STUDENT FITNESS TO PRACTISE – APPROVED STANDARD FORMS AND CORRESPONDENCE

SUMMARY OF PRINCIPAL CHANGES

General changes

Amendments to version 03.0 are restricted to Appendix I only

- This document contains information relating specifically to the operation and administration of the process set out in UPR SA15.

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or

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² Appendix II, UPR SA15 ‘Student Disciplinary Panel and Review of a Student Disciplinary Panel Decision’
³ Appendix III, UPR SA15 ‘Student Academic Misconduct Panel and Review of a Student Academic Misconduct Panel Decision’
⁴ Appendix IV, UPR SA15 ‘Suspension or Exclusion from the University by the Vice-Chancellor’
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1 **GENERAL**

1.1 The term ‘**Letter**’ is defined in section 3.1.14, UPR SA15¹ and means the **Letter** approved by the Secretary and Registrar for use at a specific point in the process described in UPR SA15¹.

1.2 **Letters** must be sent by Recorded Mail and also to the email address that the student has provided to the University for all correspondence.

1.3 The standard letters and forms approved from time-to-time by the Secretary and Registrar are to be used at the relevant stage of the student fitness to practise process in order to communicate with students and other individuals involved in matters being considered under these procedures.
1.4 This document (Appendix VI, UPR SA15) lists the standard forms and letters approved by the Secretary and Registrar for use in conjunction with UPR SA15.

1.5 Members of staff are required to use the current versions of the approved standard forms and letters published within the University’s Document Management System at the following location:

https://www.docs.herts.ac.uk/livelink/livelink.exe?func=ll&objId=1355845&objAction/browse&viewType=1

1.6 Associate Deans of School (Academic Quality Assurance) and/or the Dean of Students will ensure that only the current version of the relevant standard Letter or form is used (section 19, UPR SA15, refers).

1.7 Schools are not permitted to use forms and letters created locally. Where a change to an existing form or letter, or an additional form or letter is thought necessary, a request should be made in the first instance to the Student Procedures Co-ordinator.

2 APPROVED STANDARD LETTERS

2.1 Student fitness to practise – Stage 1 – preliminary process

Section 12.1, UPR SA15, refers.

2.1.1 Letter – no case to answer

(Section 12.1, UPR SA15, refers.)

The Letter will:

a explain that an issue, complaint or allegation relating to the student has been raised informally;
b give details of the issue, complaint or allegation including any underlying information provided in support of it;
c advise the student of the decision that there is no case to answer;
d advise the student that a copy of the Letter will be placed on the student’s file.

2.1.2 Letter – where the issue, complaint or allegation is not serious and has not been raised previously and/or no other fitness to practise issue has been raised previously - no case to answer

(Section 12.1, UPR SA15, refers.)

The Letter will:

a explain that an issue, complaint or allegation relating to the student has been raised informally;
b give details of the issue, complaint or allegation including any underlying information provided in support of it;
c advise the student of the decision that there is no case to answer;
d advise the student that a copy of the Letter will be placed on the student’s file.
2.1.3 Letter – where the issue, complaint or allegation is not serious and has not been raised previously and/or no other fitness to practise issue has been raised previously – the issue, complaint or allegations is valid but will be dealt with informally

(Section 12.1, UPR SA151, refers.)

The Letter will:

a explain that an issue, complaint or allegation relating to the student has been raised informally and has been considered at the preliminary Stage of UPR SA151;

b give details of the issue, complaint or allegation including any underlying facts provided to support it;

c give the decision and the reasons why the decision was taken;

d explain how the matter is to be dealt with;

e explain that the student has the right to request the Associate Dean of School (Academic Quality Assurance) to review the decision taken and that such requests must be made in writing within 10 working days of the date of the Letter;

f advise the student that a copy of the Letter will be placed on the student’s file.

g Included with the letter will be:

1 a copy of the relevant version of UPR SA151 and all of its appendices.

2.1.4 Letter – the issue, complaint or allegation is serious and/or is otherwise deemed to warrant further investigation and/or has been raised previously and/or another fitness to practise issue has been raised previously – the issue, complaint or allegation is being referred for consideration by the Associate Dean of School (Academic Quality Assurance)

(Section 12.1, UPR SA151, refers.)

The Letter will:

a explain that an issue, complaint or allegation has been raised informally and is being considered at the preliminary Stage of UPR SA151;

b give details of the issue, complaint or allegation including any underlying facts provided to support it;

c inform the student that the matter is being referred for consideration by the Associate Dean of School (Academic Quality Assurance);

d advise the student that a copy of the Letter will be placed on the student’s file.

e Included with the letter will be:

1 a copy of the relevant version of UPR SA151 and all of its appendices.

2.2 Student fitness to practise – Stage 1 – consideration of the matter by the Associate Dean of School (Academic Quality Assurance)

Section 12.2, UPR SA151, refers.

2.2.1 Letter – no case to answer

(Section 12.2, UPR SA151, refers.)

The Letter will:

a give details of the issue, complaint or allegation including any underlying information provided to support of it;

b advise the student of the decision that there is no case to answer;

c advise the student that a copy of the Letter will be placed on the student’s file.
2.2.2 **Letter – the matter will be investigated by an independent investigator**

(Section 12.2, UPR SA15¹, refers.)

The **Letter** will:

a. give details of the issue, complaint or allegation, including any underlying facts provided to support it;

b. confirm that the matter has been referred for investigation;

c. advise the student that the investigation will contribute to the investigation stage required by any other University procedures;

d. advise the student that a copy of the **Letter** will be placed on the student’s file.

e. Included with the letter will be:

1. a copy of the relevant version of UPR SA15¹ and all of its appendices.

2.2.3 **Letter – the investigation reveals evidence of a fitness to practise issue - the issue, complaint or allegations is valid but may be dealt with informally**

(Section 12.2, UPR SA15¹, refers.)

The **Letter** will:

a. give details of the issue, complaint or allegation;

b. explain that the investigation has revealed evidence of a fitness to practise issue;

c. explain that if the student is prepared to admit the offence, the matter will be dealt with informally;

d. explain how the matter would be dealt with informally;

e. explain that where the student disagrees with the decision taken by the Associate Dean of School (Academic Quality Assurance) he or she has the right to request, in writing, within 10 working days of the date of the **Letter**, that the case be referred for consideration by a Student Fitness to Practise Panel.

f. Included with the letter will be:

1. a copy of the investigation report;

2. a copy of the relevant version of UPR SA15¹ and all of its appendices.

2.2.4 **Letter – it has been determined that the matter is not a fitness to practise issue but Academic Misconduct and/or Non-Academic Misconduct is suspected**

(Section 12.2, UPR SA15¹, refers.)

(Note: Where an allegation(s) of Academic Misconduct or Non-Academic Misconduct is made, the case will be heard within ten (10) working days of the date on which the allegation(s) was made or as soon as possible thereafter.)

Any allegation(s) of Misconduct shall be made in writing by means of a **Letter of Allegation**.

The **Letter of Allegation** will:

a. give a full explanation of the allegation(s);

b. advise the student (as appropriate) that:

the Associate Dean (Academic Quality Assurance) believes this to be an Academic Misconduct issue and has therefore referred it for consideration by a Student Academic Misconduct Panel.
or

the Associate Dean (Academic Quality Assurance) believes this to be a Non-Academic Misconduct issue and has therefore referred it for consideration by a Student Disciplinary Panel;

and

c give the day, date, time and venue for the Hearing;
d give an explanation of the student’s right to be accompanied by a Student’s Adviser;
e invite the student to submit any witness statements to the Secretary and Registrar (or nominee), not less than five (5) working days before the Hearing, where he or she has not already done so;
f advise the student that the University expects that he or she will bring forward to the Panel all relevant evidence that is available at the time of the Hearing;
g advise the student of his or her entitlement to bring to the Hearing any witness and of the requirement that he or she must inform the Secretary and Registrar (or nominee) not less than five (5) working days beforehand of his or her intention to do so and of the name of any witness who is to attend;
h advise the student that should he or she fail to give notice that, for good reason, he or she is unable to attend the Hearing, the matter may be heard in his or her absence;
i advise the student that failure to attend a Hearing is in itself a disciplinary offence, the penalties and fines for which are listed in Appendix I, UPR SA155.

j Included with the letter will be:
   1 copies of all the documents to be relied upon at the Hearing, including the Case Officer’s report;
   2 a copy of the relevant version of UPR SA151 and all of its appendices.

2.2.5 Letter of Decision

A Letter of Decision will be issued following a Hearing by:

i a Student Disciplinary Panel (section 3, Appendix II, UPR SA152, refers) or
   an Academic Misconduct Panel (section 3, Appendix III, UPR SA153, refers) or
   a Student Fitness to Practise Panel (section 13, UPR SA151, refers);
ii following consideration by the Deputy Vice-Chancellor (or nominee) of a request for a review of a decision of:
   a Student Disciplinary Panel (section 5, Appendix II, UPR SA152, refers), or
   an Academic Misconduct Panel (section 5, Appendix III, UPR SA153, refers), or
   a Student Fitness to Practise Panel (section 14, UPR SA151, refers);
iii following consideration by a Review Committee of the Board of Governors of a request for a review of the Vice- Chancellor’s decision to Suspend or Exclude a student from the University (section 2, Appendix IV, UPR SA154, refers).

iv Letters of Decision will:

   a give the decision and the reasons why the decision was taken;
   b explain any further rights of review that the student might have.

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5 Appendix I, UPR SA15 'University Schedule of Sanctions and Penalties for Academic and Non-Academic Disciplinary Offences'
c SUSPENSION OR EXCLUSION FROM THE UNIVERSITY BY THE VICE-CHANCELLOR
Where a Panel has recommended that the student should be suspended or excluded from the University by the Vice-Chancellor, the **Letter of Decision** will, in addition to 2.2.5, iv, a and b, make clear that the matter has been referred for final decision by the Vice-Chancellor.

d DECISION OF A REVIEW COMMITTEE OF THE BOARD OF GOVERNORS
Where the decision of the Review Committee is to refer a matter for further consideration by the Vice-Chancellor, the **Letter of Decision** will include the following statements:

“No further review by the Board will be allowed in the case and the student will not, therefore, be permitted a further review by the Board against any final decision taken by the Vice-Chancellor as a result of any re-consideration of the matter.

The suspension or exclusion remains in place unless the Vice-Chancellor decides to rescind it or to vary the sanction”.

A copy of the **Letter of Decision** will be provided to the Dean of Students who will be responsible for instigating any consequent action, including, as appropriate, providing copies of the **Letter of Decision** to other relevant members of staff.

2.3 Student Fitness to practise – Stage 2 – formal process

2.3.1 Hearing Letter – referral to a Student Fitness to Practise Panel

there is a fitness to practise issue and the matter is referred for consideration by a Fitness to Practise Panel

or

the student has chosen not to accept the decision of the Associate Dean of School (Academic Quality Assurance) and the matter has been referred to a Student Fitness to Practise Panel

The **Letter** will:

a give a full explanation of the issue, complaint or allegation;
b give the day, date, time and venue for the Hearing;
c give the name and contact details of the Panel Clerk;
d give an explanation of the student's right to be accompanied by a Student's Adviser;
e invite the student to submit any witness statements to the Panel Clerk, not less than five (5) working days before the Hearing, where he or she has not already done so;
f advise the student that the University expects that he or she will bring forward to the Panel all relevant evidence that is available at the time of the Hearing;
g advise the student of his or her entitlement to bring to the Hearing any witness and of the requirement that he or she must inform the Panel Clerk not less than five (5) working days beforehand of his or her intention to do so and of the name of any witness who is to attend;
h advise the student that should he or she fail to give notice that, for good reason, he or she is unable to attend the Hearing, the matter may be heard in his or her absence;
i advise the student that failure to attend a Hearing is in itself a disciplinary offence, the penalties and fines for which are listed in Appendix I, UPR SA15.

j Included with the letter will be:
1 copies of all the documents to be relied upon at the Hearing, including the Case Officer’s report;
2 a copy of the relevant version of UPR SA15 and all of its appendices.
2.3.2 Letter of Suspension

(Section 1.4, Appendix IV, UPR SA154, refers.)

Letters of Suspension will:

a state that the student has been suspended from the University by or on the authority of the Vice-Chancellor;
b give the reasons why the decision was taken;
c stipulate the period of the suspension;
d notify the student concerned that he or she must make a written request to the Vice-Chancellor, via the Dean of Students, to have the suspension lifted temporarily so that the student may take any assessment;
e confirm the intervals at which the suspension will be reviewed by the Vice-Chancellor;
f inform the student that the President of the Students’ Union, and the Chairman of the relevant Programme Board of Examiners will be informed and will be advised that it is the student’s responsibility to request the Vice-Chancellor to lift the suspension temporarily so that the student may take any assessment;
g explain any further rights of review that the student might have;
h be signed by the Vice-Chancellor or his or her deputy designated under the provisions of section 8.1, UPR SA151.

2.3.3 Letter of Exclusion

(Section 1.5, Appendix IV, UPR SA154, refers.)

Letters of Exclusion will:

a state that the student has been excluded from the University by or on the authority of the Vice-Chancellor;
b give the reasons why the decision was taken;
c advise the student that the University considers that fourteen (14) calendar days’ notice has been given of the termination of any agreement/licence for the provision by the University to the student of residential accommodation;
d inform the student that the President of the Students’ Union, and the Chairman of the relevant Programme Board of Examiners will be informed;
e explain any further rights of review that the student might have;
f be signed by the Vice-Chancellor or his or her deputy designated under the provisions of section 6.1, UPR SA151.

2.3.4 Letter of Acknowledgement – of a request for a review by the Deputy Vice-Chancellor

(As appropriate, section 5, Appendix II, UPR SA152; section 5, Appendix III, UPR SA153, refer.)

Letters of Acknowledgement will:

a acknowledge receipt of the Request for a Review by the Deputy Vice-Chancellor made in the form referred to in section 3.1;
b for the avoidance of doubt, stipulate the version of UPR SA151 under the provisions of which the matter is being dealt with;
c be signed by the Deputy Vice-Chancellor or his or her nominee.
d Included with the letter will be:
   1 a copy of the relevant version of UPR SA151 and all of its appendices.
2.3.5 Letter of Acknowledgement – of a request for a review by a Review Committee of the Board of Governors

(Section 2, Appendix IV, UPR SA154, refers.)

Letters of Acknowledgement will be issued by the Head of Governance Services (or nominee) and will:

a. on behalf of the Board, acknowledge receipt of the Request for a Review by the Board of Governors made in the form referred to in section 3.1;
b. for the avoidance of doubt, stipulate the version of UPR SA151 under the provisions of which the matter is being dealt with;
c. be signed by the Head of Governance Services (or nominee).
d. Included with the letter will be:
   1. a copy of the relevant version of UPR SA151 and all of its appendices.

2.3.6 Review Hearing Letter – arrangements for a Review Hearing by a Review Committee of the Board of Governors

(Section 2, Appendix IV, UPR SA154, refers.)

The Head of Governance Services will write to the student concerning the arrangements for the review by a Review Committee of the Board of Governors.

The Review Hearing Letter will give:

a. the names of any individuals who are to appear at the Review Hearing;
b. the day, date, time and venue for the Hearing;
c. advise the student of his or her entitlement to bring to the Hearing any witness and of the requirement that he or she must inform the Secretary and Registrar (or nominee) not less than five (5) working days beforehand of his or her intention to do so and of the name of any witness who is to attend;
d. invite the student to submit any witness statements to the Secretary and Registrar (or nominee), not less than three (3) working days before the Review Hearing, where he or she has not already done so;
e. advise the student that any documents to be considered at the Hearing that are not available at the time that the Review Hearing Letter is issued will be provided to him or her before the Review Hearing;
f. advise the student that should he or she fail to give notice that, for good reason, he or she is unable to attend the Hearing, the matter may be heard in his or her absence;
g. advise the student that failure to attend a Hearing is in itself a disciplinary offence, the penalties and fines for which are listed in Appendix I, UPR SA156.
h. for the avoidance of doubt, stipulate the version of UPR SA151 under the provisions of which the matter is being dealt with.
i. Included with the letter will be copies of all of the documents to be considered by the Review Committee and a copy of the relevant version of UPR SA151 and all of its Appendices.

2.3.7 Completion of Procedures Letter

(As appropriate, section 5, Appendix II, UPR SA152; Section 5, Appendix III, UPR SA153; section 2, Appendix IV, UPR SA154, refer.)

Having exhausted the University internal procedures and subject to the provisions of legislation, the student has the right to request the Office of the Independent Adjudicator to review his or her case. Completion of Procedures Letters are issued by the Office of the Dean of Students.
3 APPROVED STANDARD FORMS

3.1 Request for a Review by the Deputy Vice-Chancellor or by a Review Committee of the Board of Governors – form

(As appropriate, section 4, Appendix II, UPR SA15²; section 4, Appendix III, UPR SA15³; section 2, Appendix IV, UPR SA15⁴, refer.)

3.1.1 The form will include the following advice

‘The student must complete all of the fields within the form. Incomplete forms and forms submitted without the required supporting documents/material, as set out in this section, will not be considered and will be returned, un-processed, to the student.’

3.1.2 The form will require that the student provides the following information:

a the grounds for review;
b the new documents/material that support the grounds being cited for a review,
c identifying clearly how they support the grounds being cited;
d all of the documents/material provided by the student at previous stages of the process;
e the postal address to which all correspondence is to be sent;
f the e-mail to which all communications are to be sent;
g the telephone numbers on which the student can be contacted (mobile and where applicable, landline).

3.2 Request for a suspension from the University to be lifted temporarily for the purposes of assessment – form

(Section 1.4, Appendix IV, UPR SA15⁴, refers.)

3.2.1 The form will include the following advice:

‘The student must complete all of the fields within the form. Incomplete forms and forms submitted without the required supporting documents/material, as set out in this section, will not be considered and will be returned, un-processed, to the student.’

3.2.2 The form will include the following advice:

‘Where a student submits an assessment or attends an examination (or similar) without first having his or her suspension lifted temporarily by the Vice-Chancellor, the student will be considered not to have submitted or attended and the work will not be considered (section 1.4.5, Appendix IV, UPR SA15⁵, refers).’

3.2.3 The form will require that the student provides the following information:

a the grounds for review;
b the new documents/material that support the grounds being cited for a review,
c identifying clearly how they support the grounds being cited;
d all of the documents/material provided by the student at previous stages of the process;
e details of the assessment for which a temporary lifting of a suspension is being sought including the module title, module code, type of assessment, dates and times relevant to the assessment;
f the postal address to which all correspondence is to be sent;
g the e-mail to which all communications are to be sent;
h the telephone numbers on which the student can be contacted (mobile and where applicable, landline).

Mrs S C Grant
Secretary and Registrar
Signed: 1 September 2019