

Version Number:	1.0
Subject:	ACT – CRIMINAL CONVICTION POLICY AND PROCESS
Author/Owner:	ACT Criminal Conviction Review committee
Approval Authority:	Provost
Effective from:	September 2024
Date for review:	September 2026

Criminal Conviction Policy and Process

The American College of Thessaloniki (ACT) recognizes its responsibility to protect all members of its community from harm and any form of unacceptable risks. ACT will make every effort to create and maintain a safe learning and working environment for all its students and staff.

Scope:

The Policy applies to all applicants of, and students on, an undergraduate or postgraduate programme.

Policy Objectives:

- To set out: the requirements of study at ACT in the case of a relevant unspent criminal conviction, the process for applying, considerations that ACT makes whilst determining whether to accept an enrolment, the assessment of current students who receive a relevant unspent criminal conviction during the course of their studies and the process by which that is determined.

Policy Implementation:

With respect to ACT's commitments and its obligation towards the safety of its students and staff, ACT will seek information on any relevant unspent criminal convictions at the enrolment stage.

Unspent Criminal Conviction Definition:

The outcome of a criminal prosecution that concludes in judgment that the defendant is guilty of the crime charged. Guidance on what constitutes a relevant unspent criminal conviction is available from the Art. 571 of the Greek Code of Criminal Procedure.

Relevant unspent convictions include, but are not limited to:

- Sexual related Offences;
- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm, or offences which resulted in actual bodily harm;
- Terrorism related offences;
- The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking;
- Offences involving firearms, weapons, crossbows, and knives;
- Offences involving arson;
- Fraud;

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- Offences of human trafficking, slavery, and forced labour;
- Offences related to any person under 18.

Assessment & Follow-up Committee:

An ACT Criminal Conviction Review committee (CCR) will be formed. The committee comprises of:

1. The Senior Academic Staff member of the respective programme (Chair)
2. The Head of Admissions Department
3. A Staff member of the Counselling Unit
4. The Legal Advisor (for consultation if necessary)

CCR duties and Functions:

To consider offering to the applicant a place on an ACT programme and/or to protect the ACT community from perceived risk.

When considering relevant unspent criminal conviction declarations, the committee will take into consideration the following factors:

- The nature of the offence(s).
- The time that has passed since the offence was committed.
- If more than one offence was committed, whether each was a separate offence, or part of a series of similar offences.
- The potential impact on students, staff and others other members of the community.
- Any additional information provided by the applicant, or a third party (police /court reports).

ACT will review the disclosure to ensure that:

- The applicant/student will be able to meet the requirements of the programme within any constraints imposed by the conviction.
- The offer of a place or the participation on a programme will not in any way compromise the safety and wellbeing of the ACT community.
- ACT can successfully support the applicant, or student within their programme.

General Principles:

- All applicants who accept an offer to study at the college are required to disclose to the college any relevant, unspent criminal convictions at the enrolment stage.
- The disclosure of any unspent, relevant criminal conviction will not necessarily exclude an applicant from studying on an ACT programme.
- Confidentiality will be maintained for all cases and information will only be disclosed to the committee members, or relevant staff.
- Information about a relevant unspent criminal conviction will be retained in the student record throughout the duration of study and until graduation.
- The purpose of assessing an applicant's relevant unspent criminal conviction(s) is to determine whether, based on evidence, an applicant/student poses an unacceptable risk to the safety of the community members and to recommend a course of action.



- Decisions regarding the entry or continued study of students with relevant unspent convictions, are taken with due consideration for the safeguarding and wellbeing of the applicant/student, and of the ACT community. In addition, the college's ability to fully support any applicant/student will be considered. ACT reserves the right to refuse entry to a programme if there is an identified immitigable risk to any group.
- In the event that an applicant/student fails to declare information as required, ACT reserves the right to withdraw an offer, or revoke the student status, as appropriate.

The committee will respond to the applicant within 10 days from the submission of the relevant unspent criminal conviction. The applicant will not be allowed to register as a student before the deliberation of the committee. Existing students will not be allowed to attend classes until the committee reaches a decision. The Committee has the right to call for an interview with any student/students if deemed necessary before making any recommendations.

The committee may:

- Recommend that conviction does not pose any threats to the safety of the community members and no further actions are required.
- Suggest means and methods for supporting the student including special arrangements and counselling sessions.
- Find that an applicant is unsuitable, and they are unable to offer them a place at the College.

Appeals

Applicants who have disclosed a relevant unspent criminal conviction do not have an automatic right to appeal against a decision as to whether or not they are offered a place on an ACT programme. The only exception to this involves a case of an administrative error. Applicants or students may request an administrative appeal as set out in ACT's Admissions Complaints and Appeals Policy.

Support for the Policy

Should any student need help with this policy whilst enrolling on an ACT programme, they are advised to contact the Admissions Department.

