

# Canterbury Christ Church University

## Faculty of Medicine, Health & Social Care

### Faculty Student Fitness to Practise Procedures

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#### 1. Policy

- 1.1. The Faculty of Medicine, Health & Social Care Student Fitness to Practise (SFTP) policy can be found at <https://www.canterbury.ac.uk/current-students/academic-services/student-record-and-registration/student-policy-zone>

#### 2. Scope of Arrangements

- 2.1. These procedures detail how the SFTP policy will operate.
- 2.2. The arrangements apply to all students undertaking a programme leading to eligibility to apply for entry on a Statutory and Regulatory body register, and to all students who are already registered with a Statutory and Regulatory body.
- 2.3. These arrangements do not apply to students registered on a GOC-accredited programme of study leading to a qualification in optometry or dispensing optics. These students must be registered with the GOC for the entirety of their studies. Should concerns regarding their Fitness to Practise be identified during their programme they will be referred directly to the GOC who will refer to their standards for practice when deciding whether to take further action. These particular students will still be referred through the Faculty SFTP procedures so that there can be consideration at Stage 0 as to whether neutral withdrawal from the programme is required; cases shall not proceed into Stage 1 given the referral to the GOC. Further action will be undertaken once the outcome of the GOC referral is known.
- 2.4. Whilst undertaking a programme of study students are required to adhere to the student professional conduct guidance of the relevant Statutory and Regulatory body (and the relevant code of conduct if already a registrant) in addition to the University's Code of Student Professional Conduct.

#### 3. Definitions & abbreviations

- 3.1. Definitions in relation to fitness to practise (e.g. good health and reasonable adjustment) are laid out in the SFTP policy.

- 3.2. A conflict of interest' is a set of circumstances by which a reasonable person would consider than an individual's ability to apply judgement or act, in the context of fitness to practise is, or could be, impaired or influenced by another interest that they hold.
- 3.3. An explanation of all abbreviations can be found in appendix 2.

#### **4. Introduction**

- 4.1. A determination will be made by a Formal Investigating Officer (FIO) and Programme Director (PD) during any investigation whether the issue under consideration has breached expected professional standards.
  - 4.1.1. The FIO is appointed from within the Faculty to provide consistency of approach and outcomes on matters related to fitness to practise. The FIO will be appropriate to professional requirements. For example, Social Work may require a profession specific investigator.
  - 4.1.2. The PD should be the member of staff with current responsibility for the applicant's or student's programme of study. In the event of any conflict of interest (for example the PD is the student's personal academic tutor) then the PD will nominate another member of the programme team to act in their stead.
- 4.2. At any stage of the procedures, when attending meetings in person, the student has the right to be accompanied by a friend, defined as a registered student of Canterbury Christ Church University, a member from the same cohort as the student, a member of the Students' Union Council, an officer of the Students' Union or a current member of staff of the University. In all cases, the friend may speak on behalf of the student.

#### **5. Applicant/Student obligations**

- 5.1. Failure to adhere to these applicant/ student obligations may result in the instigation of SFTP procedures.
- 5.2. Students are required to disclose any relevant information that may impact upon their ability to be on the programme. This is not limited to their health and character and students must keep the University informed of any changes.
- 5.3. For students undertaking a programme leading to eligibility to apply for entry on a Statutory and Regulatory body register an offer of a place is made subject to a satisfactory Enhanced Disclosure and Barring Service (DBS) and Occupational Health (OH) clearance. Social Work students are also subject to a suitability for social work check. Students are required to provide full and accurate information. Any relevant information that subsequently comes to light may lead to the University withdrawing the offer of a place or commencing a SFTP investigation.
- 5.4. It is the responsibility of the student to consult with their PD if they become subject to any criminal proceedings as soon after the event as possible.
- 5.5. Pre-registration students are required to complete an annual declaration of their health and character.
- 5.6. Students on a pre-registration programme of study are expected to aspire to their Statutory Regulator's codes of conduct. Registrants undertaking continuing development study are expected to abide by the Statutory Regulator's Code and all other regulations. For students

studying programmes leading to eligibility to register with the HCPC, or for students who are already HCPC registrants, the University retains the right to determine the appropriate code of conduct for each particular case.

5.7. Students are expected to abide by the University Code of Student Professional Conduct and all other relevant policies and procedures.

## **6. Stages in dealing with allegations**

6.1. In accordance with the University Framework for Student Procedures, these procedures follow a staged approach.

6.1.1. Stage 0 is the identification or notification of a potential Fitness to Practise issue.

6.1.2. Stage 1 is the information gathering stage. Here the FIO and PD will gather information and determine whether the evidence indicates there has been a breach of professional standards.

6.1.3. Stage 2 is the early resolution stage. Here the FIO, PD and applicant or student will meet to discuss the case. This stage is separated into two routes – health and professional conduct.

6.1.4. Stage 3 is the formal investigation stage i.e. referral to the Fitness to Practise Panel.

6.2. Information from any previous SFTP case or concern could be introduced into the investigation at any time provided that the student has been previously informed that this could happen.

6.3. A student's case can be referred directly to Stage 3 at any time.

6.4. At the completion of each stage the student will be advised in writing of the means by which the matter may be taken further.

6.5. If the student is not fit to attend a scheduled meeting, the proceedings are halted until such time as the student and Occupational Health and/or the student's relevant medical practitioner (if relevant) determine the student is fit to attend. The student will be informed that the case will progress when they are fit or if there is a change in the student's circumstances such as self-withdrawal from the programme. Students will be encouraged to seek appropriate advice and support prior to making a decision of this nature.

6.6. The Faculty will seek to complete the procedures as quickly as possible. It is aimed to complete Stage 2 early resolution within twenty working days of the appointment of the Investigator. The general exception is where notification is received outside the published term dates for the programme, when the aim is to complete Stage 2 early resolution within forty working days of the appointment of the Investigator. Should referral to a Stage 3 formal investigation be required following the conclusion of Stage 2, the twenty or forty-day time period will commence again (see 7.19). Should there be any delays in the investigation (for example awaiting receipt of an OH report or outcome of court case) the student will be kept informed.

6.7. At all stages within the procedures, there is an expectation that the appropriate redacted evidence held by the University in relation to alleged Fitness to Practise issue(s) will be shared with the student concerned in advance of any meeting they are invited to attend.

### **Stage 0 – Issue**

- 6.8. A potential fitness to practise issue is brought to the attention of the Programme Director (PD) via academic staff, practice staff, the student him/herself, another student or an internal or external agency/person.
- 6.9. The Head of School/Institute or staff member acting in their stead (with advice from the PD), considers neutral withdrawal from attendance at the University and/or practice following the University Code of Student Professional Conduct<sup>1</sup>. The formal notification of neutral withdrawal to the student will normally occur within 2 working days of the issue being brought to the attention of the PD. At any point in the process neutral withdrawal can be considered.
- 6.10. If the issue is being investigated by an external agency/person, the referral will be paused at Stage 0 until this investigation is complete.

### **Stage 1 – Information gathering**

- 6.11. The PD consults with the Formal Investigating Officer (FIO) and they determine if the issue falls under the remit of fitness to practise. The relevant Professional Lead may provide advice as required. The student will be informed in writing of the outcome of this discussion.
- 6.11.1. If the issue does not indicate a breach of Statutory and Regulatory body professional standards, the matter should be referred to alternative procedures (e.g. the Student Disciplinary Procedure) or closed.
- 6.11.2. If the issue indicates that Statutory and Regulatory body professional standards may have been breached, the PD and FIO will determine if the issue is related to:
- Health, or
  - Professional conduct to include:
    - DBS issues relevant to applicants or registered students
    - Plagiarism and academic misconduct
- 6.11.3. After determining the main focus of the issue, the PD and FIO will then follow the appropriate Stage 2 'route'.
- 6.11.4. If the issue does fall under the remit of fitness to practise and is related to professional conduct the PD and FIO will determine whether the breach of professional standards warrants direct referral to Stage 3 and may refer the issue to a Panel.
- 6.11.5. In the event that the PD and FIO are unable to reach an agreement as to how the issue should proceed, a second and independent FIO will be asked to review the case and decide how to proceed.
- 6.12. The student and other relevant parties will be notified of the outcome of this Stage and, if proceeding to Stage 2, what route is being followed.

### **Stage 2 – Health Route**

- 6.13. Applicants or students should be advised that they have a responsibility to share information related to relevant health issues that may impact on their practice. Applicants or students may be referred directly to Stage 3 if there is a professional concern about their refusal to share or

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<sup>1</sup> <https://www.canterbury.ac.uk/current-students/academic-services/student-record-and-registration/student-policy-zone>

non-disclosure of information regarding a health issue that may impact on the safety of their work with service users, themselves or colleagues.

6.14. Applicants who are offered a place and/or existing students, who declare new health conditions or significant changes to existing health conditions, should inform the PD who will determine whether a referral to the Occupational Health (OH) service is required.

6.15. For health issues identified via a route other than reported by the student concerned (examples given in 6.8), students will be referred to the OH service by the PD.

6.16. The applicant/student will be referred for an OH screening and/or assessment. Following this, the FIO, PD and student will receive a copy of the OH service recommendations.

6.17. Applicants or students who do not attend OH screening may be referred directly to Stage 3 and be liable for the non-attendance fee.

6.18. The FIO and PD will invite the student to a meeting to discuss the recommendations. One of the following courses of action will be taken as a result of this meeting:

6.18.1. No further action needs to be taken. It is considered the applicant/ student will be able to maintain practice competence without reasonable adjustments. The case is closed.

6.18.2. Reasonable adjustments can be considered without further consultation. This may be within the University environment and/or a requirement for adjustments in practice. The PD will meet with the student and any other relevant person (e.g. personal academic tutor or practice lead) to compile a Practice Learning Support Plan (PLSP). The plan should be developed in a timely fashion following receipt of the OH recommendations and prior to the student's next practice placement. At this meeting issues regarding their right to confidentiality should be discussed with the student. The student will be supported to advise appropriate colleagues of the OH recommendations to facilitate the implementation of any reasonable adjustments.

6.18.3. Reasonable adjustments are proposed and require further consultation. Although the student has been cleared by OH, it may be necessary to make reasonable adjustments in practice and therefore the FIO (normally in partnership with the PD, a member of Student Support and Wellbeing, and relevant practice colleagues) will determine whether such reasonable adjustments can be agreed with the student's next practice area. If this is not possible then the FIO will refer the case to Stage 3.

6.18.4. Student is not cleared by OH. The PD, FIO and relevant colleagues will discuss interruption/ withdrawal options with the student. If this is mutually agreed, the PD will process the interruption/ withdrawal and notify relevant parties. If an interruption or withdrawal cannot be mutually agreed with the student, the FIO will refer the case to Stage 3.

6.19. The FIO will write to the student confirming the outcome of Stage 2.

## **Stage 2 – Professional Conduct Route**

6.20. The FIO and PD will invite the student to a meeting to discuss the issues. One of the following determinations will be made as a result of this meeting:

6.20.1. No further action needs to be taken. The case is closed.

6.20.2. The student has breached professional standards that can be resolved at this stage. These are normally those in which the student will be allowed to continue their study/ placement. The student will be cautioned by the PD and FIO, and appropriate sanctions with timescales applied. A note will be added to the student's file. Potential sanctions may include:

- writing a reflection on the issue detailing what they have learnt from the experience
- writing a formal learning agreement regarding how they will address the issues in practice
- repeating a formative assessment of practice (depending on the stage of their programme)
- joining a different University group for facilitated sessions
- where appropriate, a written apology may be requested from the student
- this list of sanctions is indicative; alternative sanctions may be made as appropriate to individual cases
- where a sanction is applied the student will be offered support from a mutually agreed member of University staff

6.20.3. The student has breached professional standards that cannot be resolved at this stage. The case will be referred to Stage 3.

6.21. If a student fails to fulfil the sanctions as applied by the PD and FIO, the student will be invited to a meeting to discuss any potential mitigating circumstances. The PD and FIO will determine how the matter should progress. This could, for example, involve additional time to fulfil the sanctions or resubmission of a written reflection if this was deemed insufficient to meet expected requirements (up to a maximum of two submissions).

6.22. If a student is unwilling or fails to satisfactorily fulfil the sanctions as applied by the PD and FIO, the matter will automatically progress to Stage 3. The FIO will write to the student confirming the outcome of Stage 2. However, before the final response is given there is a quality assurance stage at the end of Stage 2. The purpose is to check the procedures have been followed and the recommendations are compatible with the relevant University regulations.

6.23. The person undertaking the quality assurance role will usually be the Faculty SFTP Lead, or a person appointed specifically to check the investigation findings. They will not be a decision-maker nor have the authority to influence decision-makers. Where there is a deviation from the procedures, this will be reported to the individual for a revision to be made.

6.24. If the matter cannot be resolved at an earlier stage the FIO will refer and present the case to the Student Fitness to Practise Panel.

6.25. The FIO will inform the relevant Head of School/Institute of the referral. For Continuing Development students registered with a Statutory and Regulatory body and seconded or sponsored students, the employer will also be informed providing that they have previously given consent to sharing of information.

## **7. Stage 3 - Student Fitness to Practise Panel**

### **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 that has been referred.

7.2. To determine if the evidence is found proven or not proven.

- 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 clearly the decision making process and the rationale for the decision taken.
- 7.6. To communicate the outcome to relevant parties indicating explicit reasons for the decision as appropriate.

#### **Membership of the Student Fitness to Practise Panel**

- 7.7. All Panels will be assigned a Chair and a Secretary.
- 7.8. The SFTP Secretary is an ex-officio member of the Panel. They must be present during the meeting but they are not part of the decision making process. The SFTP Secretary will minute the meeting and maintain records.
- 7.9. The Chair for all Social Work student cases should be a registered Social Worker as stipulated by the College of Social Work guidelines.
- 7.10. A quorate decision making Panel will include the Chair, and two independent external people, one of whom must be a registrant from the relevant Statutory and Regulatory body, and the other a layperson. For Midwifery cases, the Lead Midwife for Education (LME) will also sit on the Panel. These are the minimum requirements to be quorate. None of the decision-making Panel will have any conflict of interest with the case or the student concerned.
- 7.11. The Secretary will convene a decision making Panel that is appropriate to the programme of the student and the nature of the case under discussion.
- 7.12. In the case of a Health fitness to practise Panel, additional people with relevant expertise on the health issues being considered may be invited to the meeting. Their role is to advise the Panel only. They are not part of the decision making process.
- 7.13. The following roles are eligible to form the decision making Panel:
  - Faculty Director of Practice Learning (Faculty SFTP Lead)
  - Chairs nominated by Heads of School/Institute and approved by Faculty Board
  - Lead Midwife for Education or delegated representative (for all midwifery cases)
  - External Registered practitioners (from the relevant Statutory and Regulatory Body)
  - Layperson (e.g. service user)
- 7.14. The Chair and Secretary of the Panel will be appropriately experienced members of the Faculty who have been trained in their role, drawn from a list approved by the Faculty Board.
- 7.15. The External Registered practitioners must not be employed by the University, or have any links to the student (for example through a previous practice placement experience).
- 7.16. There will be robust inductions and refreshers for Panel members who will be instructed in SFTP policy and procedures and other relevant statutory regulations and Codes in order to meet the expectations and requirements of the Statutory and Regulatory Bodies.
- 7.17. All Panel meeting attendees will sign a confidentiality agreement.

### **Process for convening and hearing a Student Fitness to Practise Panel**

- 7.18. Once Stage 3 has been invoked, the Formal Investigating Officer (FIO) will hand the case over to the Secretary.
- 7.19. The Panel will normally meet within 20 working days of the FIO handing over the case to the Secretary or keep the student informed if this is not possible.
- 7.20. The Panel meeting will normally take place at whichever campus the student is registered.
- 7.21. The FIO will normally be responsible for investigating, reporting and presenting the particular student case to the Panel. The preceding investigation will involve liaison with all relevant parties, including employers in the case of sponsored or seconded students.
- 7.22. A written report, which includes a time line of events and pertinent evidence related to the applicable Statutory and Regulatory code of conduct, will be circulated to the Panel and the student in advance of the Panel meeting. The PD will provide relevant information to support the FIO in the compilation of the written report.
- 7.23. The documents and invitation to attend the Panel meeting will normally be sent at least ten working days before the meeting date. In exceptional cases, the Chair may permit the later submission or circulation of papers.
- 7.24. The student will be advised of their right to submit a written statement and any other relevant evidence before the Panel meeting; this must be sent to the Secretary at least three working days before the meeting date.
- 7.25. The student, FIO and PD are required to attend the Panel meeting and speak about the concerns raised.
- 7.26. The student may be accompanied by a friend, defined as a registered student of Canterbury Christ Church University, a member from the same cohort as the student, a member of the Students' Union Council, an officer of the Students' Union or a current member of staff of the University. In all cases, the friend may speak on behalf of the student. The student may not bring a legal representative to the Panel meeting.
- 7.27. In the case of the non-attendance of the student, the Panel will proceed in the student's absence.
- 7.28. Additional information should normally be provided a minimum of one full working day in advance of the Panel. This may be permitted to be tabled at meeting at the discretion of the Chair, or in certain cases the Panel may need to be reconvened at a later date for the information to be properly considered.
- 7.29. Members of the Panel may ask questions of the student, the FIO and the PD. The student, FIO and PD may also ask questions of each other.
- 7.30. The Chair may adjourn proceedings if necessary.
- 7.31. When all presented evidence has been heard the Panel will discuss the case in private and make a decision as to the outcome.

### **Decision Making by the Student Fitness to Practise Panel**

7.32. Evidence associated with any case referred to the Student Fitness to Practise Panel will be thoroughly considered. The resultant outcome must be based on all the evidence presented. In order to apply sanctions, the Panel must be satisfied by the presented evidence that the student is not fit to practise. The standard of proof is the same applicable to civil proceedings, that of the balance of probability. The burden of proof is on the University.

7.33. Panel members must exercise their professional judgement in coming to a conclusion regarding the outcome and sanction. They must ensure that if they require a sanction, it is proportionate to the breach of professional standards that initiated the procedure, and that it will deal justly and fairly with the fitness to practise issue(s). Sanctions must give primacy to the protection of the public and upholding public confidence in the profession.

7.34. If the student has a criminal conviction, the relevance (i.e. those which are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013), seriousness and circumstances in which the offence was committed must be taken into account. 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 and confidence of patients/ service users

7.35. The possible outcomes of the Panel hearing are as follows:

7.35.1. **Following consideration of the evidence the case is not proven.** In this case the student receives no warning or sanction. However, the student should be supported to reflect on their situation and experience by a mutually agreed member of University staff.

7.35.2. **Following consideration of the evidence the case is proven (in part or in full).** In this case the Panel will determine whether the facts as deemed proved constitute misconduct and impairment of Fitness to Practise, along with reviewing any mitigating or aggravating factors.

7.35.3. If the case is proven and the Panel determine that the student's fitness to practise is impaired the Panel will decide a sanction, beginning with the least severe, and proportionate to the risk to patients, service users and the public as follows:

- The student is required to write an apology
- The student receives a written warning
- The student is required to take remedial action, or is asked for evidence of improvement and reflection or other conditions imposed by the Panel via a formal learning agreement
- The student is required to retake part of the programme
- The student is interrupted from their programme and will have to meet certain conditions before they return
- The student is withdrawn from their programme but with the possibility to apply to a professional programme upon meeting certain conditions

- The student is withdrawn from their programme, but with the possibility to apply to a non-professional programme only<sup>2</sup>
- The student is excluded from the University (this must be sanctioned by the Vice Chancellor)

7.35.4. The list of sanctions is indicative; alternative sanctions may be made as appropriate to individual cases.

7.35.5. Where a sanction is applied the student will be offered support from a mutually agreed member of University staff

7.35.6. The Panel may also recommend that the student is offered pastoral support as appropriate.

7.35.7. Where the sanction applied involves the student undertaking remedial action (e.g. through a formal learning agreement), the PD will notify the Chair of the Panel as to the outcome of such action. If the student fails to meet the obligations of the sanction the Chair in consultation with the PD will decide the appropriate course of action to take, which may involve re-referral to a Panel.

7.36. In the event that the Panel comes to a view where it is felt that wider public interest may be involved, guidance and assistance will be requested from the University Solicitor. In situations of this nature, the case may be referred to other agencies such as the Disclosure and Barring Service.

7.37. The outcome of the Panel will be recorded, and then communicated by the Chair to the student, the PD, the FIO, and the Head of School/Institute. Other relevant parties might include the Registry, the Dean of the Faculty, the Vice-Chancellor, Professional and/or Statutory and Regulatory bodies, employers and any other organisations (e.g. DBS/OH) as required.

7.38. The outcome of the Panel will be attached to the student's file. Any subsequent incidents may be considered in light of earlier warnings.

7.39. If something comes to light during the Panel proceedings that raises concerns and/or highlights risk to the student, service users or others and requires disclosure to an external agency, a decision will be taken by the Panel and actioned by the Chair, and will be recorded in the minutes.

## **8. Plagiarism, Academic and Research Misconduct**

8.1. In all cases of suspected plagiarism (Stages 1, 2 and 3) the University Plagiarism procedures should be followed (as outlined in the Assessment Procedures Manual<sup>3</sup>).

8.2. In all cases of suspected Academic Misconduct (other than plagiarism) and alleged or suspected cases of Research Misconduct by a student on a taught professional programme the University Academic Misconduct procedures should be followed.

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<sup>2</sup> Where students are withdrawn from their programme of study but not excluded from the University, career support and guidance to facilitate possible transfer to another non-professional programme is available from the University's Career Development department

<sup>3</sup> CCCU Assessment Procedures Manual <http://www.canterbury.ac.uk/quality-and-standards-office/regulation-and-policy-zone/regulation-and-credit-framework.aspx>

- 8.3. In all cases of suspected Research Misconduct in a research based degree the University Research Governance & Ethics misconduct policy should be followed.
- 8.4. If the Plagiarism/Academic/Research Misconduct case is proven the investigator should consider whether there is evidence to suggest that the student may have breached any professional standards.
- 8.4.1. If there is no evidence to suggest that the student may have breached any professional standards then the plagiarism procedure outcome can be applied with no onward Fitness to Practise referral.
- 8.4.2. If there is evidence to suggest that the student may have breached any professional standards then the case should be referred to a Formal Investigating Officer who will commence SFTP procedures (at Stage 1).
- 8.5. The SFTP Formal Investigating Officer and/or Panel should not be responsible for determining whether plagiarism has been committed. This should be determined via the University plagiarism procedures and if the case is proven and requires referral to the Faculty for consideration of Fitness to Practise the recommended outcome should be presented as part of the referral.

#### **Reporting of plagiarism, academic and research misconduct to PSRBs**

- 8.6. For pre-registration students
- 8.6.1. NMC registerable professions – there is no requirement to report.
- 8.6.2. HCPC registerable professions – any cases that result in a student being removed from the programme as a result of misconduct should be reported.
- 8.7. For students registered with PSRBs
- 8.7.1. All cases of proven plagiarism and/or other academic or research misconduct should be reported to the relevant PSRB if the extent of the plagiarism/misconduct has a bearing on the students' Fitness to Practise, that is, all cases where the student is found to have breached professional standards through application of the SFTP procedures.

#### **DBS issues relevant to applicants or registered students**

- 8.8. If an applicant makes a positive declaration on the DBS self-declaration form or an issue comes to light when the DBS is issued, the University Admissions Manager will consider the need to instigate the University DBS panel process. The panel includes a senior member of the Faculty of Medicine, Health & Social Care who is a registrant of the profession specific to the programme involved, for example, if a Social Work case then the panel must have a registered Social Work member of staff. The panel member for the relevant programme will consult with a senior health or social care practitioner (e.g. directors and heads of service/ placement managers/ commissioning managers) ensuring anonymity is maintained at all times.
- 8.9. Admissions will communicate with the applicant regarding the decision and offer feedback.
- 8.10. If the applicant is accepted onto the programme, the clearance letter sent from the Admissions Manager will inform the student of the potential for the Statutory Regulator not to accept them onto the register upon successful completion of the programme.

8.11. On receipt of details of police or criminal proceedings relating to a registered student, the PD and FIO will review the information. Each case will be considered individually and a decision made as to whether the issue can be dealt with in Stage 2 or warrants direct referral to Stage 3.

## **9. Appeals against decisions taken as a result of these procedures**

9.1. The student shall have the right to appeal on the SFTP process. Information can be found at <https://www.canterbury.ac.uk/current-students/academic-services/assessments/initiating-an-academic-appeal>

9.2. The student may appeal following the procedures and on the grounds approved in the University Framework for Student Procedures<sup>4</sup>.

9.3. The student will be informed of their right of appeal when a decision is communicated to them.

9.4. The decision of the FIO or Panel shall take effect and remain in force pending the outcome of the appeal.

9.5. For cases heard at Panel the SFTP Panel Chair will inform any relevant external agencies of any appeal being lodged and the outcome of the appeal.

## **10. Supporting documentation**

10.1. Appendix 1 provides an overview of the staged approach and steps. This appendix is meant for guidance purposes only.

10.2. Appendix 2 provides an overview of the abbreviations used within the SFTP policy and procedures.

10.3. The University Framework for Student Procedures sets out the common arrangements that apply across the University. These SFTP procedures sit within the overarching framework and follow the same principles.

10.4. Numerous templates are available to support the SFTP procedures. These are available from the SFTP Secretary.

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<sup>4</sup> <https://www.canterbury.ac.uk/current-students/academic-services/student-record-and-registration/student-policy-zone>

## Document History

<b>Issue version</b>	<b>Name of author</b>	<b>Date</b>	<b>Sent to</b>
<b>1</b>	<b>I. Felstead</b>	<b>01/09/15</b>	<b>Final version Effective 01/09/15</b>
<b>2</b>	<b>I. Felstead</b>	<b>01/09/16</b>	<b>Final version Effective 01/09/16</b>
<b>2.2</b>	<b>E. Welch</b>	<b>24/01/18</b>	<b>Website links updated</b>
3.01	A. Levine & A. Hayford-Joyner	16/04/18	Draft for review by Faculty SFTP Sub-Committee
3.02	A. Levine, A. Hayford-Joyner & E Welch	02/07/18	Final draft for approval at Faculty Board
<b>3</b>	<b>A. Hayford-Joyner</b>	<b>30/08/18</b>	<b>Final version Effective 01/09/18</b>

## APPENDIX 1 – STUDENT FITNESS TO PRACTISE STAGED PROCEDURES

<b>Stage 0</b>	<p><b>Potential SFTP issue brought to the attention of the Programme Director (PD) via academic or practice staff, student themselves, another student or an internal/external agency/ person</b></p> <ul style="list-style-type: none"> <li>• PD contacts Head of School/Institute to consider neutral withdrawal in line with University Code of Student Professional Conduct (at any point in following process neutral withdrawal can be considered)</li> <li>• Letter to student from either PD if not neutrally withdrawn or Head of School/Institute if they are</li> <li>• PD completes referral form</li> </ul>	
<b>Stage 1</b>	<p><b>PD consults with Formal Investigating Officer (FIO) to determine if issue falls under the remit of SFTP. The student will be informed of the outcome of this discussion.</b></p> <ul style="list-style-type: none"> <li>• If issue does not indicate a breach of standards, either refer matter to student disciplinary procedures or end process</li> <li>• If issue indicates standards have not been met, determine if issue is predominately health or conduct and follow appropriate 'route' <ul style="list-style-type: none"> <li>○ If issue is related to conduct FIO and PD determine if there is a need to proceed directly to Stage 3</li> <li>○ If unable to reach agreement a 2<sup>nd</sup> independent FIO should review the case</li> </ul> </li> </ul>	
<b>Stage 2</b>	<b>Health Route</b>	<b>Professional Conduct Route</b>
	<ul style="list-style-type: none"> <li>• Student referred to OH by PD</li> <li>• FIO, PD and student receive OH recommendations</li> <li>• FIO and PD meet with student to discuss recommendations and notes are made of meeting</li> <li>• Decision: <ul style="list-style-type: none"> <li>○ Student cleared and no further action – end</li> <li>○ Student cleared and reasonable adjustments can be made within the University. PD ensures learning support plan devised with student – end</li> <li>○ Student cleared and adjustments in practice needed – discuss with placement representative if adjustments possible OR proceed to Stage 3</li> <li>○ Student not cleared. PD and FIO will discuss Interruption/Withdrawal with student. If agreed, process INT/WDR – end. If not agreed – proceed to Stage 3</li> </ul> </li> <li>• FIO will write to student to confirm outcome</li> </ul>	<ul style="list-style-type: none"> <li>• FIO and PD meet with student (notes are made) and determine how case should proceed with consideration of student's response <ul style="list-style-type: none"> <li>○ No further action needed – end</li> <li>○ Issue can be resolved at this stage and mutual agreement of outcome– proportionate sanctions applied as appropriate</li> <li>○ Student does not fulfil sanctions – FIO and PD meet again with student to determine any mitigation and how matter should progress</li> <li>○ Student is unwilling to fulfil sanctions – proceed to Stage 3</li> </ul> </li> <li>• FIO writes to student to confirm outcome</li> <li>• For issues resolved at this stage: <ul style="list-style-type: none"> <li>○ Student fulfils sanctions – end and retain on file</li> </ul> </li> <li>• Issue cannot be resolved at this stage – proceed to Stage 3</li> <li>• For applicant DBS issues, Admissions initiate DBS panel review and write to applicant with decision and offer feedback</li> <li>• For student DBS issues, PD and FIO review and deal with under stage 2 or refer directly to stage 3</li> <li>• Plagiarism, Academic and Research Misconduct cases should follow the relevant University procedures. If it is considered that the student may have breached any professional standards then the sanction is not applied but recommended to the FIO who will initiate SFTP procedures (from stage 1)</li> </ul>
<b>Stage 3</b>	<p><b>FIO refers the case to the SFTP Panel. Panel and student receive FIO report and student has opportunity to submit statement. Panel meets with FIO/PD and student to discuss the issues. Meeting is formally minuted. Panel decides:</b></p> <ul style="list-style-type: none"> <li>• Case is not proven – end</li> <li>• Case is proven (in part or in full) and decides proportionate sanction <ul style="list-style-type: none"> <li>○ Sanction does not require follow up by PD – end</li> <li>○ Sanction may require follow up by PD. If sanction is not met refer back to Chair of Panel</li> </ul> </li> <li>• Chair of Panel writes to student and relevant other parties to confirm outcome</li> </ul>	

## APPENDIX 2 - LIST OF ABBREVIATIONS

<b>AGL</b>	<b>Academic Group Lead</b>
<b>DBS</b>	<b>Disclosure &amp; Barring Service</b>
<b>FMHSC</b>	<b>Faculty of Medicine, Health &amp; Social Care</b>
<b>GOC</b>	<b>General Optical Council</b>
<b>HEA</b>	<b>Higher Education Academy</b>
<b>HCPC</b>	<b>Health &amp; Care Professions Council</b>
<b>INT</b>	<b>Interrupted</b>
<b>FIO</b>	<b>Formal Investigating Officer</b>
<b>LME</b>	<b>Lead Midwife for Education</b>
<b>NMC</b>	<b>Nursing &amp; Midwifery Council</b>
<b>OH</b>	<b>Occupational Health</b>
<b>PD</b>	<b>Programme Director</b>
<b>PLSP</b>	<b>Practice Learning Support Plan</b>
<b>PSRB</b>	<b>Professional &amp; Statutory Regulatory Body</b>
<b>SFTP</b>	<b>Student Fitness to Practise</b>
<b>WDR</b>	<b>Withdrawn</b>