NHAM INTERIM PROCEDURE

Applicant Criminal Convictions and Charges Panels

Status	Proposed administrative update of approved interim procedure; for approval
Version	0.3 for approval
Document owner	NHAM Director of Academic Quality and Standards
Effective date	On approval; prepared 5 November 2026
Review point	After the first completed case, through the Programme Steering Group

Delegated authority: NHAM will convene and operate the Panel under authority delegated by BIMM. The Panel determines the admission outcome. BIMM retains ownership of its policy, lead-provider oversight, responsibility for determining any appeal and responsibility for authorising or issuing any resulting offer.

1. Purpose

This procedure sets out how NHAM will obtain and review information about an applicant's relevant unspent criminal conviction or charge, convene a Criminal Convictions and Charges Panel, and record and implement the Panel's decision.

It is intended to ensure that decisions are fair, evidence-based, proportionate, confidential and auditable, while avoiding unnecessary delay for the applicant.

2. Scope and authority

This procedure applies to applicants to BIMM-awarded higher education provision delivered by NHAM where a relevant unspent criminal conviction or charge has been disclosed and a review is required under the current BIMM Applicant and Student Criminal Convictions and Charges Policy.

It is an interim partnership procedure developed following BIMM's confirmation that NHAM will convene panels in place of BIMM under delegated authority. It does not transfer ownership of BIMM policy or BIMM's regulatory accountability as lead provider to NHAM.

3. Operating principles

- Academic suitability will be determined separately from the criminal-convictions review.
- A disclosure will not automatically prevent admission.

- Only information that is relevant, necessary and proportionate will be requested or considered.
- Decisions will be based on current and evidenced risk, not moral judgement or the existence of a conviction alone.
- The applicant will be treated fairly, kept informed and given an opportunity to provide relevant evidence.
- Criminal-offence data will be handled confidentially and separately from routine admissions information.
- No Panel outcome or unconditional offer will be communicated until the Panel process has concluded and BIMM has confirmed that the delegated procedure has been followed.

4. Responsibilities

Role	Responsibility
NHAM Admissions Lead	Maintains the academic application; sends the approved applicant communications and BIMM disclosure form; records key case dates; does not place substantive criminal-offence information in the general admissions record.
NHAM Case Lead	Collates and presents the evidence; requests proportionate clarification; prepares a factual case summary without assessing risk or determining the outcome; presents the case without voting where the Case Lead also acts as procedural adviser.
NHAM Panel Chair	Chairs the Panel, confirms conflicts of interest, ensures the Panel collectively assesses risk and applies the relevant policy factors, and signs the Panel record.
NHAM Quality and Standards Adviser	Advises on procedural fairness, consistency, record keeping and compliance with the approved procedure.
NHAM Student Support/Wellbeing Representative	Advises where separate support or safeguarding recommendations may be relevant following the admission decision.
BIMM Head of Admissions or nominee	Observes the first Panel as a non-voting adviser; through the Partnerships Office, confirms before implementation that the delegated procedure has been followed; authorises or issues any resulting offer.
BIMM Director of Recruitment and Admissions or nominee	Determines any applicant appeal in accordance with the BIMM policy.
NHAM and BIMM data-protection leads	Maintain the agreed secure information-sharing arrangements and ensure that each organisation's processing is covered by the necessary lawful basis, DPA 2018 condition, privacy information, records and retention arrangements.

5. Procedure

5.1 Academic consideration

The applicant has met the academic admissions requirements. Academic suitability has been determined separately and without reference to the criminal-convictions disclosure.

No unconditional offer will be communicated until the Criminal Convictions and Charges process has concluded.

5.2 Initial communication and disclosure request

NHAM Admissions will write to the applicant to:

- confirm that the academic assessment has been completed positively;
- explain that the criminal-convictions review is a separate, confidential and case-by-case process;
- make clear that disclosure does not automatically prevent admission;
- provide the BIMM disclosure form and explain the information required;
- explain the possible outcomes, timescales and available support.

The applicant will normally be given ten working days from receipt of the secure request to respond. Any proposed action arising from non-response must be referred to BIMM Admissions and must not be treated as an automatic rejection.

Where the applicant has already provided relevant information, NHAM will request only information that is missing or requires clarification.

5.3 Secure collection and storage

The BIMM secure folder will be the primary route for receiving and holding the completed disclosure form and supporting evidence. NHAM staff who require access for the delegated process will use their named, authorised accounts.

If access to the BIMM secure folder is temporarily unavailable, NHAM may use a dedicated case folder within its managed Google Workspace for Education Shared Drive. The folder will be institutionally owned, set to Restricted, accessible only through named institutional accounts, protected by multi-factor authentication, and configured with general link-sharing disabled.

Where the applicant is given access to upload documents, that access will be limited to the dedicated case folder and removed once the documents have been received. Any files held temporarily by NHAM will be transferred to BIMM through an agreed secure route and not through ordinary email.

A restricted case tracker may record the applicant ID, key dates, case status, outcome and deletion date. It must not contain narrative details of the conviction or supporting evidence. Completed forms and evidence must not be stored in the general admissions record or exchanged through ordinary email.

Data-protection position: BIMM has confirmed that the secure-transfer arrangements have been discussed with its DPO. As the process involves Article 10 criminal-offence data, each organisation must ensure that its processing is covered by an Article 6 lawful basis, the applicable DPA 2018 Schedule 1 condition, appropriate privacy information, records of processing and agreed retention and deletion arrangements.

5.4 Evidence review

The Case Lead will review the disclosure and collate only the information necessary for the Panel's consideration. Further information will be requested only where it is relevant and proportionate.

Written permission must be obtained from the applicant before NHAM or BIMM obtains information from probation services, legal representatives or another third party.

Where an interview is considered necessary, the applicant will be told its purpose and offered an appropriate format. The Case Lead will produce a factual case summary. The Case Lead will not assess risk or determine the outcome independently.

5.5 Panel constitution

For the first case operated under this delegated procedure, the panel will comprise:

- the NHAM CEO or nominee as Chair;
- the NHAM Admissions Lead or nominee;
- an appropriate NHAM student-support or wellbeing representative where required;
- the NHAM Director of Academic Quality and Standards or nominee as procedural adviser;

A person who has undertaken the evidence review may present the case and provide procedural advice but must not vote on the outcome. All panel members must declare any actual or potential conflict of interest.

For the first case, the BIMM Head of Admissions or nominee will attend as a non-voting observer to guide and support the delegated process. BIMM's observation will provide assurance and calibration before the partnership considers the arrangements for subsequent panels.

5.6 Panel consideration

The panel will consider the evidence on the balance of probability and apply the factors contained in the BIMM policy, including:

- the relevance, nature and severity of the conviction or charge;
- any pattern of behaviour;
- the applicant's age at the time and the time elapsed;
- mitigating factors, rehabilitation and changed circumstances;
- any current risk to the safety, wellbeing or property of the applicant, students, staff, visitors or others;
- whether proportionate support or safeguards could manage any identified risk;

- the applicant's right to education and not to be discriminated against because of a criminal record.

The available Panel outcomes are:

- admit;
- do not admit.

The Panel must produce a written record of the evidence considered, its assessment and the reasons for its decision. Once the admission decision has been made, the Panel may record separate recommendations for proportionate support or safeguarding arrangements. Such recommendations do not constitute a conditional admission outcome.

5.7 Panel decision, procedural confirmation and applicant notification

The decision sits collectively with the Panel. The signed Panel record and decision will be submitted securely to the BIMM Head of Admissions via the Partnerships Office before the outcome is implemented.

The BIMM Head of Admissions will confirm that the delegated procedure has been followed. This is a procedural-assurance check and does not constitute approval of, or substitution for, the Panel's decision. If a procedural concern is identified, BIMM will specify the relevant policy or procedural requirement and NHAM and BIMM will agree any necessary remedial action before the outcome is implemented.

Following procedural confirmation:

- NHAM will notify the applicant in writing, normally within ten working days of the panel;
- the letter will explain the outcome, reasons and the applicable appeal arrangements;
- BIMM will authorise or issue any resulting unconditional offer;
- any recommended support or safeguarding arrangements will be considered and agreed separately and confidentially with the appropriate team.

5.8 Appeal

An applicant may appeal to the BIMM Director of Recruitment and Admissions or nominee within 14 days of notification, in accordance with the BIMM policy.

NHAM will provide the relevant records securely but will not determine an appeal against its own panel process. The appeal decision must be communicated through the route specified by BIMM.

6. Records, retention and deletion

The detailed disclosure, supporting evidence, case summary and panel record will be retained securely until the 14-day appeal period has expired or, where an appeal is submitted, until the appeal has concluded.

The detailed criminal-offence information will then be securely deleted in accordance with the agreed data-protection arrangements. Where copies have been transferred between NHAM and BIMM, each

organisation will confirm that any duplicate working copies have been deleted. Only the final outcome and the minimum information necessary to demonstrate the operation of the process will be retained.

Any suspected loss, unauthorised access or inappropriate disclosure must be reported immediately through NHAM's data-breach process and notified to BIMM's data-protection lead without delay.

7. Quality assurance and review

- The Director of Academic Quality and Standards will check that the approved procedure has been followed and that the case record is complete.
- NHAM and BIMM will review the operation of the procedure after the first completed case through the Programme Steering Group.
- The Programme Steering Group will confirm the future ownership, maintenance, resourcing and approval route for this procedure, including the allocation of operational and regulatory responsibilities between BIMM and NHAM.
- Any amendments will be agreed, version controlled and communicated to relevant staff.
- The approved procedure will be incorporated into the relevant Operations Handbook and BIMM subcontracting information source.
- Future staff training or calibration requirements will be agreed as part of the review.

8. Related documents

- BIMM Applicant and Student Criminal Convictions and Charges Policy and Procedure;
- BIMM/NHAM Operations Handbook;
- BIMM partnership assurance records and any applicable subcontracting information source;
- NHAM and BIMM privacy notices, data-protection policies and data-sharing arrangements;
- Applicant disclosure form and approved applicant communication templates.

November 2026 implementation review

Prepared on 5 November 2026 for approval. Confirm current role holders, monitored contacts, resources and partner responsibilities before publication. Keep earlier versions and communicate approved changes to affected students and staff.

Preserve the agreed NHAM panel decision, BIMM procedural confirmation before communication, non-voting case preparation and independent BIMM applicant appeal. The current form and secure sharing route must be tested. Detailed offence data follows the agreed deletion rule, subject to a documented legal hold where necessary. Record the Article 6 basis, Article 10 authority and any applicable Data Protection Act 2018 condition.