FITNESS TO PRACTISE PROCEDURE

Owned by:	Senate
Maintained by:	Directorate for Legal Services
Last updated:	September 2024
Approved on:	25 September 2024
Effective from:	October 2024
Review date:	September 2025
Current version:	1.7
Location of master document:	https://intra.brunel.ac.uk/s/QSO/Team/Quality Overall/Senate Regulations/Current

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Fitness to Practise Procedure

This procedure should be read in conjunction with Senate Regulation 14 – Fitness to Practise.

Concerns about a student's fitness to practise should be acted upon swiftly in order to provide support to the student, relevant Programme team and external partners (where relevant) and protect public safety. Early intervention is crucial in order to help students develop the skills they need to succeed on their programme, and in their careers, and to prevent matters from becoming more serious. Advice about this procedure and concerns which may fall within its remit can be obtained from the Office of Student Complaints, Conduct and Appeals.

Introduction

1. This procedure sets out

- how the University will normally respond to instances where a concern is raised regarding the fitness to practise of a student on one of the programmes listed in Appendix 1; and
- the type of action that the University may take to deal with the concern; and
- the type and to support which may be offered to the student.

Where a case is appropriately serious to fit within the scope of Senate Regulation 16, and/or be considered as a Level 3 concern, the University may temporarily suspend a student' registration on their programme, or temporarily suspend a student from placement under Senate Regulation 16. A student's registration may be terminated completely following a Level 3 Fitness to Practise Panel.

Meaning of Fitness to Practise

2. Appendices 2 and 3 detail the programmes to which this procedure applies and the professional guidance, rules and codes of conduct to which a student must comply as laid down by the professional, statutory or regulatory bodies (PSRBs) and/or professional accrediting bodies (PABs) relevant to their programme. The University is required by these PSRBs and PABs to ensure that students who graduate with one of the qualifications listed in Appendices 1 and 2 are fit to practise.

3. Fitness to practise means the ability to meet professional standards and relates to professional competence, professional character and behaviour, and health. The purpose of this procedure is to ensure the safety of the student and those around them, including member of the public, and to safeguard public confidence in the relevant professions. Details of the specific requirements for each programme are available via the relevant programme specification.

Fitness to Practise Concerns

4. Under this procedure, Fitness to Practise concerns can be divided into, but are not limited to:

- Health and wellbeing concerns, related to a student's:
  - physical health;
  - mental health;
  - emotional or inter-personal problems which may mean the student is experiencing difficulties, or is unable to cope with the emotional pressures associated with the study and professional practise of their programme.
- Professional character and behaviour concerns, such as:
  - Being trustworthy and honest;
  - Complying with the Student Code of Conduct.

and /or

- Professional competence, including:
    - Failure to comply with UK or international professional, statutory or regulatory bodies (PSRBs) and/or professional accrediting bodies (PABs) guidance and/or requirements in relation to fitness to practise at any point in time;
    - Failure to act within any statutory frameworks which set out students' professional duties and responsibilities.
- Breaching standards of acceptable conduct (professional or otherwise) such as those set out in the University's 'Student Code of Conduct' or by a relevant PSRB and/or PAB.

5. This procedure may be invoked where such concerns have the following consequences:

- a risk is posed to the student's own health, safety or wellbeing and/or that of others;
- the proper operation of the profession is or may be adversely affected;
- a relevant placement or work-based setting is or may be adversely affected; and/or
- trust in the profession may be undermined or the profession is brought into disrepute.

6. Examples of behaviour that may raise a Fitness to Practise concern include but are not limited to:

- abuse or harassment (including verbal and/or written, physical, sexual or emotional), including through the use of social media
- violent, aggressive, indecent, unacceptable or threatening behaviour (physical, verbal or otherwise)
- failure to treat others with dignity or respect, or failure to practise in a non-discriminatory way
- failure to take responsibility for the management of a health condition
- dishonesty or untrustworthiness (such as the misrepresentation of qualifications or professional experience, or the forging of documents or signatures, or theft, or making false expenses claims, or failure to disclose relevant criminal convictions)
- academic offences
- the commission or suspected commission of a criminal offence
- alcohol or substance abuse/problem
- anti-social behaviour, meaning behaviour which causes harassment, alarm or distress to others and which as a consequence adversely affects the proper operation of educational or placement/work settings
- the failure to demonstrate a professional attitude or professional approach appropriate for individuals working in the profession concerned including the failure to maintain effective relationships with placement staff
- breaches of data protection and/or confidentiality
- lack of engagement in learning activities (e.g. small group/problem-based learning, portfolio development, practise placements, presentations, academic or pastoral tutorials, or multi/inter-professional focused sessions)
- failure to demonstrate appropriate skills-based knowledge in formative activities or summative assessment such that there are concerns for patient safety
- erratic/unpredictable, unreliable or inappropriate behaviour in educational or placement/work-based learning settings which has an adverse impact on the student's professional practise
- poor time keeping, including missing deadlines and/or attendance without ood cause
- failure to follow relevant procedures and policies

- failure to prepare appropriately for placement activities
- failure to comply with a dress code.

Criminal Conviction Disclosures

7. In accordance with the Admissions policy, Brunel University London, students whose programmes fall under this procedure must immediately disclose to the University any convictions, cautions, reprimands or warnings that will not be filtered under current DBS guidelines including those which are spent and any offences for which they are charged while they remain registered on their programme. Students will be provided with guidance about the consequences for registration within the profession concerned. Disclosure may not lead to formal action under this procedure in every situation but should ensure that students in difficult circumstances can be provided with appropriate support wherever possible

Disclosures of Concerns to Third Parties and Related External Procedures

8. When dealing with fitness to practise concerns, or where these concerns have been dealt with, the University may, at its discretion and without notifying the student, discuss and/or refer matters and/or their outcomes to relevant third parties. This may be appropriate, for example, where a student is an immediate risk to themselves, or others. Relevant third parties may include employers, the NHS Counter Fraud Service, the Police or the Disclosure and Barring Service. Any referrals will usually be notified to the relevant Deputy Dean (Academic Affairs).

9. The University may disclose details of a case where a student has been subject to the fitness to practise as part of a reference to other higher education providers and/or prospective employers. Any disclosure will be limited to factual information and subject to the University's obligations under the Data Protection Act 2018.

10. Where such a third party/agency, including the police carries out any investigation or other process, the University may suspend or delay acting under this procedure, except for temporarily suspending a student, or excluding them from the University under Senate Regulation 16 until such investigation and/or proceedings have been concluded. The University's consideration of a matter under this procedure may however, be resumed at any stage should the University deem it appropriate in the circumstances.

11. The University does not have to follow third party outcomes in its own decision making under this procedure as it is an independent process. However, it may take such outcomes into account if considered relevant. Accordingly, the University may act under this procedure whether a student has been found guilty or not guilty in criminal proceedings.

12. Where a fitness to practise concern involve an allegation of fraud is against a student who is registered on a programme referred to in *Appendices 2 and 3*, or is an employee of the NHS, the University may refer the matter to the NHS Counter Fraud Service for its investigation. Examples of actions that could raise allegations of fraud include but are not limited to:

a) Forging signatures (relating to practise or academic work);

b) Working whilst absent from the University/placement due to alleged sickness;

c) Claiming a bursary when not entitled to do so or providing false information in a bursary application or not informing the NHS Bursaries Office when entitlement changes;

d) Claiming state benefits when knowingly not entitled to do so.

13. No internal action will normally be taken by the University other than in relation to temporary suspension and/or exclusion under Senate Regulation 16 until the NHS Counter Fraud Service has completed its investigations and any subsequent external proceedings have been completed, or the NHS Counter Fraud Service advises that it does not object to the University dealing with the matter.

Equality Act

14. In implementing this procedure, the University will remain mindful o its duty of care, and of its obligations as a provider of professional programmes and under the Equality Act 2010 including to make reasonable adjustments for students with disabilities. It will also remain mindful of the often confidential and sensitive nature of fitness to practise matters and of its obligations under the Data Protection Act 1998.

Student Support

15. When dealing with students under this procedure, University staff will consider what support and guidance may be offered to students. Students will be reminded of the support services provided by the University through Student Services and by the Students' Union Advice Service, and will be encouraged where appropriate to seek support from relevant external sources (e.g. local GPs or mental health services.

Student Representation

16. Students dealt with under this procedure will be entitled at each Level to be accompanied and/or represented.

17. If someone is representing the student, then they may speak on the student's behalf at the meeting or hearing. The student may only normally be represented by:

- a current student or a member of staff of the University;
- an advice worker from the Union Advice Service (UAS) in the Union of Brunel Students; or
- a relevant individual in the case of reasonable adjustments being made for a disabled student, such as a sign language interpreter.

18. If someone is accompanying the student, then they may not speak on the student's behalf. In addition to the individuals listed at paragraph 16 above, the student normally also may be accompanied by:

- any health professional or disability support worker;
- friend or relative

19. Neither the student nor the University shall normally be represented by a legal practitioner at meetings or hearings held in accordance with this procedure. In exceptional cases where one party wishes to have legal representation, notice should be given to the other party at least 2 working days prior to the meeting or hearing if possible. The Registrar will then make a final decision as to whether legal representation is permitted. Where it is agreed that a student may be represented by a legal practitioner, a legal representative from the University may also attend the meeting/hearing.

Staff Support & Guidance

20. Staff who become aware of a potential fitness to practise concern should inform the Appeals, Complaints, Conduct and Appeals Team (ACSM Team) within their College, and/or may liaise with the Office for Student Complaints, Conduct and Appeals (OSCCA) for procedural advice, guidance and support. Under this procedure, it is good practice for staff to keep the ACSM Team within their College updated throughout the process.

Fair Dealing

21. When implementing this procedure, the University will work with the student concerned in a spirit of support and understanding; ensuring that the student has an opportunity to respond to the fitness to practise concern and that any decisions made under the process are fair, unbiased and impartial.

22. Any investigation conducted under this procedure will be handled in a confidential, independent, impartial, fair and transparent manner by someone who has not previously been involved in the concern raised.

Record Keeping

23. Notes will be made of any meeting held under this procedure, and a copy will be made available to the student. A record will be made of any hearings held under Level 3. Written outcome of cases considered at Level 3 will be kept by the Secretary to the Misconduct and Fitness to Practise Board in OSCCA and retained permanently. The rest of the file relating to a student case considered under this procedure will be retained for 6 years.

Impact of Student Non-Participation

24. Should a student without good cause be unwilling or unable to participate at any stage of this procedure or attend a meeting/hearing, the University may nonetheless follow the procedure in their absence.

Standard of Proof

25. The standard of proof applied at every stage of this procedure is the balance of probabilities.

Nominees

26. Where is this procedure reference is made to any named University officer or member of staff (include the Vice-Chancellor), such a reference is to be read as including reference to their appointed nominee.

Communication

27. Communications relating to matter of concern considered under this procedure will normally be sent to a student's Brunel University London email address. Any variations to this policy will be communicated to the student.

Withholding Awards

28. Where applicable, the University may withhold granting an award to a student subject to this procedure until its consideration of a matter of concern is complete. This may include withholding information that indicates an award is forthcoming.

Relationship with other University Procedures

29. This procedure is only to be used to consider a student's professional competence, e.g., a student's skills, knowledge and attributes that are specifically required by the relevant PSRB and PAB connected to the student's future career as a professional practitioner. The procedure is not to be used to consider a student's ability to demonstrate their academic skills and academic knowledge as determined by the learning outcomes for their programme and the usual academic assessment process. These matters are managed under Senate Regulation 2 (Undergraduate programmes), Senate Regulation 3 (Taught Postgraduate programmes), Senate Regulation 4 (Assessment of Taught Programmes) and Senate Regulation 5 (Research programmes).

30. Whilst the University anticipates that most matters involving fitness to practise concerns will be dealt with under this procedure, matters may arise where it is appropriate for the University to implement other University processes (such as its Non-Academic Misconduct Procedure, Academic Misconduct Procedure, and/or Extraordinary Support for Study procedure) as an alternative or in addition to this procedure, and the University is not prevented from doing so at any time.

31. 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 rather than following separate fitness to

practise and misconduct procedures. However, the University reserves the right to vary the procedure followed where appropriate and reasonable.

32. The University may suspend its consideration of a matter under this Regulation to allow another University process to take place, including:

- assessing whether a student needs extraordinary support for study under Senate Regulation 11; and/or
- considering a student's academic appeal against the outcome of an assessment or examination, or their progression, under Senate Regulation 12: Academic Appeals.

However, where a fitness to practise concern arises, this procedure must be immediately invoked to ensure that the student is aware of the concern, even if the procedure is then suspended whilst another process takes place.

33. Where a student raises a complaint under the University's Student Complaints Procedure which is related to a fitness to practise concern already being considered under this Procedure, the University will usually decide to put that complaint on hold until the Fitness to Practise procedure has been concluded in full. Complaints relating specifically to a placement provider should normally be reported to the placement provider, who should normally consider the matter under their own complaints procedure.

34. Concerns about safeguarding should be considered under the Safeguarding Policy and Guidance.

Procedure to be followed at Levels 1, 2 and 3

35. Concerns about a student's professional suit fitness to practise will normally be dealt with under the following Procedure which has 3 levels of concerns:

- **Level 1:** Cause for Concern – Support and intervention to help students address Initial, emerging or minor concerns
- **Level 2:** College Investigation – Support and intervention to help students address serious and/or continuing concerns
- **Level 3:** Fitness to Practise Panel – Support and intervention to help students address critical and/or persistent or cumulative concerns

36. The Procedure may be entered at any level without any requirement for an earlier Level to have been commenced or exhausted. The Level at which the procedure is implemented will depend on factors such as the nature of the fitness to practise concern, the seriousness of any risk posed and the student's response to any steps taken so far by the University to manage the situation.

37. It may be necessary to temporarily suspend a student from all or part of their studies, (including from a placement) and/or exclude a student from the University, following the report of a concern about a student's fitness to practise. Such decisions and any action will be taken in line with Senate Regulation 16.

The Role of the Critical Advisor

38. At each stage of this procedure, a Critical Advisor may be consulted by the relevant decision maker or investigator to share expertise and act as a source of guidance and support. A Critical Advisor must be an academic member of staff who may be drawn from the student's programme of study and who will ideally be a member of the PSRB relevant to the student's programme, but they should not be directly involved with the fitness to practise concern in case there is a risk of actual or apparent bias in decision making. The same Critical Advisor may be consulted throughout the procedure, even though they may have been consulted at a prior stage and may be asked to attend a Fitness to Practise Panel as a witness.

Informal Preliminary Enquiry

39. Prior to any matter being considered at a meeting under Level 1 or 2, or a hearing at Level 3, a preliminary enquiry may be undertaken within 5 working days of the initial fitness to practise concern being raised. A Nominated Department Representative will conduct the preliminary enquiry and, if necessary, will consult with a Critical Advisor, as well seeking procedural advice and guidance from the ACSM Team within the Student's College and/or OSCCA. During the preliminary enquiry, the student concerned may be spoken to, along with other students, staff and where relevant third parties (such as placement providers or health professionals). Information and any evidence may also be requested and reviewed within 5 working days of the initial concern being raised. The purpose of a preliminary enquiry may be to establish the broad facts related to the concern in order to inform the University of the appropriate manner in which to deal with the matter and advise at which level a matter should be considered.

Action Plans

40. Where the outcome at any Level of this Procedure includes the drawing up of an action plan, the plan will set out how the matter will be managed and any requirements to be placed on the student. The main purpose of the action plan is to provide support and guidance to enable the student to rectify any gaps in their awareness and/or ability to apply/meet professional standards.

41. The action plan will be drafted by the decision maker(s) at the relevant level who will determine the format and content including any target setting and possible actions to support targets for improvement, along with any deadlines. The action plan will be shared with the student's personal tutor.

42. The student will be provided with a copy of the action plan. A date will be arranged for a review meeting at which the action plan will be reviewed by the nominated member of staff (as listed on the action plan), along with the student. The nominated member of staff will normally be the person who set up the action plan. During the review meeting, the student's progress with the action points will be considered, as well whether the action plan should continue and, if so, whether it should be amended, and whether any requirements have been complied with and, if not, whether the matter should be referred to a higher level, if appropriate. Notes will be taken of the meeting and the outcome of the review meeting notified to the student in writing.

43. For action plans drawn up at Level 3 following a Fitness to Practise hearing, these will be signed off by the Chair of the Fitness to Practise Panel to confirm that it addresses the concerns raised. If the requirements of an action plan drawn up at Level 3 are not complied with, the student may be invited to a further hearing before the same or a fresh Panel.

Timescales

44. The University aims to ensure that the Fitness to Practise procedure, (excluding the informal preliminary enquiry stage) is normally completed within 90 days of the student being informed of the concerns. It may take longer where, for example, the case is complex, witnesses are unavailable to attend meeting, because the process is put on hold for example, due to a criminal investigation or due to the ill health of the student. In such situations, the student (and any witnesses) will be informed about the progress and when it is likely to conclude.

Level 1 – Cause for Concerns

Support and Intervention to help students address minor concerns

45. Minor concerns about a student's fitness to practise will normally be dealt with under Level 1 to enable intervention at the earliest possible opportunity in order to address the concerns raise in a facilitative manner, and set up a supportive action plan for the student. Examples of concerns which may be relevant to the Level 1 Cause for Concern process

include but are not limited to poor time keeping and/or attendance, failure to prepare appropriately for placement activities, and failure to comply with a dress code.

46. The Nominated Department Representative will complete a Cause for Concern form and send this to the student to inform them of the fitness to practise concern and any evidence supporting the concern. The student should be reassured that whilst the matter is to be dealt with under Level 1 of this procedure, the aim of the intervention is to address the concern and provide relevant support and help to the student via an action plan to facilitate positive progress. The student will be provided with a copy of Senate Regulation 14 and this procedure. At this stage, the Nominated Department Representative will also notify/update the ACSM Team in the student's College about the concern and action being taken.

47. The Nominated Department Representative will arrange to meet with the student in order to listen to their response to the concern, finalise the Cause for Concern form, discuss any support needs the student may have. The student will be given 5 working days' notice of the meeting. The Nominated Department Representative may invite other staff members to attend the meeting, such as the student's personal tutor or, where appropriate a representative from the student's placement and may consult with and seek information from other persons in order to appropriately deal with the matter and to provide support to the student. The Nominated Department Representative may also consult with a Critical Advisor for their support, advice, guidance and expertise in relation to the fitness to practise concern.

48. The Nominated Department Representative will determine whether the student's fitness to practise is impaired or may become impaired and any actions to be taken. Such actions may include (but are not limited to) one or more of the following outcomes:

a) an action plan be drafted, with a review date if deemed necessary, which may include support arrangements or referral to University or external support services;
b) the matter be referred to another Level;
c) support arrangements and/or reasonable adjustments be put in place for the student, if necessary in consultation with the Student Wellbeing Team;
d) the matter be referred for consideration under another University process (e.g. Extraordinary Support for Study, Academic Misconduct or Non-Academic Misconduct procedures);
e) no action be taken.

49. The Nominated Department Representative will write to the student, normally within 5 working days of the date of the meeting to confirm the outcome of the Cause for Concern Level 1 process and any actions to be taken. A copy of the outcome letter will be sent to the student's Personal Tutor, Head of Department and/or Head of Division, as well as the ACSM Team within the student's College.

50. If the student does not agree with the conclusions of the Cause for Concern Level 1 process, they have the right to challenge the outcome by requesting the matter be considered in accordance with paragraphs 52-60 in Level 2 below. Students should notify the Head of Department within 10 working days of the Cause for Concern Level 1 outcome that they wish for the concern to be considered at Level 2 by contacting the ACSM Team in their College. Where a student challenges a Level 1 Cause for Concern outcome, any scheduled action plan review meeting will not take place.

Level 2 – College Investigation

Support and Intervention to address serious and/or continuing and/or cumulative and/or repeated concerns

51. Serious and/or continuing and/or cumulative and/or repeated concerns about a student's fitness to practise will normally be dealt with under Level 2. Examples of such concerns include, but are not limited to, failure by a student to adequately address issues dealt

with at Level 1 of this procedure, ongoing health issues that are not being appropriately managed by the student, and unsatisfactory conduct on or off campus.

52. The concerns will be reported to the Head of Department responsible for the area in which the programme resides, who will follow up any preliminary enquiry already conducted by formally informing the student in writing about the fitness to practise concern and that the matter is to be dealt with under Level 2. The student will be provided with a link to Senate Regulation 14 and this procedure. The student's personal tutor and the Programme Lead and the ACSM Team in the student's College will also be informed.

53. The student will be invited to a meeting with the Head of Department and the programme leader to discuss the concern and any support needs the student may have. The student will be given a full opportunity to respond to the concern. The Head of Department may invite other staff members to attend the meeting and may consult with and seek information from other persons in order to assess with the matter and to provide support to the student. Records of previous meetings under this procedure and any action plans may be available at the meeting.

54. The Head of Department may also consult with a Critical Advisor for their support, advice, guidance and expertise in relation to the fitness to practise concern.

55. The student will normally be given at least 5 working days' notice of the date, time and place of the meeting and will be provided in advance of the meeting with relevant documentation supporting the concern, including evidence.

56. The Head of Department will determine whether or not the student's fitness to practise is impaired or may become impaired and any actions to be taken. Such actions may include (but are not limited to) one or more of the following outcomes:

a) no further action be taken;
b) support arrangements and/or reasonable adjustments be put in place for the student, if necessary in consultation with the Disability and Dyslexia Service;
c) an action plan be drawn up;
d) the student be withdrawn temporarily from placement, other work-based setting or related learning activity in accordance with Appendix 1;
e) the matter be referred for consideration under another University process (e.g. Extraordinary Support for Study or Academic Misconduct or Non-Academic Misconduct procedures);
f) the matter be referred to another Level.

57. The student, their personal tutor and the Head of Division will be notified in writing normally within 5 working days of the meeting of the decision of the Head of Department, with reasons, and any actions to be taken. A copy of the outcome will also be sent to the ACSM Team within the Student's College.

58. A Level 2 College Investigation and outcome should usually be concluded within 15 working days of receipt of the concern by the Head of Department.

Level 3 – Fitness to Practise Panel

Support and Intervention to address critical, and/or persistent or cumulative concerns

59. Critical and/or persistent and/or cumulative concerns about a student's fitness to practise will normally culminate in a hearing before a Fitness to Practise Panel. Examples of such concerns include but are not limited to conduct leading to the termination of a placement, exposing service users to risk of harm, commission of a criminal or academic offence, and failure to adequately address the provisions of an earlier action plan made under this procedure. OSCCA is responsible for administering, arranging and managing Fitness to Practise Panels.

60. Level 3 concerns will be reported to the Deputy Dean (Academic Affairs), who, within 5 working days of the report will inform the student in writing that there is a concern about their fitness to practise and of the nature of the concern and that the matter is to be considered under Level 3. The student's Head of Department, Head of Division, personal tutor and programme leader will also be informed, along with the ACSM Team in the student's College.

61. A member of staff of the student's Department or Division will be appointed by the Deputy Dean (Academic Affairs) of the Student's College to act as Investigating Officer. The Investigating Officer will conduct an investigation, and, if necessary, may meet with a Critical Advisor for advice and guidance about the process and the relevant professional standards. During the Investigation, the student concerned may be spoken to, along with other students, staff and where relevant third parties (such as placement providers or health professionals). Information and evidence may also be requested and reviewed. The Investigating Officer will produce a report, setting out the facts and main findings related to the concern, the student's response to the concern, the scope of the concern linked to the relevant professional standards and a chronology. The investigation should normally be concluded within 10 workings days of the Investigating Officer being appointed.

62. The Deputy Dean (Academic Affairs) will be provided with a copy of the report prepared by the Investigating Officer, along with all relevant evidence gathered during the investigation. Within 5 working days of receipt, the Deputy Dean (Academic Affairs) will send a copy of the report and evidence to the student and invite the student to provide any additional response or comments within 5 working days.

63. Following receipt of the student's additional response, or comments, or in the absence of such a response being received within the 10-working day time frame, the Deputy Dean (Academic Affairs) will have 5 working days to decide whether to refer the matter to the Secretary to the Misconduct and Fitness to Practise (MFP) Board or whether the concern should be dealt with at a different level of this procedure or under another University procedure. The Deputy Dean (Academic Affairs) may consult with a Critical Advisor for their support, advice, guidance and expertise in relation to the fitness to practise concern.

64. When making the referral, the Deputy Dean (Academic Affairs) will send to the Secretary to the MFP Board all the relevant documentation comprising the College's case, including witness statements. The Deputy Dean (academic Affairs) will also confirm whether the Investigating Officer, or a different staff member is to present the case to the Fitness to Practise Panel on behalf of the University, (the 'University Representative') and the identity of any witnesses they will be calling. The University Representative should contact OSCCA for procedural advice and guidance about their role at the Fitness to Practise Panel and the role of witnesses.

65. The University Representative may call appropriate witnesses on behalf of the University, including staff members and external representatives who are able to comment on the concern and the effect it may have on the student's ability to practise in the relevant profession. A critical Advisor who has been consulted with at any stage of the Fitness to Practise procedure may also be called as a witness by the University Representative.

66. A Fitness to Practise Panel will be convened by the Secretary to the MFP Board and will normally consist of:

- At least three members of the MFP Board one of whom will act as Chair and one of whom shall normally be a student member, as specified in Senate Regulation 1 and external representation as described in the Appendix 2 who shall be approved by the Chair of the MFP Board;
- The Chair will normally be a member of staff from one of the programmes listed in *Appendix 1*, other than the student's programme;
- A number of additional members as specified in *Appendix 2*, who shall be approved by the Chair of the MPS Board;

- At least one of the additional members of the Panel will normally be an academic from another University in the same discipline as that of the student's programme.

67. In addition to matters of fitness to practise, the Panel may consider and determine the outcome and take actions in relation to any matters of student academic or non- academic misconduct arising from the case. See the Non-Academic Misconduct Procedure and Academic Misconduct Procedure for the range of actions that may be taken regarding these matters.

68. The Clerk to the Misconduct and Fitness to Practise (MFP) Board (the 'Clerk') shall allocate a Panel Secretary to each Panel. The Clerk will act as a neutral observer at the panel hearing and will provide advice and guidance on procedure. A recording of the hearing will normally be made and a transcript produced.

69. The student will be invited to a hearing before the Fitness to Practise Panel. Normally, at least 10 working days in advance of the date of the hearing, the Secretary to the MFP Board will give the student in writing:

- the date, time and place of the hearing, and the name of the Panel members;
- The name of the University Representative and any witnesses who are being called;
- Full details of the fitness to practise concern and supporting documentation/evidence, a copy of this procedure and Senate Regulation 14, a reminder of the student's right to be accompanied and/or represented at the Hearing under Paragraph 16, and their right to call witnesses.

70. If a student chooses not to attend a hearing held under this procedure, having previously been given due notice of the date of the hearing, the hearing may proceed in the student's absence. The decision to proceed in the student's absence will be taken by the Chair.

71. The student may request to the Secretary to the MFP Board that a hearing is postponed and should provide a good reason for the request supported by evidence. The Chair may also determine that a hearing be postponed, either on the recommendation of the Secretary to the MFP Board or otherwise. The final decision to postpone a hearing will be taken by the Chair of the Panel. Good reasons for a postponement may include but are not limited to acute illness or injury on the day of the hearing, significant domestic and/or personal problems, death or serious illness of a close relative or family friend, unforeseen major transport difficulties and/or court attendance.

72. At least 5 working days before the hearing, the student may submit to the Secretary to the MFP Board any evidence in response to the concern, including witness statements. This information will be shared with the University Representative and Panel members. Evidence received less than 5 working days before the hearing date will be accepted at the sole discretion of the Chair.

73. Notice of any witnesses to be called by the student and/or the University's Representative at the hearing, along with any accompanying witness statements must be given in writing to the Secretary to the Fitness to Practise Panel at least 5 working days before the of the date of the hearing together with a written statement of the contribution that each witness will make. The Secretary to the Fitness to Practise Panel will provide a copy of each party's witness notice and statements to the other party at least 2 working days before the hearing date. Witness evidence received less than 5 working days before the hearing date will be accepted at the sole discretion of the Chair. It is the responsibility of the party calling the witness to ensure that they attend.

74. The decision of the Chair of the Panel shall be final on the admission of all evidence at the hearing, including the admission of written evidence and of oral evidence from witnesses

or other parties at the hearing. This shall include the power to refuse to admit evidence or hear witnesses on the basis of lack of relevancy. The Panel may proceed with a hearing in the absence of any particular witness in the sole discretion of the Chair of the Panel.

75. A Fitness to Practise Panel will not meet unless all members of the Panel are present. The Fitness to Practise Panel will usually proceed as follows:

- The Chair will introduce the proceedings, and invite the University Representative and the student to make an opening statement should they wish to do so;
- the University Representative will set out the concern/s and any supporting evidence in the case, may call witnesses, may question the student's witnesses, and will answer questions from the Panel;
- the student (or their representative) may respond to the concerns and supporting evidence, may call witnesses, may question the University Representative's witnesses, and shall answer questions from the Panel and the University Representative;
- the University Representative shall make any closing statement;
- the student (or their representative) may make any closing statement.

Any variation in the above order of proceedings will be at the discretion of the Panel Chair.

76. A recording of the hearing will normally be made, and a transcript produced, from which the outcome letter will be written. The recording and transcript will be kept by OSCCA for a period of one year following the outcome of the case.

77. The Chair, on behalf of the Fitness to Practise Panel may ask for specific enquiries to be undertaken, additional witnesses to be called and/or additional information to be presented. Any such information must be shared with the student.

78. The Fitness to Practise Panel will retire in private to deliberate. The Secretary and Clerk to the Fitness to Practise Panel may retire with the Panel in order to provide procedural advice but will play no part in the Panel's decision-making.

79. The Fitness to Practise Panel may be adjourned during its deliberations if, in the opinion of the Chair, further information or advice and guidance is required to enable the Panel to make a decision, or if the agenda cannot reasonably be completed in one day. In these circumstances, the student will be notified of the adjournment and the Panel will reconvene at the earliest opportunity. Any further information gathered by the panel will be shared with the student.

80. The Fitness to Practise Panel will make one of the following decisions:

i the student's Fitness to Practise is not impaired;

ii the student's Fitness to Practise is impaired, or may become impaired, but this may be mitigated by remedial action as set out in paragraph 84 below;

iii the student's Fitness to Practise is impaired, or may become impaired and cannot be mitigated by remedial action.

81. Remedial action may include (but is not limited to) one or more of the following outcomes:

a. support arrangements and/or reasonable adjustments be put in place for the student, if necessary in consultation with the Disability and Dyslexia Service;
b. an action plan be drawn up in accordance with paragraphs 40 – 43;
c. the matter be referred to an earlier level;
d. the matter be referred for consideration under another University process (e.g. Extraordinary Support for Study);

e. a written warning be given to the student to be held on the student's personal file;
f. the student be withdrawn from placement or other work-based activity or related learning activity, and that either:
    i. the student be permitted to undertake another placement, or other related learning activity; or
    ii. the student not be permitted to undertake another placement or other related learning activity.
g. a professional award is withheld or withdrawn;
h. a recommendation be made to the Board of Examiners that an alternative non-professional award be awarded;
i. suspension of the student from the programme with immediate effect for a specified period of time (with or without conditions);
j. exclusion of the student from specific areas of the University, or from specified University activities, services, or facilities for a specified period of time (with or without conditions);
k. expulsion of the student from the University, normally with a prohibition on readmission on to any professional or other programme in the future and that the relevant PSRB or PAB should be notified of the Panel's decision where appropriate.

82. Where the Panel decides that a student should be permanently expelled from the University because their fitness to practise is impaired and the student is unfit to practise, the student will normally retain any academic credits they have acquired. However, no professional award, which includes a protected title, can be made to such students, even if they have successfully completed the relevant parts of their assessed work. In these circumstances, only academic awards that do not confer an eligibility to practise can be made.

83. The student, their personal tutor, the relevant Programme Lead, relevant Head of Department and/or Division, the University Representative, ACSM Team within the student's College and other persons deemed necessary by the Chair of the Panel will be notified in writing, normally within 5 working days of the date of the hearing of the decision of the Fitness to Practise Panel, with reasons, and any actions to be taken. A copy will be retained by the Secretary to then Misconduct and Fitness to Practise Board.

84. The hearing (and any subsequent meeting held to review progress and/or to provide additional support) will be formally recorded with a copy of the record being retained by OSCCA in accordance with the relevant retention schedule.

Appeals

85. In accordance with paragraph 51 students who are dissatisfied with the outcome at Level 1 may request their concern be addressed under the process in Level 2.

86. Students may raise a written request for an appeal to the Registrar against the outcome of Levels 2 and 3 of this procedure, within 10 working days of the date of the decision letter, on one or more of the stated grounds. The grounds for appeal against the outcome of Levels 2 and 3 are:

a) That there has been a procedural irregularity;
b) That there was bias on the part of the decision-maker or decision-making body.;
c) That the decision is unreasonable and/or that the outcome is disproportionate;
d) That there is new material evidence which the student can demonstrate was for good reason not previously available.

87. The decision of the Fitness to Practise Panel will take effect and remain in force until such time as it may be changed by the Appeal outcome.

88. The Registrar will consider the appeal request within 5 working days of receipt of the appeal and determine whether valid grounds are disclosed. The student, their tutor, the

Programme Lead and the Head of Department or Division will be informed accordingly. If no grounds are disclosed, the student will be issued with a Completion of Procedures letter within 5 working days of the Registrar's decision (see Paragraph 98 below).

89. Where valid grounds have been determined, the matter will be referred to a Vice Provost (VP). Within 5 working days of the referral, the VP will write to the student and invite the student to submit their substantive appeal, along with evidence to support the ground(s) relied on. The student should submit their substantive appeal and evidence within 10 working days of the date of the VP's correspondence.

90. Within 10 working days of receipt of the substantive appeal, the VP will consider and determine the appeal on paper, and will make one of the following decisions:

- to dismiss the appeal
- to uphold the appeal (in whole or part)

91. In the event that an appeal is upheld in part or in whole, the VP shall have no power to overrule the judgement of the Fitness to Practise Panel but is empowered to refer a case back to the Fitness to Practise Panel for reconsideration, or to a new Fitness to Practise Panel for fresh consideration with no further right to appeal. At the conclusion of the Panel's consideration of the matter, the student will be issued with a Completion of Procedures letter.

92. The outcome of the appeal will be notified to the student, their tutor, the Programme Lead and the Head of Department or Division in writing, with reasons, normally within 5 working days of determination of the appeal.

93. The decision of the VP will be final and will conclude the appeal.

94. A Completion of Procedures letter will be issued to the student following the decision of the VP or any subsequent Panel. Where a student is dissatisfied with the outcome of the procedure the student may complain to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA provides an independent scheme for the review of unresolved student complaints. The complaint must be submitted to the OIA within 12 months pf the date of the issue of the Completion of Procedures letter. Further information on the OIA can be obtained from the Office of the Independent Adjudicator for Higher Education website www.oiahe.org.uk. The OIA can be contacted at 0118 959 9813 or enquires@oiahe.org.uk.

Appendix 1 – Programmes applicable to the Fitness to Practise Policy and Procedure

(Fitness to Practise concerns relating to students on some post-registration professional programmes (for example PEPS, MSc Advanced Clinical Practice) would normally be referred directly to the student's employer and/or regulatory body as appropriate as not dealt with under this procedure)

Department of Arts and Humanities
MSc Art Psychotherapy

Department of Education
Postgraduate Certificate in Education with the recommendation for Qualified Teacher Status programmes
Division of Nursing
BSc (Hons) Nursing (Adult)
BSc (Hons) Nursing (Mental Health)
BSc (Hons) Nursing (Child Health)
BSc Specialist Community Public Health Nursing: Health Visiting
BSc Specialist Community Public Health Nursing: Occupational Health Nursing
BSc Specialist Community Public Health Nursing: School Nursing
FdSc Nursing Associate
MSc Specialist Community Public Health Nursing: Health Visiting
MSc Specialist Community Public Health Nursing: Occupational Health Nursing
MSc Specialist Community Public Health Nursing: School Nursing
Postgraduate Diploma in Specialist Community Public Health Nursing: Health Visiting
Postgraduate Diploma in Specialist Community Public Health Nursing: Occupational Health Nursing
Postgraduate Diploma in Specialist Community Public Health Nursing: School Nursing

Division of Occupational Therapy
BSc Occupational Therapy
MSc Occupational Therapy

Division of Physiotherapy
BSc Physiotherapy
MSc Physiotherapy (pre-registration)
MSc Physician Associate
Division of Social Work
MA Social Work
MSc Social Work

Medical School
MBBS Bachelor of Medicine and Bachelor of Surgery

Appendix 2 – Programme Specific Policies and Procedures Relating to Fitness to Practise

Faculty of Physician Associates

2.A1 The programme in The Division of Physiotherapy and Physician Associate to which the procedures set out in this Regulation apply are:

- MSc Physician Associate

2.A2 The professional expectations of these programmes are set out in full in student handbooks attendance agreements and other programme documentation. Students on Physician Associate programmes will be expected to demonstrate behaviours consistent with the Code of Conduct for Physician Associates published by the Faculty of Physician Associates (FPA) at the Royal College of Physicians (RCP), and the General Medical Council's (GMC) 'Good Medical Practice' Guidance. Concerns about a student's Fitness to Practise which would lead to consideration under the Fitness to Practise Procedure include a failure to demonstrate behaviours consistent with these Codes (Programme documentation, FPA and GMC), professional misconduct or inappropriate behaviour, or health reasons.

2.A3 The Code of Conduct defines a Physician Associate as a healthcare professional with the attitudes, skills and knowledge base to deliver holistic care and treatment within the general medical and/or general practice team under defined levels of supervision.

2.A4 Physician Associates are currently undergoing GMC regulation. Once in effect students will be expected to demonstrate behaviours consistent with the GMC's 'Good medical practice: interim standards for physician associates and anaesthetic associates',

Composition of Panels and Appeals Panels

2.A5 The membership of a Fitness to Practise Panel and a Fitness to Practise Appeals Panel convened to consider the Fitness to Practise of a Physician Associate student shall be constituted in accordance with paragraph 67 above, and will include:

- One practicing Physician Associate and one registered Medical Practitioner with a licence to practise;
- At least one of these professionals shall be an external to the University.

2.A6 No academic award made to a student deemed to be 'unsuitable' to become a Physician Associate shall contain the words 'Physician Associate'.

Health and Care Professions Council (HCPC)

2.B1 The programmes to which these procedures apply are:

- MSc Art Psychotherapy
- BSc Occupational Therapy
- MSc Occupational Therapy
- BSc Physiotherapy
- MSc Physiotherapy (pre-registration)

2.B2 The professional expectations of these programmes are set out in full in student handbooks and other programme documentation. Concerns about a student's fitness to practise in terms of breach of the codes (Health and Care Professions Council (HCPC), Royal College of Occupational Therapists (RCOT) and Chartered Society of Physiotherapy (CSP)),

professional misconduct, inappropriate behaviour or for health reasons, will be addressed in accordance with this Fitness to Practise Procedure.

2.B3 The HCPC Guidance on Conduct and Ethics for Students sets out the conduct that is expected of students on Art Psychotherapy/Occupational Therapy/Physiotherapy programmes. Students are also expected to follow, as appropriate, the CSP and RCOT Rules of Conduct.

Composition of Panels

2.B4 The membership of a Fitness to Practise Panel convened to consider the Fitness to Practise of an Art Psychotherapy/Occupational Therapy/Physiotherapy student shall be constituted in accordance with paragraph 67 above, but in addition it shall comprise:

- two qualified practitioners (as relevant to the student's programme), at least one of whom should be external to the University and registered with the HCPC.

2.B5 No academic award made to a student deemed to be unfit to practise for Art Psychotherapy/Occupational Therapy or Physiotherapy shall contain the words 'Art Psychotherapy' 'Occupational Therapy' or 'Physiotherapy'.

Nursing & Midwifery Council (NMC)

2.C1 ***The programmes in the Division of Nursing to which these procedures apply are:***

- BSc (Hons) Nursing (Adult)
- BSc (Hons) Nursing (Mental Health)
- BSc (Hons) Nursing (Child Health)
- BSc Specialist Community Public Health Nursing: Health Visiting
- BSc Specialist Community Public Health Nursing: Occupational Health Nursing
- BSc Specialist Community Public Health Nursing: School Nursing
- FdSc Nursing Associate
- MSc Specialist Community Public Health Nursing: Health Visiting
- MSc Specialist Community Public Health Nursing: Occupational Health Nursing
- MSc Specialist Community Public Health Nursing: School Nursing
- Postgraduate Diploma in Specialist Community Public Health Nursing: Health Visiting
- Postgraduate Diploma in Specialist Community Public Health Nursing: Occupational Health Nursing
- Postgraduate Diploma in Specialist Community Public Health Nursing: School Nursing

2.C2 The professional expectations of these programmes are set out in full in student handbooks and other programme documentation. Concerns about a student's fitness to practise in terms of breach of The Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates (NMC 2018), professional misconduct, and inappropriate behaviour, or for health reasons, will be addressed in accordance with this Fitness to Practise Procedure. The NMC Guidance on health and character (NMC 2019) for nursing, midwifery and nursing associate students sets out the conduct that is expected of students on all nursing and midwifery programmes. Under this Guidance, the University has a responsibility, throughout the whole period between application and graduation, to assess the suitability of its students on these programmes "for entry to and continued maintenance on approved programmes leading to NMC registration".

2.C3 The NMC Guidance on health and character (2019) stipulates "We require all student nurses, midwives and nursing associates seeking registration to be of good health and good character to satisfy to us that they are capable of safe and effective practice." Good character issues may be considered under these Fitness to Practise Procedures.

2.C4 The NMC Code (2018) states that when applying to join the register or during revalidation, nurses, midwives and nursing associates must commit to upholding the Code. This commitment includes a promise to "uphold the reputation of your profession at all times".

Composition of Panels

2.C5 The membership of a Fitness to Practise Panel convened to consider the fitness to practise of a Nursing Associate Apprentice, Registered Nurse Degree and SCPHN students shall be constituted by following paragraph 67 of the Fitness to Practise Procedure, but additionally will comprise:

- Two qualified nurses, at least one of whom should be from the same part of the NMC register and field of practice as the student, and hold current registration on that part of the NMC register, and at least one of whom shall be an external representative from a service partner.

Social Work England (SWE)

2.D1 The programmes in Social Work to which these procedures apply are:

- MSc Social Work (pre-registration)
- MA Social Work (pre-registration)

2.D2 Social Work England (SWE) defines the Professional Standards (2020) for social workers. Students are expected to work toward understanding and reflecting these standards as they progress through their programme.

2.D3 Social Work England expects that education providers have overall responsibility for ensuring that students remain fit to practise throughout their period of study. This responsibility covers all students regardless of their employment status with any practice placement provider.

2.D4 Concerns about a student's fitness to practise in terms of breach of SWE Professional Standards, professional misconduct, inappropriate behaviour or for health reasons will be addressed in accordance with this Fitness to Practise Procedure.

2.D5 The SWE Professional Standards sets out the conduct that is expected of students on Social Work programmes.

Composition of Panels

2.D6 The membership of a Fitness to Practise Panel convened to consider the fitness to practise of a Social Work student shall be constituted in accordance with paragraph 67 above, but in addition it shall comprise:

- two qualified Social Workers registered with SWE, neither of whom shall have been otherwise involved in the case, and one of whom may also be an academic from another institution.

2.D7 No academic award made to a student deemed to be 'unfit for practise' for professional social work shall contain the words 'social work'.

Teachers' Standards in England

2.E1 The programmes in Education to which the procedures set out in this Regulation apply are:

- Postgraduate Certificate Secondary Education with recommendation for Qualified Teacher Status
- Postgraduate Certificate Primary Education (5-11 yrs) with recommendation for Qualified Teacher Status
- Programmes which carry the recommendation for Qualified Teacher Status

2.E2 Concerns about a student's professional suitability in terms of breach of the Teachers' Standards in England from September 2012, professional misconduct, inappropriate behaviour or for health reasons, will be addressed in accordance with this Fitness to Practise procedure.

2.E3 The Teachers' Standards in England from September 2012 and the programme documentation sets out the conduct that is expected of students on Initial Teacher Education Programmes.

Composition of Panels

2.E4 The membership of a Fitness to Practise Panel convened to consider the Fitness to Practise of an Initial Teacher Education student shall be constituted in accordance with paragraph 67 above, and in addition it shall comprise:

- two qualified teachers, at least one of whom shall normally be external to the University and shall be a Head Teacher, or Deputy Head Teacher, or another senior teacher with appropriate authority. Where the qualified teacher is a member of the academic staff of the University, this person shall not be the student's personal tutor, Senior Tutor or Programme Leader. Neither qualified teacher shall have been otherwise involved in the case.

2.E5 No award which entitles the student to be recommended for Qualified Teacher Status shall be made to a student deemed to be 'unfit to practise'.

MBBS

2.F1 The programme in Medicine to which these procedures apply are:

- Medicine MBBS

2.F2 The professional expectations of this programme are set out in fill in student handbooks and other programme documentation and in the GMC's Achieving Good Medical Practice (2016). In accordance with the GMCs' Professional Behaviour and Fitness to Practice: Guidance for Medical Schools and their Students (2016):

1) Level 1 and Level 2 Concerns about a student's professional behaviour and fitness to practise (paragraphs 38-59) will be managed by the Medical School's Health and Conduct Panel, which will be responsible for approving time-based action plans, with the provision of support by the Medical School Student Support and Wellbeing team. Action plans may include a recommendation for student undertakings and/or warnings.

2) Where the Health and Conduct Panel considers that the student's behaviour is a Level 3 concern i.e. it is serious or persistent enough to call into question their fitness to continue on the MBBS programme, or their fitness to practise as a doctor after graduation, the student will be referred to the Deputy Dean (Academic Affairs).

2.F3 Contrary to paragraph 82 of this procedure:

If the student's Fitness to Practise is not impaired, the Panel can apply:

1) No warning or sanction;
2) A warning, in the case where a student's Fitness to Practise is deemed not to be impaired but there has been some deviation from expected standards.

2.F4 The outcome of the Panel communicated to the student will make clear the requirements for disclosure to the GMC when the student applies for provisional registration.

2.F5 Details of any formal investigations (carried out under Level 3 of this regulation) in relation to student professionalism or behaviour (including Fitness to Practise Panel outcomes) will remain on the student's record for at least six years after the end of the student's registration on the MBBS programme, and students will be required to declare this information when applying for registration with the GMC.

Composition of Panels

2.F6 The membership of a Fitness to Practise Panel and a Fitness to Practise Appeals Panel convened to consider the Fitness to Practise of a Medicine student shall be constituted in accordance with paragraphs 67 above, and will include:

- Two Registered Medical Practitioners with licence to practise, one of whom must be external to the University
- An individual with legal knowledge
- A lay representative
- A student representative, who does not know the student under investigation
- A relevant health specialist, where concerns are related to a health condition. This person should not be involved in the treatment of the student.

2.F7 The individual presenting the case to the Fitness to Practise Panel on behalf of the University will normally be a senior member of Medical School clinical staff.

Appendix 3 – Flowchart showing overview of Fitness to Practise Process

This is an overview of the process and is not meant to contain an exhaustive list of all possible scenarios:

(see next page)

Concern raised about a student's Fitness to Practise

Informal Preliminary Enquiry
Prior to any matter being considered at Level 1 or 2, or a hearing at Level 3, a preliminary enquiry may be undertaken within 5 working days of the initial fitness to practise concern being raised. The Head of the student's Department or Division will conduct the preliminary enquiry and, if necessary, will consult with a Critical Friend, as well as seeking procedural advice and guidance from the ACSM within the student's College and/or the Office of Student Complaints, Conduct & Appeals (OSCCA)

Refer to L1 – Cause for Concern
Support and intervention to help student address initial, emerging or minor concerns (page 11)

Nominated Department Representative will complete a Cause for Concern form and send this to the student with any evidence to inform them of the Fitness to Practise concern(s).

Nominated Department Representative determines what action, if any, is to be taken. (paragraph 48)

Nominated Departmental Representative will write to the student to confirm the outcome of the Cause for Concern Level 1 process.

The student will have the right to challenge the outcome within 10 working days of the date of the Cause for Concern outcome.

Refer L2 - College Investigation
Support and intervention to help student address serious and/or continuing and/or cumulative and/or repeated concerns (page 12)

Head of Department to follow up any preliminary enquiry already conducted by informing the student in writing about the Fitness to Practise concern and that the matter is to be dealt with under Level 2

Student to be invited to a meeting with the Head of Department and the programme lead to discuss the concern and any support needs the student may have. The student will be given a full opportunity to respond to the concern.

Head of Department will determine whether or not the student's fitness to practise is impaired or may become impaired and any actions to be taken (paragraph 56).

The Student, their Personal Tutor and the Head of Division will be notified in writing of the decision, normally within 5 working days, with reasons, and any actions to be taken.

Refer to L3 - Fitness to Practise Panel
Support and intervention to help student address critical and/or persistent or cumulative concerns (page 13)

The Level 3 concerns will be reported to the Deputy Dean (Academic Affairs), who, within 5 working days of the report will inform the student in writing that there is a concern about their Fitness to Practise and of the nature of the concern and that the matter is to be considered under Level 3

Investigating Officer to be appointed from the Department or Division by the Deputy Dean (Academic Affairs) of the Student's College. They will produce a report, setting out the facts and main findings related to the concern, the student's response to the concern, the scope of the concern linked to the relevant professional standards and a chronology. The investigation should normally be concluded within 10 working days

Deputy Dead (Academic Affairs) will send a copy of the report and evidence to the student and invite them to provide any additional response or comment within 5 working days.

Deputy Dean (Academic Affairs) will review the student response and decide whether to refer the matter to the Misconduct and Fitness to Practise Board (MFB) or whether the concern should be deal with at a different level or alternative University procedure.

Deputy Dean (Academic Affairs) will refer the College's case, including witness statements to the Secretary of the MFB confirming who will present the case to the Fitness to Practise Panel on behalf of the University, (the 'University Representative') and the identity of any witnesses they will be calling. (paragraph 61)

The student will be invited to the hearing before the Fitness to Practise Panel. Normally, at least 10 working days in advance of the date of the hearing. The student has the option to submit any evidence in response to the concern, including witness statements.

The Fitness to Practise hearing will take place, the Fitness to Practise Panel will make a decision based on the case presented to them (paragraph 80)

The Student, and all relevant parties will be notified in writing, normally within 5 working days of the date of the hearing of the decision of the Fitness to Practise Panel, with reasons, and any actions to be taken

Student may raise a written request for an appeal to The Registrar against the outcome of Levels 2 and 3 of this procedure. This should be submitted within 10 working days of the date of the decision letter, on one or more of the stated grounds. (paragraph 86)

The Registrar will consider the appeal request within 5 working days of receipt of the appeal and determine whether valid grounds are disclosed. The student, and relevant parties will be informed accordingly.

If no grounds are disclosed, the student will be issued with a Completion of Procedures letter within 5 working days of the Registrar's decision

Where valid grounds have been determined, the matter will be referred to a Vice Provost (VP). Within 5 working days of the referral, the VP will write to the student and invite them submit their substantive appeal, along with evidence to support the ground(s) relied on. The student should submit their substantive appeal and evidence within 10 working days of the date of the VP's correspondence.

The VP will consider and determine the appeal (paragraph 86)

The outcome of the appeal will be notified to the student, and relevant parties normally within 5 working days of determination of the appeal.

The decision of the VP will be final and will conclude the appeal.