

UCL MEDICAL SCHOOL

Disclosure and Barring Service Checks

Information for Students

Reviewed: January 2018



Medical School Requirements

An enhanced Disclosure and Barring Service (DBS) check is required on entry to Medical School for all students who have been resident in the UK. International students are required to submit an equivalent police check from the relevant authorities in their home country as part of the admissions process.

Medical students must disclose to the School any subsequent convictions, cautions or fixed penalty notices (FPNs)* during the MBBS course and must declare criminal records to the GMC and their Foundation School during their final year.

The “Student Code of Conduct” signed on admission to the Medical School gives an undertaking to disclose “any matters relevant to fitness to practice on entry and for the duration of enrolment on the MBBS course”. Non-disclosure of criminal records is a fitness to practice issue under this code.

Students are required to take their DBS disclosure certificate to all clinical attachments as NHS Trusts may require them to present their certificate before allowing them to take up an attachment. Students who have offences on their record are advised to take advice from Medical Student Support prior to taking up clinical placements.

Medical School Processes

- As part of the admissions process, medical students who are taking up a place at UCLMS are required to submit a DBS application form and required documents in person to a DBS counter-signatory in the Medical School for checking and signature. The form is forwarded to the DBS by the counter-signatory. **The counter-signatories for students taking up a place are:**
 - Appointments are made for students entering Year 1 to see Medical School Admissions staff during Induction Week or the preceding summer. *Contact:* medicaladmissions@ucl.ac.uk
 - Appointments are made for students transferring into Year 4 to see a member of Medical Student Administration during the Introduction and Orientation Module. *Contact* s.woods@ucl.ac.uk
- This process must be completed by the end of the first term at UCL at the latest.
- Only the student will receive a certificate from the DBS. **The Medical School does not receive a copy but students will be required to show their original certificate as part of the admissions process and it is imperative that students retain their certificates carefully. Students may also be required to show their certificate later in the programme, for example when taking up District General Hospital placements and applying for electives in countries such as Australia and the USA.**
- Once students have joined the course, DBS queries should be directed to the Medical Student Support Team, who are responsible for managing and monitoring DBS records and renewals under the direction of the Divisional Tutor.
 - *Students whose elective provider requires a more recent check should email electiveapproval@ucl.ac.uk for advice*
 - *Students who lose their DBS certificate need to approach the DBS directly for a replacement, should check the DBS website for how to apply, and should be aware that they will need to meet the cost themselves*
 - *Students who lose their DBS certificate but just need their reference number may check this with medsch.student-support@ucl.ac.uk*

- The Divisional Tutor, who is responsible for monitoring Fitness to Practise, and the Medical Student Support Team, hold a list of students for whom positive disclosures have been received.

Medical School Policies

- **Cautions /Convictions/Fixed Penalty Notices including Penalty Notices for Disorder (PND)**
Students with any of the above are referred automatically to an Initial UCLMS Fitness to Practise Panel to decide whether the student should be referred to the full SLMS Fitness to Practise Panel. The Initial Fitness to Practise Panel is serviced by the Head of Medical Student Support and Records and conducted by 2 Academic Leads drawn from:

Director of UCL Medical School
MBBS Academic Leads
(or a delegate drawn from members of the Student Support Committee)

Where, after referral to Initial or full FtP proceedings, students are permitted to continue with the course, the UCLMS Initial FtP Panel will decide whether there is a requirement for the student to re-apply for enhanced disclosure on entry to Year 4 or 12 months after permission to continue with the programme is granted.

Students are advised that while there are no “spent” cautions or convictions with respect to Medicine and they are required to declare any offence to the GMC and any future employer, there are “protected” cautions and convictions which do not need to be declared to the GMC or future employers (see below).

Students with offences on their record are advised that they are less likely to secure electives in some countries, in particular, for example, the USA or Australia.

- **Offences against a third party**
Any student with an FPN and/or caution and/or conviction for an offence against a third party that may put a patient at risk is automatically referred to the UCL Medical School Fitness to Practise Panel.
- **Warning re subsequent offences**
If there is a subsequent offence, or if a student’s integrity is questioned again at any stage in the course, an automatic referral will be generated to the SLMS Fitness to Practise Panel.
- **Failure to declare convictions and/or cautions and/or FPNs**
If the School becomes aware that a student has failed to declare convictions and/or cautions and/or FPNs during the course, the student is referred automatically to the full SLMS Fitness to Practise Panel.

It is important for medical students to be aware that **any** criminal record (**including police cautions**) remain on their record and must be disclosed **throughout their working life**. For health professionals they do not ‘disappear’. Even if they have been deleted from records they should still be declared. Hence in cases where students are not at fault they should not accept a police caution as a ‘quick solution’. It has been suggested that the police themselves may not be aware of the differences in regulations for health care professionals and could give the wrong advice.

Disclosure to Educational Supervisors

The Medical School has an obligation to ensure that clinical placement providers and staff who are supervising MBBS students are aware of concerns relating to fitness to practise issues which might pose a risk to patient safety. In accordance with the Medical School’s Fitness to Practise Policy, and within the provisions of the Data Protection Act 1998, placement providers will be notified on a case-by-case basis and students will be informed of any such decision(s):

- i) At the discretion of the Divisional Tutor, potential fitness to practise issues will be disclosed immediately to the Module Lead or GP Tutor or DGH UG Tutor who is responsible for supervising a student’s current attachment.
- ii) The Initial Fitness to Practise Panel will determine, as part of their investigations and recommendations, whether and to whom fitness to practise issues will be disclosed.

- iii) All referrals to the SLMS Fitness to Practise Panel will be disclosed to Module Leads and/or GP Tutors and/or DGH UG Tutors responsible for supervising attachments, who will be informed that Fitness to Practise proceedings have been instigated.

GMC Registration and Transfer of Information to Foundations Schools

All students in their final year are asked to disclose criminal record information to the GMC as part of their application for provisional registration and are also required to participate in the national Transfer of Information Process (TOI) to Foundation Schools. This is a means both of supporting students as they move from Medical to Foundation School and also ensuring that information that relates to patient safety is available to a nominated person in each Trust (e.g. the clinical tutor). Hence it is appropriate to declare all ongoing significant health issues and repeated examination retakes. Students have ownership of the information they wish to disclose but are obligated to abide by GMC rules and provide information that may affect their ability to treat patients safely.

Students with positive DBS/FPN records are advised to discuss their GMC and TOI declarations with the Divisional Tutor or a Student Support Tutor to ensure that appropriate information is provided.

GMC guidance at March 2014 re “protected” cautions and convictions:

A **caution** will be “protected” and should not be disclosed to the GMC if:

- It was received when the applicant was under 18 and the caution is more than 2 years old
- OR
- It was received when the applicant was over 18 and the caution is more than 6 years old
- UNLESS
- It is for a listed offence such as violent/sexual offences

A **conviction** will be “protected” and should not be disclosed to the GMC if:

- It was received when the applicant was under 18 and the conviction is more than 5 years and 6 months old
- OR
- It was received when the applicant was over 18 and the conviction is more than 11 years old
- UNLESS
- It is for a listed offence such as violent/sexual offences
 - A custodial sentence was imposed
 - The applicant has other convictions (in which case all convictions must be disclosed)

A full list of offences that will never be filtered from a criminal record (ie not protected regardless of time) is published on the DBS website. Listed offences must always be declared.

** Fixed Penalty Notices, including the Penalty Notices for Disorder (PND) scheme, are a means of dealing with low-level, anti-social and nuisance offending, which does not require a court hearing. Fixed Penalty Notices for minor motoring offences such as parking and speeding need not be declared.*