

Fitness to Practise Procedure

Approved by:	Effective date:	Next Review:
Education Committee	1 August 2025	1 March 2028

Who needs to know about the policy?

- All staff,
- All students registered on a relevant regulated course,
- Students' Union, apprentices and volunteers
- Collaborative partners

Purpose of the Procedure

The purpose of this Procedure is to outline the University's approach to managing concerns that relate to Fitness to Practise and a student's ability to meet the professional standards associated with the professional body or regulator.

Contacts

The Student Governance Team is responsible for the operation and management of the Fitness to Practise Procedure. The team can be contacted for procedural advice and guidance by emailing: ftp@canterbury.ac.uk.

The Student Governance Team is responsible for:

- Providing procedural advice, training and assistance
- Guidance and templates

Schools are responsible for:

- The operationalisation of the Fitness to Practise Procedure.
- Subject specific and professional training and best practice.

The Student Wellbeing Services can be contacted for confidential support. They can provide advice and assistance or signpost to external sources of support, where relevant. The team can be contacted by emailing: studentsupport@canterbury.ac.uk.

The Students' Union can provide support, advice, and advocacy for students at the University's home campuses involved in Fitness to Practise cases. The Students' Union Advice Centre can be contacted by emailing: advice@ccsu.co.uk.

The contacts, support mechanisms and role titles set out describe those in place at the University's home campuses; the names and specific steps of student support and advocacy may differ where the student is registered at Collaborative Partnership institutions.

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Part 1 – General Provisions

1. Introduction and Principles

- 1.1. 'Fitness to Practise' refers to the ability of a student to meet professional practice standards and, on successful completion of the course leading to a professional qualification, enter a regulated profession. In conferring an award leading to a professional qualification and eligibility to register with a relevant professional or regulatory body, the University has a duty to ensure the fitness of students for practise.
- 1.2. Whilst undertaking a regulated course leading to professional and/or application to register, students must adhere to the professional standards associated with the relevant professional body or regulator.
- 1.3. The protection of the public, employer, placement partners, the University community, the reputation of the course, and/or the University will be key considerations in the implementation of this Procedure.
- 1.4. The purpose of this Procedure is to protect and safeguard members of the public and to maintain public confidence in the professions covered under this Procedure.
- 1.5. This Procedure follows the principles of natural justice and sets out a process whereby a student will receive a fair, accessible and unbiased hearing before any decision is made that will affect them and their potential progression on their course or registration with the relevant professional or regulatory body.
- 1.6. The standard of proof to be adopted under this Procedure is on the balance of probabilities. A Fitness to Practise Concern shall only be substantiated where it is more likely than not that the incident(s) and/or circumstances that gave rise to the concern took place.
- 1.7. Reasons will be given for decisions reached about the student's professional competence, health and/or behaviour, and the course of action resulting from decisions made will be proportionate.
- 1.8. The burden of proof principally rests with the University to establish the facts of the case. There is no need to prove facts that have been admitted or are proven by the existence of a relevant criminal conviction or substantiated case under a separate Procedure.
- 1.9. All relevant staff will be informed of the Procedure and trained appropriate to their role in the procedure. Examples of this may include subject specific training linked to professional or regulatory body, Investigations Training, Panel Training and/or conducting Fitness to Practise Reviews. All staff involved in the process, whether through the procedural process or provision of providing support, advice and/or guidance, are expected to act with impartiality and discretion.
- 1.10. The Fitness to Practise process, including investigating the case and conducting any hearing, will aim to promote inclusivity, proportionality and reduce any potential bias.

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- 1.11. At the early stages of a student's professional journey, the University acknowledges that professional competencies, behaviours and standards associated with the profession may still be in development, and therefore, the University will ensure that those on a relevant course are appropriately informed and supported in the development of the standards and expectations relevant to the professional course through teaching, learning, assessment design and appropriate placements.
- 1.12. Where it is deemed appropriate (subject to risk management and safeguarding measures), opportunities for the student to learn from a concern raised regarding their Fitness to Practise will be facilitated for the purposes of development.
- 1.13. The University is committed to providing support to members of its community affected by or subject to a Fitness to Practice investigation. Confidential and impartial specialist support from practitioners in the Student Wellbeing Service (or the equivalent Collaborative Partnership Student Wellbeing Service) will be provided. At all steps in the procedural process, the student will be appropriately signposted to access support from the Student Wellbeing Service and the Student's Union (or the equivalent Collaborative Partnership Student Wellbeing Service and Student's Union).
- 1.14. The student will be invited to inform of any reasonable adjustments that may be required throughout all stages of the Procedure. Where a student is registered with the Student Wellbeing Service, has declared a disability and/or put the University on notice of a potential health condition, advice and guidance from the Student Wellbeing Service shall be sought to ensure that reasonable adjustments are made for all stages of the Procedure.
- 1.15. The University will consider relevant legislation such as the UK GDPR, the Data Protection Act 2018, the Mental Health Act 2007, the Mental Capacity Act 2005, the Human Rights Act 1998, and the Equality Act 2010 when making decisions under this Procedure.

2. Scope of the Procedures

- 2.1. This Procedure applies to students registered on a course that is directly delivered by the University, which leads to eligibility for professional registration and/or licence to practise in a relevant profession.
- 2.2. This Procedure applies to students registered at the University with a course delivered by a Collaborative Partner, where the course would lead to a professional qualification leading to registration with the relevant professional body or regulator. Where a concern is raised regarding a Collaborative Partner student relating to their Fitness to Practise, the Collaborative Partner will refer the concern to the University for consideration and appropriate steps to be taken under this Procedure.
- 2.3. For the purposes of this Procedure, the term "student" may also refer to an apprentice, trainee or learner.

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- 2.4. Where a student has withdrawn from their course after a Fitness to Practise referral has been initiated, the former student will still be subject to the Fitness to Practise investigation. In consideration of when this may or may not be appropriate, the following will be considered:
- 2.4.1. where the former student has been involved in a profession where public safety to professional standards may be a concern
 - 2.4.2. where the nature of the Fitness to Practise Concern(s) may influence the future ability to practise if the circumstances that gave rise to the concern are substantiated
 - 2.4.3. the nature of the Fitness to Practise Concern(s) may prevent the student from re-registering on a related course or profession in the future. This may also include being removed from the register of students or barred from practising.
- 2.5. Notwithstanding paragraph 2.4, the former student would have the same procedural rights during the procedural process, including the right to respond to the concern, provide evidence and representations during the investigation.
- 2.6. Where a student is also employed as part of their studies, the employment is linked to their course, and it is one that would lead to a professional qualification leading to registration with the relevant professional body or regulator, the University can:
- 2.6.1. Initiate a Fitness to Practise Concern and Interim and Precautionary Measures under this Procedure, where deemed relevant.
 - 2.6.2. Liaise with the employer to determine the next steps, including but not limited to, obtaining the relevant information and evidence as part of making a determination on the next steps under this Procedure.
 - 2.6.3. Request that the employer initiates their Fitness to Practise Procedures (or equivalent).
- 2.7. Notwithstanding paragraph 2.6.1, the University cannot make any determination under what would be considered matters falling under employment law or employer based Human Resources (HR) disciplinary action.
- 2.8. Where an applicant applies to the University for a relevant regulated professional course and is required to make a declaration relating to a criminal conviction, these concerns will be managed by the [Admissions and Recruitment Policy](#).

3. Relation to Other Procedures

- 3.1. Fitness to Practise is a distinct and additional process from [Fitness to Study](#) and the [Student Conduct](#) and [Academic Misconduct Procedures](#). It relates to students enrolled on courses leading to professional qualifications, where there is an obligation to ensure that students are suitable to

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undertake practice and qualify for professional registration.

- 3.2 Allegations that are initially submitted under the [Student Conduct Procedure](#) or [Academic Misconduct Procedures](#) will initially be addressed under the relevant procedure. This process determines whether the allegations are substantiated or unsubstantiated.
- 3.3 Where an allegation is substantiated under the [Student Conduct Procedure](#) and raises concerns about a student's suitability to enter or remain on a course for entry to a regulated profession, the matter shall be referred to the Fitness to Practise Procedure to assess any implications regarding the student's ability to meet the professional standards required for safe and effective practice.
- 3.4 Where a student submits a Stage 1 Complaint under the [Student Complaints Procedure](#) during any action taken under the Fitness to Practise Procedure, it may be appropriate to pause one procedural process to allow a decision to be made under another, or to signpost to the student the relevant appeal or review process in the Procedure that their complaint relates to. In such circumstances, the student shall be informed about which process is being followed and the likely procedural timeframes.

Part 2 – The Procedures

4. Fitness to Practise Concerns

- 4.1. Examples of concerns that may lead to initiating a Fitness to Practise referral may include the following (non-exhaustive list):
 - 4.1.1. a substantiated case of academic misconduct (for example plagiarism, cheating in examinations, falsification),
 - 4.1.2. a substantiated case under the Student Conduct Procedure (for example abusive or threatening behaviour, sexual misconduct, violence, bullying, harassment damage to property),
 - 4.1.3. health and safety breaches, including those associated with a student in a placement environment,
 - 4.1.4. where a student demonstrated potentially unsafe practice,
 - 4.1.5. inaccurate, falsified or misrepresented placement documentation. Examples of this can include fabricating or altering attendance records, forging mentor or supervisor signatures and/or misrepresenting placement hours.
 - 4.1.6. breaches of confidentiality or privileged information gained in the professional practise setting.
 - 4.1.7. concerns regarding competency to meet the requirement of the relevant professional body or regulator standards
 - 4.1.8. behaviour away from the student's studies, including when that arises as a result of a criminal

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conviction of a relevant offence, mental or physical health or serious physical impairment that interferes with the ability to practise safely and/or

4.1.9. failure to seek help or engage with appropriate services in relation to health issues.

5. Initiating a Fitness to Practise Referral

- 5.1. A concern may arise and be referred to the relevant School by any person, including but not limited to:
 - 5.1.1. A fellow student, any staff member, placement or practice provider, service user (e.g. a patient, client, carer, parent, or learner), member of the public, referrals from other University related procedures, health or medical professional, other agencies such as the Police, Social Services and/or an Occupational Health provider.
 - 5.1.2. Self-disclosure from the student informing that they have a concern or provide information which raises a concern about their fitness to practise. This may include outcomes or involvement in a criminal case or civil proceedings, where an outcome is yet to be determined.
- 5.2. Concerns will be referred by way of completing a Fitness to Practise Report form and submitted in line with the requirements contained on the form. The relevant School receiving the concern or disclosure, whether disclosed by an external party such as a placement provider, or internally by a member of staff, shall complete the Fitness to Practise Report form.
- 5.3. In exceptional circumstances, the University will consider concerns that have been raised on an anonymous basis. In considering this, the University will consider the severity, seriousness and risk factors linked to the relevant regulated course and profession.
 - 5.3.1. Where evidence comes from service users during a practice placement, the placement provider will need to protect the confidentiality of service users, and the placement provider may include summary of concern(s) raised by the placement provider and/or anonymised witness statements.
 - 5.3.1. Where a decision is made to progress a Fitness to Practise concern received on an anonymous basis, the principles of justice, evidential requirements, burden of proof and standard of proof still apply. Where a witness does not agree to the student knowing their identify, it may not be appropriate to rely on their evidence.
- 5.4. Where a decision is made to progress a Fitness to Practise concern received on an anonymous basis, the principles of natural justice, evidential requirements, burden of proof and standard of proof still apply.
- 5.5. The University will not accept vexatious or malicious concerns. Examples of this can include the following:
 - 5.5.1. obsessive, harassing, or repetitively raising a concern.

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- 5.5.2. insistence on pursuing unreasonable claims and/or unrealistic, unreasonable outcomes.
- 5.5.3. insistence on pursuing reasonable claims in an unreasonable manner or by the adoption of unreasonable behaviour.
- 5.5.4. raising a concern which is designed to cause disruption, annoyance or demands for resolution lacking any serious purpose or value.
- 5.6. Where an anonymous Fitness to Practise concern is received, there may be limited action the University can take, and the scope of the investigation may be limited.

6. Criminal Offences and Legal Proceedings

- 6.1. Where a Fitness to Practice concern is received, and it is, or could constitute a criminal offence, the relevant School may:
 - 6.1.1. report the matter to the police or other relevant authorities. This does not affect the right of any person affected by the Fitness to Practise concern to report it to the police on their own behalf,
 - 6.1.2. defer acting under the Procedure until the Police, Crown Prosecution Service (CPS) has completed their processes and/or
 - 6.1.3. continue with the investigation under the Procedure where it is confident that any internal Investigation will not prejudice or hinder the police or criminal investigation. In such circumstances, the University will take advice from the police.
- 6.2. A student is not exempt from any action under the Procedure where they may have been convicted of a criminal offence arising from the same set of facts, and double jeopardy cannot be claimed. In such circumstances, the purpose of the Fitness to Practise is to determine whether the incident(s) that have been proven by a relevant criminal justice agency impairs their fitness to practise. The University may rely on the criminal conviction and/or acceptance of a caution when determining the outcome of the case and considering an appropriate sanction.
- 6.3. In the event of Police non-action or acquittal of an alleged criminal offence, the University may still act under the Procedure and non-action from a criminal justice agency does not prevent the University from acting under this Procedure. In such circumstances, the Formal Investigation Officer will seek to establish the facts of the Fitness to Practise Concern to the standard of proof under paragraph 1.6.

7. Precautionary and Interim Measures

- 7.1. There are occasions where the University will be required to take immediate action, particularly where a student is undertaking a practice placement. It is so the University can exercise its duty of

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care in the protection of the public, staff, students and/or service users (or equivalent specific to the practise area) or the student, in pursuit of paragraph 1.3 and 1.4 of this Procedure.

7.2 Precautionary and Interim Measures may be taken:

7.2.1. to ensure that an investigation can be carried out without interference,

7.2.2. in pursuit of the protection of the public and the wider community,

7.2.3. where there is a threat or risk of serious harm to the student and/or others

7.2.4. in cases involving gross misconduct/serious incidences of unprofessional behaviour, particularly those specified by the appropriate professional or regulatory body.

7.2.5. where a student demonstrated unsafe practice, and/or

7.2.6. where serious safeguarding concerns have been raised, particularly those affecting vulnerable groups.

7.2.7. where concerns have arisen following a criminal conviction

7.3. Where a concern has been raised relating to a student's fitness to practise in the relevant profession, precautionary and interim measures may be implemented whilst an Investigation is undertaken.

7.4. Examples of Precautionary and Interim Measures can include (but not limited to), withdrawal from placement or practice related elements and/or variation on practice related elements of the course, where relevant.

7.4. Precautionary and Interim Measures do not mean that any determination has been made. It is a measure put into place to manage risk whilst the Fitness to Practise Procedure is undertaken.

7.5. Decisions relating to precautionary and interim measures will be taken after a risk assessment has been conducted by the Associate Dean (or nominee) to ensure that any measures that are taken are proportionate, reasonable and mitigate identifiable risk based on the information available at the time of making the determination to implement the Precautionary and Interim Measures.

7.6. Where relevant, the Associate Dean (or nominee) may consult relevant areas in the University or relevant external agencies, to inform the risk assessment. It is expected that a decision relating to precautionary and interim measures should be made within a maximum of 5 working days of the concern raised. In some circumstances, due to the level of risk presented, the determination to implement precautionary and interim measures will be taken immediately.

7.8. The student shall be notified of the Precautionary and Interim Measures in writing within a maximum of 5 working days of initiating a Fitness to Practise concern by the Associate Dean (or nominee) relevant to the regulated course. The student will be informed of the nature of the concerns and the specific measures to be put in place.

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- 7.9. The Risk Assessment associated with making a determination to implement Precautionary and Interim Measures shall be reviewed during the investigation, and no less than every 10 working days. The review will consider the continued necessity and proportionality of the Measures to ensure they remain relevant and necessary based on the circumstances that gave rise to the initial concern. The reviewer of the Risk Assessment may consult relevant areas in the University or relevant external agencies to inform any review of Precautionary and Interim Measures under this Procedure.
- 7.10. Following a risk assessment and consideration of Precautionary and Interim Measures, the Associate Dean (or nominee) shall assign a Formal Investigating Officer to the case.

8. Local Resolution of Low-Level Concerns

- 8.1. Where a Fitness to Practise concern has been initiated under paragraph 5.1 of this Procedure, the Formal Investigating Officer shall be appointed to determine if the concern can be addressed through Local Resolution of Low-Level Concerns of this Procedure or it would be more appropriate for the concerns to be referred to the Formal Fitness to Practise Stage of this Procedure.
- 8.2. The Formal Investigation Officer will be unconnected with the concern raised and will not have had any prior involvement with the matters raised.
- 8.3. In consideration of paragraph 8.1, the appointed Formal Investigating Officer may consider the following:
- 8.3.1. where concerns have been raised previously during the student's registration,
 - 8.3.2. where there is an opportunity for the student to improve, develop or address the concerns with guidance and/or support, which may also include a referral to Occupational Health Services and/or an action plan (or equivalent specific to the regulated area)
 - 8.3.3. the severity of the concern raised,
 - 8.3.4. the principles outlined in paragraph 1.3 and 1.4 of this Procedure.
- 8.3. The Formal Investigating Officer shall meet with the student and/or relevant staff, witnesses or placement providers and will explore if the concern can be addressed through Local Resolution of Low-Level Concerns of this Procedure, or it would be more appropriate for the concerns to be referred to the Formal Fitness to Practise Stage.
- 8.4. Where the severity of the concern raised is deemed sufficiently serious involving significantly unprofessional behaviour, unsafe practice and/or safeguarding concerns, Local Resolution of Low-Level Concerns can be bypassed and referred directly to the Formal Fitness to Practise stage.
- 8.5. The Formal Investigating Officer shall determine the following:

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- 8.5.1. to escalate the matter to the Formal Fitness to Practise Stage,
- 8.5.2. agree a relevant action plan with associated timescales for improvements and development.
- 8.6. Where a student does not meet with requirements of the action plan and associated timescales, the matter that gave rise to the original concern and failure to meet the requirement of the action plan will be referred to the Formal Fitness to Practise Stage of this Procedure.

9. Formal Fitness to Practise Stage

- 9.1. Where a decision has been made by the Formal Investigating Officer, that the Fitness to Practise concern cannot appropriately be addressed through Local Resolution of Low-Level Concerns; the matter will be referred to the Formal Fitness to Practise Stage.
- 9.2. A referral to the Formal Fitness to Practise Stage may also be relevant in circumstances where there is insufficient engagement or non-engagement with remedial action or action plans arising from the previous use of Local Resolution and Low-Level Concerns Stage.

Formal Fitness to Practise Meeting

- 9.3. The student will be notified in writing of the Fitness to Practise concern and will be invited to attend a Formal Fitness to Practise Meeting with the Formal Investigation Officer. Where a student is informed verbally of the concern, the matter shall be followed up with a written notification.
- 9.4. The written notification and correspondence shall provide the student 7 working days' notice of the meeting.
- 9.5. The written notification shall include the following:
 - 9.5.1. a copy of any correspondence relating to the decision to escalate to the Formal Stage;
 - 9.5.2. a copy and/or reference to the relevant standards of the professional body or regulator and relevant competency or competencies being investigated,
 - 9.5.3. any relevant evidence being considered in the investigation,
 - 9.5.4. a copy of this Procedure.
- 9.6. A student can decline to meet and/or may give a written response. A student who refuses or fails to attend a Formal Fitness to Practise Meeting, or provide a written response within the timescale, without good reason, shall normally be deemed to have declined the opportunity to participate in the process.

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- 9.7. A student may choose to attend the Formal Fitness to Practise Meeting (either in-person or remotely) or submit a written response to Fitness to Practise concerns. The University will offer reasonable adjustments where relevant.
- 9.8. The student can be accompanied by a “Friend” who shall normally be a member of staff, student at the University or Students’ Union advisor by way of support. The student is responsible for arranging the “Friend’s” attendance at the interview.
- 9.9. Where a student does not attend a Fitness to Practise meeting or fails to submit a written response within the specified timescale, the Formal Investigation Officer can offer provide one further opportunity for the student to attend and respond to the Fitness to Practise concern(s).
- 9.10. If, after these the second opportunity to meet, the student still does not engage, the University may determine that the student has declined the opportunity to participate.
- 9.11. The Formal Investigation Officer may hold additional meetings with the student, staff members, placement providers or any other party relevant to investigate circumstances of the concern.
- 9.12. The Formal Investigation Officer shall produce a Fitness to Practise Investigation Report following the investigation and meetings and refer the matter to the Student Governance Team to convene a Panel Hearing.

Fitness to Practise Panel Hearing

- 9.13. Upon referring the Fitness to Practise Investigation Report to the Student Governance Team, the Student Governance Team shall be responsible for convening a Fitness to Practise Panel Hearing.
- 9.14. The student shall be invited to attend a Panel Hearing with at least 7 working days’ notice of the hearing, which will include a list of witnesses and evidence that the Investigating Officer intends to call.
- 9.15. The student shall be provided with the following:
 - 9.15.1. the Panel membership,
 - 9.15.2. any witnesses the Investigator intends to call to the Panel,
 - 9.15.3. a copy of this Procedure.
 - 9.15.4. information and evidence that is being considered in determining the Outcome of the case
 - 9.15.5. options available to respond including, the opportunity to submit written representations, provide details of any witnesses that the student intends to call to the Panel Hearing, and associated timeframes for the next steps.
- 9.16. The student will be asked to provide copies of any documents they wish the Panel to consider to the

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Clerk at least 3 working days prior to the Panel Hearing, along with a list of any witnesses they intend to call. It is the student's responsibility to arrange for these witnesses to attend the meeting.

- 9.17. The student may decline attendance at the Panel Hearing and/or submit written representations to be considered at the Panel Hearing. Where the student or other witness is not able to attend for good reason, an alternative date may be arranged at the discretion of the Chair.
- 9.18. The Fitness to Practise Panel may proceed in the absence of a student, and a decision on the case can be made without the student present should a student decide not to attend a Fitness to Practise Panel. No adverse inference will be made by the Panel on a student's non-attendance. This includes situations where a student has failed to acknowledge or respond to notification of the panel meeting where reasonable steps have been taken to notify the student of the Fitness to Practise Panel arrangements.
- 9.19. The Chair of the Panel will need to consider the interests of the student, the facts in ensuring the University has taken the relevant steps to secure the attendance of the student to engage in the process.
- 9.20. The student has the right to be accompanied by a "Friend" who shall normally be a member of staff, a student at the University or Students' Union advisor. The Chair may permit the "Friend" to speak on behalf of the Reported Party if it would assist the Panel Hearing.
- 9.21. The student has the right to question witnesses via the Chair of the Panel, challenge witness testimony, dispute facts and circumstances and question witnesses through the Chair of the Panel.
- 9.22. It is not usually permitted for the student to be represented by a legally qualified solicitor or barrister, however the University may allow a student to be legally represented at a Panel Hearing in exceptional circumstances such as:
 - 9.20.1 where the seriousness of the allegation(s) and the potential penalty warrant this
 - 9.20.2. where points of law are likely to arise
 - 9.20.3. potential procedural conflicts,
 - 9.20.4. the complexity of the issues,
- 9.23. Where a student makes a request for a legally qualified representative to attend a Panel Hearing, the Director of Student Governance shall make the final determination.
- 9.24. The Panel will not have had any prior involvement in the case or the circumstances that gave rise to the fitness to practise concern.

The Panel will comprise of the following:

- 9.24.1. a senior member of a School Leadership Team to act as Chair of the Panel

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- 9.24.2. a professionally qualified member of staff from the same profession the student concerned is studying.
- 9.24.3. an appropriate external practitioner registered with the same professional body or regulator as the one which regulates the student's course.
- 9.25. The Panel should consider mitigating and aggravating factors, such as the level of insight a student has shown, evidence of good practice, personal circumstances, disability, previous concerns or patterns of behaviour. The student will be provided with the opportunity to put forward any mitigating factors before the Panel decides what action it should take.
- 9.26. The Panel will deliberate in private and reach its decision by a majority vote. A record of the closed session will be kept so that the student can understand the reasoning that has led to the Outcome of the Hearing.
- 9.27. The Panel is encouraged to consider all possible outcomes, starting with the least severe Outcome for the student, and may decide to act in one or more of the following ways:
 - 9.27.1. That the Fitness to Practise concern is unsubstantiated and their Fitness to Practise is not impaired,
 - 9.27.2. That the Fitness to Practise concern is substantiated and their Fitness to Practise is impaired, the Panel can apply one or more of the sanctions contained in Schedule 1 of this Procedure.
- 9.28. The student should expect to receive the written Formal Fitness to Practise Outcome within 5 working days of the Panel Hearing.
- 9.29. Non-compliance with any sanctions or undertakings issued from a Panel Hearing can result in the matter being re-referred to the Panel for consideration.
- 9.30. It is expected that all steps in the formal Fitness to Practise Stage will usually be completed within 40 working days of the referral to this Stage.

10. Fitness to Practise Review

- 10.1. A student who has received a substantiated decision and associated sanction or undertaking arising from this Procedure may submit a Fitness to Practise Review request for a review of the Outcome and/or sanction applied.
- 10.2. A Fitness to Practise Review request can be made by way of submitting a Fitness to Practise Review form.
- 10.3. A Fitness to Practise Review form shall be submitted within 10 working days of the date the student was notified of the Outcome and/or sanction applied.

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- 10.4. Where a student submits a Fitness to Practise Review form outside of the 10 working days timeframe stipulated in this Procedure, it will not usually be considered and will be deemed invalid unless there is good reason for the delay and is accompanied by supporting evidence for the delay.
- 10.5. A Fitness to Practise Review may only be made on one or more of the following ground(s):
- 10.5.1. there has been a demonstrable procedural error or irregularity that occurred, resulting in substantial unfairness to the student,
 - 10.5.2. the decision was unreasonable, and the sanctions applied were disproportionate,
 - 10.5.3. there was bias or reasonable perception of bias during the Procedure,
 - 10.5.4. there are new evidence facts that could not reasonably have been provided and which would have a material influence on the Outcome and/or sanction applied.
- 10.6. A student's disagreement with the decision arising from the Fitness to Practise Procedure is not a ground to request a Fitness to Practise Review. Forms submitted based solely on these grounds will be declined.
- 10.7. Where a Fitness to Practise Review form is submitted, the case shall be referred to the Deputy Dean (or nominee) for consideration. The Deputy Dean (or nominee) should not have had any prior involvement with the case at an earlier stage of this Procedure.
- 10.8. Deputy Dean (or nominee) shall consider the Fitness to Practise Review on the basis of the written Fitness to Practise Review papers, the information and/or evidence provided by the student.
- 10.9. Where the student has not satisfied one or more of the ground(s) outlined in paragraphs 10.5.1 to 10.5.4, and/or has not satisfied the timeframes stipulated in paragraph 10.3 and/or 10.4, the Review will be rejected, and the student shall receive a Completion of Procedures letter. The Completion of Procedures shall outline the decision made.
- 10.10. Where a Fitness to Practice Review has not been rejected on the basis of paragraph 10.9, the Deputy Dean (or nominee) shall review the case and can:
- 10.10.1. reject the Fitness to Practise Review and uphold the original decision and sanction applied,
or
 - 10.10.2. partially uphold or uphold the Fitness to Practise Review and either refer the matter to:
 - 10.10.2.1. a newly constituted Panel for consideration where the ground relates to bias or a reasonable perception of bias is upheld or the evidence is such that fairness would be better served by forming a fresh panel, or

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10.10.2.2. the original Panel where there is new evidence, procedural errors, or a sanction would need to be reconsidered.

10.11. In consideration of paragraph 10.10.2, the Deputy Dean (or nominee) shall consider the principles of natural justice and fairness.

10.12. Where the decision is made to refer to a newly constituted Panel for consideration or the original Panel, the decision arising from this part of the process will represent the completion of all internal processes and the student will be issued with the Fitness to Practise Review outcome and a Completion of Procedures.

10.13. It is expected that a Fitness to Practise Review Outcome will be completed within 10 working days of submitting all relevant sections on the Fitness to Practise Review form. Where there is a need for a Panel to consider the original sanction or create a newly constituted Panel, this may take longer than the timeframes stipulated in this paragraph and the student will be kept informed.

11. Office of the Independent Adjudicator of Higher Education (OIAHE)

11.1. After receiving a Fitness to Practise Review Outcome, the student has completed the University's internal Procedure and can submit a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education should they remain dissatisfied with the Outcome. The University will issue a Completion of Procedures Letter that the student will need to supply to the OIA.

11.2. A complaint must be submitted to the OIA within 12 months of the date of the University's Completion of Procedures Letter.

11.3. Where possible, the student should submit their complaint to the OIA as soon as practicable to ensure that, where relevant, a deadline for professional registration or placements does not lapse.

11.4. Further details of how to submit a complaint to the OIA will be provided in the Completion of Procedures Letter or Fitness to Practise Review Outcome. The OIA will normally only consider complaints after the University's internal Procedures have been completed.

12. Records, Monitoring and Confidentiality

12.1. The University monitors Fitness to Practise cases to identify trends, undertake preventative work and improvements, and promote a culture where good fitness to practise is promoted.

12.2. The Senior Management Team (SMT) and relevant committees are provided with anonymised data and reports concerning Fitness to Practise cases considered under this Procedure.

12.3. The University will retain information related to any Fitness to Practise matter in accordance with the Records Retention Schedule.



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- 12.4. Fitness to Practise cases and outcomes will be handled with an appropriate level of confidentiality. In some circumstances, it may be necessary for the University to discuss and/or discuss details of investigations and outcomes with third parties, such as relevant professional body or regulator, employers, and placement providers, to fulfil regulatory and statutory obligations.
- 12.4. The University will process all information in accordance with the Data Protection Act and UK General Data Protection Regulations (GDPR) 2018. You can find more information about how the University collects, processes and stores personal data in the [Privacy Policy](#).

Fitness to Practise Procedure

Part 3 – Schedule

Schedule 1: Examples of Sanctions and Undertakings

The list below is a non-exhaustive list of examples of sanctions or undertakings. The following are designed to be illustrative examples, and alternative sanctions and/or undertakings may be applied as appropriate to an individual case.

- Formal Written warning which will remain on record for a period to be determined by the Panel.
- A requirement to provide a written apology.
- A requirement to write a reflective piece that demonstrates an understanding of the learning and reflections of the fitness to practise concern that has been substantiated.
- A time constrained action plan and/or formal learning agreement to remedy the concerns raised.
- Recommend, to the Deputy Vice Chancellor, or senior member of staff acting under delegated authority, an exceptional change to the student's Course.
- Recommend to the Deputy Vice Chancellor, or senior member of staff acting under delegated authority, the termination of the student's status as a student. Where relevant, the University may inform external bodies in line with the professional body or regulatory requirements.
- Recommend, to the Deputy Vice Chancellor, or senior member of staff acting under delegated authority, that the student intermits their studies for a fixed period to address the proven impaired fitness to practise. Where relevant, the University may inform external bodies in line with the professional body or regulatory requirements.

Fitness to Practise Procedure

Procedure information	Description of Procedure information
Procedure title	Fitness to Practise Procedure
Department owner	Academic Registry
Policy category	Administrative practice Ethics and compliance Governance Health, safety and environmental Students
Document owner	Deputy Vice-Chancellor
Document manager	Director of Student Governance
Related University Policies	Academic Integrity Policy Student Prevention of Harassment and Sexual Misconduct Policy
Related University Procedures	Student Complaints Procedure Fitness to Study Procedure Student Academic Misconduct Procedures Student Conduct Procedures
Approved by	Education Committee
Date approved	27 May 2025
Date of commencement	1 August 2025
Review date	1 March 2028
Version	1.0
History of revisions	None

Fitness to Practise Procedure

Website address	www.canterbury.ac.uk/asset-library/policy-zone/Fitness-to-Practise-Procedures-student.pdf
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