

## **PROCEDURE FOR DEALING WITH ALLEGATIONS OF PROFESSIONAL MISCONDUCT AND/OR PROFESSIONAL UNSUITABILITY**

1.1 This procedure may be used for students registered on programmes leading to professional registration/accreditation

1.2 Allegations against a student of professional misconduct and/or professional unsuitability shall be made in writing to the Chair of the Fitness to Practice Board. On receipt of the allegation, the Chair of the Fitness to Practice Board shall inform the student of sufficient details of the allegation(s) or report of concerns as soon as possible.

1.3 It must be borne in mind that an allegation of professional misconduct and/or professional unsuitability is a serious and potentially defamatory one. Consequently it is essential that the proceedings should be conducted on a basis of strict confidentiality.

1.4 On receipt of a written allegation or a report of inappropriate behaviour/conduct, the Chair of the Fitness to Practice Board shall, in consultation with the Dean of HE, review and consider how the case should proceed. Where a very serious incident had been reported, which may require immediate action (e.g. immediate suspension of the student from studies/ placement) then the Chair of the FtP Board should inform the all relevant parties without delay, in order to safeguard all relevant parties.

1.5 In the event that the allegation(s) concerned incident(s) in a setting where the student is also employed as a practitioner/member of staff, the Chair of the Fitness to Practice Board should talk to the student as soon as possible, in order to ascertain whether the employer was aware of the allegation(s). In complex cases, the Chair of the Fitness to Practice Board should contact the Chair of the University's Senate Student Discipline Committee for advice and guidance.

1.6 The outcome of the decision of the Chair of the Fitness to Practice Board shall be one of the following:

- (i) no Fitness to Practice concerns. No records shall be made unless the College was required to do so by PSRB requirements;
- (ii) referral to the student's Programme Leader with an email of instructions or a support plan that may help to address the issues identified;
- (iii) referral to a senior member of academic staff, with an email of instructions and/or request for a meeting to be held with the student;
- (iv) instruct the student to attend a meeting with the full Fitness to Practice Board. The student should be reminded that s/he could seek independent support and may be accompanied by a friend who shall not be a legal representative;

- (v) recommend to the Programme Leader that the student's conduct should proceed under one of the other Regulations or Policies and Procedures instead. If recommending disciplinary action under one of the other Regulations or Policies and Procedures, the Chair should enclose appropriate evidence (e.g. record of unsatisfactory or poor attendance that have shown no significant improvement.)

1.7 In complex cases, the Chair of the Fitness to Practice Board may recommend that an Investigating Officer be appointed immediately, before a meeting as mentioned in 1.6(iv) above is held. The Investigating Officer shall assemble impartially all the information relevant to the case. The Chair of the Fitness to Practice Board shall, in consultation Investigating Officer, determine:

- (i) a realistic timescale for the relevant information to be collected and for the Investigating Officer to complete his/her report. The Chair must inform the student of the agreed timescale\* in writing, and provide updates to the student of any progress/delays thereafter;
- (ii) whether the Fitness to Practice Board should seek the views of external consultants/practitioners from the relevant Professional body, and contact the relevant external bodies if required.

*\*The investigation and write-up of the Investigating Officer's report would normally take up to 30 working days. On receipt of the Investigating Officer's report, a meeting of the Fitness to Practice Board should be convened within 10 working days. Working days exclude Saturdays, Sundays and College closure days*

### **Meeting of the College's Fitness to Practice meeting**

1.8 Where a full Fitness to Practice meeting with the student under 1.6(iv) is required, the student would be informed in writing of the allegation(s)/concerns made and s/he would be invited to submit a statement including, where relevant, any extenuating circumstances.

1.9 Prior to its meeting with the student, the Fitness to Practice Board may instruct the student to go for an Occupational Health/ other specialised medical assessment, and consider if there is a Fitness for Study issue that may explain the student's behaviour/ conduct. The report from the Occupational Health/medical assessment shall be made available to the Fitness to Practice Board and the student prior to the meeting.

1.10 The outcome of the decision of the full Fitness to Practice Board shall be one of the following:

- (i) no Fitness to Practice concerns;
- (ii) no further action is required but the student may be warned of the consequences of repeating the conduct/behaviour that gave rise to the allegation(s)/concerns. The student's Personal Tutor may also be asked to provide guidance and support to help address the issues identified;
- (iii) referral to the College's Fitness for Study procedure;

- (iv) referral to other support services so that the student could be provided with appropriate guidance and support;
- (v) recommend to the Dean of HE, that a formal warning be recorded on the student's file. In the event that the student continues to demonstrate conduct/behaviour that generates Fitness to Practice concerns, the Chair of the Fitness to Practice Board shall consider whether the student's case should be referred to the Disciplinary Procedures for consideration;
- (vi) recommend to the Dean of HE, that the student's case should be referred for consideration under the Disciplinary Procedures. The Chair of the Fitness to Practice Committee/Board shall set out the findings and conclusions of the Committee/Board;
- (vii) where the student's programme of study has a requirement to pass a Fitness to Practice module or its equivalent, the Fitness to Practice Board may resolve that the student has not met the professional standards/expectations of the programme of study and shall not be permitted to progress to the next stage of study.