

Low-Level Concerns and Fitness to Practise Procedures

Approved by: Academic Board	Effective date: 1 September 2022	Next review: 1 September 2023
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Procedures

These Procedures apply to all students undertaking a course leading to eligibility to apply for entry to the Nursing Midwifery Council (NMC), Health Care Professions Council (HCPC), Social Work England (SWE) or General Medical Council (GMC) registers. These procedures need reading in conjunction with the Faculty of Medicine, Health and Social Care Low-Level Concerns and Student Fitness to Practise (SFTP) Policy.

Who needs to know about the Procedures

Whilst undertaking a professional course, students must adhere to the professional conduct requirements of the relevant Statutory Regulatory body and the University's Code of Student Conduct. The Procedures set out the arrangements for addressing and applying the Policy and take account of the perspective of multiple stakeholders. The intention is to reassure students, the University and the general public that students and graduates are fit to practise through the appropriate implementation of the associated procedures. The identification and addressing low-level concerns will utilise the Low-Level Concerns and Fitness to Practise Procedures in assessing concerns.

Purpose of the Procedures

The purpose of these procedures is to ensure that all students whose behaviours raise concerns are supported and managed equitably. The intention is to provide transparent and consistent processes regardless of how the concerns are raised. The Procedures include matters relating to a student's health, circumstances and conduct which may affect their fitness to practise.

Contacts

The Faculty Fitness to Practise Lead and Placement Quality Team within the Faculty of Medicine, Health and Social Care is responsible for:

- Providing advice and assistance
- Guidance and templates
- Accessing training

The team can be contacted by emailing: health.sftpp@canterbury.ac.uk

Low-Level Concerns and Fitness to Practise Procedures

Contents

1. Policy and Introduction of Procedures.....	3
2. Dealing with Concerns.....	3
3. Stage 0 – Identifying the Concern	6
4. Stage 1 – Establishing and Addressing Singular Low-Level Concerns with a View to Early Resolution 7	
5. Stage 2 – Addressing Sustained or Repeated Low-Level Concerns	7
6. Stage 3 – Student Fitness to Practise Procedures.....	10
7. Terms of Reference of the Student Fitness to Practise Panel	11
8. Student Fitness to Practise Panel	11
9. Process for Convening and Hearing a Student Fitness to Practise Panel.....	12
10. Decision Making by the Student Fitness to Practise Panel.....	13
11. Appeal Arrangements if the Decision Leads to Exclusion or Expulsion.....	16
12. Appeal Arrangements if the Decision Does Not Lead to Exclusion or Expulsion.....	17

Low-Level Concerns and Fitness to Practise Procedures

1. Policy and Introduction of Procedures

- 1.1. These procedures need reading in conjunction with the Faculty of Medicine, Health and Social work Low-Level Concerns and Student Fitness to Practise (SFTP) policy.
- 1.2. These procedures set out the arrangements for addressing and applying the Policy.
- 1.3. Throughout the process, a student is encouraged to seek advice and support as described in the University's Student Life and Wellbeing Strategy.

2. Dealing with Concerns

- 2.1. The process follows the stages described below:

Stage 0 is the identification or notification of a potential issue or student behaviour that has raised concerns.

Stage 1 is establishing and addressing individual low-level concerns with a view to early resolution.

Stage 2 is the identification and resolution of repeated low-level concerns.

Stage 3 is the referral to a Student Fitness to Practise Panel (SFTP Panel).

- 2.2. After each Stage, the University will inform the student in writing about the outcome or how matters will proceed within seven days.

Support for the Student

- 2.3. A University staff member, member of a Students' Union (e.g., CCSU Advisor) or another student at the University can support the student at any meeting. The student is responsible for arranging for a supporter to attend. The meeting organiser must be informed of any additional attendees at least two working days before the meeting.

Use of Information from a previous concern or case

- 2.4. The University or the student may include information from any previous concern or case. The exception is where the decision was there was no case to answer.
- 2.5. The University must inform the student in writing of its intention to introduce previous findings and outcomes and supply them within the specified time limit

Referrals to a Stage 3 Panel

Low-Level Concerns and Fitness to Practise Procedures

2.6. The University would usually only refer a case to a Stage 3 Panel following consideration at an earlier stage, even if the student attended a previous Stage 3 Panel. In exceptional cases, there can be a direct referral to a Stage 3 Panel with the prior approval of the Head of School or nominee. Exceptional cases are where the allegation concerned the risk of significant causing concern for an individual's safety, welfare, or well-being.

Self-Referrals by Students

2.7. A student who does not accept the Stage 1 outcome may self-refer the case to a Stage 2 Student Support Panel.

2.8. A student who does not accept the Stage 2 outcome may self-refer the case to a Stage 3 Panel.

Neutral Withdrawal

2.9. The student may be neutrally withdrawn, pending further investigation of any referral directly to Stage 3. The University undertakes a risk assessment to establish whether there is a need for neutral withdrawal from practice, University, or both.

2.10. If a case is at Stage 0, 1 or 2, a student may usually continue studying the course.

Postponements of Meetings by the Student for Good Cause

2.11. Should a student be unable to attend a scheduled meeting for a good cause and not delay unnecessarily the proceedings, the University may halt the proceedings until the student can attend. The University informs the student about the halting of the proceedings and arrangements for progressing the case.

2.12. The proceedings will commence when the student can attend, or the student's circumstances change. Students will be encouraged to seek appropriate advice and support before deciding, as it might delay resolving the case.

2.13. Once a student withdraws, is neutrally withdrawn or interrupts the course, the student may not re-join the course until completion of the proceedings.

Completion of Procedures

2.14. Fitness to practise proceedings can be stressful for students. The outcomes can have severe consequences for their studies and future careers. Therefore, it is essential to conduct the investigations, hearings and appeals quickly and fairly.

2.15. Those responsible for the management of fitness to practise should where possible:

- tell the student as soon as possible of any fitness to practise concern.

Low-Level Concerns and Fitness to Practise Procedures

- complete the process, including any appeal, within 90 days of telling the student in writing of the concerns

2.16. It may be reasonable and necessary for the process to take longer than 90 days where, for example:

- the case is complex
- the matter arises outside term time
- the student or witnesses are not available to attend meetings or hearings
- there is a need to obtain an Occupational Health report
- where proceedings are suspended because of a criminal investigation or the student's impending assessments
- difficulties arise in assembling a panel with the proper professional involvement or ensuring panel members have no previous involvement in the fitness to practise concerns
- the student does not co-operate with the investigation or meetings

2.17. In these circumstances, the University will keep the student informed about the progress of the investigation.

Stages of Evidence

2.18. At all Stages within the procedures, the University will generally share appropriately redacted evidence relating to alleged issue(s) with the student five working days before any meeting.

Burden of Proof

2.19. The "burden of proof" determines the responsibility to prove an issue.

2.20. Under these Procedures, the burden of proof rests principally with the University to demonstrate the student has done what they are accused of doing. For example, where the allegation is a student was rude to service users during a placement, there is a need to produce evidence of rudeness and explain how this impairs the student's fitness to practise.

2.21. If the student disputes the allegation, there is a need for the student to provide evidence to rebut the challenge. In addition, students will also need to provide evidence of any mitigating or extenuating factors upon which they wish to rely.

Standard of Proof

2.22. The "standard of proof" is the level of proof required.

2.23. Under these procedures, the standard of proof is based on the balance of probabilities. The balance of probabilities means it is more likely than not that something happened. It requires the standard of proof is higher than simply believing that something was likely to have happened. Furthermore, decisions must be based on appropriate evidence.

Low-Level Concerns and Fitness to Practise Procedures

2.24. The more severe the penalty, the greater is the need for evidence to support a finding of misconduct. The more serious the allegation and the more significant the penalty, the more substantial the evidence must be before establishing the allegation on the balance of probabilities.

3. Stage 0 – Identifying the Concern

Sources of Concern

3.1. A potential concern relating to a student's health or professional conduct might arise through the other University procedures e.g., student disciplinary or sexual misconduct procedures or through the Faculty raising concerns process. It may arise from one or more of several sources, including:

- self-referral by the student, for example, the declaration of a criminal matter;
- members of the University staff;
- staff who work in placement provider organisations;
- fellow students;
- the police;
- members of the public;
- anonymous complaints through Report and Support, through a raising concerns process and ALERT forms or through the media.

Postponement of Stage 0

3.2. The University may pause the referral at Stage 0, where there is already a formal investigation by an outside agency relating to the fitness to practise issue until it is complete. If this is the case, the student will be neutrally withdrawn.

Review of Notification and Available Evidence at Stage 0

- 3.3. Following a review of the notification and available evidence, the School Director of Learning and Teaching, or nominee, can decide on the following:
- There is no impact on fitness to study or practise or any other breach of academic conduct or discipline, and resolvable in line with the University Student Code of Conduct <https://www.canterbury.ac.uk/asset-library/policy-zone/Student-disciplinary-procedure-student.pdf>. The case will be considered closed. There will be no entry on the student record.
 - There is no impact on fitness to study or practise, but a breach of academic conduct or discipline. The School Director of Learning and Teaching will determine how to address the matter and a record made of the resolution. There will be no further proceedings under this Policy.

Low-Level Concerns and Fitness to Practise Procedures

- The issue is considered singular and resolvable at Stage 1 via a conduct or health route, or both routes. There will be a record made of the decision.
- The issue does not breach the student threshold for professional standards that requires escalation to Stage 3. However, there is evidence of sustained low-level concerns requiring intervention under Stage 2. There will be a record made of the decision.
- The issue breaches the student threshold for professional standards and/or concerns final year students with no time for remediation. There is a referral of the student directly to Stage 3. There will be a record made of the decision.

4. Stage 1 – Establishing and Addressing Singular Low-Level Concerns with a View to Early Resolution

- 4.1. Should the School Director for Learning and Teaching or nominee determine the evidence does not require the matter to proceed to a higher stage, the case is resolvable at Stage 1.
- 4.2. Should the case be resolvable at Stage 1, there will be a professional discussion between the School Director for Learning and Teaching or nominee and the student. The purpose is to establish support mechanisms in place. In addition, it may include an assessment by Occupational Health Services.
- 4.3. There will be a record of the decision, which forms part of the student file. In addition, the University may use the record of the decision when reviewing any future concerns.
- 4.4. The School Director for Learning and Teaching or nominee will proceed the case to Stage 2 (see below) if, based on the evidence, the issue is unresolvable at Stage 1.
- 4.5. Should the School Director for Learning and Teaching or nominee determine the issue does not need to proceed to Stage 2 or 3 based on the evidence, the case is resolvable at Stage 1.

5. Stage 2 – Addressing Sustained or Repeated Low-Level Concerns

- 5.1. Should the issue not require escalation to Stage 3 but demonstrate sustained or repeated low-level concerns, the School Director for Learning and Teaching or nominee refers the student to the Student Support Panel.
- 5.2. The aim is to complete Stage 2 within twenty-eight days of the referral.

Student Support Panel

- 5.3. The School Director for Learning and Teaching or nominee will convene a Student Support Panel within ten working days and provide a report for the Panel.

Low-Level Concerns and Fitness to Practise Procedures

5.4. The Student Support Panel aims to enable the student to respond to low-level concerns and accept remediation before progress is impaired or escalation to Stage 3 is required.

5.5. The Student Support Panel comprises of:

- the Course Director (Chair);
- the Cohort Lead (or equivalent);
- the Student.

5.6. The Chair of the Student Support Panel will write to the student within five working days of referral to Stage 2, setting out the nature of the low-level concerns.

5.7. The Panel will have support from a Servicing Officer to the Panel appointed by the Faculty Quality Manager, who will be in attendance throughout the meeting and maintain a record.

5.8. The School Director for Learning and Teaching or nominee may attend the meeting to present the report and answer questions before withdrawing from discussions but not participate in its decision making.

5.9. If a student declines to attend the Panel, the Panel will continue its work based on the evidence collected.

Support for the Student

5.10. The School Director for Learning and Teaching or nominee will advise the student to seek support to help prepare for the Panel.

5.11. A University staff member, member of a Students' Union (e.g., CCSU Advisor) or another student at the University can support the student at any meeting. The student is responsible for arranging for a supporter to attend. The meeting organiser must be informed of any additional attendees at least two working days before the meeting.

Outcomes from a Professional Conduct Student Support Panel

5.12. Potential outcomes for **professional conduct** include one or more of the following:

- requiring the student to produce a written reflection on the issue(s), setting out the professional learning from the experience;
- requiring the student to make a learning agreement to address the issues in practice and to provide evidence of improvement and reflection;
- requiring the student to take specified remedial action;
- the issue of a warning, including a statement on the implications of repeating the behaviour;
- referral to Stage 3.

Outcomes from a Health Student Support Panel

Low-Level Concerns and Fitness to Practise Procedures

5.13. Potential outcomes for **health** include one or more of the following:

- No further action needs taking. It is considered the student can maintain practice competence without reasonable adjustments. The School Director for Learning and Teaching or nominee closes the case and confirms its closure to the student in writing.
- Making a recommendation for compiling a Learning Support Plan (LSP) and/or a Placement Learning Support Plan (PLSP). It may be within the University environment and/or a requirement for adjustments in practice. The School Director for Learning and Teaching or nominee will meet with the student, Student Wellbeing Services, and other relevant people (e.g., Course Director, Personal Academic Tutor) to compile the Plan. The Plan needs to address any OH recommendations. The PLSP needs to be in place before the student's next practice placement. At this meeting, issues regarding rights to confidentiality require discussion with the student. It includes how to advise appropriate colleagues of the OH recommendations to facilitate any reasonable adjustments. The School Director for Learning and Teaching or nominee writes to the students to inform them of this outcome.
- Reasonable adjustments are proposed and require further consultation. Although OH has cleared the student, it may be necessary to make reasonable adjustments in practice. The School Director for Learning and Teaching or nominee, a member of Student Wellbeing Services, and relevant practice colleagues will agree on the reasonable adjustments with the student's next clinical placement provider.
- OH does not clear student. The School Director for Learning and Teaching or nominee, the course director and relevant colleagues will discuss interruption/withdrawal options with the student. The course director will process the interruption/ withdrawal if this is mutually agreed upon and notify the relevant parties. Should an interruption or withdrawal not be agreed upon, the course director will report to the School Director for Learning and Teaching or nominee to consider whether to refer the case to Stage 3.

Confirming the Outcome

5.14. Following the meeting, the Chair will write to the student within five working days to confirm the meeting's outcome. It will set out how the result may form any future proceedings under this Policy.

5.15. Before confirming the outcome of Stage 2, there is a quality assurance check at the end of Stage 2. The purpose is to check adherence to the recommendations and the relevant School and University regulations.

5.16. The person undertaking the quality assurance role will usually be the Faculty Lead for Fitness to Practise. The person will not be the decision-maker nor have the authority to influence the decision-makers. Any deviation from the procedures is reportable to the Chair for a revision.

5.17. Upon completing the quality assurance check, the Chair will write to the student with the outcome

Follow-up to a Student Support Panel

Low-Level Concerns and Fitness to Practise Procedures

- 5.18. The School Director for Learning and Teaching or nominee enters the outcome on the student record. The results remain on file with the Student Support Panel papers for one year after the last registered date as a student. In any subsequent proceedings under this Policy, the outcome will be considered.
- 5.19. The Cohort Lead or equivalent will monitor any action required by this outcome. In addition, the Cohort Lead will provide the Panel with a periodic report outlining whether the student is meeting requirements until the Panel agree there are no ongoing concerns.
- 5.20. Should the student fail to engage with the recommendations or requirements without accepted mitigations, there will be a referral to Stage 3 processes.
- 5.21. The outcome of the Panel will form part of the student record. Any subsequent incidents may be considered in light of earlier warnings. The result will be kept on the student record for one year after the student's registration.

6. Stage 3 – Student Fitness to Practise Procedures

- 6.1. Where there are potential breaches by the student of the threshold for professional standards identified at any prior Stage, the case proceeds to Stage 3. Stage 3 procedures will begin with a formal investigation.

Role of the Formal Investigating Officer

- 6.2. A Formal Investigating Officer (FIO) will investigate the case. The FIO will be appropriate to professional requirements and will not be the student's Course Director, Personal Academic Tutor or have a previous connection with the student.
- 6.3. The FIO gathers evidence to decide on the following:
- there is no case to answer and to close the case without any record made of the issue;
 - the issue has not breached the student threshold for professional standards and needs addressing under Stage 1;
 - the issue has not breached the student threshold for professional standards and needs addressing under the student academic conduct and disciplinary procedures alone;
 - the issue has not breached the student threshold for professional standards and needs addressing under Stage 2;
 - the issue has likely breached the student threshold for professional standards, requiring referral to a student Fitness to Practise Panel
- 6.4. In presenting the findings of the investigation, the FIO is to set out students understand any allegations and/or concerns and how they relate to the relevant professional standards and the student's fitness to practise;

Low-Level Concerns and Fitness to Practise Procedures

7. Terms of Reference of the Student Fitness to Practise Panel

- 7.1. To hear the case from the FIO and the student's response regarding the health or professional conduct matter referred.
- 7.2. To determine if there is a finding that the student is not fit to practice based on the evidence.
- 7.3. To determine whether any proven evidence indicates the student has breached required professional standards.
- 7.4. To determine any sanctions as appropriate.
- 7.5. To document the decision-making process and the rationale for the determination taken.
- 7.6. To communicate the outcome to relevant parties, stating reasons for the determination.

8. Student Fitness to Practise Panel

Composition of the Student Fitness to Practise Panel

- 8.1. All Panels will be assigned a Chair and a Servicing Officer to the Panel.
- 8.2. None of the decision-making Panel members will have any prior engagement with the case or the student concerned.
- 8.3. The composition of the Panel is as follows:
 - a senior member of staff from within the Faculty of Medicine, Health and Social Care not directly connected with the School, who will act as Chair;
 - an external Registered Practitioner in a senior role and who holds a current licence to practise with that PSRB (or equivalent authority to practise);
 - a senior staff member from outside the Faculty of Medicine, Health and Social Care.
- 8.4. Any external practitioner on the Panel must not be in the University's employment or have links to the student (for example, through a previous practice placement experience) or other potential conflicts of interest.

Induction and Confidentiality

- 8.5. There will be inductions and refreshers for Panel members in Equality and Diversity and Unconscious Bias, this Policy and procedures and relevant statutory regulations and Codes.
- 8.6. All Panel meeting attendees will sign a confidentiality agreement.

Low-Level Concerns and Fitness to Practise Procedures

Use of Relevant Professional Expertise in cases Concerning Health Issues

- 8.7. In the case of a Fitness to Practise Panel concerning health issues, the Panel may invite additional people to the meeting with relevant professional expertise on the health issues relating to the case.
- 8.8. Their role is to advise the Panel only; they are not part of the decision-making process.

9. Process for Convening and Hearing a Student Fitness to Practise Panel

Servicing Officer to the Panel

- 9.1. On initiation of the Stage 3 Panel, the Servicing Officer to the Panel becomes responsible for the case.
- 9.2. The Servicing Officer to the Panel will convene a decision-making Panel appropriate to the student's course and the nature of the case under discussion.
- 9.3. The Servicing Officer to the Panel must be present during the meeting, but they are not part of the decision-making process. The Servicing Officer to the Panel will take notes of the discussions at the meeting and maintain the records.
- 9.4. The Panel will generally meet within 20 working days of the FIO handing the case over to the Servicing Officer. The Servicing Officer to the Panel will keep the student informed if this is not possible.
- 9.5. Invitations to attend the Panel meeting will generally be sent out at least ten working days before the meeting. The Servicing Officer to the Panel will inform the student of their right to submit a written statement and any other relevant evidence before the Panel meeting.
- 9.6. The documents will generally be sent at least five working days before the meeting date.
- 9.7. In exceptional cases, the Chair may permit the later submission or circulation of papers.
- 9.8. Additional information needs to be provided with one full working day in advance of the Panel. It may be permitted to table information at the meeting at the Chair's discretion. Where appropriate, the Panel may reconvene later to consider the information.
- 9.9. The meeting with the student will generally take place in person at the student's University base. Panel meetings may take place remotely, e.g., video conference, where appropriate.

Presentation of the case by Formal Investigating Officer

- 9.10. The FIO will be responsible for presenting the case to the Panel. Should the FIO be unable to make the presentation, the Faculty Fitness to Practise Lead will appoint an alternate to make the presentation.

Low-Level Concerns and Fitness to Practise Procedures

9.11. A written report, which includes a timeline of events and pertinent evidence, will be circulated to the Panel and the student in advance of the Panel meeting.

Attendance by the Student at Meetings of the Panel

9.12. A University staff member, member of a Students' Union (e.g. [CCSU Advisor](#)) or another student of the University can support the student at any meeting. The student is responsible for arranging for a supporter to attend. The student must inform the meeting organiser of any additional attendees two working days before the meeting.

9.13. The student and their representative may attend the Panel meeting and speak about the concerns raised.

9.14. In the case of the student's non-attendance, the Panel will proceed in the student's absence. Where the student or other witness cannot attend for a good reason, the Panel Chair will consider whether the reason for non-attendance is sufficient to require rescheduling the Panel.

9.15. Members of the Panel may ask questions of the student and the FIO.

9.16. The student and FIO may also ask each other questions to clarify factual matters only.

Importance of Establishing the Facts

9.17. Should the facts have not already been established (for example, in criminal or disciplinary proceedings), the Panel will first establish the facts and allow the student to respond.

9.18. Following establishing the facts, through a separate disciplinary procedure, a criminal conviction, or during the hearing, the Panel will consider whether there is a fitness to practise concern. If so, the Panel determines the outcome.

10. Decision Making by the Student Fitness to Practise Panel

10.1. Following the hearing, the Panel will discuss the case privately and decide on the outcome.

10.2. If necessary, the Chair may adjourn proceedings and inform the student in writing of the arrangements for the Panel's reconvening.

Use of Evidence in Decision Making

10.3. Evidence associated with any case referred to the Panel will be considered. The resultant outcome needs to take account of all the evidence presented, even if the outcome does not cite all evidence. The Panel must be satisfied with the presented evidence that the student is not fit to practice and apply sanctions. The standard of proof is that of the balance of probability. The burden of proof is on the University.

Low-Level Concerns and Fitness to Practise Procedures

10.4. Panel members must exercise their professional judgement in deciding the outcome and sanction. Any sanction is proportionate to the breach of professional standards and justly and fairly the fitness to practise issue(s). Sanctions must prioritise protecting the public and upholding public confidence in the profession.

10.5. If the student has a criminal conviction, the relevance, seriousness, and circumstances need to be considered. For example:

- the degree of risk posed to patients/ service users/ public;
- whether the conviction or caution was disclosed;
- the relevance of the offence to the chosen profession;
- the circumstances surrounding the offence;
- the student's explanation of the offence;
- the student's commitment to work safely and effectively, upholding the trust of patients and service users.

Potential Outcomes

10.6. The potential outcomes of the Panel hearing are as follows:

- Following consideration of the evidence, the case is unproven. In this case, the student receives no warning or sanction. However, the student should receive support from a University staff member to reflect on the situation and experience.
- Following consideration of the evidence, the case is **proven** (in part or whole). In this case, the Panel will determine the student exhibited misconduct and impairment of fitness to practise based on the facts and following the review of any mitigating or aggravating factors.

Potential Sanctions

10.7. Should the Panel determine the student's fitness to practise is impaired, it will decide a sanction or agreement of undertakings. It will begin with the least severe and determine what is proportionate. The Panel may:

- require undertakings to be made by the student in writing;
- set conditions for the student to meet to continue with the course, including stating the timeframe for meeting the conditions;
- require a formal learning agreement to put in place
- suspend the student from the course for a specified period, and require undertakings and set conditions to be met before the student re-joins the course;
- withdraw the student from the course permanently.

10.8. The list of sanctions is indicative. The Panel may apply alternative sanctions as appropriate to individual cases.

Low-Level Concerns and Fitness to Practise Procedures

10.9. Should something arise during the Panel proceedings highlighting a risk to the student, service users or others and requires disclosure to an external agency, the Chair will action the Panel's decision and record it in the minutes.

10.10. Should the Panel decide broader public interests may be involved, it may recommend referring the case to other agencies, including the Disclosure and Barring Service.

10.11. The student will be offered support from a University staff member where a sanction is applied.

10.12. The Panel may recommend the student be offered pastoral support where appropriate.

Notification of Outcome

10.13. The Servicing Officer to the Panel will record the outcome and communicate it to the student and other relevant parties.

10.14. Within five working days, the Servicing Officer to the Panel informs the student in writing of the Panel's decision and the right to appeal within twenty-eight days of confirmation.

Arrangements for Making Appeals

10.15. To meet the requirements for an appeal, the student must demonstrate:

- there is evidence that the University did not follow the procedures at Stage 3; and/or
- it is clear the outcome at Stage 3, including the sanctions, was not reasonable in the circumstances; and/or
- the student has new material evidence that the student could not provide at Stage 3
- there was bias or the reasonable perception of bias during the procedure

10.16. Appeals are made to the Director of Student Resolution and Student Protection.

10.17. The student must make their appeal within fourteen days of the written notice.

10.18. In exceptional circumstances, the Director of Student Resolution and Student Protection may extend the time allowed to submit an appeal for a good cause. Such cases might include, but are not limited to, the student being ill or having other pressing reasons for the delay.

Monitoring of remedial action

10.19. In applying a sanction involving remedial action (e.g., through a formal learning agreement), the Panel will specify how compliance with the conditions will be measured and responsibility for monitoring. In addition, it will make clear to the student the consequences of breaching any conditions.

Record Keeping

Low-Level Concerns and Fitness to Practise Procedures

10.20. The Panel's outcome will form part of the student's file. Any subsequent incidents may be considered in light of earlier warnings. The outcome will be kept on the student's file for six years after the student's registration on the course.

11. Appeal Arrangements if the Decision Leads to Exclusion or Expulsion

Membership of an Appeal Panel

11.1. Where the penalty leads to exclusion or expulsion, the Director of Student Resolution and Student Protection or nominee convenes an Appeal Panel. The Panel consisting of three members will include:

- two senior staff members from outside the Faculty, one of which will be the Chair.
- a senior member of the profession accredited by the same PSRB regulating the student's course, and recognised as a qualified professional and who holds a current licence to practise (or equivalent authority to practise);

11.2. The Director of Student Resolution and Student Protection or nominee explains to the student in writing the arrangements for the hearing. The student needs to demonstrate to the Panel the application of one or more of the requirements for the appeal set out in paragraph [10.15].

11.3. The Director of Student Resolution and Student Protection or nominee convenes a meeting with the student no later than ten working days after notification of this procedure. The Director will appoint a Servicing Officer to the Appeal Panel.

Purpose of the Appeal Panel

11.4. The Appeals Panel determines whether the FTTP's decision-making process followed the procedures and whether any new material facts became known after the SFTP Panel met. It will include a review of the facts of the case.

11.5. When attending in person, the right for a friend to accompany the student to any meeting. In all cases, the friend may speak on behalf of the student at the student's request/instruction.

11.6. If the student declines to attend the meeting, the basis for the review will be the evidence collected.

Decisions of the Appeal Panel

11.7. When the Appeal Panel considers the SFTP Panel followed the procedures and reached a reasonable decision, it represents the completion of the University's internal procedures. The University will issue a Completion of Procedures letter.

Low-Level Concerns and Fitness to Practise Procedures

11.8. When the Appeal Panel does not consider the decision-making process followed the procedures or the decision was unreasonable, or there were new material facts that became known after the original Panel made the decision, it may only decide either:

- the SFTP Panel reconsiders the penalty imposed as the Appeal Panel does not consider it proportionate based on the facts of the case; or
- to convene a fresh SFTP Panel because there were procedural shortcomings.

11.9. The Servicing Officer to the Panel sends the final decision to the student in writing within five working days of the meeting unless further information is needed. Should there be a need for additional information, the Servicing Officer to the Panel sends the notification to the student within five working days of the meeting.

11.10. The School Director of Learning and Teaching or nominee enters the outcome on the student's course file. Any subsequent incidents may take account of earlier warnings. The University retains the outcome and the Appeal Panel for six years after the last registered date.

Complaints to the Office of the Independent Adjudicator for Higher Education (OIA)

11.11. Upon completing the internal procedures, the student may complain to the Office of the Independent Adjudicator for Higher Education (OIA). The University will issue the Completion of Procedures Letter within twenty-eight days of the letter's date.

12. Appeal Arrangements if the Decision Does Not Lead to Exclusion or Expulsion

Making Grounds for Appeal

12.1. Should the penalty not lead to exclusion or expulsion, the student may appeal against the Panel's decision to the Director of Student Resolution and Student Protection.

12.2. The student is to appeal within fourteen days of the date of the written notice.

12.3. In exceptional circumstances, the Director of Student Resolution and Student Protection may extend the time allowed to submit an appeal for a good cause. Such cases might include, but are not limited to, the student being ill or having other pressing reasons for the delay.

Appeal Investigation

12.4. The Director of Student Resolution and Student Protection appoints an Investigator.

12.5. The Investigator is a senior management team member from outside the Faculty of Medicine, Health and Social Care not previously engaged in the case.

Low-Level Concerns and Fitness to Practise Procedures

- 12.6. The review aims to determine whether the decision-making process followed the procedures. It will include a review of the facts of the case.
- 12.7. If the Investigator decides the procedures were followed and/or any new material facts becoming known do not affect the SFTP Panel's decision, it represents the completion of the internal procedures. The University issues a Completion of Procedures Letter within twenty-eight days of the date of the Reviewer's decision. The student may complain to the Office of the Independent Adjudicator for Higher Education (OIA).
- 12.8. Should the Investigator not consider the decision-making process followed the procedures or the decision was reasonable or there were new material facts that became known after the original Panel made the decision, the Investigator may only decide either:
- the SFTP Panel reconsiders the penalty imposed as the Reviewer does not consider it proportionate based on the facts of the case; or
 - to convene a fresh SFTP Panel because there were procedural shortcomings.
- 12.9. The aim is to complete the review within twenty-eight days of informing the student of acceptance of the grounds for an appeal.
- 12.10. The School Director of Learning and Teaching or nominee enters the outcome on the student record. Any subsequent incidents may take account of earlier warnings. Together with the Panel papers, the outcome remains on file for one year after the last registered date.

Complaints to the Office of the Independent Adjudicator for Higher Education (OIA)

- 12.11. Upon completing the internal procedures, the student may complain to the Office of the Independent Adjudicator for Higher Education (OIA). The University issues a Completion of Procedures Letter within twenty-eight days of the date of the Reviewer's decision. The student may complain to the Office of the Independent Adjudicator for Higher Education (OIA).

Low-Level Concerns and Fitness to Practise Procedures

Document Information	Description of Document Information
Document Title	Low-Level Concerns and Fitness to Practise Procedures
Department Owner	Faculty of Medicine, Health and Social Care
Document Category	<p>Administrative Practice - Documents of an administrative or operational nature</p> <p>Equality and Diversity - Documents relating to the promotion of equality and diversity</p> <p>Ethics and Compliance - Documents concerning appropriate conduct or compliance with legal or regulatory requirements</p> <p>Health, Safety and Environmental - Documents relating to the health, security and safety of staff, students and visitors</p> <p>Human Resources - Documents impacting working relationships with the University for members of staff irrespective of status</p> <p>Information Technology - Documents relating to IT systems, data, and related issues</p> <p>Students - Documents directly affecting student life at the University</p>
Document Owner	Pro Vice Chancellor and Dean of Faculty of Medicine, Health and Social Care
Document Manager	Faculty Director of Practice Learning
Related University Policies	Low Level Concerns and Fitness to Practise Policy Unacceptable Behaviour Policy
Related University Procedures	University Code of Conduct Disciplinary Procedure Academic Misconduct Procedures
Approved by	Faculty Board Academic Board
Date Approved	
Date of Commencement	1 September 2022
Review Date	1 September 2023
Version	V2

Low-Level Concerns and Fitness to Practise Procedures

Document Information	Description of Document Information
History of revisions of the Document	V1- 14 June 2022 V2 -26 July 2022
Web Address	https://www.canterbury.ac.uk/asset-library/policy-zone/Low-Level-Concerns-Fitness-to-Practise-Procedures-Student.pdf