College of Humanities and Social Science

Procedures relating to cases of Fitness to Practise

Programmes of study within the College of Humanities and Social Science leading to a professional qualification and/or a licence to practise, normally require students to undertake practical training. The University and College, in conjunction with professional bodies, have a duty to ensure that students are fit to practise while undertaking this training.

This document sets out College procedures for dealing with fitness to practise cases and is necessary to:

* Comply with the requirements of the professional bodies.
* Protect those individuals the student has contact with during professional training.
* Ensure students are appropriately prepared for entry to the profession; have developed professional attitudes and clearly understand and demonstrate professional behaviour.
* Protect the College and the University against a claim from an individual, or the representative of an individual, who has been harmed by a student in the course of that student’s undergraduate professional training as a result of him/her being unfit to practise.

In CHSS, Fitness to Practise considerations relate to both Undergraduate and Postgraduate provision in the following subject areas:

* Social Work
* Teaching/Education
* Nursing
* Clinical Psychology
* Law (Diploma in legal Studies)

Fitness to Practise procedures are independent of academic progression regulations. In cases where a student is in breach of both Fitness to Practise and academic regulations, the fitness to practise procedure will take priority and only if thereafter the student is permitted to remain on programme will the academic case be heard.

**College Fitness to Practise Committee**

In order for suitable panels to be drawn from it, the College Fitness to Practise Committee will consist of two representatives from each school nominated annually by each School.

**Fitness to Practise Panel members**

In line with University Regulations, the quorum for the Panel is six, including the Convener, who will be a member of all Panels in order to provide uniformity of standards and experience.

**Convener:** Associate Dean (Student Conduct) or a deputy appointed by the Head of College.

**Members:**

* 2 senior academic members of staff with significant experience of Fitness to Practise issues and student issues as appropriate, one drawn from the relevant school.
* 2 senior members of the relevant profession who contribute to teaching or oversee placements but are not members of the University.
* A further suitable representative: for example, this person could be a representative of the professional body is so required.

The majority of panel members should be members of the relevant profession.

**Support / Representation at the Hearing**

A student subject to a Fitness to Practise investigation can be accompanied at the Hearing by a member of the University community, such as a student adviser from EUSA. It is not expected that legal representation will be involved in such hearings. However, where the student initiates the inclusion of legal representation, the University will appoint a practising advocate or solicitor to represent the University (and in such cases would not be liable for the student’s legal costs.)

**Penalties**

A Fitness to Practise panel is empowered to:

* Permit a student to continue on programme.
* Permit a student to continue, subject to review, under certain conditions – for example careful mentoring by a named senior academic member of staff
* Require a student to repeat certain parts of the programme of study
* Require a student to interrupt his/her programme of study for an unspecified period to give time to resolve a specific problem
* Terminate a student’s programme of study but allow the student to transfer to another programme of study.
* Terminate a student’s programme of study and recommend to the Senatus Academicus that the student be expelled from the University.

**Reporting of Suspected Case of Fitness to Practise**

The member of staff who becomes aware of a potential fitness to practise case must submit a written report to the Associate Dean (Student Conduct). The report must be accompanied by all relevant documentation and must be submitted as soon as an issue has arisen.

**Investigation**

1. Having reviewed the case documentation and the report submitted, the Convener of the Fitness to Practise Committee will decide whether a formal fitness to practise interview is necessary and, if so, will arrange an appropriate panel, as described above, and advise the student of the date and time of the interview.

 The purpose of any interview is to enable the Panel to obtain further relevant information about the alleged case and to allow the student the opportunity to put forward his/her response to the allegation. The Panel will then take into account the information obtained at the interview when coming to a decision on any penalty to be applied.

2. The Personal Tutor will be copied into the summons for interview letter but not sent the documentation.

3. Following the interview, the Convener will circulate to the Panel and the student, as soon as possible, a draft confidential report of the meeting. Members of the Panel and the student will be given the opportunity to comment on the accuracy of the draft report before it is finalised. The report will not normally be copied more widely (e.g. to a EUSA Adviser or Personal Tutor) unless this is specifically requested by the student.

4. The Convener, after consultation with the rest of the interview Panel, will decide on the penalty, if any, to be applied. The student will be informed of the decision as soon as possible following the interview and not at the time of the interview.

5. Once the report and the penalty are agreed, the Convener will submit a written report to the Convener of the relevant Board of Examiners. This will include details of any penalty which the Board will be required to apply.

Or

 Where the student fully and willingly acknowledges the offence and does not wish to have an opportunity to offer further comment, the Convener may decide that there is no need for a formal fitness to practise interview. In such cases the Convener may simply write to the student and the Convener of the Board of Examiners with his/her decision on the penalty.

**Appeal**

The decision of the College Fitness to Practise Committee is final and may be appealed only on the following grounds:

* substantial information directly relevant to the case which for good reason was not available to the panel when it made its decision;
* alleged irregular procedure or improper conduct of the panel.

Appeals must be submitted in writing to the Secretary to the University in accordance with the Appeals section of the University’s assessment regulations.

July 2013