

Canterbury Christ Church University Faculty of Health and Wellbeing Faculty Student Fitness to Practise Procedures

NB: This guidance is aimed at students and is not the full set of procedures

The Faculty of Health and Wellbeing Student Fitness to Practise (SFTP) Procedures apply to all students undertaking a professional programme in the faculty.

Students and applicants are required to adhere/aspire to the professional guidance of their relevant Statutory Regulatory body (HCPC, NMC or others) and the University's Code of Student Professional Conduct. Failure to adhere/aspire to these and/or any of the following may result in SFTP procedures.

- You are required to disclose all relevant information about your health and character and keep the University informed of any changes. Pre-registration students are required to complete an annual declaration of their health and character.
- 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. You 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.
- It is your responsibility to consult with your Programme/Pathway Director (PD) if you become subject to any criminal proceedings as soon after the event as possible.

Stages in Dealing with Allegations

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

Stage 1 is the information gathering stage. Here the Investigating Officer (IO - this is an academic member of staff appointed to investigate and carry out student procedures within the faculty.) and the PD will gather information and determine whether the evidence indicates there has been a breach of professional standards.

Stage 2 is the early resolution stage. Here the IO and PD will meet with you to discuss the case. This stage is separated into two routes – health and professional conduct.

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

At the completion of each stage you will be advised in writing of the means by which the case may be taken further and to which stage it might progress.

At any stage of the procedures, when attending meetings in person, you have 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 you, 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 your behalf.

Contact the Students' Union for support: www.ccsu.co.uk/ftp

THE PROCESS

Stage 0 – Issue

A potential fitness to practise issue is brought to the attention of your PD. Your PD may contact you.

Your Head of School can neutrally withdraw you from attendance at the University and/or practice at any stage. (NB: this has no bearing on the outcome of the case and any placement or university time that you miss you will be able to make up if appropriate).

Stage 1 – Information Gathering

Your PD will consult with the IO and determine if the issue falls under the remit of fitness to practise. You will be informed in writing of the outcome of this discussion.

If the issue indicates that professional standards may have been breached, the PD and IO will then follow the appropriate Stage 2 route (NB: there can be a direct referral to Stage 3 at this stage). You will be notified of the outcome of this Stage and, if proceeding to Stage 2, what route is being followed - either health or professional conduct.

Stage 2 – Health Route

This is for health issues that may impact on your practice. You will be invited to attend an Occupational Health (OH) screening and/or assessment. Following this you will receive a copy of the OH service recommendations. If you do not attend OH screening you may be referred directly to Stage 3 and be liable for the non-attendance fee.

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

- No further action needs to be taken. It is considered that you will be able to maintain practice competence without adjustments and the case is closed.
- Adjustments can be considered without further consultation. This may be within the University environment and/or a requirement for adjustments in practice.
- Adjustments are proposed and require further consultation. Although you have been cleared by OH, it may be necessary to make adjustments in practice and therefore the IO in partnership with the PD, and relevant colleagues will determine whether such adjustments can be agreed. If this is not possible then the IO will refer the case to Stage 3.
- You are not cleared by OH. The PD, IO and relevant colleagues will discuss interruption/ withdrawal options with you. 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, the IO will refer the case to Stage 3.

The IO will write to you confirming the outcome of Stage 2.

Stage 2 – Professional Conduct Route

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

- No further action needs to be taken. The case is closed.
- You have breached professional standards but this can be resolved at this stage. You will be cautioned by the PD and IO, and appropriate sanctions applied. A note will be added to your file. This will be removed after a 12 month period provided there are no further breaches of professional standards. Potential sanctions may include:
 - writing a reflection on the issue detailing what you have learnt from the experience
 - writing a formal learning agreement regarding how you will address the issues in practice monitored by your Personal Tutor and PD
 - repeating a formative assessment of practice (depending on the stage of your programme)
 - joining a different University group for facilitated sessions
 - where appropriate, a written apology may be requested
 - alternative sanctions may be made as appropriate to individual cases
- You have breached professional standards that cannot be resolved at this stage. The case will be referred to Stage 3.

If you fail to fulfil the sanctions applied by the PD and IO, you will be invited to a meeting to discuss any potential mitigating circumstances. The PD and IO 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 2 submissions).

If you are unwilling to fulfil the sanctions as applied by the PD and IO, the matter will automatically progress to Stage 3.

The IO will write to you confirming the outcome of Stage 2.

NB: this route also covers issues related to DBS (relevant to applicants or registered students) and relevant Plagiarism & Academic or Research Misconduct

In all cases of suspected Plagiarism or Academic/Research Misconduct the University procedures should be followed first.

If the Plagiarism or Academic/Research Misconduct case is proven and there is evidence to suggest that you may have breached any professional standards then the case will be referred to an IO who will commence SFTP procedures (at stage 1).

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Stage 3 – Fitness to Practise Panel

If the matter cannot be resolved at an earlier stage the IO will refer your case to the Student Fitness to Practise Panel. **The Panel will normally meet within 20 working days** of the IO handing over the case. The Panel meeting will normally take place at whichever campus you are based.

The IO will inform the relevant Head of School/Centre of the referral. For Continuing Development students registered with a Statutory Regulatory body and seconded or sponsored students your employer will also be informed.

All Stage 3 investigations will be assigned a Chair, Deputy Chair and Secretary. The Deputy Chair (DC) and SFTP Secretary 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.

The decision making Panel must always include a Chair, the Professional Lead and two other people, one of whom must be a registrant from the relevant Statutory Regulatory body. None of the decision making Panel will have any potential conflict of interest with the case.

In Health cases, 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.

Your PD will normally be responsible for investigating, reporting and presenting the case to the Panel. The investigation may involve liaison with all relevant parties including your employers if you are a sponsored or seconded student.

You and the PD will both be invited to attend the Panel meeting and speak about the concerns raised.

The invitation to attend the Panel meeting will normally be sent at least ten working days before the meeting date. The written report with a timeline of events and pertinent evidence will be circulated to the Panel and to you in advance of the Panel meeting.

You have the right to **submit a written statement** before the Panel meeting; this must be sent to the Secretary **at least three working days before the meeting date**. (NB: your representative can help you in writing this). It is strongly recommended that you prepare a written statement and also provide any relevant evidence.

You may be accompanied to the Panel by a representative. Contact the Students' Union for support: www.ccsu.co.uk/ftp. You may not bring a legal representative to the Panel meeting. Your representative is entitled to speak at the Panel.

In the case of the non-attendance, the Panel will proceed in your absence.

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Members of the Panel may ask questions of you and the PD. You and your PD may also ask questions of each other.

When all presented evidence has been heard the Panel will discuss the case in private and make a decision as to the outcome.

The possible outcomes of the Panel hearing are as follows:

- **Following consideration of the evidence the case is not proven.** In this case you receive no warning or sanction. However you are supported by your PD to reflect on the situation and experience.
- **Following consideration of the evidence the case is proven (in part or in full).** In this case the Panel reviews mitigating factors to determine whether the facts constitute impairment of Fitness to Practise. If the case is proven the Panel then decides a sanction, beginning with the least severe, and proportionate to the risk to patients, service users and the public as follows:
 - You are required to write an apology
 - You receive a written warning
 - You are required to take remedial action
 - You are asked for evidence of improvement and reflection or other conditions imposed by the Panel via a formal learning agreement, with support from your PD
 - You are required to retake part of the programme
 - You are suspended from the programme for a specified period of time
 - You are withdrawn from the programme, with the ability to re-register in the future
 - You are withdrawn from the programme, without the ability to re-register in the future but with possible transfer to another non-professional programme
 - You are excluded from the University
 - alternative sanctions may be made as appropriate to individual cases

The Panel may also recommend that you are offered pastoral support as appropriate.

The outcome of the Panel will be recorded, and then communicated by the Chair to you, the PD, the IO, and the Head of School/Centre. Other relevant parties might include the Registry, the Dean of the Faculty, the Vice-Chancellor, Professional and/or Statutory Regulatory bodies, employers and any other organisations (e.g. DBS/OH) as required. (NB: If something comes to light in the panel which requires a disclosure to an external body (i.e. issues around safeguarding) then you will be informed of this)

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

THE RIGHT OF APPEAL

You do have the right to appeal, however there is no right to appeal against the professional judgement of the PD and IO or Student Fitness to Practise Panel. You may appeal following the procedures and on the grounds approved in the University Framework for Student Procedures. You will be informed of the right of appeal when the decision is communicated to you. The decision of the IO and PD or Panel shall take effect and remain in force pending the outcome of any appeal.