

SENATE REGULATION 14: Fitness to Practise *(effective from September 2022)*

Contents

Introduction	2
Scope	2
Fitness to Practise	2
Temporary Suspension/Exclusion	3
Outcomes	3
Appeals.....	3

Introduction

1. The University has a number of programmes where successful graduates are entitled to become registered members of regulated professions. The Professional, Statutory, Regulatory Bodies (PSRBs) and Professional Accrediting Bodies (PABs) that regulate these professions and programmes require the University to have processes in place to ensure that students are fit to practise during their programmes and on registration, and that students comply with professional codes of conduct and demonstrate their professionalism.
2. As such, the University needs to be satisfied that students admitted to, registering for, and undertaking such programmes are fit to practise, with reference to the standards of the particular profession and the requirements of any relevant PSRBs and/or PABs.
3. This Regulation and the *Fitness to Practise Procedure* sets out how the University will respond to concerns raised regarding a student's fitness to practise, and the type of actions that the University may take to deal with the concern and to support the student.

Scope

4. The programmes covered by this Regulation and the *Fitness to Practise Procedure* are listed in Appendix 2 to the *Fitness to Practise Procedure*. This Regulation and the *Fitness to Practise Procedure* also apply to students who are qualified professionals on undergraduate, postgraduate or continuing professional development (CPD) programmes.
5. Students are subject to this Regulation and the *Fitness to Practise Procedure* when the University confirms a student's acceptance of an offer of a place on a programme.
6. This Regulation and the *Fitness to Practise Procedure* apply at all times, to concerns arising on and off campus and to all activities whether connected to the University or not.

Fitness to Practise

7. Fitness to Practise (referred to in some professions as Professional Suitability) is the requirement for students at all times to:
 - demonstrate acceptable skills and standards of professional conduct,
 - demonstrate relevant professional values and attitudes,
 - satisfy relevant criminal record requirements, and
 - satisfy relevant health requirements

in order to practise safely and effectively, in accordance with the recognised professional standards as set out in programme handbooks and on PSRB and PAB websites. The *Fitness to Practise Procedure* provides further detail about what may be considered a fitness to practise concern.

8. Concerns about a student's fitness to practise should be acted upon swiftly in order to provide support to the student. Early intervention is crucial in order to help students develop the skills they need to succeed on their programmes and in their careers, and to prevent matters from becoming more serious.

Temporary Suspension/Exclusion

9. If appropriate, the University may temporarily suspend and/or exclude a student, including from placement, for a defined period of time (which may be extended) or until a matter can be considered under the relevant University procedures. A temporary suspension and/or exclusion is precautionary; it is not a penalty and does not indicate that the University has concluded that the student is not fit to practise. The procedure that will be followed is set out in Appendix 1 of the *Fitness to Practise Procedure*.

Overlap with criminal proceedings/police or other investigations and other University regulations

10. If a student's conduct may be in breach of the law, the University may refer the matter to the police and/or other suitable authorities. In addition, where an investigation or criminal proceedings have been or are likely to be initiated, the University may suspend its consideration of the matter until the investigation/proceedings have been concluded. The University's consideration of a matter may be resumed at any stage if the University deems it necessary.

11. The University may take action under this Regulation irrespective of a student's conviction or acquittal in criminal proceedings. The University is not bound by the outcome of any criminal proceedings, but may take into consideration any penalty imposed by a court when determining any outcome under this Regulation.

12. The University may also suspend its consideration of the matter under this Regulation in order to allow another University process to take place, including assessing a student's fitness to study under *Senate Regulation 11*.

13. Where there may be good cause to withdraw the degree or award of a current or former student the matter will be considered under *Senate Regulation 13*, and not this Regulation.

14. Where a matter has both fitness to practise and conduct concerns, the University will normally follow its procedures relating to fitness to practise to investigate, consider and determine the outcome of all the concerns arising in the case rather than following separate fitness to practise and misconduct procedures. However, the University reserves the right to vary the procedure followed where appropriate.

Outcomes

15. The range of outcomes arising from a fitness to practise concern are set out in the *Fitness to Practise Procedure*. The range of outcomes includes temporary or permanent suspension from the programme, and permanent expulsion from the University.

Appeals

16. The right to appeal, grounds for appeal, the procedure to be followed and the role of the Office of the Independent Adjudicator are set out in the *Fitness to Practise Procedure*.

(Updated April 2022, effective September 2022)