

Students' Fitness to Practise Procedure

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Contents

The following table outlines the Sections of the Students' Fitness to Practise Procedure and the principles that are adhered to by the University when a concern is raised that may bring into question a student's fitness to practise.

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1	Scope and definition	Who is covered by the Procedure and examples of behaviour that may bring into question a student's fitness to practise	The consideration of a student's fitness to practise will be managed through consistent, fair and transparent procedures.
2	Investigating the concern	The types of investigation that can take place and how they will be conducted.	Concerns should be investigated objectively, proportionately and transparently.
3	Considering the concern: School Committee	The Committee members and the process that takes place before, during and after the Committee and appealing the Committee decision.	Concerns should be considered proportionately and fairly by a trained panel which includes professional expertise.
4	Considering the concern: University Committee		
5	Monitoring of the University Committee required actions	The process when students do not comply with the required actions put in place by the University Committee	Monitoring should take place in a timely way enabling students to be supported in undertaking actions and have concerns raised where actions are not being undertaken.
6	Appeal against the University Committee decision	The process to consider an appeal of a Committee decision.	Students have the right to appeal the decision of the University committee.
7	Suspension	The process and purpose of suspension during an investigation.	The University has a duty of care to students, staff and the wider community including patients, clients and members of the public.

1. Scope and Definition

Principles

The consideration of a student's fitness to practise will be managed through consistent, fair and transparent Procedures.

- 1.1 This Procedure covers students when they are enrolled on a Programme that leads directly to, or that satisfies a necessary condition of, a professional qualification, and/or which gives the right to practise in one or more professions.
- 1.2 A student shall not engage in any conduct which renders them not fit to be admitted to and practise that profession or calling.
- 1.3 Heads of School are responsible for advising students of the Professional Body requirements and confirming that students do not constitute a risk to themselves and/or others, and meet the requirements for professional fitness to practise. Students on professional programmes must comply with University and relevant Professional Body requirements.
- 1.4 In accepting the offer of a place at the University, students agree to comply with all rules and procedures of the University and the professional, regulatory or statutory body or organisation.
- 1.5 Students are required to immediately inform their Personal Tutor or other University staff member of any change to their fitness to practise status, for example if a student is diagnosed with a health condition that could impact upon fitness to practise, or if a student is subject to action by the police. The Academic Registrar, in liaison with the Head of School, will decide whether breaches of the University's regulations may be subject to the University's Student Disciplinary Procedure, Unfair Practice Procedure or Fitness to Practise Procedure as appropriate.
- 1.6 In all proceedings a student shall be presumed to be innocent of any alleged concern until proven otherwise. Any decision shall be determined under the principles of Natural Justice and decided on the balance of probabilities.
- 1.7 The University will only disclose information relating to fitness to practise to persons outside of the University once all proceedings have been completed, unless professional or statutory body guidelines state otherwise, where this has been publicised to students in advance or there is a legal requirement to disclose. Refer to Section 10 of the Annex to the Senate Regulations for Awards of Cardiff University – Academic Management and Decision Making – General Principles.
- 1.8 The University defers to specific Professional or Statutory Body or employer regulations in investigating or determining that a student is deemed to be fit to practise, where required.

1.9 Rules of Behaviour

The following are examples of, but not limited to, circumstances which would trigger an investigation of a student's fitness to practise. They apply to all aspects of a student's professional and personal life, including online activity and social networking:

- i. a breach of the University's Rules of Behaviour or Professional Body or Statutory regulations;
- ii. substance misuse;
- iii. a criminal offence including any caution or reprimand or an ongoing investigation by the police or a relevant professional, regulatory or statutory body;
- iv. a failure to advise the University of a criminal offence including a caution or reprimand;
- v. physical or verbal abuse or intimidation of fellow students, patients, clients, colleagues, university staff or members of the public;
- vi. failure to rectify behaviour that has been subject to any disciplinary actions under the University's regulations;
- vii. repeated unprofessional behaviour;
- viii. falsification of documents, clinical, personal or academic records, data or research material;
- ix. publishing, including via social networking sites, inappropriate material including statements and images;
- x. physical or mental health condition which, despite reasonable adjustments or treatment, affects a student's fitness to practise;
- xi. breaches of confidentiality;
- xii. bringing the University or the profession into disrepute;
- xiii. any other circumstance which may call into question a student's fitness to practise.

Guidance

G1. Principles of fitness to practise proceedings

Any investigation or consideration of a fitness to practise concern will adhere to the principles of natural justice. These principles include giving you the full information and evidence regarding any concern that is raised about you;

giving you an opportunity to fully respond to all issues raised; and enabling you to challenge the evidence presented. These principles also require any consideration of a concern to be conducted fairly and without bias.

All decisions within this Procedure are made on the balance of probabilities in accordance with the evidence and information available. This means that the occurrence of the event was more likely than not to have happened.

G2. Presumption of innocence

While investigating any concern under this Procedure, you will be presumed to still remain fit to practise until a decision has been made by the Committee. However, where risks are identified, this presumption of innocence does not preclude: suspension from placement or programme; or limiting access to University facilities pending a full investigation. You may also be subject to investigation from other professional bodies or organisations and the University may need to wait until police, professional body or employer investigations have taken place before conducting its own investigation. Each case is considered on the basis of the facts available at the relevant time.

G3. University rules

You are required to adhere to the Rules outlined in the Student Disciplinary Procedure, Section 1.9 above and all other rules whilst you remain a registered student of the University. This includes all activity on campus, in placement, off campus, in a social setting and in online activity including social networking sites.

G4. Head of School as decision-maker

The Head of School is empowered to make decisions about whether concerns raised are investigated under this Procedure; whether to suspend you or recommend that you are suspended; and whether concerns are dismissed, considered by a School Committee or by a University Committee. The Head of School can delegate these decisions to a single nominated member of staff. Alternatively, when considering whether concerns are investigated under the Procedure this can be delegated to a small nominated panel of staff within the School at the discretion of the Head of School.

2. Investigating the Concern

Principles

Concerns should be investigated objectively, proportionately and transparently.

- 2.1 A concern regarding a student's fitness to practise should be submitted in writing by a named complainant together with any evidence to the Head of School.

- 2.2** On receipt of a written concern, the Head of School shall consider whether, on the face of it, there is sufficient evidence to warrant an investigation. This will include consideration of whether there is a duty to recommend suspension as permitted under Section 7. A decision will then be made by the Head of School as to whether the concern should be investigated. No further action shall be taken for concerns that are not to be investigated. Where it is decided that a concern will be investigated, an Investigating Officer will be appointed and the student will be informed within 14 days of the appointment.
- 2.3** The role of the Investigating Officer is to establish the facts of the case and make a formal recommendation as to whether, on the face of it, there is a case to answer.
- 2.4** The Investigating Officer will normally meet with the student and any other relevant parties to clarify matters of fact. The student should normally be given at least 7 calendar days' notice of the alleged concern and any meetings they are required to attend. Students will be provided with a record of the meeting for them to agree within 7 calendar days.
- 2.5** The Investigating Officer will make a written report outlining the facts, the supporting evidence and which recommends to the Head of School:
- i. There is no case to answer and the matter should be dismissed; or
 - ii. The case should proceed to a School Committee; or
 - iii. The case should proceed to a University Committee.
- 2.6** The Head of School will consider the recommendation of the Investigating Officer and confirm the action taken in relation to the concern. Where the concern relates to a serious matter, it may be referred immediately to a University Committee.

Guidance

G5. Submitting a concern about a student's fitness to practise

Concerns should be made in writing and can be submitted in hard copy or by email. The person raising the concern should include as much detail as possible about the concern, supporting evidence and the names of anyone else involved to ensure a full investigation can take place.

Anonymous concerns will be exceptionally considered where the matter is deemed serious and primary independent evidence has been provided to verify the concern. Likewise if an individual has produced primary independent evidence verifying a concern and then retracts the concern, the Head of School may still consider the concern in line with the Procedure.

The person raising the concern must be aware that the information will be shared with the student as part of the investigation and formal process.

If you are worried about raising a concern then you can meet informally with staff in the School to discuss the process and support available. If at any time someone raising a concern feels vulnerable or unsafe then they should contact the Investigating Officer who will refer the matter to the Head of School to consider any protective mechanisms that can be put in place.

A concern raised with any member of staff in the School should be forwarded to the Head of School.

G6. Investigating under multiple procedures

The Academic Registrar, in conjunction with the Head of School will confirm the appropriate procedure depending on the circumstances of the case. Students will be advised of the appropriate procedures at the time of the investigation depending on the type of offence.

If you have queries about the process which is being followed you can discuss this with your personal tutor or Students' Union or Professional Union representative. You can seek independent advice from Student Advice in the Students' Union on 029 2078 1410 or at advice@cardiff.ac.uk. Other profession specific Unions may also be available to offer you independent advice.

G7. Investigating Officer

Each School with programmes covered by this Procedure will have at least two trained Investigating Officers; training will be provided centrally by the University.

Investigating Officers will normally investigate concerns within their School and will have no personal connection to a student being investigated, for example they will not be their personal tutor, mentor or supervisor. This is to avoid any bias or perception of bias in the investigation. The Investigating Officer's role is to undertake fact-finding meetings; collate evidence; identify witnesses where appropriate; recommend the appropriate Committee to consider the case and present the case to the School or University Committee.

G8. The Investigation

The Investigating Officer will determine the appropriate method of investigation dependent upon the concern being raised:

Types of investigation

1. Conduct

Where a concern relates to your conduct, the Investigating Officer will gather the relevant evidence and conduct a fact-finding meeting with you normally within 14 calendar days of being appointed and meet with any other relevant parties in a timely way. If the allegation relates to a criminal conviction, it will not be necessary to re-investigate the details of the offence. However, the Investigating Officer will still need to ensure you provide all the relevant documentation and any further information through a fact-finding meeting.

2. Health

Where a concern relates to your health, the Investigating Officer will make a referral to the University Occupational Health Department or, where required, an external Occupational Health consultant. The Occupational Health professional will decide whether or not it is suitable to meet you personally and/or whether information should be gathered from your current health

practitioners. The Occupational Health professional will provide a report to the Investigating Officer normally within 14 calendar days of the referral.

3. Conduct and Health

Where a concern appears to be based around both your conduct and health, the Investigating Officer will make a referral to Occupational Health who will normally provide a report within 14 calendar days of the referral and conduct a fact-finding meeting with you normally within 14 calendar days of being appointed and meet with any other relevant parties in a timely way.

G9. Meeting with you or other parties

It may be necessary and appropriate to hold fact-finding meetings with anyone else named as being involved in the concern.

The Investigating Officer will give the following information in advance of the meeting:

- The reason for the meeting;
- The purpose of the meeting;
- A copy of the concern and accompanying evidence;
- A copy of the Fitness to Practise Procedure;
- The staff who will be in attendance at the meeting;
- Your right to be represented or accompanied by someone during the meeting;
- For students of the University: the contact details of Student Advice in the Students' Union who can provide independent advice on any University procedure.

If you are unable to attend the meeting then it should be re-arranged at a mutually convenient time providing that this would not lead to unreasonable delay. If you are unable to attend in person then the meeting can take place via video link or telephone.

You have the opportunity to challenge the evidence presented and offer alternative evidence to defend yourself during the investigation and any subsequent hearing.

A record of the meeting will be provided within 7 calendar days and if there is a dispute as to the content you can submit a statement confirming why you do not believe the meeting record is accurate. This should be included in the investigation documentation that is submitted to the Head of School.

If, following the fact-finding meeting, the Investigating Officer believes that your health may have impacted on your conduct an Occupational Health referral will be made.

Following this meeting, it may be necessary to meet again with you if further information has emerged during the investigation. Sometimes due to the nature of the allegation it may be necessary for the Investigating Officer to meet with other parties before meeting with you.

G10. Occupational Health referral

An Occupational Health referral is normally made by the Investigating Officer, but in some situations it may have already been made by other University staff.

Depending on the circumstances, a referral may be made to the University Occupational Health Department, or where required, an external physician specialising in Occupational Health.

The University Occupational Health Department will be responsible for seeking medical evidence from your general practitioner, or other medical practitioners, where relevant, and may recommend an independent medical examination. The costs of this will be met by the University.

G11. Decision following investigation

A School Committee will normally consider a concern which brings into question your fitness to practise. However, where the matter is deemed to be serious, in relation to the level of risk to patients, clients, members of the public or University, concerns may be referred directly for consideration by a University Committee.

3. **Considering the Concern: School Committee**

Principles

Concerns should be considered proportionately and fairly by an independent panel which includes professional expertise.

Committee Composition

- 3.1** A School Committee will normally be arranged within 28 calendar days of the decision of the Head of School. The Committee membership will consist of at least two members of staff and may also include an external member where this is required by a professional, regulatory or statutory body:
- i. a senior member of staff from the School who shall be Chair. This person should have no previous material connection with the student;
 - ii. a member of staff in the University from a cognate discipline; and
 - iii. where required, a member of the profession the student's Programme leads to, who is external to the University and has no formal connection with the Programme where this is required by professional or statutory regulations.

Hearing Arrangements

- 3.2** The Academic Registrar shall nominate a Student Cases Service Adviser to attend the Committee and provide guidance on the Procedure.
- 3.3** The Head of School will nominate a Secretary from within the School who will be provided with the Investigating Officer's Report and organise the date and time for the Committee.

- 3.4** The student and/or Investigating Officer are able to call witnesses to give evidence during the hearing including the Occupational Health Consultant/nurse for health related concerns.
- 3.5** 14 calendar days before the Committee, the Secretary will provide the formal Committee papers to the student and confirm the entitlement for a student: to be accompanied or represented at the Committee; to present a written submission and any evidence to the Committee; or call any witnesses to the Committee.
- 3.6** 7 calendar days before the Committee, the student will provide the Secretary with any written statement, evidence and the names of any witnesses who will be attending the Committee. These will be sent immediately to the Committee Members and the Investigating Officer. It is the student's responsibility to notify their witnesses of the hearing arrangements.
- 3.7** If the student does not attend the Committee and the Chair is satisfied that due notice was given to the student and no reasonable explanation has been provided, the Committee may proceed in the absence of the student.

Decisions of the Committee

- 3.8** Following consideration of all of the information presented, the Committee may take one or more of the following actions:
- i. dismiss the concern;
 - ii. issue an informal warning which will not be placed on the student's record;
 - iii. issue a formal warning to be placed on the student's record, which will be taken into account if any future breaches of the Procedure arise for a time specified by the Committee;
 - iv. require the student to attend scheduled support sessions provided by the School, a University service or externally;
 - v. require the student to write a reflective piece relating to health or conduct which will be supported and monitored by a specified member of staff;
 - vi. require the student to develop and complete an action plan in conjunction with a specified member of staff;
 - vii. require the student to continue to be monitored by the University Occupational Health Department and permit the student to continue on the programme with appropriate engagement with treatment and support;
 - viii. require the student to take an Interruption of Study for a specified period of time;
 - ix. refer the concern to the University Committee.
- 3.9** Students shall be provided with a written decision within 7 calendar days of the hearing.

- 3.10** Students can appeal the decision of the Committee as permitted under Section 6 of the Procedure.
- 3.11** Where the Head of School considers that a student has not adhered to all of the required actions as stipulated by the Committee, the Head of School will send a Non-Adherence Report to the Academic Registrar as permitted within Section 5.

Guidance

The following guidance relates to a School Committee and a University Committee.

G12. Documentation

The formal Committee papers will include:

- the Investigating Officer's report including all evidence that has been gathered relating to the concern, any occupational health report, and consideration of the Investigating Officer's recommendation;
- your current progress on the Programme;
- any regulations you are expected to adhere to relating to your future profession;
- a copy of this Procedure.

G13. Committee members

All Committee members are required to be independent and have had no previous material knowledge of the student, the concern or the person who raised the concern. "Material" in this context is any knowledge that could lead a reasonable observer to conclude that the relevant Panel member had prior knowledge of the student which could or would affect that Panel member's consideration of the appeal to the detriment of the student.

All internal Committee members are required to attend centrally-organised training relating to decision-making. Any external Committee members will have experience in making decisions relating to fitness to practise.

G14. Before the Hearing

You can provide any documentation you wish to the Committee which you believe to be pertinent to the case relating to the allegation; your character; or your conduct. The documentation will be sent out to the Committee prior to the hearing and will form part of the formal Committee papers.

If the Investigating Officer is unavailable for the Committee then another trained member of staff from the School can be nominated by the Head of School who will act as the School Representative to present the case.

If you are unable to attend the Committee for good reason then it should be re-arranged. If you are unable to attend the Committee in person then the meeting can take place via video link or telephone.

In your absence the Committee shall consider at the appropriate stage any representations made by you. The Chair will have discretion as to what constitutes 'reasonable explanation'.

G15. During the Hearing

The Committee may, at its discretion, adjourn the proceedings at the reasonable request of you, the Investigating Officer or a Committee member.

The Investigating Officer will present the concern and information to the Committee, calling witnesses as appropriate. Committee members, students or their representatives can ask questions of clarification.

You will then be invited to present your response and evidence to the Committee, calling witnesses as appropriate. The Committee members or the Investigating Officer can ask questions of clarification.

The Investigating Officer can give a summary of the case and you will then have the opportunity to make a final statement to the Committee before you and the Investigating Officer or School Representative are invited to withdraw from the Committee.

The Committee will then have a private meeting with the Advisor and Secretary in attendance to consider the verbal and written evidence that has been presented.

Committee members when reaching a decision and any penalty will consider:

- the committee papers;
- the oral representations from the student, the student's representative and the School or University representative;
- the Fitness to Practise Procedure;
- the Professional or Statutory body regulations.

Following its deliberations, the Committee shall:

- i. make findings of fact;
- ii. decide whether the facts found to be proven and amount to impairment of fitness to practise by reason of misconduct or ill health;
- iii. consider whether there are any mitigating or remediating factors which may affect the Committee's decision regarding the student's fitness to practise. This may include any training or treatment that the student had undergone in the interim period;
- iv. decide upon any penalty or action which should be put in place taking into account any mitigating circumstances;
- v. decide upon the consequences of you not adhering with any penalty or action that is put in place.

Following the Committee's decision, you should be informed of the following:

- i. the decision of the Committee;
- ii. the reasons for the decision of the Committee;
- iii. the consequences of not adhering to any actions the Committee has required; and
- iv. the right of appeal.

All members of the Committee shall have equal voting rights. In the absence of an unanimous verdict, the decision of the majority shall prevail.

Only when a Committee has decided that an allegation is substantiated will they be informed of any previous warnings that need to be taken into account in considering an appropriate penalty.

G16. After the Hearing

No penalty imposed by a Committee shall be implemented until the appeal period has elapsed, or where you have lodged an appeal, until the appeal has been considered.

The staff specified to monitor required actions will report to the Head of School where you have not adhered to these actions. Where the Head of School believes that the required actions have not been adhered to they will send a Non-Adherence Report to the Academic Registrar. The report will include the formal Committee papers and a statement relating to the student's engagement with the required actions.

4. Considering the Concern: University Committee

Principles

Concerns should be considered proportionately and fairly by an independent Committee which includes professional expertise.

Committee Composition

4.1 A University Committee will consist of five members:

- i. a Pro Vice-Chancellor, College Dean or a Head of School, who shall be Chair;
- ii. two members of academic staff from Schools or Units with cognate disciplines;
- iii. a student member of Senate;
- iv. an external representative of the profession concerned, who may be from another university or the relevant profession.

Hearing Arrangements

- 4.2** The arrangements for the University Committee hearing shall be made in accordance with section 3.2 above.
- 4.3** The Academic Registrar shall nominate a Student Cases Service Adviser and Secretary of the Committee as appropriate.

Decisions of the Committee

- 4.4** Following consideration of all of the information presented, the Committee may take one of more of the following actions:
- i. any action listed under Section 3.7;
 - ii. require the student to make a formal written apology;
 - iii. suspend the student for a specified period of time;
 - iv. require the student to re-sit part(s) of the Programme, where the regulations permit;
 - v. require any other action considered appropriate by the Committee to enable the student's successful completion of the remainder of the Programme;
 - vi. withdraw the student from a current Programme, but permit the student to transfer to an alternative non-professional programme;
 - vii. exclude the student from the Programme and from the University.
- 4.5** Where the case against the student is upheld, the Committee will refer the decision to the Academic Registrar. In liaison with the Head of School, where appropriate the relevant professional, regulatory or statutory body may be informed of the case.
- 4.6** Students shall be provided with a written decision by the Academic Registrar within 7 calendar days of the hearing.
- 4.7** Students can appeal the decision of the Committee as permitted under Section 6 of the Procedure.
- 4.8** Where the Head of School considers that a student has not adhered to all of the required actions as stipulated by the Committee, the Head of School will send a Non-Adherence Report to the Academic Registrar as permitted within Section 5.

Guidance

The Guidance following Section 4 applies to both School Committees and University Committees.

5. Monitoring of the Committee required actions

Principles

Monitoring should take place in a timely way enabling students to be supported in undertaking actions and have concerns raised where actions are not being undertaken.

- 5.1 Where the Head of School has considered that a student has not undertaken the required actions from a Committee, the Head of School will send a Non-Adherence Report to the Academic Registrar.
- 5.2 The Academic Registrar shall give the student 14 calendar days to provide a response to the Non-Adherence Report and provide any evidence for consideration by the Chair of the Committee regarding the required actions.
- 5.3 The Chair of the Committee will consider: the Non-Adherence Report and the student's response.
- 5.4 The Chair of the Committee will consider whether the student has undertaken the required actions. If the student is found not to have undertaken the required actions, the Chair will determine if there is good reason. In these circumstances the Chair may choose to uphold the Committee's original decision. In the case of failure to adhere to reasonable requests or where the student is unable to complete actions the Chair may choose to substitute the decision specified at the time by the Committee.
- 5.5 The decision of the Chair of the Committee shall normally be sent to the student within 28 days of the Non-Adherence Report being sent to the Academic Registrar. The Chair of the Committee's decision shall be final.

6. Appeal against a Committee Decision

Principles

Students have the right to appeal a decision of the Committee.

- 6.1 A student can appeal a Committee decision on the following grounds:
 - i. procedural irregularities;
 - ii. that the decision was unreasonable and could not be sustained by the facts of the case;
 - iii. new relevant evidence unknown to the Committee when making their decision, where students can show good reason why they could not have provided the evidence at the Committee.
- 6.2 Students will be required to specify the grounds of appeal and any information or evidence they wish to be considered to the Academic Registrar within 14 calendar days of receiving the written decision.
- 6.3 The Academic Registrar is required to disallow an appeal which is based wholly on circumstances which were known to the Committee when the penalty was imposed, and may dismiss without a hearing an appeal submitted on any basis other than the permitted grounds or which is frivolous or vexatious.
- 6.4 Where an appeal is not dismissed, the Academic Registrar will refer the appeal for consideration by the Pro Vice-Chancellor.

- 6.5 The Pro Vice-Chancellor will consider the appeal documentation presented by the student alongside the formal Committee papers, the minutes of the Committee, the decision letter issued to the student and any other information they deem relevant.
- 6.6 The Pro Vice-Chancellor may uphold or modify the decision of the Committee or refer the appeal to a University Committee for further consideration.
- 6.7 The decision of the Pro Vice-Chancellor shall be final and normally issued within 28 calendar days of receipt of the appeal.

Guidance

G17. Office of the Independent Adjudicator

If the decision of the Pro Vice-Chancellor completes the internal Fitness to Practise Procedure then you will be eligible to raise a complaint with the Office of the Independent Adjudicator within 3 months of receiving the Completion of Procedures letter. Information regarding how to do this will be included in the letter informing you of the decision.

7. Suspension

Principles

The University has a duty of care to students, staff and the wider community including patients, clients and members of the public.

- 7.1 A student can be suspended from the University from their Programme of study, or where the risk is only in relation to patients, clients or members of the public, a student can be suspended from placement or clinical settings only. The latter is only permitted where academic performance does not require clinical or placement work.
- 7.2 The Vice-Chancellor is empowered to suspend a student with immediate effect for a period of up to 12 calendar months. The Vice-Chancellor may delegate their powers of suspension to a Deputy Vice-Chancellor or a Pro Vice-Chancellor, Academic Registrar or other nominee.
- 7.3 The purpose of the suspension is to protect University members, the public, the student or colleagues pending the investigation or completion of the Fitness to Practise Procedure. A risk assessment will be conducted and written reasons for the decision shall be recorded and made available to the student.
- 7.4 Where there is considered to be an immediate risk, a Head of School is empowered to suspend a student with immediate effect from a placement for up to 7 calendar days in order to protect the safety of patients, clients and members of the public. Any suspension made under this regulation must be reviewed by the Vice-Chancellor (or nominee) within 7 calendar days. Subsequently the suspension will be reviewed in line with Section 7.8.
- 7.5 During a period of suspension from placement or clinical setting, a student cannot attend placement or clinical setting activities but they can continue to attend other scheduled academic teaching or assessments and make use of University facilities unless otherwise restricted or withdrawn. Eligibility and

extent of access to University facilities will be decided at the time of suspension, taking account of the nature of the circumstances and/or of any alleged offence, but may be modified thereafter.

- 7.6** During a period of suspension from the University, a student cannot attend academic teaching or any associated assessments and their entitlement to access some or all University facilities may also be limited or withdrawn. Eligibility and extent of access to University facilities will be decided at the time of suspension, taking account of the nature of the circumstances and/or of any alleged offence, but may be modified thereafter.
- 7.7** An order of suspension may include a requirement that the student should have no contact of any kind with a named person or persons.
- 7.8** The Vice-Chancellor shall review any suspension at least every 60 calendar days and where new information becomes available, with the intention of bringing the case to a conclusion as soon as is reasonably practicable. The student should be notified in writing of the outcome of any review within 7 calendar days.
- 7.9** A suspended student may request a review of the suspension, where there is a change of circumstances (e.g. where court action is concluded, the student is acquitted in the case of a criminal offence or police bring a case to an early resolution by way of caution, warning).
- 7.10** A suspended student may request a review of the decision of the Vice-Chancellor or nominee within 7 days of decision. The review will be considered by the Deputy Vice-Chancellor, a Pro Vice-Chancellor, College Dean or Academic Registrar who has not previously considered the case. The student shall be given an opportunity to provide evidence to the reviewer, who shall be empowered to lift or confirm the suspension on the basis of appropriate expert advice.
- 7.11** Where a student is suspended pending the outcome of criminal charges and is subsequently acquitted of those, the Vice-Chancellor shall re-admit the student to the University, taking such steps as the Vice-Chancellor shall deem to be appropriate to overcome any detriment caused to the student's academic progress. This shall not preclude the University from considering any concerns under this Procedure that may arise from the facts of the case that might impact on a student's fitness to practise.

Guidance

G18. The decision to suspend

The Vice-Chancellor or nominee and Head of School shall be governed solely by principles of justice, fairness and safety in dealing with any suspension. The power to suspend under this provision is to protect the members of the University community in general (or a particular member or members), patients, professional clients or members of the public.

The power shall be used only when a risk assessment is conducted and as a result the Vice-Chancellor or Head of School is of the opinion that it is urgent and necessary to take such action.

Suspension is never automatic, and shall only be used where, after careful consideration of the facts as they stand at the time, it appears to the Vice-Chancellor or Head of School that this is the appropriate course of action.

G19. Suspension from placement or programme

Where you appear to present a risk to patients, clients or members of the public but you do not appear to present a direct risk to the scheduled teaching of the Programme or the University community the decision may be made to suspend you from placements or clinical settings but not from academic studies. Examples of when this might be appropriate include an allegation relating to the falsification of medical documents or a health condition that appears to present risk to the public in a placement or clinical setting.

Additionally, please be aware that if you are on placement, the placement provider may ask you to leave and withdraw the placement opportunity.

8. Alternate Officers

The University reserves the right to designate an alternate to any of the Officers named within this Procedure.