Suitability/Fitness to Practise Procedure

Procedure 09: 2019 Version 1.2 Effective from: 1 November 2019

| Date | Supersedes | Description of Change |
|------------------|-------------|------------------------------|
| 1 November 2019. | Version 1.1 | Minor amendments to wording. |

| Document Owner | Approved By | Date Approved | Review Frequency |
|-----------------------------------|---|---------------|------------------|
| Governance and Compliance Office. | Senate Regulations and Special Cases Committee. | 26 June 2019. | |

Note: In exceptional circumstances, and subject to approval by the Chair of the Senate Regulations and Special Cases Committee, responsibilities assigned to Schools, Heads, of School, School Officers or School Committees in these Regulations may be assumed by the College, Head of College, College Officers or College Committees respectively, as

Suitability/Fitness to Practise Procedure

Introduction

- 1. This procedure relates to individuals who are currently (or who were during the period in question) undertaking professional programmes within the Schools of Education and Human Development, Health Sciences, Medical Sciences, Psychology, and Sport, Health and Exercise Sciences (within the College of Human Sciences) at Bangor University. This Procedure covers incidents whilst at University and elsewhere, including whilst on placements.
- 2. This procedure is informed by the relevant professional guidance, regulations and code of practice.
- 3. The University, in conjunction with its external partners, has a responsibility to ensure that students are suitable for the professional programme that they are studying. An investigation into suitability or fitness under this Procedure can occur at
 - commenced or continued should the individual no longer be a student as long as the allegation(s) relate(s) to their time as a student on a relevant programme at Bangor University covered by this Procedure.
- 4. This Procedure does not cover applicants for these programmes, whose suitability for the programme is considered under relevant admissions processes.
- 5. Where this Procedure assigns duties specifically to Schools, Heads of School, School Officers or School Committees these may be undertaken at College level by the Dean of College, College Officers or College Committees respectively, and as appropriate.
- 6. There may be a number of reasons why a student may not be suitable

Protect the University;

Ensure that students entering and/or progressing on their programme are of good character:

Ensure compliance with any relevant professional code.

8. To ensure the suitability of students, the University has specific procedures and arrangements when admitting students to the degrees covered by this Procedure, these may include the following (not all of which are relevant for every programme covered by this Procedure):

Criminal Records checks from the Disclosure and Barring Service (DBS) and non-UK checks where applicable;

Prohibition order checks from the Department for Education;

A requirement that students declare that neither they nor, as far as they are aware, members of their household are disqualified from childcare;

A requirement that students declare any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013);

Advice to applicants regarding relevant considerations in relation to their ability to meet the rigour and demands of the relevant profession;

A student contract, which includes reference to the issue of suitability and the Suitability / Fitness to Practise Procedure;

Advice to students regarding standards of professional behaviour;

Readiness assessments for placements;

Information on professional body requirements for eligibility to register or qualify;

Monitoring of attendance and punctuality;

Health screening.

9. This procedure should be used in relation to, but not limited to, the following circumstances:

Where there are allegations of conduct or practices that are not consistent with professional standards, reported to Bangor University.

Where there are allegations of conduct or practices that contravene the rules/regulations of a partner / placement location.

Where there is any reasonable concern that a student or individual might not be suitable for the programme of study.

Where there is reasonable concern that a student might be unsuitable for the professions for which the programme of study provides entry.

Where a student does not pass any relevant readiness for placement assessment, where this is applicable to their programme of study.

Where a student breaches any relevant professional code of practice.

Procedure 09: 2019 Version 1.2

When a student is unable to pursue their studies for personal reasons that are

procedures for considering extensions to submission deadlines or interruption of study should be used.

12. Where there is a need to clarify whether a particular case should be considered under this procedure or another procedure or process, for example, where the conduct may have also breached one or more of the Bangor University regulations like those requiring disciplinary procedures, advice can be sought from the Head of Governance and Compliance (or nominee), including guidance on the timing and order of proceedings.

25. The report must include the following sections: a)

Procedure 09: 2019 Version 1.2

30. The Suitability to Practise Panel will be constituted as follows:

Chair: A Dean or Head of School from another College, who is a member of Senate.

An academic member of staff from the relevant School, ideally with knowledge of the relevant professional code. This member of staff must not have had any prior dealings with the case.

At least one or a maximum of two external members. A key criterion will be that the external member(s) will have authoritative knowledge of the relevant professional standards, and will not have had any previous involvement with the student. The external member(s) will normally be selected from a relevant external partner but can also be selected from another University in exceptional circumstances.

Sabbatical Officer nominated by the

President.

Procedure 09: 2019 Version 1.2

itself be a reason to cancel the Panel meeting if the date has already been agreed, and a student if they wish, should find an alternative person to accompany them. The student must not be accompanied by a member of staff who has links in any way with

policies or procedures related to a placement location or other location where relevant to the allegations.

Determine the outcome for the student as defined by paragraph 36.

To prepare a report on the proceedings.

34. The conduct of the Panel will normally be as follows:

- a) A Closed Session for Panel members, where the Chair will advise the Panel of its role.
- b) The Chair will invite the Case Presenter, the student, representative, and witnesses (where relevant) to join the Panel meeting.
- c) The Chair will invite the Case Presenter to present the case.
- d) The Panel members will be invited to ask questions of the Case Presenter.
- e) The student or representative will be invited to present a response regarding the allegations.
- f) The Panel members will be invited to ask questions of the student.
- g) their behalf at the invitation of the student.
- h) The student and Case Presenter may ask questions of each other.
- i) The witnesses will be called to respond to questions put to them by the Panel.
- j) The student, their representatives, the Case Presenter, and any witnesses will withdraw.
- k) The Panel will deliberate its findings.
- I) The Panel will seek to ensure that the Case Presenter, the student, and representative are present to hear the findings of the Panel.

Any questions put to the student by the Case Presenter, or any questions put to the Case Presenter or any witnesses by the student must be made through the Chair.

- 35.In exceptional cases, the Panel meeting can be adjourned for 10 working days in order for additional evidence, as defined by the Panel, to be provided.
- 36. The Panel must choose one of the following outcomes, either in whole or in part:
 - a) Unconditional continuation of studies and / or placement.
 - b) Conditional continuation of studies and / or placement. This may include additional professional or academic conditions for instance an alternative placement, special supervision or a recommended programme of action where appropriate

Chancellor (Education and Student Experience).

- 40. The Pro Vice-Chancellor (or nominee) will investigate the concerns in order to gather full and relevant information before making a judgment on the appeal, this may include discussions with relevant external partners. The Pro Vice-decision will normally be issued within 10 working days of the date when an appeal is received. If this timeframe is expected to be longer, the student will be informed at the earliest opportunity and give a revised expected date for an outcome.
- 41. The Pro Vice-Chancellor may reach one of the following conclusions:

That the appeal is not upheld. The Pro Vice-Chancellor will instruct the Head of Governance and Compliance (or nominee) to inform the appellant that the

concluded. A Completion of Procedures Letter will be issued to the student at this stage.

That the appeal is upheld. The Pro Vice-Chancellor will instruct the Head of Governance and Compliance to arrange a Panel, with different members to the original Panel, to consider the case. In the instructions, the Pro Vice-Chancellor will identify the grounds upon which the appeal was upheld.

42. Once the Suitability / Fitness to Practise Procedure has been completed, a student may submit a complaint to the Office of the Independent Adjudicator (OIA). The OIA runs an independent scheme to review student complaints. Bangor University is a member of this scheme. If you are unhappy with the outcome from Bangor University, you may be able to ask the OIA to review your case. You can find more information about making a complaint to the OIA, what it can and cannot look at and what it can do to put things right here: https://www.oiahe.org.uk/students.

Termination of Proceedings

43. Termination of any Bangor University proceedings against a student, or former student, will have no bearing on proceedings currently underway by any professional body or Partner Agency who may continue with their own investigations and actions.

44. The University may be required to provide information to these investigations relating to its Suitability / Fitness for Practise cases under these circumstances.