Fitness to Practise Procedures for Courses Other than Social Work

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# Procedures to End a Student’s Training

1.1 All courses shall follow procedures to end a student’s registration if their behaviour:

* Is confirmed to be damaging or dangerous to other people who use the student’s services, other students or course providers;

or

* Creates unacceptable risk for themselves or others;

or

* Shows a serious failure to follow the relevant body’s Code of Conduct.

These procedures must give the student the right to challenge evidence against them and the right to be accompanied or represented at any hearing.

1.2 These procedures do not apply to cases of academic failure of clinical practice elements of courses of study.

# Grounds for Concern

2.1 The grounds for concern regarding a student’s fitness to practise include the following:

1. That the student is medically unfit to proceed – the fitness might be physical or psychological; and/or
2. Confirmation that:
   * the student’s behaviour is damaging or dangerous to other people who use the student’s services, other students or course providers;

and/or

* + the student’s behaviour creates unacceptable risk for themselves or others;

and/or

* + There is substantial evidence that the student is unlikely to demonstrate and promote the positive values, attitudes and behaviour expected in the professional setting (e.g. as per the relevant body’s Code of Conduct or other relevant professional guidelines).

2.2 The review panel will be known as the ‘Fitness to Practise Health Panel’ if the cause of the alleged unfitness to practise falls under (i) above, or, if the allegations fall under (ii), as the ‘Fitness to Practise Conduct Panel’. The Health Committee shall include a person with experience of dealing with student health issues.

# Investigation Stage

3.1 Concerns relating to a student’s fitness to practise, whether from an academic member of staff or from an external agency/institution, should be passed in writing to the Director of Division. The Director of Division shall authorise an initial investigation as to whether there are grounds for concern regarding a student’s fitness to practise, as specified above. The Director of Division shall within five working days refer the matter to another member of staff for investigation and shall notify the student of

a. the details of the allegations against them; and

b. the identity of the investigating officer; and

c. any suspension from their clinical course or limitations or conditions placed upon the continuance of their studies or supervised practice during the period of the investigation.

3.2 The investigating officer may request the members of staff connected with the case to provide written comments on the student’s conduct and/or health, explaining why there is concern as to the student’s fitness to practise. Factual information about the student’s professional progress on the course of study and any other relevant documentation should also be provided.

3.3 The investigating officer shall interview relevant individuals including the student in question. At such interviews the investigating officer shall be accompanied by a secretary who shall prepare a written note of the interview.

3.4 The student, in order that a report can be made on their fitness to practise on medical grounds, may be required to be assessed by a suitably qualified Health Practitioner as appointed by the University for this purpose.

3.5 On receipt of the report from the investigating officer, and within five working days, the Director of Division shall notify the student in writing of:

a. the outcome of the investigation;

b. whether the matter is to be referred to the Fitness to Practise [Health/Conduct] Panel together with full details of the procedures to be adopted;

c. the imposition, cessation, continuance or alteration (as the case may be) of any suspension or conditions/limitations placed on the student’s studies;

d. the options available to the Panel, including the recommendation to terminate a student’s registration at the University, where appropriate.

The letter will include a copy of the investigative report.

3.6 Should the investigation indicate evidence of grounds for concern, the case should be referred, together with the investigating officer’s report, to the Fitness to Practise Panel for adjudication.

# Adjudication Stage

4.1 The Fitness to Practise Panel will include the following membership (none of whom should have previous involvement with the case):

* Chair (normally the Director of Division or their nominee).
* At least one external member who is a senior Professional Practitioner or one external and one internal member where it is considered appropriate (for example where a wider breadth of professional knowledge is required).
* Two members of the Education and Student Experience Board/Graduate and Researcher College Board, as appropriate.
* A member of the Students’ Union.
* A member of University staff with experience of student health issues (Health Panel only).
* A Secretary, provided by the Division.

4.2 As outlined in 3.5 above, the student will be officially informed of the outcome of the Investigative Stage in writing.

4.3 Both the Investigative Officer and the student will be called before the Fitness to Practise Panel to give their account of the case and answer any questions the Panel may have.

4.4 The student will have the right to be accompanied by a member of staff or a student of the University or a member of staff of the Students’ Union (not a legal representative). The student will be given the right to respond to and challenge any evidence against them.

4.5 The Panel may, having previously considered the evidence from the Investigation Stage, call further parties to the Panel hearing as they see fit to answer any questions.

# Powers of the Fitness to Practise Panel

The Panel may, following consideration of the case:

* permit the student to continue with the course of study;
* permit the student to continue with the course of study under close supervision;
* suspend the studies of the student for a specified time;
* require the student to re-sit a specified part or parts of the course;
* require any other action considered appropriate by the Panel to enable the student's successful completion of the remainder of the course;
* determine that the student's studies on a course of study leading to a professional qualification be terminated, but permit registration for an alternative academic qualification;
* determine that the student's registration be terminated and that the student be required to withdraw from the University.

# Appeals

If a student wishes to appeal against the judgement of the Fitness to Practise Panel they may do so through, and in accordance with, the [University Regulations on Student Discipline in Relation to Non-Academic Matters](https://www.kent.ac.uk/guides/student-conduct).