



Fitness to Practise Guidance

What is 'fitness to practise'?

The University offers a number of programmes (e.g. Nursing, Midwifery) which can lead to registration as a practising professional, and it has a responsibility to the professional/statutory bodies, the professions in general and to the wider public to consider matters which may bring into question a student's capability to meet professional standards.

It is the University's policy to monitor your ability to demonstrate professional competence and also to meet a set of standards for professional behaviour. These standards apply not only to conduct on practice placement but also during your programme of study in all university environments.

What are 'professional standards'?

If you are on a programme leading to professional registration then at the start of your course you should have been made aware of the particular professional standards required. Often you will be required to sign a contract to confirm your recognition of the profession's standards. If you are not sure what professional standards apply to your programme then you should seek help from your Course Leader.

What may lead to questions about my professional competence?

A member of your teaching team, or a practice/placement assessor, or even a member of the public, may express concern that you are failing to maintain standards and/or conduct appropriate to your intended profession. Examples are a breach of confidentiality, inappropriate use of social networking sites, academic misconduct (which may call into question your honesty and integrity) or the discovery of a previously undisclosed offence or conviction. This list is not exhaustive.

What will happen if my professional competence is questioned?

In certain circumstances a placement provider may decide that you are not satisfying professional standards and that therefore you might represent a risk. In such cases the placement provider may ask you to leave the setting, pending the implementation of the University's Fitness to Practise (FtP) procedure.

In all cases, if a credible allegation is received by the University that you have not upheld the appropriate professional standards then the University may take immediate action, for example, removing you from a practice placement. In certain circumstances, for example where serious malpractice is alleged, the Director of Student & Academic Services may accept a recommendation from your School to suspend your studies temporarily whilst a formal investigation is undertaken.

Who will decide whether I have breached professional standards?

An independent investigator will be appointed by the University and a formal investigation will be concluded within four working weeks. You will have the opportunity to meet the investigator and you will be kept informed throughout. The investigator will normally recommend either that there is no evidence to support further action, that the matter should be referred to level 1 of the FtP procedure, or that the matter is serious enough to warrant referral to level 2 of the procedure.

You will be notified of the investigation outcome.

What happens if I am dealt with under level 1?

You will be called to a meeting with the investigator, who will discuss with you the findings of the investigation and its relevance to your studies. At the end of this meeting the investigator may recommend that the university takes no further action, that you are given appropriate specialist advice and guidance, or that you may continue on your programme of study, subject to conditions (e.g. engagement with university support mechanisms, temporary suspension of studies).

At any point the investigator may recommend to the DSAS that the matter should be elevated to level 2.

What happens if my case is referred to level 2?

The University will convene a Fitness to Practise Panel and you will be invited to a hearing. In advance of the hearing you will be sent all of the documentary evidence that the panel will consider. At the hearing you will be given an opportunity to question the investigator and to make an additional verbal and/or written submission to the panel if you wish to do so. You may (subject to certain conditions) be accompanied at the hearing by a 'friend' (see the appendix to the Policy).

If there is a dispute about the facts, what is the burden of proof?

The principles of natural justice will be applied. Where the university presents evidence of your actions, the burden of proof rests with the university; where you presents evidence the burden of proof rests with you. The panel will make a determination on matters of fact 'on the balance of probabilities'.

How long will it take to make a decision?

Unless the Panel decides that it needs further information, you will be notified of the outcome, including the reasons why the Panel reached its conclusion, within two working days of the hearing. Within two weeks you will receive a copy of the formal notes of the hearing.

Can I appeal?

There is no means within the University's Regulations to appeal against the decision of the Fitness to Practise Panel. Where appropriate, you will be informed of your rights to make a complaint to the Office of the Independent Adjudicator for Higher Education.

Where can I obtain advice?

If you have any uncertainties about the information contained in this Guide you should consult the Student Matters Office (Student Centre Room SC204) or an Academic Advisor (contactable via your School's Student Admin. Team).

Other sources of information

See the full [Fitness to Practise Policy](#) & Procedure on the University website.