

The Council

Thursday 6 November 2014

8:15pm

Title	Policy Motion: Students with Convictions
Author	John Lindner
Purpose	For consideration and approval. There will be a formal debate on the motion, before it is summed up and a vote taken. A simple majority is required to approve this text as a Policy, which will then be implemented by the Executive or appropriate sub-committee for Education.
URC	14110618

Policy Heading: Education (Requirement to Declare Unspent Convictions)

Title: Students with Convictions

Proposed by: John Lindner

Seconded by: Requires a second

Council believes:

1. People with criminal convictions are predominantly from poorer, disabled and lgbt communities and backgrounds.
2. People from Black and minority Ethnic backgrounds are more likely to be sent to prison for longer sentences which are less likely to ever be spent.
3. The College has indicated this new policy is to mitigate risk to the College community of students, academics, staff and visitors.
4. Screening for convictions – spent or unspent – would not have prevent the Jimmy Saville situation, or many other horrendous situations exposed in the last decade or two.

Council further believes

1. That Birkbeck was funded on principles of making university qualifications available to everyone

2. This 'policy' was introduced without consultation and without going through the proper committees (i.e. Teaching committees, Widening Participation committee, Disability and Equalities committees, student and staff unions etc.).
3. If the policy is indeed designed to address risk, it is based on a misunderstanding of the relationship between criminal records and risk of harm. The new policy may in fact be counter-productive if it gives the College a false sense of security, which then limits more effective harm prevention and reduction strategies from being developed across the College.
4. Screening of applications is unnecessary and inappropriate, except in cases where specific modules require students to come into contact with children or vulnerable adults as part of fulfilling the degree requirements of the programme, and in such cases, disclosure should be sought via the Disclosure and Barring Service (formerly the Criminal Records Bureau & Independent Safeguarding Authority).
5. The current policy does not reflect standard protocols as set out by the Disclosure and Barring Service for employment-based screening and may be in breach of privacy legislation.
6. The policy is not in keeping with the DNA of Birkbeck, and seems to be part of a trend to attack some of Birkbeck's principles of operation (e.g. 24 hour access).

Council resolves

1. To oppose this policy at every level within the college, and to mandate the Student Governors, the Academic Board representatives and representatives on every College committee, to speak to oppose this policy in its current form, including placing items on committee agendas to ensure the matter is raised.
2. To work with UCU to write a Motion to be taken to Academic Board, if in the views of the Executive Committee and UCU that this is an appropriate action
3. To help the college find a better policy to protect its students
4. To write to the College Master to express our concern at not being consulted on this policy drafting and creation, and seek assurance that all future policies affecting students (registration and enrolment) are brought to the SU for consultation
5. To take a motion based on this motion to the National Conference of NUS, and to work with other SUs and UCU to challenge the policy within UCAS.
6. To ensure that this campaign and policy opposition is kept cordial and acted upon sensitively, both for the College reputation, but also the welfare of all our students (especially those who may have convictions).