence

Based on the risk assessment, the Standing Committee can decide that:

- no further action is required; or
- an offer of a place to an applicant or approval to remain as a registered student will be subject to certain conditions; or
- an application for admission is rejected or that a student's registration is discontinued.

Depending on the nature of any conditions being considered, it may be necessary for the Standing Committee to consult with other University staff members including the Head of School/Unit to which any proposed condition relates. The Standing Committee may also consult with other UCD Units (e.g. Estates Services, Student Services, SIRC unit), and or external experts in setting any conditions attached to an offer of a place or to the registration status of a student

The Standing Committee shall notify the applicant / student of the outcome of its deliberations as soon as practicable. Such notification shall be in writing.

¹ other members may be co-opted to the Committee if appropriate for a particular case

² SIRC Safety, Insurance, Operational Risk and Compliance

3.3 Appeal

An appeal may be made to the University's Student Appeals Committee within 10 working days from the date of issue of the decision of a Risk Assessment Standing Committee. Details of the appeal process can be found in the [Student Appeals Procedure](#).

Appeals may be made on the following grounds.

- New evidence: Information directly relevant to the decision, which for good reason was not available to the Risk Assessment Standing Committee.
- Procedural irregularity: There is evidence that the procedures relating to a decision were not followed properly, which may have impacted on the Risk Assessment Standing Committee's decision.

The Student Appeals Committee may:

- Uphold the Appeal
- Reject the Appeal

4 Roles and Responsibilities

All applicants and students of the University are required to disclose any Relevant Offence. The University requests that all information on Relevant Offences should be provided in line with the [Risk Assessment Procedures](#).

To facilitate a timely risk assessment, applicants and students must submit the relevant information as soon as is feasible.

It is the responsibility of the University to ensure that this information will be only used for the purposes of risk assessment for the safety of staff, students, visitors and others. Any information received will be treated confidentially and in line with UCD's Data Privacy Statement.

In order to assist with the risk assessment, the University may require the applicant or student to provide information from other third parties who may have further information or perspective on the matter. These parties may include persons such as a relevant probation officer, the Gardaí, prison or court officials, and others who are professionally or personally involved in the rehabilitation/personal life of the applicant/student.

If the University becomes aware of information relating to a Relevant Offence that is not disclosed or is given in incomplete form by an applicant or registered student, the University reserves the right to carry out a risk assessment in accordance with this policy.

5 Related Documents

- [Risk Assessment Procedures](#)
- [Admissions Policy](#)
- [Student \(Garda\) Vetting Policy](#)
- [Student Appeals Procedure](#)