

Medway School of Pharmacy

Fitness to Practise Policy, (as approved by the General Pharmaceutical Council, Dec 2010)

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Introduction

Accredited programmes that lead to inclusion on the professional register of pharmacists are required to specifically consider standards of conduct and performance, discipline and fitness to practise issues upon application as well as throughout the student's participation in the programme. For Medway School of Pharmacy (MSOP, Universities of Kent and Greenwich) this relates to all applicants to, and students enrolled on, the Foundation Degree in Pharmacy Practice (FdPP) and the Masters of Pharmacy (MPharm) programmes.

Applicants to, and students enrolled on programmes that lead to inclusion on the professional register for pharmacists, are required to abide by the Code of Conduct for pharmacy students and fitness to practice requirements which include Criminal Records Bureau (CRB) checks.

Students are required to declare any issues of fitness to practise on application to, and annually throughout their academic programme as well as prior to registration with the 'regulator', the General Pharmaceutical Council (GPhC). Pharmacy is exempt from the requirements of the Rehabilitation of Offenders Act 1974 (ROA) and the Data Protection Act 1998. Therefore, applicants and students for Pharmacy programmes are required to provide details of **ALL** convictions and other investigations, cautions or reprimands as these can never be classed as 'spent'.

Where matters arise that give cause for concern in relation to a student's health or conduct the facts will be reviewed and if considered to be of a sufficiently serious nature will be referred to the relevant committee for determination. This may result in a student being refused admission or requested to leave their programme of study. Further guidance is available on the Medway School of Pharmacy website.

Definition and reference documents

“A student’s fitness to practise is called into question when their behaviour or health raises a serious or persistent cause for concern about their ability or suitability to continue on a course. This includes, but is not limited to, the possibility that they could put patients, the public, other students or staff at risk, and the need to maintain trust in the profession.”

Guidance on Student Fitness to Practise Procedures in Schools of Pharmacy was issued following consultation with the Council of University Heads of Pharmacy (CUHOP) and the British Pharmacy Students Association (BPSA) by the Royal Pharmaceutical Society of Great Britain (RPSGB, the then professional regulator for pharmacy prior to the GPhC) in July 2009. This has been updated and re-issued by the GPhC in 2010.

It should be noted that the GPhC is not a fitness to practice adjudicator or an appeal body. The GPhC will not participate in student fitness to practice cases.

Other documents relating to the issue of student fitness to practice as set out below:

Code of Conduct for Pharmacy Students issued by the GPhC in September 2010.

The General Pharmaceutical Council ‘Standards of conduct, ethics and performance’ September 2010

The General Pharmaceutical Council ‘Assessments of Good Character and Health’

The General Pharmaceutical Council

University of Kent Code of Conduct

University of Greenwich Fitness to Practise Policy

University of Kent Equal Opportunity Policy

Medway School of Pharmacy and University of Kent Assessment Regulations

Marketing

The Medway School of Pharmacy entry in the prospectus of both collaborating Universities will, from 2011 onwards contain information relating to the fitness to practise requirement and refer applicants to the MSOP website for further information. Appendix 1

The MSOP website contains information about the requirements for fitness to practice for students wishing to study on programmes which lead to eventual qualification as a pharmacist. Links are provided to the Code of Conduct for Pharmacy students, Guidance on Fitness to Practise Procedures in Schools of Pharmacy, the General Pharmaceutical Council website, the fitness to practise policy and self declaration forms.

Students attending open days will receive information about the fitness to practise procedure and be given an opportunity to discuss and address any concerns.

Prior to registration

The primary administering university (PAU), the University of Kent, is responsible for offer letters and joining instructions. Offer letters to applicants will (from 2011) draw attention to the fitness to practise and health requirements. Prior to registration students receive a letter detailing the joining instructions which includes the arrangements for Fitness to practice and a self –declaration form with regard to the student's good character and health. Appendix 2. Students are required to put in place arrangements to obtain the enhanced CRB check and to return the signed self declaration form prior to registration.

On Arrival – new students

During induction week all students attend a lecture which introduces the concept of fitness to practise for Pharmacy students and follows up the need to complete the CRB and self declaration documents. This is followed during the first few weeks of teaching with a lecture in the professional practice module about professionalism. This draws attention to the content of the Code of Conduct for Pharmacy students and the importance of fitness to practise using examples that will be relevant to that stage of study. Students are provided with a hard copy of the code for later reference. At the end of the lecture all students are required to sign a declaration (Appendix 3) that is then placed in the student's individual file.

Administrative procedures ensure receipt of self-declaration and CRB reports have been submitted and received by the School and outstanding returns chased without delay.

Returning/ongoing Students

At each stage of their progression through the MPharm and FdPP programmes the students receive an update and reminder about the continuing requirements for both the Code of Conduct for pharmacy students and the fitness to practise requirements. This is provided during introductory lectures in the professional practice modules. In addition, students are required to self- declare that there has been no change with regard to their character or health that could affect their suitability for study on the programme. Appendix 4. This self declaration is filed in the relevant student's personal file.

CRB and self declarations

Upon receipt by the PAU all positive self declarations and CRB reports are reported to the Chair of the Disclosure and Initial Evaluation Panel with the exception of those relating to minor traffic violations. The CRB reports will be filed in the School's Student Fitness to Practise and Disciplinary file and not the individual student files (these will however be annotated to indicate where a Fitness to Practise or CRB issue exists).

Student Conduct and Health Concerns

Issues of student conduct or health concerns arising during the programme must be reported to the Chair of the Disclosure and Initial Evaluation Panel for consideration of fitness to practise.

Disability and Discrimination

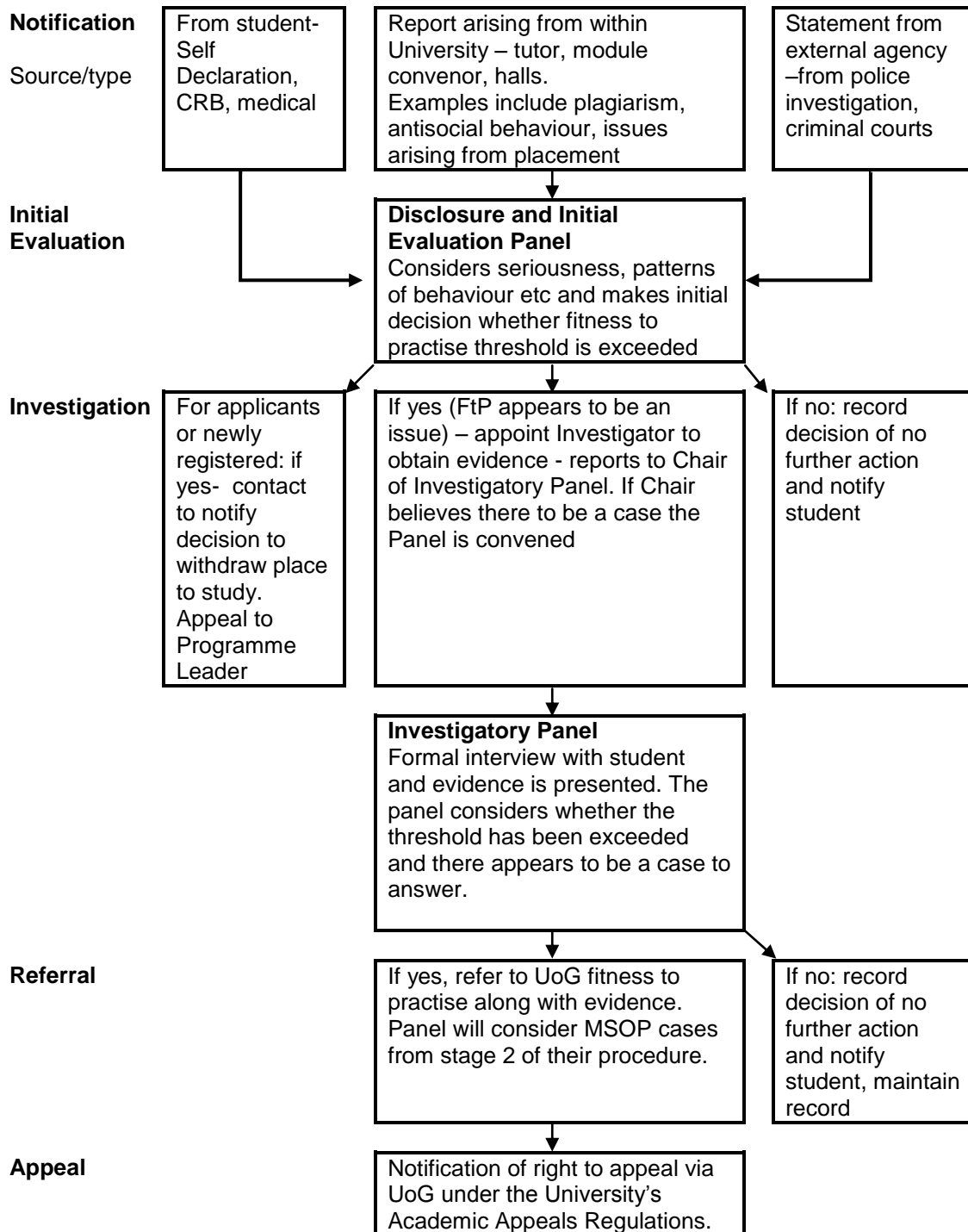
In line with the requirements of the Disability and Discrimination Acts (1995 and 2005) reasonable adjustments will be made for students assessed as disabled, for example dyslexia or deafness.

Assessment will be carried out and recommendations made by the University of Kent Disability and Dyslexia Support Service. Recommendations for adjustments for disabilities will also be considered in line with the GPhC good health assessment for pharmacist registration and the allowances made by the pharmacy regulator, for example the maximum 25% extra time to complete the registration examination.

Procedures

The procedure for dealing with allegations will follow three stages:- an initial evaluation of disclosure; investigation; and referral to either fitness to practise or disciplinary procedures.

Flow Chart



Disclosure and Initial Evaluation Panel

The purpose of this panel is to undertake the initial review of all positive declarations (CRB or self declared) and fitness to practise issues (self declared or otherwise reported). These will be considered in the light of the professional regulator's (GPhC) Assessments of Good Character and Good Health documents and any published determinations relating to previous application to register cases.

The panel will comprise:

- Chair (With experience of FtP from within the School of Pharmacy)
- 4 x Academic members of staff (MSOP)

Quorum to be three of the above (including the chair). Administrative support will be provided to take notes.

Information can be received from many sources and in general this will follow the application of the code of conduct for pharmacy students.

The panel will meet in private and is subject to confidentiality. The individual concerned may be asked to provide further documentary evidence.

Frequency and timing of meetings

The Panel meetings will be determined by receipt of information throughout the academic year. The Panel will normally aim to provide initial consideration of issues notified within one or two weeks from receipt of formal notification.

Sources and types of notification

Irrespective of the source of information the panel will need to receive sufficient evidence or documentation in order to evaluate and determine an appropriate course of action. The type of evidence or documentation may vary. Examples are set out below:

Notification from a student or applicant – self-declaration form, CRB disclosure, medical evidence

Notification from within the University – report of plagiarism, report of behaviour on University premises following initial discussion with the individual student, issues arising from placement as reported by tutor, module convenor or placement officer.

Notification from external source – statement from police or other authority

Role of the panel

When in receipt of information the panel will consider the following:

- Seriousness of the behaviour in question;
- Patterns of behaviour;
- Maturity of the student and the year of study;
- The likelihood of repeat behaviour and how well the student might respond to support and remediation;
- Any previous similar or relevant issues.

This includes behaviour such that the trust in the profession might be undermined – examples include plagiarism, cheating, falsifying data or failing to disclose information relating to fitness to practice.

Decision

The panel must decide upon the issue of whether the issue is one that appears to exceed the threshold of fitness to practice as guided by the GPhC assessment of health and good character documents and previous decisions. Consideration will be given to the seriousness of the allegation, whether there is a need for suspension from studies and fast track to formal proceedings due to concerns over patient or public safety or student welfare issues.

If it is decided that there is no foundation to the allegation or that it does not amount to a fitness to practice or disciplinary issue no further action will be taken. The student or applicant will be notified in writing of this and a copy will be retained.

With regard to applicants where the issue of concern notified exceeds the threshold they will be informed in writing that the conditions for uptake of the place to study have not been met and the applicant will not be permitted to register. When notification is received after commencement the new registrant will be interviewed by the Programme Leader who will convey the decision and provide guidance as to alternative options to study at Medway School of Pharmacy partner universities, for example transfer to a science degree.

For continuing students, if the decision is made to proceed to the next stage of the fitness to practice procedure, the initial charge is drafted and an investigating officer is appointed. This will be a senior member of academic staff at MSOP not previously involved in the case.

The outcome of initial evaluation, including details of the initial charge, will normally be notified to the student concerned within 5 working days of the panel decision being reached. Records of all decisions, even those for no action will be maintained in the School's student Fitness to Practise and Disciplinary files and a note made in the individual student file to indicate that a Fitness to Practise or CRB record exists.

Investigation

The appointed investigating officer will collect the evidence.

Evidence collection will include arranging an investigatory interview at which the student will be informed of the allegation relating to fitness to practice, the procedure and timescales to be followed as well as signposting the student to support services and giving an opportunity to comment. A record will be kept of the meeting.

In addition other relevant witnesses may be interviewed or statements obtained.

As a result of these investigations a report will be prepared by the investigating officer to summarise the evidence and make recommendation to an Investigatory Panel whether to proceed or whether to abandon the case. This recommendation will be based on issues such as proportionality, past history, evaluation of the strength of the evidence and on the balance of probabilities.

Investigatory Panel

The panel will comprise:

- Chair (With experience of FtP from within the School of Pharmacy)*
- 2 x Academic members of staff*
- CRB signatory, University of Kent
- Pharmacist practitioner (Hospital or community pharmacy)

*None of whom may be previously involved with the case and excluding those members of the Disclosure and Initial Evaluation Panel if they have been previously involved.

Review of recommendation by the Chair

The chair of the investigating panel will decide on the basis of the information provided whether to proceed further. If the Chair feels that the evidence is insufficient and/or there is no case to answer the student is notified of the outcome in writing and may be given formal advice as to future allegations and a record is retained.

If the Chair believes that there may be a case the student will be contacted giving formal notice of the investigation, setting out the charge (case to answer) with reasons, disclosing any evidence, and outlining the student's rights in relation to the fitness to practice process.

Panel

Quorum to be three from the list provided above (and must include the chair and a pharmacist practitioner). Administrative support will be provided to take notes.

The investigatory panel will meet to formally interview the student who may be accompanied at the interview by a supporter. The panel's role is to consider the evidence and decide the appropriate referral if on balance there does appear to be a serious case to answer. Evidence may be provided in person or by written statement and will be presented by the investigating officer. Witnesses will leave the room once their evidence has been provided.

Once evidence has been presented and the student given an opportunity to respond to it, the Panel will retire to consider the case in private. Reasons for the decision must be recorded.

The options available include dismissal of the case, referral to the University of Greenwich Fitness to Practise Panel, referral to the University of Kent Disciplinary panel or to determine an alternative resolution through support or remediation.

A record is made of proceedings in the Student fitness to practise and Disciplinary file (Note: not the student's personal file although this will be flagged to indicate that records exist elsewhere but no detail will be included).

Where the decision is made to dismiss the case a record will be retained and the student and the Head of School will be notified in writing with reasons and provided with a copy of the proceedings.

Where the decision is to refer onwards the Investigatory Panel will determine whether the matter is fitness to practise and a copy of the decision, record of proceedings and reasons will be sent to both the student and the University of Greenwich fitness to practise panel along with copies of any detail and evidence being forwarded.

Where the decision is to pursue alternative resolution through support, remediation or disciplinary a record will be made of this and the student informed of the arrangements made and for a follow-up meeting at a point in the future, as determined, to ensure success in meeting the desired outcome. This will be recorded and if satisfactory the student and Head of School will be notified, otherwise the situation must be reconsidered by the Investigatory Panel for referral.

Records of all decisions will be maintained in the School Fitness to Practise and Disciplinary File and the student individual file annotated to indicate that a record exists.

Referral

This will generally be to the University of Greenwich for fitness to practice, Details available at <http://www.gre.ac.uk/students/regs/ftp> . (also set out at Appendix 5). Medway School of Pharmacy fitness to practice cases will feed into stage 2 of this procedure.

Otherwise the case will be referred for alternative resolution through support or remediation as appropriate or to the University of Kent if pursuing disciplinary procedures, details at <http://www.kent.ac.uk/uelt/quality/credit/creditinfoannex10.html>).

Appeal Process

For students the relevant appeals processes are dependent upon the committee that has dealt with the case. This is set out in the details of each of the committees above.

For applicants who are dissatisfied with the outcome of the Disclosure and Initial Evaluating Panel they will be informed as part of the notification of the decision that they may appeal to the Head of School within 10 working days of receipt and setting out the reasons for the appeal and provide supporting evidence.

The Head of School will consider whether the decision that is being appealed is reasonable and whether procedures have been correctly followed. The Head of School will decide whether to:

- Uphold the decision (reject the appeal);
- Defer pending further information;
- Approve the appeal and permit registration to the programme.

The decision will be notified to the applicant and the chair of the Disclosure and Initial Evaluation Panel in writing and a record retained.

Timescale and notification of decisions

Whenever possible the whole investigation including referral to the University Fitness to Practice Panel for consideration will be completed within one calendar month of receipt of formal notification. At all times the student will be kept informed of progress of the case and any extension required. Decisions from each stage will normally be provided to the student within 5 working days.

The Disclosure and Initial Evaluation Panel will normally consider a case within 5 working days of receipt of formal notification of a fitness to practice matter.

The investigation will be commenced immediately if required by the Initial Evaluation Panel with a view to reporting to the Chair of the Investigation Panel within 15 working days of the receipt of formal notification to the Disclosure and Initial Evaluation Panel of a fitness to practice matter. This timescale will be subject to extension due to the need to obtain necessary supporting evidence which may be delayed, for example by holidays. The student involved will be notified and kept informed of any delays. Where the Chair decides to progress to an investigatory panel the student will be notified and the interview normally take place before the

expiry of the calendar month. For reasons set out above the timescales may need to be extended and these will be recorded and the student kept informed.

Data Protection and Notification to the GPhC

Fitness to practise and impairment or health conditions must be disclosed at application and when arising during the course of a student's registration.

Disclosure is not subject to the Data Protection Act 1998 and as such upheld fitness to practise and health decisions made in relation to individuals will be reported to the regulator (GPhC) as required.

The GPhC requires notification of the outcome of fitness to practise cases referred to the University fitness to practise panel. The school of pharmacy will provide information to the regulator in relation to any case involving a student which results in a formal warning or sanction with regard to fitness to practise issues that have exceeded the threshold as determined with reference to the GPhC Assessment of good character and health. These will include the imposition of conditions or undertakings, suspension from the programme or expulsion from the programme.

In addition details of all cases notified considered at any stage of the procedure will be audited annually. If required, this will be provided to the regulator.

The student will be required by the regulator to disclosure of Fitness to Practise information on entry to pre-registration.

MSP website**Information for applicants**

The General Pharmaceutical Council (GPhC) who oversee the conduct of registered pharmacists have decided that from 2010 all students registered on an MPharm or relevant Foundation degree programme in the UK are to be assessed on their fitness to practise (FtP). Medway School of Pharmacy (MSOP) is following these national guidelines as are other UK Schools of Pharmacy.

The offer of a place on to the MPharm programme of study at MSOP is conditional upon your suitability to practise pharmacy, following investigation and consideration of any past criminal convictions or cautions, and following an assessment of your FtP.

You are required to declare any issues of fitness to practise on application to, and annually throughout your academic programme as well as prior to registration with the 'regulator', the General Pharmaceutical Council (GPhC). Pharmacy is exempt from the requirements of the Rehabilitation of Offenders Act 1974 (ROA) and the Data Protection Act 1998. Therefore, applicants and students for Pharmacy programmes are required to provide details of **ALL** convictions and other investigations, cautions or reprimands as these can never be classed as 'spent'.

What you need to do now is to complete a 'Fitness to Practise/Criminal Convictions and Cautions Self Declaration Form' before arriving at MSOP. A similar declaration will be required for each year of these programmes. Your continuation on the programme and on to becoming a registered pharmacist is partly subject to the outcome of these annual declarations. You must declare any convictions or cautions which you may have received either in this country or in other countries before and during your study on the MPharm/FdPP programmes.

In addition, as an MPharm/FdPP student, you will have to undertake a full health screen and an enhanced disclosure criminal record check through the Criminal Records Bureau (CRB) prior to your first clinical placement. The cost (currently £36.00) associated with this is payable by yourself.

Any issues arising from your self-declarations, health screen and CRB checks will be dealt with via MSOP processes.

Possible outcomes of the fitness to practise procedures include:

- No warning or sanction
- Warning that there is evidence of misconduct, but fitness to practise is not impaired to a point that a sanction is required
- Fitness to practice has been found to be impaired and a sanction is imposed. The sanction can include: imposing conditions or seeking undertakings; suspension from the programme; expulsion from the programme.

The University cannot guarantee entry to the Register of Pharmacists even if a CRB or FtP disclosure has been reviewed and you are deemed fit to continue on the MPharm/FdPP programmes. The decision to register as a pharmacist can only be made by the GPhC at the point of your application to register.

As the MSOP pharmacy programmes are preparing you and others to enter a profession it is important that you take a professional approach to your conduct and learning. Before embarking on this career at MSOP, you are required to abide by the Code of Conduct for Pharmacy Students; a copy is available at www.rpsgb.org/pdfs/ccpharmstudentsguide.pdf. You will be asked to confirm that you have read, understood and will abide by the Code of Conduct when completing the self-declaration form.

Further information and guidance is available to you on all of these issues, including our processes for dealing with disclosures, along with case-studies provided by the RPSGB on what constitutes inappropriate behaviour and how individual cases are dealt with.

[The site will include links to:

Code of Conduct for Pharmacy Students issued by the RPSGB in July 2009.

The Royal Pharmaceutical Society of Great Britain (General Pharmaceutical Council from Sept 2010) Code of Ethics for Pharmacists and Pharmacy Technicians

The Royal Pharmaceutical Society of Great Britain (General Pharmaceutical Council from Sept 2010) Assessment of Good Character and Health

The Royal Pharmaceutical Society of Great Britain (RPGSB) (General Pharmaceutical Council from Sept 2010)

University of Kent Code of Conduct

University of Greenwich Fitness to Practise Policy

University of Kent Equal Opportunity Policy

Medway School of Pharmacy and University of Kent Assessment Regulations]

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Letter to Registrants and self-declaration form

Dear {MSP applicant}

I am writing to inform you that all applicants offered a place at the Medway School of Pharmacy are required to complete a pre-registration declaration and a CRB check as part of the registration requirements for this programme of study at the University.

You will find enclosed a Self Declaration Form, a CRB application form, and some guidance notes. There is further information on what is expected of you at www.rpsgb.org/pdfs/ccpharmstudentsguide.pdf, and on completing the CRB form at <http://www.crbguide.co.uk/>.

Please read all instructions carefully. Incorrect or inconsistent information could result in your registration at the School of Pharmacy being delayed or cancelled.

What you need to do now:

- We require you to complete the enclosed declaration detailing any relevant information that may come to light during the course of your studies. Please contact crbs@kent.ac.uk if you have any questions about this, otherwise please complete and return it immediately to the address displayed on the declaration itself. **This needs to be done before registration.**
- You will also find a CRB application form in your pack. You are expected to fill out sections A, B, C, and E where relevant. **PLEASE LEAVE SECTIONS D, W, X and Y blank.**
- Once you have the required documents, and have completed the CRB application form in accordance with CRB guidelines, please contact Linda Lucas in the School of Pharmacy on 01634 (20)2937 or L.A.Lucas@gre.ac.uk, to make an appointment to submit your form and have your documents checked.
- The CRB application fee is **£36**. Please make cheques/postal orders payable to **UNIKENT**, and include your name and application form reference on the back. This should be handed in with the CRB application form, alongside your documents.

Please note that CRB applications take some time to process, and that your application will take considerably longer if you do not provide us with everything we have asked you for. **The final deadline for completing and submitting your form is Friday 22nd October 2010, so we recommend that you do so as early as possible.**

I thank you for your co-operation in this matter. If you have any questions please contact crbs@kent.ac.uk.

Yours sincerely

Steven Holdcroft
Head of Information, Recruitment and Admissions Office.

Fitness to Practise/Criminal Convictions and Cautions Self Declaration Form 2010

The profession of pharmacy is exempt from the Rehabilitation of Offenders Act with regard to 'spent' convictions or criminal investigations. In addition, the Pharmacy Regulator's Code of Conduct for Pharmacy Students states that your fitness to practise is called into question if your behaviour or health raises a serious or persistent cause for concern about your ability or suitability to enrol and continue on the MPharm or FdPP programmes.

This includes, but is not limited to, the possibility that you could put patients, the public, other students or staff at risk and behaviour that occurred prior to your application to study pharmacy. Therefore, schools of pharmacy are required to consider how your behaviour and health may impact on the safety of patients, the public, other students and staff and on the public's trust in the profession.

You will be expected to complete a full health screen and a criminal convictions check (CRB) during the MPharm/FdPP programme. Further details will be made available at your induction.

Declaration

Please read the following statements and add your signature to each to declare your suitability to enrol on the MPharm/FdPP programme. Please note that a false declaration will be seen as a dishonest act and a breach of the Code of Conduct.

		Signature
1.	"I declare that my health and character are sufficiently good to enable me to practice safely and effectively."	
2.	"I have not received a police charge, caution or been convicted of a crime either at home (UK) or overseas."	
3.	"I agree to abide by the Code of Conduct for Pharmacy Students which can be found at www.rpsgb.org/pdfs/ccpharmstudentsguide.pdf ."	

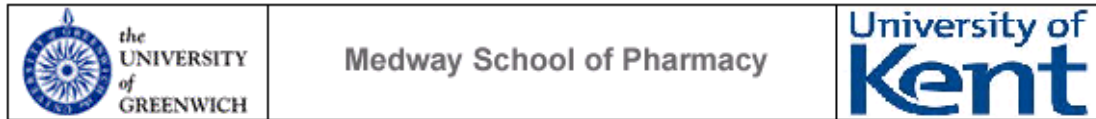
If you are unsure or unable to confirm your suitability or ability to enrol on either the MPharm or FdPP programme then please contact crbs@kent.ac.uk

Print Name:		
Your UCAS/student Number:		
Address:	Date of Birth:	

	Course and start date:
Telephone:	Mobile no.:

Please return your completed form to Steven Holdcroft before registration to:
c/o CRB processing, Admissions and Partnership Services, Room G46, The
Registry, University of Kent, Canterbury CT2 7NZ

Data Protection: Any information you provide will be held in strict confidence and
used only for the purpose requested in accordance with the Fitness to Practice Policy
which can be viewed at www.msp.ac.uk



General Pharmaceutical Council

The Code of Conduct for Pharmacy Students and Fitness to Practise

Declaration

- ❖ I confirm that I have received and read a copy of the Code of Conduct.
- ❖ Its significance has been explained to me and I agree to abide by the code throughout my period of time as a pharmacy student at Medway School of Pharmacy.
- ❖ I understand that the profession of pharmacy is exempt from the Rehabilitation of Offenders Act with regard to 'spent' convictions or criminal investigations.
- ❖ I am aware that any information that I have supplied or that arises from any fitness to practise proceedings involving me is not subject to the requirements of the Data Protection Act and may be notified to the professional regulator for pharmacy.

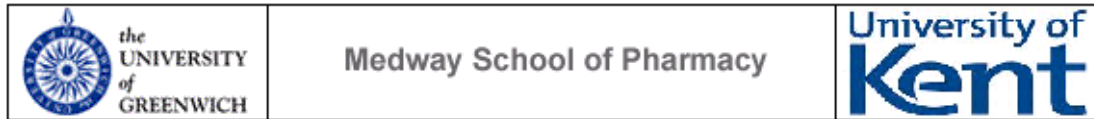
Signed: Date:

Name (Please print)

Year of Study

NOTE:

If you feel you have any issues that prevent you from signing this declaration you should make an appointment with Dr Corlett or Dr Rodgers as soon as possible to discuss the matters. Continuance on your programme of studies is dependent upon your fitness to practise and failure to submit your declaration will be followed up.



General Pharmaceutical Council

The Code of Conduct for Pharmacy Students & Student Fitness to Practise

Declaration

- ❖ I confirm that I have received and read a copy of the Code of Conduct. Its significance has been explained to me and I agree to abide by the code throughout my period of time as a pharmacy student at Medway School of Pharmacy.
- ❖ I confirm that I have not received any criminal convictions and /or that no police investigations have been commenced against me since my previous declaration/CRB disclosure.
- ❖ I declare that my health and character continue to be sufficiently good to enable me to practice safely and effectively.
- ❖ I understand that the profession of pharmacy is exempt from the Rehabilitation of Offenders Act with regard to 'spent' convictions or criminal investigations.
- ❖ I am aware that any information that I have supplied or that arises from any fitness to practise proceedings involving me is not subject to the requirements of the Data Protection Act and may be notified to the professional regulator for pharmacy.

Signed: Date:.....

Name (Please print)

Year of Study

NOTE:

If you feel you have any issues that prevent you from signing this declaration you should make an appointment with Dr Corlett or Dr Rodgers as soon as possible to discuss the matters. Continuance on your programme of studies is dependent upon your fitness to practise and failure to submit your declaration will be followed up.

University of Greenwich

REGULATIONS

Governing Fitness to Practise Decisions on Specified Programmes

INTRODUCTION

These Regulations relate to students following programmes of study that lead directly to, or which satisfy the conditions of, a professional qualification or which gives the right to practice in one or more professions.

In these cases the University has a responsibility (and in some instances a statutory obligation) to ensure that students are fit to practice in the relevant profession and that they meet or are likely to meet the requirements of the relevant professional body.

The specific professional body requirements of individual programmes are detailed in the relevant Schools' programme handbooks.

The Director of Student Affairs shall be responsible to Academic Council for the operation and review of the Regulations governing Fitness to Practise Decisions on Specified Programmes.

There are 3 stages to the process:

- 1. Initial Investigation**
- 2. Referral to the Fitness to Practise Panel**
- 3. Right of Appeal**

1. INITIAL INVESTIGATION

1.1 Any member of academic staff involved with the programme (e.g. lecturer, seminar leader or personal tutor) who has serious concerns regarding a student's fitness to practise should inform the Head of Department in writing. Serious concerns may also be communicated by senior staff in a placement area or by any external agency / institution / school. Upon receipt of the written report the Head of Department will undertake an initial investigation as to whether there are grounds for concern regarding a student's fitness to practise.

1.2 Relevant grounds would include but are not limited to:

- that the student is medically unfit to proceed by either physical or psychological impairment
- there is substantial evidence that the student is unlikely to demonstrate and promote the positive values, attitudes and behaviour expected in the professional setting (this is usually prescribed in the relevant professional Code of Practice/Code of Conduct)
- that the student does not meet the accepted standard of behaviour and is in breach of the Code of Behaviour Policy for students and/or the Rules and Regulations of the University

1.3 On receiving the report of an alleged offence, the Head of Department will carry out an internal investigation. The purpose of the investigation will be to determine whether the allegations have substance. The Head of Department will arrange for an Investigative Interview to take place with the student in order to discuss the issues raised. At this stage the Head of Department may decide that the allegations are serious enough for the student to be temporarily suspended from their programme of

study and/or professional placement, and in such cases the Head of Department will consult directly with the Head of School.

1.4 The student shall be informed in writing of the time and date of the Investigative Interview and informed that s/he may contact the Students' Union for guidance and may be accompanied by a friend. The student will also be advised of the terms of any temporary suspension.

1.5 The student will be informed in writing of the outcome of the Investigative Interview and advised of any remedial or further action to be taken.

1.6 If the Head of Department determines that the allegations are serious enough to warrant independent adjudication and the matter cannot be resolved as a result of the internal investigation, the case will be referred to the Director of Student Affairs' office in order that a meeting of the Fitness to Practise panel can be convened. The Secretary to the Fitness to Practise panel shall write to the student to:

- clarify the details of the allegations against him/her
- confirm any temporary suspension put in place by the School from his/her practice placement area and/or conditions placed upon his/her studies during the period of the investigation

2. REFERRAL TO THE FITNESS TO PRACTISE PANEL

2.1 Composition of the Fitness to Practise Panel

2.1.1 The Secretary to the Fitness to Practise panel shall convene the meeting. The Panel shall include the following membership, none of whom should have previous involvement with the case:

- Pro Vice Chancellor (Learning & Quality) or his/her nominee (Chair)
- External member who is a senior Professional Practitioner in the professional discipline being studied by the student
- Two members of Academic Council
- Representative from the School from a different professional discipline with the exception of a student from the School of Health & Social Care where a representative from the same discipline is required.
- Students' Union Sabbatical Officer

2.1.2 The quorum for any meeting of the Fitness to Practise Panel shall be four and must include the Chair, an external representative, the appropriate School representative and a Students' Union Sabbatical Officer.

2.1.3 A member of the Office of Student Affairs will be in attendance to take an accurate record of the meeting.

2.2 Procedure for Calling a Fitness to Practise Panel

2.2.1 The Secretary to the Fitness to Practise Panel will normally give the student no less than 15 working days advance notification in writing by recorded delivery of the date of the Fitness to Practise panel meeting. The student shall be informed that s/he may contact the Students' Union for guidance and may be accompanied by a friend. The Secretary will also provide a copy of the Fitness to Practise Regulations and reaffirm the situation concerning any temporary suspension from the University

and/or professional placement until the conclusion of the Fitness to Practise procedures.

2.2.2 The student will be required to submit a written statement based upon the issues raised at the Investigative Interview. This statement must be received by the Secretary no later than 7 working days prior to the meeting date in order that it may be included in the documentation for consideration by the Fitness to Practise panel in advance.

2.2.3 The student may invite witnesses to present verbal evidence at the meeting. The names and addresses of any such witnesses shall be made available to the Secretary of the Fitness to Practise panel no later than 7 working days before the meeting.

2.2.4 The Head of Department and/or members of staff connected with the case must provide a written report, including any written witness statements, in support of the allegations made explaining why there is concern as to the student's fitness to practise. All the evidence submitted to the Secretary to the Fitness to Practise panel will be included in the papers presented at the meeting.

2.2.5 The Head of Department who carried out the internal investigation will be required to present the case against the student. They may nominate a member of academic or senior staff to present the case in their absence.

2.2.6 The School may invite witnesses to present verbal evidence at the meeting. The names and addresses of any such witnesses shall be made available to the Secretary of the Fitness to Practise panel no later than 7 working days before the meeting.

2.2.7 Factual information about the student's professional progress on the course and any other relevant documentation may also be requested. Additional information from parallel University processes (such as Complaints or Disciplinary procedures) will be considered by the Panel where appropriate.

2.2.8 The University will not impose any additional penalties for the same offence under more than one set of Regulations.

2.2.9 The Secretary will provide the student with a copy of all documentation to be considered by the Fitness to Practise panel no later than 5 working days prior to the meeting.

2.2.10 All information submitted in relation to the Fitness to Practise panel meeting will be dealt with confidentially and will only be disclosed to those parties involved in the investigation and judgement of the complaint, or as necessary to progress the complaint, or as required by law.

2.3 Procedure of the Fitness to Practise Panel Meeting

2.3.1 The Fitness to Practise Panel meeting is a closed meeting and will be held in private.

2.3.2 The student will be required to attend the meeting of the Panel in person. If the

student fails to attend without reasonable explanation, the Panel will consider the case in the student's absence. The Chair will have discretion as to what constitutes a 'reasonable explanation'.

2.3.3 The student is entitled to be present and to be accompanied by a friend, relative or other representative.

2.3.4 The School's case against the student shall be presented by the Head of Department (or their designate) who may present such oral evidence in support of its case as s/he wishes. In support of its case, the School may present only those witnesses previously nominated to the Secretary (as per 2.2.6).

2.3.5 If any oral evidence is presented to the Panel from any person not called by the student, the student will be allowed to question that person.

2.3.6 The student may present such oral evidence in support of their case as s/he wishes. In support of its case, the student may present only those witnesses previously nominated to the Secretary (as per 2.2.3). The School's representative may question any witnesses called by the student.

2.3.7 The student will present their own case. In exceptional circumstances the Chair may decide that the student's representative may speak on their behalf and that the student should not be questioned.

2.3.8 The Panel shall be entitled to question the student, the School representative and any witnesses present in order to clarify understanding of the presentations made.

2.3.9 When the Panel is satisfied that their questioning is complete and the School and student have had a full opportunity to convey all relevant information to the Panel, the student and all witnesses will be required to withdraw from the meeting in order for the Panel to consider the case in private. The person presenting the case on behalf of the School may remain in the meeting to advise on any School based procedural issues arising from the Panel decision but will have no part in the decision making process.

2.3.10 The Panel's decision will be communicated to the student in writing by recorded delivery within five working days of the decision being reached. The Panel may discuss the decision with the relevant external agency/ institution/school if deemed necessary.

2.3.11 The Panel may defer its decision until such time as any significant new evidence or issues raised at the meeting have been investigated to the Panel's satisfaction. The student will be kept informed in writing of any delay.

2.4 Powers of the Fitness to Practise Panel

2.4.1 The Panel may apply one or more of the following:

- permit the student to continue on the programme without change
- permit the student to continue on the programme in conjunction with provisos determined by the Panel
- permit the student to continue with the programme under close

supervision (where appropriate) with the exception of level 3 students in the School of Health & Social Care)

- suspend the studies of the student for a specified time
- require the student to re-sit a specified part or parts of the programme
- request that a student undertake an occupational health check and/or a professional psychological assessment
- require any other action considered appropriate by the Panel to enable the student's successful completion of the remainder of the programme
- recommend that the student's studies on a programme leading to a professional qualification be terminated but permit registration for an alternative academic qualification, if available (see 2.4.4)
- recommend that the student's registration be terminated and that the student be required to withdraw from the University

2.4.2 If a unanimous decision is not reached, the opinion of the majority will prevail.

2.4.3 Where a student is allowed to continue with the programme in conjunction with provisos determined by the Panel, or when the studies have been temporarily suspended, s/he may be required to meet with the Panel on further occasions in order that progress can be monitored.

2.4.4 Where a student's studies on a programme are terminated but registration for an alternative academic qualification is permitted, the student will be given the opportunity to receive guidance on alternatives to the Professional Award. Should an alternative not be forthcoming the student would be required to withdraw from the University.

3. RIGHT OF APPEAL

3.1 A student who wishes to appeal against a decision of the Fitness to Practise Panel may do so under the University's Academic Appeals Regulations. A copy of the Regulations and Academic Appeal Form is available via Campus Student Centres, the Students' Union or the University web site.

3.2 The appeal must be submitted on the Academic Appeal Form no later than 15 working days after written notification to the student of the Fitness to Practise Panel decision. The student may only appeal on one or more of the following grounds, which shall be specified in the letter of appeal:

- that the procedure was not properly carried out
- that substantial new evidence has come to light

3.3 In certain circumstances there may be the possibility of reregistering at the University if subsequent evidence suggests a student may now be fit to practise (e.g. professional psychologist's report). Such requests should be submitted in writing to the Secretary of the Fitness to Practise Panel in the first instance, with a view to reconvene the Panel.