

FITNESS TO PRACTISE PROCEDURE

Purpose

1. The Fitness to Practise Procedure applies to University of Suffolk students enrolled on courses which lead to professional registration and/or licence to practise and where Disclosure and Barring Service (DBS) checks are normally required. These courses are likely to involve a practical professional placement as a required part of the course. Such courses include, but are not limited to, teaching, health professions, social work and counselling. Other courses may also be subject to this Procedure. Students on such courses have additional responsibilities placed

Scope

6. Concerns about a student's fitness to practise may be raised from any source, including any member of staff, student, placement partner, member of the public, the Occupational Health Service or other agencies such as the Police, Social Services, or the Local Authority Designated

11. An allegation raising concern about fitness to practise is a serious and potentially defamatory one. Consequently it is essential that the proceedings should be conducted on the basis of strict confidentiality. All parties to the allegation and individuals who have been involved in any related investigation and/or the management and/or the administration of the allegation will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed in order to consider the allegation, this will only be to those staff involved in the consideration of the allegation.

12. Where a person wishes to raise a concern about a student anonymously, for example under whistleblowing procedures, the University will normally take steps to identify the person in order to rule out the possibility that the concern is raised maliciously. Witnesses who are giving their professional opinion are not expected to be anonymous, and if a witness does not agree to the student knowing their identity it may not be appropriate to rely on their evidence. Where evidence comes from service users during a practice placement, it will be necessary to protect the confidentiality of the service users, particularly where those service users are children or vulnerable adults, and as such this may include anonymised witness statements.

13. All witnesses should be aware that their statements will be shared with the student and the panel should the case progress to formal stage (part 2). Witness statements will normally be in written format. However, where interviews are held via video-conferencing such as Teams, the meeting may be recorded providing all parties present consent to the recording. In such cases, written minutes of the meeting will be produced but the recording may also be made available to the student and panel on request (subject to the agreement of all parties) should the case progress to formal stage (part 2).

14. Students can access impartial and confidential advice from the Students' Union Advice Service and Student Life teams. They may also seek support from their PSRB if they are a member.

15. Once a fitness to practise procedure has been instigated, the University will endeavour to conclude the proceedings within 90 days. There may however be circumstances where this is not possible, for example due to the complexity of the case or availability of the student, witnesses or panel members. In such instances, the student will be kept informed and given a likely timescale for completion.

16. It is expected that students will engage with the fitness to practice procedures when required to do so. If a student fails to engage with the process without good reason and despite

reasonable efforts by the Office for Student Appeals, Complaints and Conduct (OSACC) to seek engagement, the University will normally follow the procedure through to conclusion without additional input from the student. Where, for good reason, a student is unable to engage with the process (for example due to ill health) the student will normally be offered time away from their studies, and the fitness to practise proceedings will restart when they are able to return.

17. If a student withdraws themselves from their programme of study once fitness to practise proceedings have commenced, the University will normally follow the procedure through to conclusion. This is to ensure the completeness and accuracy of the University's record in the event that the student later wishes to undertake another professional course either at the University or at another institution, or a question arises about the proceedings or outcome.

PRACTISE

18. Concerns about a student's fitness to practise are normally made through the completion of a Reporting a Cause for Concern Form, submitted to OSACC along with appropriate supporting

25. Suspension is an interim measure. The suspension may be to take a student off campus or out of placement for their own safety or for the safety of others while an investigation is carried out, or to provide a cooling off period.

26. A student may be suspended at any time and will be informed in writing of the suspension by the Vice-Chancellor/Principal. Suspension is not a sanction and does not imply guilt; it is used only where necessary for the protection of patients, clients and/or the students and is a interim measure.

27. Only the Vice-Chancellor may suspend a student. In the absence of the Vice-Chancellor, the Deputy Vice-Chancellor or the University Secretary are empowered to authorise the suspension. Where the student is registered at a partner institution, the relevant Principal (or equivalent) or their authorised representatives have delegated authority to suspend a student.

28. Any suspension of a University of Suffolk student registered at one of our partners must be notified immediately in writing by the relevant Principal (or equivalent) or their authorised representative to the Vice-Chancellor and Academic Registrar.

29. The period of suspension is at the discretion of the Vice-Chancellor/Principal (or equivalent) or their authorised representative.

30. The terms of the precautionary action and the reason for it will be notified to the student in writing by the Vice-Chancellor/Principal (or equivalent) or their authorised representative.

31. A student may appeal the decision to suspend them from their studies and/or practice. Any appeal should be submitted within five working days of the decision of suspension. An appeal and any supporting evidence should be submitted to the Office of Student Complaints and Conduct (OSACC) via email within five working days of the decision of suspension. In consultation with the Academic Registrar, the Vice-Chancellor/Principal will review and consider any appeal and the

33. Where a suspension remains, it will be reviewed every two weeks (four weeks) until the conclusion of the case or at any stage if there is a material change in the circumstances of the case. The Office of Student Complaints and Conduct (OSACC) will invite the student to present any written representations in support of their review. Any review will be undertaken by an Associate Dean or Senior Academic who has had no prior involvement in the case and a recommendation made to the Vice-Chancellor or authorised nominee if the recommendation is that the suspension or restrictions should be lifted.

34. Factors to be considered as part of the review include the reason(s) for the suspension/restrictions, any altered circumstances, the stage of any investigation into the concern raised, the behaviour of the student since being suspended and the estimated timescale before the case is likely to be resolved. Those carrying out the review may also consult with the relevant Dean of School or their nominee, as appropriate. The student will be informed via email of the outcome of any review.

35. Should the outcome of the review be a recommendation to lift the suspension/restrictions, consideration will be given to any terms that should be applied to the student's return to the University. The lifting of the suspension will not affect the fitness to practice process. The suspension may be reinstated immediately if there are grounds for suspecting that the student is either

Secretary for consideration by the FTTP. Exceptionally, a witness may be accompanied by a friend as defined in paragraph 41.

53. The student may also provide the Secretary with a further statement concerning the allegation(s) against them and/or any additional written evidence as they consider relevant to the case. Such information should be submitted at least five working days before the hearing and will be circulated to the FTTP by the Secretary.

54. At least three working days before the hearing, the Secretary will send confirmation of the arrangements to the student, at both their institution email address and personal email address. This should include details of:

- a) the nature of the allegation
- b) membership of the FTTP
- c) the name of the presenter of the case
- d) the name(s) of any witness(es) called
- e) the date, time and place of the FTTP hearing

55. The conduct of the FTTP shall proceed as outlined in Appendix 3. The FTTP shall allow the student against whom allegations have been made to present their case in person and, if the student wishes, to be accompanied by a friend (as defined at paragraph 41) to help them in presenting their case to the FTTP.

56. The FTTP shall consider the oral and/or written evidence submitted by the presenting officer and any oral and/or written statement or evidence provided by the student. It shall have the power to seek such other evidence as it deems necessary and may be adjourned to allow for such evidence to be gathered.

57.

APPENDIX 2

FITNESS TO PRACTISE PROCEDURE: ROLES AND RESPONSIBILITIES

The Academic Registrar shall:

- ensure that the FTPP and the FTPAP procedures are fully and properly followed
- be a source of independent advice to all parties in the FTPP and FTPAP
- receive and consider (in consultation with a senior representative of the awarding institution) appeals against decisions of the FTPP
- if it is decided (with the agreement of a senior representative of the awarding institution) that an appeal does not warrant consideration by an FTPAP, inform the student (via OSACC) by

