

UNIVERSITY OF HERTFORDSHIRE HIGHER EDUCATION CORPORATION

SCHOOL OF HEALTH AND SOCIAL WORK

FITNESS TO PRACTISE POLICY

This policy was approved for use for use by the School Academic Committee – Health and Social Work on 15 February 2013 (Minute 74.10.1, SAC-HSK, 15 February 2013, refers) and supersedes all previous versions from that date.

SCHOOL OF HEALTH AND SOCIAL WORK FITNESS TO PRACTISE POLICY

Introduction

A student's fitness to practise is called into question when their behaviour or health raises a serious or persistent concern about their suitability to continue on a programme that leads either to a professional qualification or is associated with professional practice.

1 The Purpose and Scope of this Policy

- 1.1 This policy applies to all students on programmes leading to a professional qualification or programmes associated with professional practice.
- 1.2 The policy describes the processes that the University uses to deal with issues which might arise during a student's programme of study that call into question whether he/she is fit to practise. These issues may relate to conduct, competence, or health. Each case is considered on an individual basis.
- 1.3 Fitness to practise is a student's suitability, in terms of conduct, competence and health, to remain on a professional programme without restrictions.
- 1.4 Those applying the policy must ensure that proceedings take into account the need to:
 - protect patients or clients
 - declare and uphold proper standards of conduct and behaviour
 - maintain public confidence in students of the (relevant) profession
 - maintain confidence in the ability of the University to deal appropriately with fitness to practise issues of students on professional programmes.
- 1.5 Restrictions, according to this policy, take the form of outcomes or sanctions and may include the following: First or Final Warning; Conditions; Undertakings; and/or temporary Suspension or permanent Exclusion from the programme. Outcomes and sanctions are not designed to be punitive, but are for public protection. Some sanctions (e.g. Suspension) may have consequences for student progression. Outcomes and sanctions are detailed in Appendix 1.
- 1.6 Students' conduct is measured against the Principles of Professional Behaviour Expected of Students as set out in Appendix 2. If a student's conduct and/or behaviour is believed to have fallen below the expected standards, the student will be referred for consideration by this policy.
- 1.7 Students have an obligation to be familiar with the Principles of Professional Behaviour Expected of Students, and the implications of impaired fitness to practise, from the outset of their educational programme.

- 1.8 Students must be aware that University staff may be obliged to report, to the relevant regulatory body, a student's unprofessional behaviour or health issues that affect their fitness to practise; these issues may result in their professional regulatory body refusing registration. Students must also be aware that they may be obliged, in accordance with their regulatory body requirements, to declare sanctions received in pre-registration education at the point of receipt or at the point of application for registration.

2 The Professional Behaviour Expected of Students

- 2.1 Students are encouraged to aim for high standards in their professional and personal lives.
- 2.2 Students must comply with the Principles of Professional Behaviour Expected of Students, detailed in Appendix 2, in order to demonstrate that they are fit to practise. These principles are broadly grouped into: relationships with patients and clients; probity; maintaining good practice; working with colleagues, and health.
- 2.3 Regulatory bodies (e.g. NMC, HCPC, GMC¹) set standards for professional behaviour in the respective codes of professional conduct and ethics. Post-registration/postgraduate students must abide by the relevant professional code of conduct. Pre-registration students are expected to work towards applying their profession's code at the point of registration. Many health and care professions have a Student Code of Conduct to guide behaviour and students must also be familiar with this.
- 2.4 Conduct, which is considered inappropriate for the student at any stage of their professional programme, will be deemed misconduct.
- 2.5 Students must be aware that their behaviour outside the clinical environment, including in their personal lives, may have an impact on their fitness to practise. Their behaviour at all times must justify the trust that patients, clients and the public place in their profession.

3 Fitness to Practise: Health and Disability

- 3.1 Students must be fit to practise their profession. The safety of patients or clients will always be the prime consideration. It is recognised that most students who have a disability will register successfully. However, for a minority, a disability-related issue or a health condition may make it impossible to meet the outcomes required by their educational programme. In a circumstance where a student cannot demonstrate the necessary level of competence, if all reasonable avenues open to the student and the University have been explored and a way forward cannot be mutually agreed, it would be appropriate to consider the student through fitness to practise proceedings.
- 3.2 University staff must make reasonable adjustments for students with health or disability related issues as to how they can achieve the outcomes prescribed by their educational programme. Although adjustments cannot be made to the outcomes themselves, reasonable adjustments can normally be made to the method of learning and the assessment of skills. Guidance should be sought from the relevant Disability Advisor and/or Mental Wellbeing Advisor and the Equality Unit.
- 3.3 Where issues are raised, support and regular reviews by relevant personnel must be offered to the student. All students are encouraged to register with a local General Practitioner (GP) who will be able to offer support and continuity of care.
- 3.4 The University's Occupational Health Service will assess and advise on the impact of a health or disability related problem on a student's fitness to practise and, if appropriate, advise on adjustments in liaison with the relevant Disabled Students Advisor/ Mental Wellbeing Advisor. If compliance with a treatment programme is necessary to ensure patient or client safety is not compromised, the Occupational Health Service will normally act as the point of liaison with the student's treating health or disability specialists.

¹ NMC: Nursing & Midwifery Council; HCPC: Health & Care Professions Council; GMC: General Medical Council

3.5 A student's confidential medical information may be exchanged with relevant parties with explicit consent of the student. Where consent is not given, but there is identifiable risk to patients/clients, the public or the student, permission for disclosure is required from the Head of Department or designate.

4 **General Principles of the Policy**

4.1 University staff will encourage a sensitive and constructive approach throughout all stages of the fitness to practise proceedings. They will ensure that matters are handled efficiently, within reasonable time periods, and that outcomes are achieved and communicated clearly at all stages.

4.2 Every reasonable effort must be made to expedite a case. In exceptional circumstances, timescales may be extended to ensure the procedure is fair. However, it is in everyone's best interests for defined timescales to be adhered to as far as possible. Students must be kept informed in writing if there is any change to the original timetable.

4.3 Academic staff responsible for students on professional programmes have an obligation to ensure, so far as is reasonably practicable, that all students know what standards of professional behaviour and conduct are expected of them, and the implications of a breach of these standards.

4.4 At the outset of proceedings, the student will be allocated to a Nominated Student Adviser for support and guidance. The programme tutor will nominate a member of academic staff to undertake the role; the adviser will normally be the student's personal tutor. If the programme tutor is also the student's personal tutor, the Nominated Student Adviser will undertake the personal tutor role for the duration of the management of the fitness to practise matter. Support and guidance will be offered at all stages of the proceedings from academic staff involved in programme delivery, in relation to: personal support; preparation of statements; advice on liaison with relevant student services; preparation for a panel; support during panel proceedings, and debriefing; the Nominated Student Adviser may co-ordinate this support.

4.5 At every stage of the procedure, the student will be informed in writing² of the stage at which the matter is being considered and advised on the nature and details of the allegations against them; they will be given the opportunity to explain, respond or defend themselves and seek appropriate advice before decisions are made.

4.6 University staff will use relevant School guidance and templates, adapted where appropriate, to ensure consistency of advice for students.³

4.7 Supervisors and/or Mentors/ Practice Educators as appropriate will have access to School Fitness to Practise policies and relevant guidance as required, via Programme Tutors or Research Tutors.

4.8 University staff must make reasonable adjustments for students with known disability-related issues in respect of all fitness to practise proceedings, for example in preparation for and attendance at all meetings associated with proceedings, and in respect of management of action plans and sanctions. Guidance should be sought from the relevant Disability Advisor and/or Mental Wellbeing Advisor where appropriate.

4.9 Wherever a member of staff is unable to undertake the relevant role, an appropriate designate must be appointed.

4.10 Advice, if required, may be sought by academic staff from within the University and from partner agencies or relevant regulatory bodies, at any stage of the proceedings.

² 'In writing' may, where considered appropriate, include email correspondence. It is the student's responsibility to keep the University informed of current accommodation and email addresses for the duration of the programme.

³ All templates and guidance are available on StudyNet.

- 4.11 All meetings and hearings will be held in private. No persons will be allowed to observe or attend without the permission of the Chair and the student.
- 4.12 The student may invite another person to accompany him/her to any meeting or hearing (formal or informal) at which the matter is to be discussed; the person may act as a friend, or as an Adviser. Although the student might, for example, invite a Trade Union Representative or lawyer to act as an Adviser, it should be noted that the person attends purely in an advisory capacity and therefore does not act as the student's representative. The student may consult freely with the Adviser at any time during a meeting/hearing. A student's Adviser may only speak during a meeting/hearing if asked direct questions by University staff or representatives. The student must advise the Chair at least two working days prior to the relevant meeting if they are to be accompanied.
- 4.13 If a student is unable to attend a meeting or hearing, there is no provision for the student to have a representative to present on their behalf. A Students' Union Officer may be invited by the student to observe proceedings on the student's behalf. The student may obtain notes of the meeting or hearing (see also 9.11 and 9.14).
- 4.14 Audiotape recording of meetings or hearings will not normally be allowed, although reasonable adjustments may be made if required in accordance with University of Hertfordshire Equality and Diversity Policy (UPR EQ03 v04.0). Requests for adjustments must be made in advance to the academic staff holding a meeting, or Chair of the hearing, as appropriate.
- 4.15 In exceptional circumstances, at any stage of proceedings, an adjournment may be necessary for either party to obtain more evidence or for the panel to consider further the evidence. Requests will be granted at the Chair's discretion and shall not be unreasonably withheld.
- 4.16 Exceptionally, if the allegation(s) is of a serious nature, at any stage of the proceedings the student's programme of study may be subject to interim Conditions or interim Suspension from the programme. Such Conditions or Suspension will be instigated by the programme tutor in consultation with the Head of Department or designate and relevant partner agencies, as appropriate. Interim suspension is not a sanction and does not imply guilt: it is used only for patients' or clients' and/or the student's own protection; where colleagues, staff or fellow students would be compromised; or otherwise in the public interest. The appropriateness and period for interim Conditions or Suspension will be reviewed on a two-weekly basis by the programme tutor until the investigation is complete.
- 4.17 Reasons will be given for decisions at each stage of the proceedings and confirmed in writing to the student.
- 4.18 It is essential that all matters relating to the application of these procedures remain confidential to the parties concerned and those who need to know. The University reserves the right⁴, and in some cases has a legal duty, to inform professional/regulatory bodies and/or organisations (e.g. the police, Home Office, Social Services, UCAS, relevant clinical environments) of the conduct of the student if required. Disclosure will be managed by the Head of Department or designate.
- 4.19 Copies of all correspondence will be placed in the student file. On completion of the case, the full correspondence and documentation related to the fitness to practise matter will be removed from the file. Records will be held and managed centrally at School level, accessible only with permission from the School Fitness to Practise Officer and will be disposed of after ten years. On completion of the case, a summary of the case and outcome will be placed on the student file by the School Fitness to Practise Officer; outcomes will remain on file for the duration of the programme and for ten years afterwards, irrespective of the outcome of the proceedings.

⁴ Advice from Information Commissioner to GMC 2009 cited in *Medical students: professional values and fitness to practise*. GMC. London: 'The Data Protection Act 1998 does not represent a complete barrier to disclosure, rather it would allow it where it is necessary and proportionate and where certain conditions have been met, where there is a real issue about a student's fitness to practise and where this represents a risk to patients or members of the public, then disclosure would seem to be justified'.

- 4.20 The standard of proof applied to the facts stage of the proceedings is the civil standard of proof, ie 'on the balance of probabilities'.
- 4.21 If Fitness to Practise proceedings occur during or before a period of assessment and there is concern that such proceedings are affecting performance in an assessment, students should be advised to apply for an extension to the assessment deadline and/or submit serious adverse circumstances to the Board of Examiners (UPR AS 12 Appendix 1 refers).
- 4.22 In respect of the interface between Fitness to Practise proceedings and other University disciplinary procedures, advice may be sought from the Dean of Students, the School Fitness to Practise Officer or the relevant Officer of another policy. If an investigation has already been undertaken in connection with the same facts under a University procedure, the University will rely, so far as possible, on previous investigations/hearings to ensure that the student is not subject to the same procedure in respect of the same facts more than once.

5 Initial Consideration of a Case

- 5.1 Information or complaints about a student's fitness to practise must be supported by written or other⁵ evidence of the facts alleged. Anonymous allegations will not normally be accepted. Occasionally, a student may be referred through another route, for example as a result of health matters, or having already been investigated via another University process. Students should be aware that anyone providing support or guidance to the student must inform an appropriate member of academic staff at the University if there is a reasonable belief that the student's behaviour or health raises, or may raise, fitness to practise concerns.
- 5.2 A member of University staff receiving information or a complaint where the student's fitness to practise may be called into question will refer the matter to the student's programme tutor without undue delay, normally within one working day. The programme tutor will determine whether the matter will be managed informally by the programme team or whether a referral should be made to the School Fitness to Practise Officer. The relevant Head of Department or designate must be informed when a referral is made.
- 5.3 The student must be informed fully and clearly in writing of the nature and detail of the allegation/complaint at the earliest opportunity. Allegations will normally be framed with reference to Appendix 2: Principles of Professional Behaviour Expected of Students.
- 5.4 The programme tutor will refer the matter, using the referral template⁶, to the School Fitness to Practise Officer, normally within four working days.

FITNESS TO PRACTISE PROCEEDINGS⁷

6 Fitness to Practise Referral Group

- 6.1 A Fitness to Practise Referral Group (FPRG) will be convened and chaired by the School Fitness to Practise Officer to consider allegations against students. Allegations will be considered at two stages: Stage 1 and Stage 2.
- 6.2 The FPRG will meet throughout the year, normally with an interval of approximately 15 working days between each meeting; in exceptional circumstances, an extraordinary meeting may be held outside this schedule. Membership of the group will be drawn from a representative selection of professionals from the School, comprising of:
- the Chair
 - three experienced academics or lecturer/practitioners normally including:
 - an Associate Dean of School or designate from within the School

⁵ For example, a recording

⁶ All templates and guidance are available on the School StudyNet site.

⁷ See Flowchart Appendix 3

- an experienced academic from the same professional group as the student
- an experienced representative from the same profession as the student from a related partner agency (health or social care).

The quoracy of the group is three members including the Chair. The Chair assumes no part in the decision-making.

- 6.3 Decision-making members of FPRG will be previously unfamiliar with both the student and the details of the allegation in order to be able to make an objective analysis of the issues. In making a decision, no account should be taken of matters of fact on the student file.
- 6.4 Decisions at each stage must be recorded by the Chair and communicated to the student's programme tutor as soon as possible. It is the programme tutor's responsibility to notify the student of the decision in writing, normally within two working days of each decision, in all circumstances except where a panel hearing is directed (see 8.3).
- 6.5 At any time prior to or subsequent to meetings of the FPRG, the programme tutor may determine that it is necessary to develop an action plan with the student. The programme tutor will be responsible for the management and review of the plan in consultation with the personal tutor. Records of all plans of action inclusive of outcomes and timescales will be documented in the student's file.

7 Fitness to Practise Referral Group – Stage 1

- 7.1 The FPRG will decide whether, in accordance with the guidance in Appendix 1:
- there is no case to answer
 - the case should be managed via another University policy
 - no further action is required
 - the allegation should be investigated fully
 - a First or Final Warning is appropriate, to be recorded in the student file.
- 7.2 If, following the initial determination of outcome, the Chair discloses to the decision making members of the FPRG that a First Warning or Final Warning has previously been given; the FPRG may need to make a further determination of outcome (Appendix 1).
- 7.3 If the FPRG decides that a Full Investigation is required, an investigator, normally a senior member of academic staff, will be appointed by the Head of Department or designate. The investigator must not know the past history of the student or access the student's personal file; the investigator must be in a position to undertake an independent and objective investigation. The investigation should consider solely the allegation, which is the subject of the proceedings and should present evidence related to the facts of the allegations only.
- 7.4 All investigations will be completed within as short a timescale as possible, normally within 15 working days.
- 7.5 During the investigation, the investigator will interview all relevant parties, including the student; normally a note of each meeting will be agreed by each interviewee in writing. If, for justifiable reasons agreed in advance with the investigator, the student is unable to attend a meeting, it will be adjourned to a suitable alternative date. If the student is unable to attend on the re-arranged date, the investigator will seek advice from the School Fitness to Practise Officer in relation to how to proceed in order to prevent undue delay in the consideration of the fitness to practise matter. In accordance with the Principles of Professional Behaviour Expected of Students in Appendix 2, students are obliged to co-operate with investigations and to facilitate communication in relation to their programme. Submissions in writing from the student and any witnesses will be considered if no meeting is held.
- 7.6 The Full Investigation report will then be sent to the School Fitness to Practise Officer, normally two days in advance of the Stage 2 meeting, for the next stage of consideration.

8 Fitness to Practise Referral Group – Stage 2

- 8.1 The report of the Full Investigation will be considered at a Stage 2 meeting of the FPRG, which will decide, in accordance with the guidance in Appendix 1, whether:
- there is no case to answer
 - the case should be managed via another University process
 - no further action is required
 - a First or Final Warning is appropriate, to be recorded in the student file
 - the matter should proceed to a panel hearing
- 8.2 When a First or Final Warning is recommended the School Fitness to Practice Officer will, where appropriate, inform the Fitness to Practise Department of the relevant regulatory body.
- 8.3 Where a panel hearing is recommended, the Chair of the FPRG will inform the student of the decision (decision letter) in writing within two working days, and appoint an independent Head of Department or designate, not already directly involved in the case, to convene and chair the hearing. The School Fitness to Practise Officer will normally, within one working day notify the Head of Department responsible for the student's programme of study and, where appropriate, the relevant body which governs workforce training and education that a panel hearing is to take place.

9 Panel Hearing

- 9.1 Where the allegation is serious and justifies the case being dealt with at a panel hearing, the appointed Chair will give the student written notice of the hearing, normally within five working days of the date of the decision letter.
- 9.2 The Chair of the panel will consult with the investigator and the student against whom the allegation has been made to establish which or whether witnesses will be called.
- 9.3 The 'Letter of Hearing' will be personally handed to the student or sent confidentially by recorded delivery and will:
- state the purpose of the hearing
 - state specifically the fitness to practise allegations for which the hearing is to be held
 - state the day, time and place of the hearing
 - give the names and designation of the members of the panel and any witnesses to be called
 - enclose any relevant written statements and documents, including a copy of the investigatory report (all evidence to be paginated for ease of reference)
 - invite the student to seek support and guidance in preparing for the case from the Nominated Student Adviser, the programme tutor and the Students' Union
 - invite the student to be accompanied by a friend or Adviser (see 4.12).
- 9.4 The panel will comprise:
- a Dean of School (Chair) or designate
 - Three experienced academics or lecturer/practitioners normally including:
 - a Professional Lead / Adviser to the panel of the same profession as the student⁸
 - a practising representative of the same profession as the student from a relevant partner agency (health or social care).
- In addition, or in place of one of the professional parties:
- where specified by guidance from the relevant regulatory body, someone from outside the relevant School who is not of the same profession as the student.

The quoracy of the panel will be three members including the Chair.

⁸ For example, an appropriate Professional Lead on the panel in the context of midwifery should normally be a Supervisor of Midwives.

- 9.5 No member of the panel should have been directly involved in any previous fitness to practise proceedings or other disciplinary proceedings involving the same student.
- 9.6 All panel members must be familiar with the Fitness to Practise Policy and where appropriate, published guidance relating to student conduct, and/or the behaviour expected of a student within their respective profession.
- 9.7 The Dean of Students or designate will be present in the role of observer during proceedings and may advise as appropriate in respect of all University policy. The Dean of Students or designate will be in possession of the student file during proceedings should any further clarification be required.
- 9.8 The 'Letter of Hearing' and all the documentation provided to the student will be personally handed to each member of the panel or sent by recorded delivery. Management of the hearing and all documentation will be the responsibility of the Chair.
- 9.9 Except with the agreement of the student, the hearing shall not be fixed for any date earlier than ten working days after the date of the posting of the Letter of Hearing, and normally within 20 working days of the date of the Letter of Hearing.
- 9.10 New evidence may not be tabled without the advance permission of the Chair. In exceptional circumstances, the panel may adjourn to consider fully any late evidence.
- 9.11 If for justifiable reasons agreed in advance with the Chair of the panel, the student is unable to attend a hearing, it will be adjourned to a suitable alternative date. If the student is unable to attend on the re-arranged date, the hearing will normally proceed in his/her absence, except in exceptional circumstances. A Students' Union Officer may be provided with the opportunity to observe the hearing on the student's behalf (see 4.12/4.13). Submissions in writing from the student and the student's witnesses will be considered.
- 9.12 If the student does not attend and is not represented, the hearing may proceed if panel members are satisfied that all reasonable efforts have been made to serve details of the date, time and venue on the student, for example: letters and/or documents have been delivered personally or sent by recorded delivery to the appropriate address on the student's file.
- 9.13 The hearing will be conducted in accordance with the outline format in Appendix 4. Exceptionally, by mutual agreement between Chair and student, the format of proceedings may be amended provided that the general principles are still followed.
- 9.14 Notes of the proceedings will be taken by a member of professional staff in narrative format (not verbatim) and agreed with the Chair of the panel. Notes will not be circulated subsequently but kept for record purposes only and used in the event of any subsequent appeal, at which time they will be circulated to relevant parties.
- 9.15 Reasons will be given for the decision on facts, citing the evidence relied upon.
- 9.16 Reasons will be given for decisions related to misconduct/fitness to practise. Reference to failings in respect of any of the Principles of Professional Behaviour Expected of Students in Appendix 2, or breach of a relevant Student Code of Conduct, may be appropriate.

10 Outcomes and Sanctions

- 10.1 In accordance with the guidance in Appendix 1, if restrictions are required, the panel may impose the following:

Outcomes: First Warning
 Final Warning

Sanctions: Conditions
 Undertakings (in the form of an Action Plan)
 Temporary suspension from the programme
 Permanent exclusion from the programme

- 10.2 In making their judgment on a sufficient outcome or sanction, the panel must have regard both to proportionality⁹ and to:
- protection of patients or clients
 - declaring and upholding proper standards of conduct
 - maintenance of public confidence in students of the (relevant) profession
 - maintenance of confidence in the ability of the University to deal appropriately with fitness to practise issues of students on professional programmes.

On making a judgement, the panel will give a rationale for the decision made.

- 10.3 Any information relating to the outcome of the hearing will remain confidential. The Chair of the panel, having consulted with the Head of Department or designate, will determine whether there is an obligation or need to advise relevant parties within or external to the University, such as Module/Programme Boards of Examiners, an employer, bursary provider and/or professional organisation. The Chair will take responsibility for that communication normally within ten working days of the outcome, taking into account the urgency of the matter. They will also inform the student in writing which parties, if any, have been advised of the outcome of the hearing.

- 10.4 The Letter of Decision will be sent by the Chair of the hearing within seven working days of the date of the hearing, with details of the appeal process if appropriate.

- 10.5 Where a temporary suspension or permanent exclusion from the programme has been applied, the Chair of the panel must ensure that a copy of any letter related to this decision that is sent to the student is provided also to the Vice-Chancellor, the appropriate Dean of School, the Dean of Students and the appropriate Head of Department.

- 10.6 The student's programme tutor will manage bursary issues where relevant.

- 10.7 A report of the hearing will be sent to the School Fitness to Practise Officer by the Chair of the panel within ten working days of the hearing.

- 10.8 Where appropriate, the School Fitness to Practise Officer will report cases of academic misconduct to the Fitness to Practise Department of the relevant regulatory body.

11 **Request for a Formal Review of the Decision made by a Fitness to Practise Panel (Appeals Procedure)**

- 11.1 The student will be informed in writing of the right to appeal to the Vice-Chancellor. An appeal must be submitted in writing to the Vice-Chancellor within 15 working days of the date on which the written confirmation of the decision taken by the panel was sent or given to the student. The grounds for appeal must be clearly stated.

- 11.2 An appeal may be made solely on one or more of the following grounds.

- That there has been a material or administrative error or procedural irregularity in the conduct of the proceedings
- That there was unfairness or impropriety on the part of a panel or panel members
- That there is new information, relevant to the case, which has not already been considered and which could not have been reasonably produced at the initial hearing.

- 11.3 Any student wishing to have the decision of the panel reviewed should seek immediate guidance from the Students' Union and/or Dean of Students.

⁹ The principle of proportionality, ensures all cases are conducted fairly, justly and efficiently. This involves:

- (a) dealing with a case in ways which are proportionate to the complexity of the issues and the resources of the parties;
- (b) seeking flexibility in proceedings wherever possible;
- (c) ensuring that all parties have been given an opportunity to participate fully in the proceedings;
- (d) using the Panel members' knowledge and experience effectively; and
- (e) avoiding delay, as far as possible

11.4 The Vice-Chancellor, upon receipt of the written submission, will consider carefully whether there is sufficient justification to merit a review. The hearing of this appeal will not be conducted as a re-hearing of the evidence but will be concerned with reviewing the application of procedures. Consideration will be given to any new evidence not available or produced at the original hearing. Decisions made by the panel for professional fitness to practise/safety of the public reasons may not be overturned by either the Vice-Chancellor or the Dean of School.

12 Monitoring Fitness to Practise Proceedings

12.1 The Dean of School, in consultation with the appropriate Head(s) of Department, will appoint a School Fitness to Practise Officer.

12.2 The School Fitness to Practise Officer will submit a quarterly report (March, June, September and December) to the Associate Dean Academic Quality Assurance – Practice Enhancement, who will present the School Academic Committee and following approval to the strategic health authorities (SHA) or relevant funding body as appropriate. The report will detail the number, nature and outcome of cases referred to fitness to practise and will make explicit the number of 'Cause for Concerns' that do and do not proceed to a Panel Hearing. Detail of the programme, year of study, Department and funding body associated with each referral will also be reported. An analysis of trends, outcomes, equality data and specific issues arising during each year will be contained within the report.

Acknowledgement

This policy is based on:

- University of Hertfordshire Faculty of Health and Human Sciences '*Professional Suitability Policy*' 2009;
- General Medical Council's and Medical Schools Council's '*Medical student: professional values and fitness to practise* (2009)';
- Contribution made by NHS East of England Multi-professional Deanery
- Consideration has also been given to student guidance on behaviour published by regulatory bodies representative of students on professional programmes in the School of Health and Social Work.

OUTCOMES AND SANCTIONS GUIDANCE

APPENDIX 1

In making their judgment on outcome or sanction, academic staff and/or panel members should apply and balance the principle of proportionality to provide sufficiently for:

- protection of patients or clients
- declaring and upholding proper standards of conduct
- maintenance of public confidence in students of the (relevant) profession
- maintenance of confidence in the ability of the University to deal appropriately with fitness to practise issues of students on professional programmes.

Academic staff/members of a panel should consider the options available, starting with the least severe and moving to the next outcome only if satisfied that the lesser outcome is not sufficient.

The panel may, in conjunction with any outcome or sanction, offer advice or make recommendations for a plan of improvement, including the expected timescale, and mechanisms of monitoring and review. The programme team will be responsible for the detail of the plan and its management.

1 OUTCOMES

1.1 No case to answer

This outcome is appropriate in the event that:

- inadequate evidence is available or likely to be available to support the allegations
- the allegation has been investigated and found not proved
- the allegation is inappropriate for fitness to practise proceedings.

1.2 Management of the case via another University or School policy

On occasions, once the circumstances of the case have been understood, it may be appropriate to refer the case for management by another University or School policy or another route. Options include referral to:

- Student Discipline (UPR SA13 v02.0; UPR SA13 Appendix I v02.0)
- Occupational Health (referred via programme tutor if appropriate)
- Assessment Offences (UPR AS14 Appendix III v05.0)
- School Disclosure and Barring Service Policy (formerly CRB).

1.3 No further action

This outcome is appropriate when, in the particular circumstances of the case, no further action is necessary because there is evidence, for example, that as a result of the proceedings to date:

- the behaviour is not sufficiently serious to warrant a First Warning
- student engagement, or other provision, in the proceedings to date appears to have addressed any deficiencies in the student's conduct
- the health issue or mitigation that is believed to have contributed to the inappropriate behaviour has been resolved.

1.4 Full Investigation

A Full Investigation may be required if:

- the student denies the allegation(s)
- more information into the allegations and the circumstances is required
- the allegation(s) is serious, and could amount to misconduct.

1.5 Warnings

A Warning is a formal statement indicating that a student's behaviour represents a departure from the Principles of Professional Behaviour Expected of Students (Appendix 2), and must not be repeated. Warnings may be administered at any stage of fitness to practise proceedings when a student's behaviour raises concerns but it is not so serious that their fitness to practise is impaired.

Additionally, a Warning may be given when fitness to practise is found to be impaired but there is evidence of significant and relevant mitigation.

Subsequent incidents should be considered in the light of earlier Warnings; patterns of poor behaviour may give rise to more serious concerns about a student's fitness to practise which may require a sanction. The School Fitness to Practise Officer will be responsible for ascertaining prior to the Fitness to Practise Referral Group meeting whether earlier warnings have been issued or whether concerns have been raised previously; this information will not be divulged to the Referral Group until after the decision on outcome/sanction has been made by the Group. The Referral Group decision may then be reconsidered in the light of the information.

Warnings will remain on the student file for the duration of the student's professional programme. Warnings normally need not be disclosed to a regulatory body but this should be checked with the regulations of the relevant body (see 8.2 above)

Responsibility for the written issue of Warnings will lie with the School Fitness to Practise Officer where issued by the FPRG, or with the Chair of the Panel Hearing issuing the Warning.

First Warning

A First Warning can be given at any stage of the fitness to practise proceedings following an initial referral to the School Fitness to Practise Officer, provided that there is no First Warning already on the student's record.

A First Warning may be considered sufficient when some of the following are present:

- The allegation is admitted by the student (should always apply)
- The conduct is at the lower end of seriousness
- This is an isolated incident or period in time
- The student has a previous good professional conduct history
- The student has insight into why the conduct is unprofessional
- The student has expressed remorse and regret for the conduct
- The student has apologised to any relevant parties where appropriate
- The student has already taken some appropriate rehabilitative steps where appropriate or appears prepared to take some
- The student has learnt from the episode and is unlikely to repeat it
- There is evidence of mitigating circumstances
- Patients, clients, staff and colleagues are not considered to be at risk
- Confidence in the University would not be undermined by such an outcome.

Final Warning

A Final Warning can be given at any stage of the fitness to practise proceedings following an initial referral to the School Fitness to Practise Officer. The Final Warning is an indication to the student that further inappropriate behaviour could lead to further fitness to practise proceedings and potentially suspension or exclusion from their programme of study.

A Final Warning may be given where similar factors are present to that of a First Warning in circumstances when a First Warning has previously been given.

A Final Warning may be considered sufficient when some of the following are present:

- The allegation is admitted by the student
- The student has a previous fair disciplinary and professional history
- The student has expressed some remorse and regret for the conduct
- The student has apologised to any relevant parties where appropriate
- The student has already taken some appropriate rehabilitative steps where appropriate
- The student may lack full insight into why the conduct is unprofessional
- The student has learnt from the episode and is unlikely to repeat it
- There is evidence of serious adverse circumstances
- The misconduct is serious but not sufficiently serious as to warrant a sanction
- Patients, clients, staff and colleagues are not considered to be significantly at risk
- Confidence in the University would not be undermined by such an outcome.

2 SANCTIONS

Sanctions can only be applied when there has been a determination that the student's fitness to practise is currently impaired (See flowchart Appendix 3).

Decisions which include sanctions may require disclosure to the relevant regulatory body/Council at the point of decision or at the point of application to the register.

2.1 Conditions

Conditions must be imposed for a specific period and are subject to regular and appropriate review by the programme tutor or designate, in conjunction with relevant partner agencies, or Occupational Health, or other appropriate student services. If Conditions are not complied with, the student will be referred back to the School Fitness to Practise Officer.

Conditions may be modified as required during the period for which they have been imposed, subject to approval by the Fitness to Practise Officer and an Associate Dean of School or designate.

- i) Conditions are appropriate when there is significant concern about the behaviour or health of the student; they may be applied when the panel is satisfied that the student has insight into the matters of concern and will respond to remediation.
- ii) The panel should consider any evidence before it, such as reports on the student's performance, health, behaviour, and any other mitigating circumstances.
- iii) The terms and objectives of any Conditions should be made clear so that the student knows exactly what is expected of them, and so that University staff and partner agencies understand not only what is expected of the student but how to manage and review the Conditions appropriately.
- iv) Conditions must be: Appropriate; Proportionate; Workable and Measurable.
- v) Where the student's fitness to practise is impaired by reason of a health condition, the Conditions should include reference to medical supervision, as well as to supervision in learning and/or practice environments (as appropriate).
- vi) Before imposing Conditions, the panel must satisfy itself that:
 - the conduct, performance or health of the student can be improved through conditions
 - the objectives of the Conditions are clear
 - any future review or assessment will be able to establish whether the Conditions have been complied with, the objective has been achieved, and whether patients or others continue to be at risk.
- vii) Conditions may be appropriate when most or all of the following are apparent:
 - The student has demonstrated insight
 - There is no evidence that the student is inherently incapable of, or unwilling to comply with, good practice and professional values
 - There are identifiable areas of the student's studies in need of further assessment or remedial action
 - The student is willing to respond positively to support and Conditions
 - The student is willing to be honest and open with patients, other students and staff if things go wrong, or begin to go wrong
 - Where there are health concerns: there is evidence that the student has genuine insight into their health problem, is aware of the necessity of complying with guidance on health, and has agreed to abide by Conditions relating to their medical condition, treatment and supervision
 - Patients or clients will not be put in danger either directly or indirectly as a result of the Conditions.
 - The Conditions will protect patients or clients.

- viii) Examples of Conditions include:
- In clinical placement, the student must work under direct supervision at all times
 - The student must demonstrate to the lecturer attendance at the beginning and end of each lecture/session
 - The student must attend for all placements punctually, and provide a record to that effect on a weekly basis to the programme tutor.
 - The student must attend all appointments relating to their health condition and demonstrate compliance with a recommended treatment programme.
 - The student must meet on a regular (specified) basis with a designated member of the programme team to reflect on their conduct, behaviour and progress.
 - The student is required to provide written reflections on their previous conduct and the learning that has taken place (specify frequency of submission, wordage etc.).

2.2 Undertakings

An undertaking is a written agreement between a student and a School where there is a determination, and a student acknowledges, that their fitness to practise is impaired. An undertaking is comparable to an 'Action Plan'.

The panel must consider carefully whether undertakings will offer sufficient safeguards to protect, as required, patients, clients, colleagues and University staff.

Undertakings should be monitored and reviewed by the programme tutor, and may be modified as required during the period for which they were imposed, subject to approval by the Fitness to Practise Officer and an Associate Dean of School. Non-compliance will lead to referral back to the School Fitness to Practise Officer.

Undertakings will only be appropriate when:

- there is reason to believe that the student will comply with them
- the student has shown genuine insight into their problems
- the student has shown potential for remediation
- there is evidence before the panel that the student has taken responsibility for their own actions and taken steps to improve their behaviour.

2.3 Temporary Suspension from the Programme

A Suspension normally has immediate effect.

A Suspension may be appropriate when:

- the student denies the allegation in spite of the evidence
- there is a lack of insight into health concerns
- the student's behaviour or health issue is serious and, where relevant to the nature of the misconduct or health, a period of reflection and rehabilitation would be appropriate
- the conduct is such that an indication of strong disapproval is required
- the student has almost reached the end of the programme and a Warning would have little impact
- the behaviour or health issue is incompatible with immediate return to or continuation on the professional programme.

A Suspension may be given for any specified period (e.g. 4 weeks, 12 weeks, 5 months etc) and is not to exceed one year in the first instance. All parties will be clear as to when the period of Suspension starts and finishes.

Although the length of the Suspension will be indicative of the measure of disapproval of the behaviour, or the severity of the health issue, panel members may take into account the impact of the Suspension on the professional programme of the student when deciding on the relevant period.

Conditions for any future return must be clearly specified in the direction, if appropriate.

A review of the student's case must be carried out by an Associate Dean of School prior to the student's return, normally four weeks before return depending on the length of the Suspension; a formal action plan for a return to the professional programme may be advised.

2.4 **Permanent Exclusion from the Programme**

This sanction has immediate effect.

Permanent Exclusion from the programme may be appropriate when:

- the student's behaviour or health issue is so serious that it is incompatible with the student continuing on a programme that normally leads to a professional career.
- there are no rehabilitative steps that could appropriately or sufficiently be taken to address such conduct or health
- there is a continuing risk to patients or clients, colleagues or staff
- confidence in the University to manage the professional conduct of its students would be called into question.

The student may be permitted to transfer to another programme in the University provided that the following conditions are met:

- Any such transfer is explored with the Dean of Students
- A place is available on the programme which has been chosen
- The student meets the entry requirements for that programme
- The student is judged to be a suitable candidate by the Admissions Tutor for that programme.

PRINCIPLES OF PROFESSIONAL BEHAVIOUR EXPECTED OF STUDENTS

APPENDIX 2

Students must comply with the following principles in order to demonstrate that they are fit to practise. Failure to do so may result in referral to Fitness to Practise proceedings.

Conduct which does not meet the standard expected of a student at the relevant stage of the professional programme will be deemed misconduct.

1 Relationships with patients or clients

Students should:

- i) respect patients and clients and treat them with dignity
- ii) make sure that they are clearly identified as students
- iii) dress in an appropriate and professional way and be aware that patients and clients will respond to their appearance, presentation and hygiene
- iv) maintain appropriate boundaries between themselves and patients and clients and anyone close to the patient or client. They must not use their professional position to cause distress or to exploit patients or clients.
- v) be open and honest in dealing with patients and clients, their carers, relatives, partners, or anyone else close to them
- vi) be aware of ethical issues in their professional behaviour with patients and clients
- vii) make sure they follow the advice of their professional organisation(s) on consent and confidentiality.

2 Probity (ie being honest and trustworthy, and acting with integrity)

Students should:

- i) bring attention to any concerns about, or errors in, their clinical work
- ii) be honest, genuine and original in their academic work, including when conducting research, and take effective action if they have concerns about the honesty of others
- iii) be honest and trustworthy when writing reports, logbooks and records, attendance registers, and when completing and signing forms
- iv) be honest in all CVs and all applications and not misrepresent their qualifications, position or abilities
- v) not plagiarise others' work or use their own work repeatedly in a way that could mislead
- vi) be honest and trustworthy in any financial dealings
- vii) co-operate with any enquiry by their School or any other organisation into their health, behaviour or performance, or that of anybody else
- viii) comply with the laws of the UK, and where relevant, any laws that apply specifically in England, Wales, Scotland or Northern Ireland
- ix) inform their programme tutor if they have been cautioned, charged or found guilty of a criminal offence.

3 Maintaining good practice

Students should:

- i) not exceed their practise limitations
- ii) ask for help when necessary
- iii) make sure that they are supervised appropriately for any clinical task they perform
- iv) respect the decisions and rights of patients or clients
- v) not unfairly discriminate against patients or clients by allowing their personal views to affect adversely their professional relationship or the care they provide (this includes their views about a patient's or client's age, colour, culture, disability, ethnic or national origin, gender, lifestyle, marital or parental status, race, religion or beliefs, sex, sexual orientation, and social or economic status)
- vi) be aware that treatment should be based on the patient's/client's priorities and the effectiveness of care/treatment options, and that decisions should be arrived at through assessment and discussion with the patient or client
- vii) behave with courtesy
- viii) report any concerns they have about patient or client safety to an appropriate person
- ix) be aware that they must acquire knowledge, skills and professional attitudes in order to register with their professional organisation
- x) attend compulsory teaching sessions or make other arrangements with the university
- xi) complete and submit coursework on time

- xii) be responsible for their own learning
- xiii) make sure that they can be contacted and always respond to messages
- xiv) reflect on feedback about their performance and achievements and respond constructively
- xv) be familiar with guidance from their professional organisation and other organisations, such as the university and clinical placement areas
- xvi) respect the knowledge and skills of those involved in their education.

4 **Working with colleagues**

Students should:

- i) be able to work effectively in a team and take on different roles as appropriate, including taking responsibility for tasks
- ii) demonstrate skills that allow them to deal with uncertainty and change in the workplace
- iii) be aware of the roles and responsibilities of other people involved in delivering healthcare
- iv) respect the skills and contributions of colleagues and other professionals and not unfairly discriminate against them
- v) where patients or clients are at risk of harm, raise concerns about overall practise in a healthcare setting or about colleagues, including other students and healthcare workers, with an appropriate person
- vi) develop and demonstrate leadership ability (if applicable to professional development).

5 **Health**

Students should:

- i) be aware that their own health problems may put patients or clients and colleagues at risk
- ii) seek medical or occupational health advice if there is a concern about their health
- iii) accept that they may not be able to assess their own health, and be willing to be referred for treatment and to engage in any recommended treatment programmes
- iv) be aware that they must inform an appropriate person if their health poses a risk to patients, clients, colleagues or the public.

6 **University Policies and Procedures**

Students should be familiar with the following policies of the University which interface with the relevant School Fitness to Practise Policy:

- University Code of Conduct (UPR SA01v03.0; UPR SA01 Appendix I v03.0)
- Student Discipline (UPR SA13 v02.0; UPR SA13 Appendix I v02.0)
- Structure and Assessment Regulations – Undergraduate and Taught Postgraduate Programmes (UPR AS14)
- Assessment Offences (UPR AS14 Appendix III v05.0)
- School Disclosure and Barring Service Policy

7 CONCERNS IN RELATION TO FITNESS TO PRACTISE

Concerns may arise as a result of a failure to comply with the Principles of Professional Behaviour Expected of Students outlined above. Examples of each category are as follows: the list is NOT exhaustive.

7.1 Relationships with patients or clients

Bullying; verbal abuse; abuse of trust and position; exploitation of a vulnerable person; harassment; failure to observe appropriate boundaries in behaviour; persistent rudeness; unlawful discrimination; physical violence;

7.2 Probity

Dishonesty (including covering up of actions), associated with the professional programme or outside the professional role; fraud, associated with the professional programme or outside the professional role; falsifying qualifications, expertise or experience; misrepresentation; falsification of signatures; falsification of attendance records or assessment of competence; financial fraud; cheating, plagiarism and collusion.

7.3 Maintaining good practice

Infrequent or non-attendance in clinical or academic sessions/placements; lack of commitment to clinical or academic sessions/placements; misrepresentation of attendance (e.g. signing in for others or having others signing in for oneself); failure to accept or follow educational advice, including monitoring and review; failure to follow specified action plan; failure to comply with Conditions; cheating or plagiarism in professional and academic work; poor communication; failure to follow rules and regulations of the University or partner agencies; bringing the profession into disrepute.

7.4 Working with colleagues

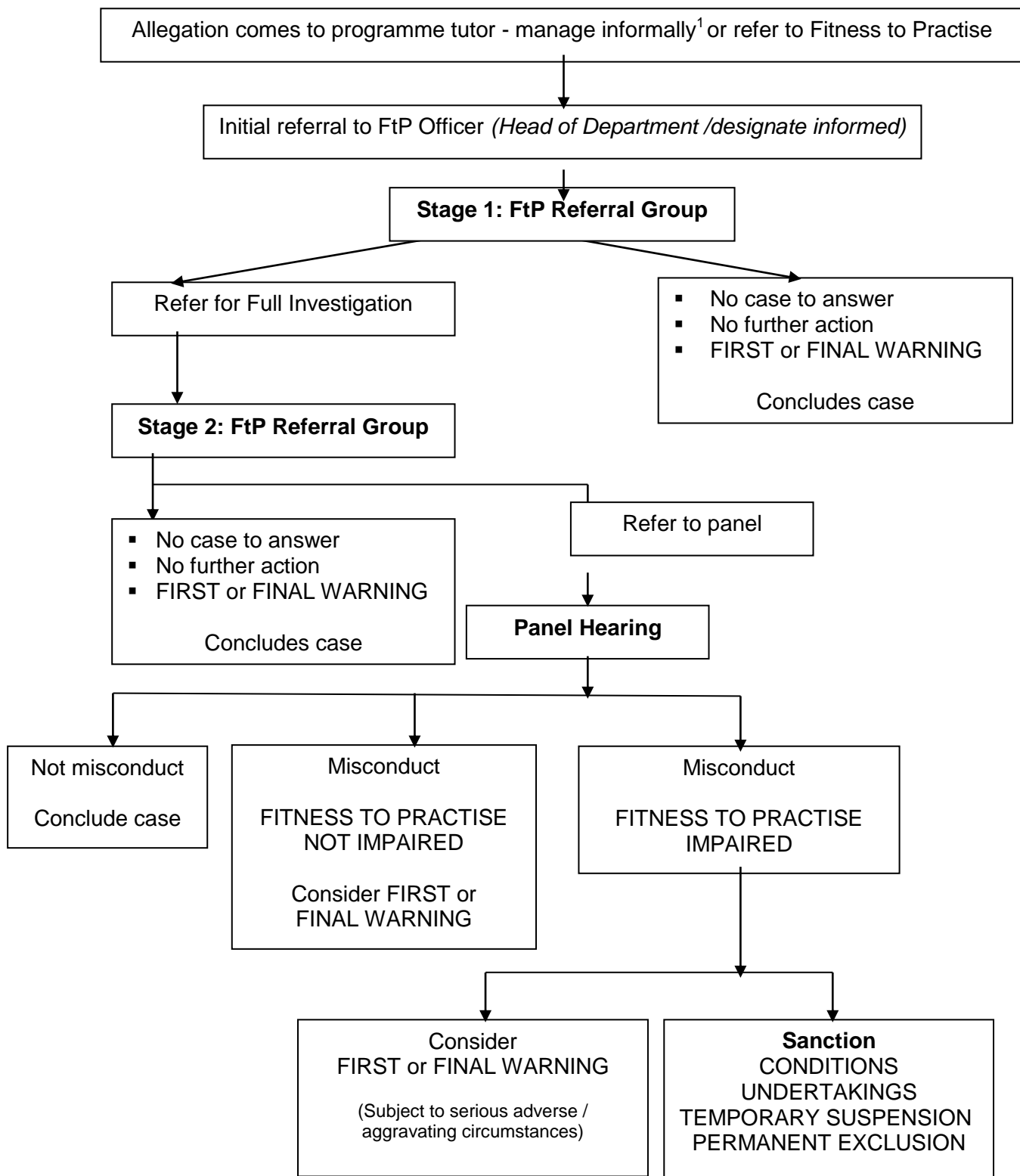
Persistent inappropriate attitude or behaviour; physical violence; bullying; verbal abuse; assault; harassment; failure to observe appropriate boundaries in behaviour; persistent rudeness; unlawful discrimination; failure to work appropriately within a team.

7.5 Health

Failure to seek appropriate treatment or other support; failure to follow health advice or care plans, including monitoring and review, in relation to maintaining fitness to practise; failure to recognise limits and abilities or lack of insight into health concerns which might impair fitness to practise.

FLOWCHART OF FITNESS TO PRACTISE PROCEEDINGS

APPENDIX 3



¹ This consideration must be documented for future reference.

FORMAT OF HEARING

APPENDIX 4

1 Introduction

The hearing will be opened by the Chair who will:

- check the name of the student, the professional programme and the year of study
- introduce all parties
- outline the reasons for the hearing
- check that the student understands the allegation(s).

The Chair will establish that all parties have the relevant documents and that documents have been paginated or labelled for ease of reference during proceedings.

The two-stage format of the proceedings will be outlined to the student and all parties present as follows:

First Stage - Ascertaining the Facts

- The student will be asked to deny or admit the allegation(s)
- The investigator will present the case for the University and call witnesses (if appropriate)
- The student will present his/her case and call witnesses (if appropriate)
- The panel will make a decision in private on the whether the allegation is proved or not proved
- The Chair will announce the decision to all parties.

Second Stage –Serious adverse and aggravating circumstances

This stage is only reached if the facts of the allegation(s) are found proved.

- The student's programme tutor will present/provide a summary of the student's profile to date
- The student then has the opportunity to present any relevant mitigation and evidence of good history
- The panel will make a decision in private on the appropriate sanction (if any)
- The Chair will announce the decision to all parties.

Where questions are asked, these should be for clarification and with sensitivity to the effects on the student, staff, and witnesses.

Witness statements need not be read out.

2 First Stage - Ascertaining the Facts

2.1 The Chair will invite the student to admit or deny the allegation(s).

2.2 If the student admits the allegation(s), presentation of the case may be limited to the context/circumstances of the case. The Chair will request a summary of the context and circumstances from, firstly, the investigator and any relevant witnesses and, secondly, from the student and any relevant witnesses. The Chair will determine whether all witnesses are called, given the admission to facts. The Chair will announce that the facts of the case have been proved by way of admission. The hearing will then proceed from 2.14 onwards.

2.3 The investigator will present the case – the nature of the allegation and the findings of the investigation.

- The student may ask questions of the investigator
- The panel may ask questions of the investigator
- The student may ask the investigator further questions.

2.4 The investigator may call witnesses; for each witness the following applies:

- The investigator will ask the witness questions to clarify the evidence
- The student may ask the witness questions
- The panel may ask the witness questions, in turn, finishing with the Chair
- The student may ask the witness further questions.

- 2.5 The witness (es) called by the investigator will be dismissed after questioning. However, the Chair may direct that all witnesses remain available in case further questioning is needed after the student has presented their case.
- 2.6 The Chair will invite the student to put his/her case.
- The investigator will ask the student questions to clarify the evidence
 - The panel may ask the student questions, in turn, finishing with the Chair.
- The student (if present) will have the opportunity to call any witnesses one at a time, as appropriate, and, in exceptional circumstances, to present any new evidence. If the student is absent, his or her witnesses may give evidence. The panel may need to adjourn to consider fully any new evidence presented.
- The student may ask the witness questions to clarify the evidence
 - The investigator may ask the witness questions to clarify the evidence
 - The panel may ask the witness questions, in turn, finishing with the Chair
 - The student may ask the witness further questions for clarification.
- 2.7 The witness (es) called by/for the student will normally be dismissed after questioning. However, the Chair may direct that all witnesses remain available in case further questioning is needed after presentation of the student's case.
- 2.8 A short adjournment may be required at this stage to allow for preparation for summing up.
- 2.9 The Chair will invite the investigator to sum up the case.
- 2.10 The Chair will then invite the student to sum up their case.
- 2.11 The panel will consider the facts of the case in private. In exceptional circumstances, where there is uncertainty on evidence already presented, relevant parties may be recalled. If recall is necessary, all parties will return.
- 2.12 The panel will announce their decision and the reasons for it. Either:
- the facts of the allegations are proved
 - the facts of the allegations are not proved and, therefore, there is no case to answer.
- 2.13 In the event that there is no case to answer, the Chair will conclude the case.
- 2.14 In the event that the facts are found proved and with reference to:
- Principles of Professional Behaviour Expected of Students (Appendix 2),
 - the relevant national regulatory Student Code of Practise,
 - the stage in the programme of the student,
- the panel will decide in private whether the behaviour constitutes misconduct, and whether fitness to practise is impaired. Fitness to practise is a student's suitability in terms of conduct, competence and health to remain on a professional programme without restrictions.
- 2.15 In the event that the panel has decided that the conduct found proved was misconduct but fitness to practise is not currently impaired, a Warning (First or Final) may be considered. The case may be concluded, announcing the outcome and the reasons.
- 2.16 If the panel cannot make a decision on whether the student's fitness to practise is currently impaired, they may proceed to the next stage to hear and consider mitigation.
- 2.17 In the event that fitness to practise is found to be impaired, the proceedings will move to the second stage.

3 **Second Stage –Serious Adverse and Aggravating Circumstances**

This stage is normally reached only if fitness to practise is found to be impaired.

- 3.1 Having found that fitness to practise is impaired, the panel will consider the student's past history and serious adverse circumstances before deciding on an appropriate outcome or sanction.
- 3.2 The Chair will invite the programme tutor to present information relating to the student's programme history; in the absence of the programme tutor, a written summary may be provided. The information in the profile must be an objective reporting of any information on record of the student's conduct during the educational programme. Information presented may be related to:
- serious adverse circumstances previous disciplinary proceedings
 - history of previous Warnings, Undertakings, Conditions, action plans
 - Disclosure and Barring Service checks (formerly CRB)
 - academic history
 - attendance (clinical or academic)
 - clinical competence
 - general behavioural issues.
- 3.3 Witnesses may be called, and may be questioned by the programme tutor, student and the panel in the same way as previously.
- 3.4 The Chair will then invite the student to present information relating to serious adverse circumstances. This could include: calling witnesses to any serious adverse circumstances (this may include University staff); character and employment references, and documentary evidence related to serious adverse circumstances.
- Witnesses may be questioned by the student and the panel.
- 3.5 The panel will consider all the information in private. If a decision has not already been reached on fitness to practise, the panel will decide whether the student's fitness to practise is impaired at the current time. Fitness to practise is a student's suitability in terms of conduct, competence and health to remain on a professional programme without restrictions.
- 3.6 In the event that the panel decides that fitness to practise is not currently impaired, the panel will consider whether a Warning is required. The Chair will announce the outcome, with reasons, and conclude the case.
- 3.7 In the event that the panel decides that fitness to practise is currently impaired, the panel will have regard to the guidance on outcomes and sanctions in Appendix 1 when making their decision in private. The panel will be reminded that the Dean of Students or designate is in possession of the student file should any further clarification be required.
- 3.8 The Chair will announce the decision and the reasons for it, to all relevant parties.

Conclusion of Proceedings

- 3.9 The Chair will advise the student that the decision will be confirmed in writing and if appropriate, state that the appeal process, as found in the policy, will be detailed in the Letter of Decision. The Chair will then conclude the hearing.
- 3.10 The Chair will confirm each decision made at the hearing, with respective reasons, in writing. The Letter of Decision will be personally handed to the student or sent by recorded and first class delivery within five working days of the hearing.