



University of  
**Salford**  
MANCHESTER

# **Fitness to Practise Policy and Procedure**

**V3.9**

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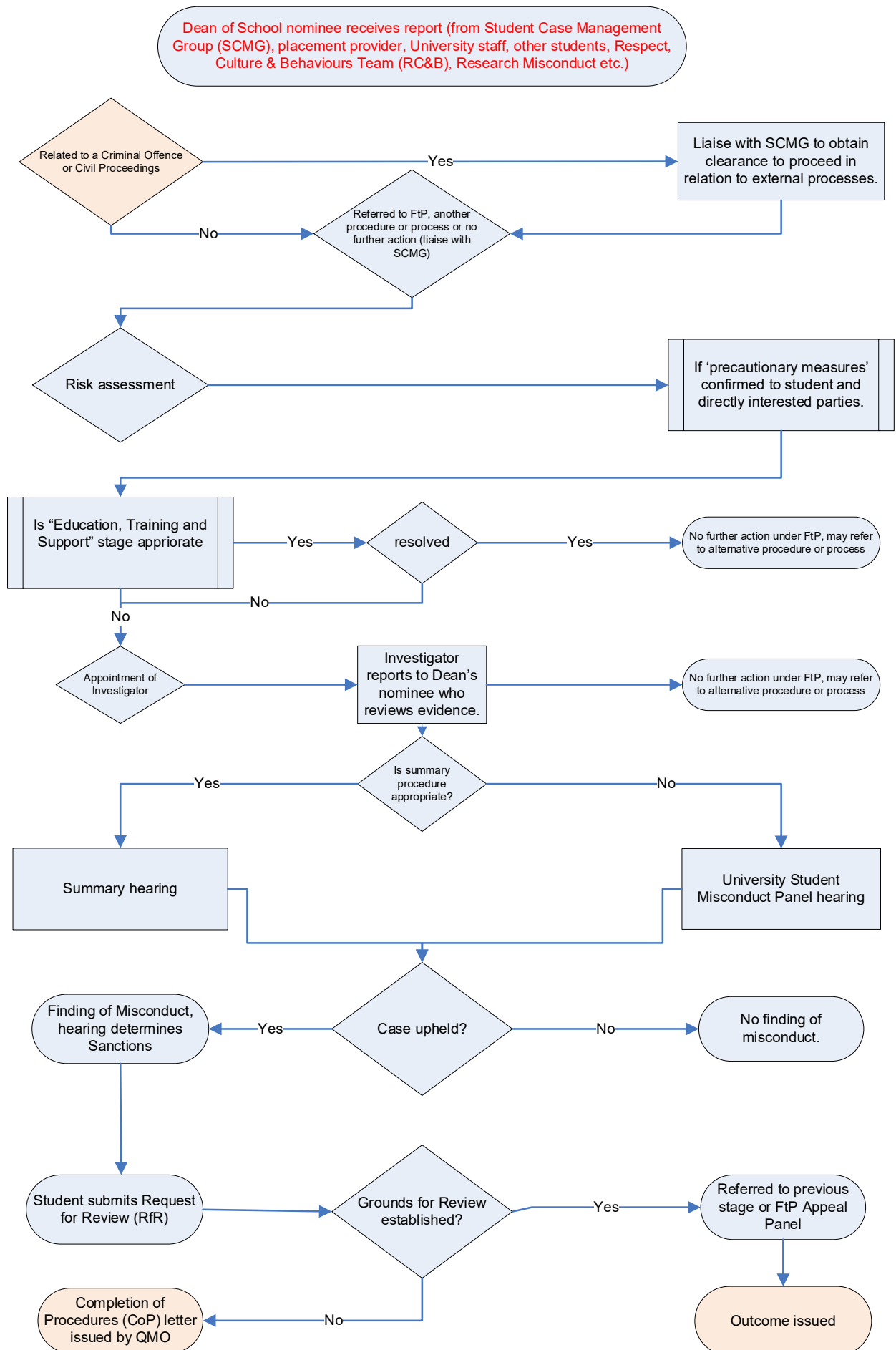
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## 1.0 Flowchart



## **FITNESS TO PRACTISE POLICY STATEMENT**

### **2.0 Purpose**

The University of Salford's Fitness to Practise (FtP) Procedure is designed to allow the University to consider concerns raised in relation to the fitness to practise (professional misconduct and/or professional unsuitability) of students whose professions are regulated by Professional, Statutory and Regulatory Bodies (PSRBs).

The Procedure is required as a safeguard for public protection and public safety and is informed by the obligation on practitioners to comply with regulatory bodies' professional codes of practice and standards.

The Procedure will be applied in instances where consideration needs to be given not only to the student's status as a student of the University, but also to their status on the specific programme of study leading to membership of, or potential entry to, their chosen profession.

The supporting guidance to this Procedure indicates what types of activity or behaviour constitute professional misconduct and/or professional unsuitability. The Procedure and supporting guidance set out the processes which will be followed in dealing with concerns, and the sanctions which may be applied in cases where allegations are established.

The Procedure sets out a reasonable timescale which the University will strive to meet.

The University's Student Misconduct Procedure (SMP) and Academic Misconduct Procedure (AMP) apply across the whole University, where consideration needs to be given only to the student's status as a student of the University. Where concerns are raised in relation to student conduct involving a student on a programme covered by this Procedure, the case may be considered under the FtP Procedure and provision is made to allow this, including allowing the application of disciplinary sanctions. Concerns about academic misconduct will first be considered under the AMP, and once this process is completed, if concerns about the student's fitness to practise remain, then that matter may be referred to the FtP Procedure. The documentation and the outcome of the AMP hearing may be included as part of the case. In case of doubt as to which Procedure to follow, the Dean of School or nominee (referred to hereon as the "Dean") shall determine which procedure applies.

A single issue or case against a student may not be considered through the formal stages of more than one Procedure (to avoid 'double jeopardy'). For example, academic misconduct concerns will only be considered under AMP, it is then any related fitness to practise concerns which would be considered under FtP, not the specific academic misconduct.

### **3.0 Scope**

This Procedure applies to students registered at the University of Salford whose professions are regulated by relevant PSRBs, as identified in Appendix A.

This Procedure does not apply to students registered at collaborative partner institutions unless specified in the collaborative partnership agreement.

This Procedure does not cover concerns arising after a student has left the University.

The Procedure is not a means for third parties to seek resolution to disputes. The University invokes the Procedure to deal with concerns about the fitness to practise of its students and not criminal offences or civil offences. However, actions that result in criminal or civil actions outside the University may also result in action under the Procedure. The Procedure does not, and cannot, seek to replace criminal or civil legal proceedings, nor those of PSRBs, which may also be pursued.

The University may take action against a student, even if the person who raised concerns does not wish the matter to be taken further.

#### **4.0 Fitness to Practise and Professional, Statutory and Regulatory Bodies (PSRBs)**

Many PSRBs require students pursuing programmes leading to, or enhancing, registration as a practitioner to be fit to practise at the point of registration. Some PSRBs require students seeking to enter the profession to comply fully with their professional codes of practice and standards. This means having the knowledge, skills, attitudes, good health and good character to carry out the duties of a registered practitioner safely and effectively.

PSRBs provide guidance on professional requirements for students, and students are directed to the relevant professional codes of practice and standards as part of their programme.

#### **5.0 Professional, Statutory and Regulatory Bodies (PSRBs) 'Sign-Off'**

Some Professional, Statutory and Regulatory Bodies (for example the Nursing and Midwifery Council (NMC)) require a Registrant from that body, who is also a senior member of staff within the discipline area, to 'sign-off' each student as being professionally suitable before the candidate will be allowed to register. Whilst any case considered through this Procedure may inform this, the decision is for the Registrant as required by the PSRB. The 'sign-off' is not subject to appeal or review through the University.

#### **6.0 Professional Misconduct**

Professional misconduct includes any conduct or behaviour that would bring the profession into disrepute or that puts the proper operation of practice and/or public safety and/or confidence at risk.

#### **7.0 Professional Unsuitability**

Sometimes, even where professional misconduct is not involved, concerns may arise that a student is unsuitable for the profession which they want to enter.

The many issues of concern will be resolved by appropriate support and guidance, by failure of one or more components of assessment of the programme or by withdrawal from the programme by the student. If the professional unsuitability is considered to be of a temporary nature, an interruption of study may be an appropriate course of action (for example, due to illness). Where this is not possible, the matters may be considered under this procedure.

Information submitted under other University Procedures (for example, the Personal Mitigating Circumstances Procedure) may be used by the School or the student as evidence in the context of an allegation of professional unsuitability.

A decision about professional unsuitability shall take into account a student's level of study and how far they are from independent practise.

A decision relating to professional suitability can only be taken on the suitability of the student at the point of the decision, not about what might be a person's professional suitability in the future. Such decisions are made either at the School hearing or the University Fitness to Practise Panel hearing.

## **8.0 Criminal and Civil Proceedings**

Where the concerns relate to allegations about fitness to practise that are also criminal offences, or subject to civil proceedings, then action under the Procedure may be deferred until such a time as is appropriate to proceed. This will normally be following conversations with the external body (for example, the Police) to ensure University actions do not adversely interfere with their processes.

The University may rely upon any finding of guilt or liability made against the student in any criminal and/or civil proceedings for the purposes of acting against the student in relation to their fitness to practise under this Procedure, but only if, and to the extent that, the finding relates to specific concerns under the Procedure.

Where a student has been sentenced by a criminal court in respect of their misconduct, the sentence imposed shall be taken into consideration when determining any sanction for professional misconduct under this Procedure.

## **9.0 Support, Training and Education**

The University, as an educational institution, is committed to providing appropriate support, training and education about professional practise to students. Information on relevant codes and standards, along with the ways in which students are expected to meet them must be integrated into relevant programmes.

Programme teams must also ensure that students are provided with information about requirements upon them and about this Procedure.

## **10.0 Standard and Burden of Proof**

In deciding whether professional misconduct and/or professional unsuitability have been demonstrated, the standard of proof shall be 'the balance of probabilities', that is on the evidence available, professional misconduct/professional unsuitability is more likely than not.

The burden is on the University to demonstrate and evidence allegations of professional misconduct and/or professional unsuitability.

## **11.0 Impact Statement**

All parties, in particular those who report concerns about misconduct, but also those who are subject to allegations, as well as those who may have witnessed the alleged misconduct, may submit impact statements to be considered by the Panel. These

statements should be concise and concentrate on the impact of the misconduct on the individual concerned. They should not report or speculate on the impact on others. They must not set out expectations of actions to be taken by the University.

Impact statements will be made available to a hearing (Panel members or Chair of Summary hearing) where a decision to uphold a case has been made, prior to any decision on sanctions. Impact statement may be used, alongside the procedure, guidance and other evidence in identifying appropriate sanctions. Records of hearings should record when such impact statements have had an impact on the sanction(s) identified.

## **12.0 Covert Recordings as Evidence**

The University will not normally accept the use of covert audio or video recordings (recordings made without the knowledge of another individual) as evidence to support a case'

## **13.0 Verification of Submitted Evidence**

Where evidence related to third parties is submitted in evidence (including GP letters, hospital communications etc.) the University reserves the right to seek to confirm the authenticity of the evidence including, but not restricted to, contacting those third parties named.

## **14.0 Certification and Award**

A student may not be granted an award, obtain certification of an award or attend a graduation ceremony whilst a matter of alleged professional misconduct and/or professional unsuitability is still in the process of being dealt with under the Procedure.

## **15.0 Exceptional Circumstances (Ill-health or Other Mitigating Circumstances)**

Exceptional circumstances may arise, such as a significant illness, which, if evidenced by the student, would permit suspension or termination of Fitness to Practise proceedings. Appropriate evidence to support such circumstances must be provided (for example, a letter from a doctor or other medical practitioner). It may be made a condition of suspension or termination of the proceedings that the student seeks and engages with appropriate support and/or treatment. If evidence supplied does not support suspension or termination of proceedings, the case will normally be considered in the absence of the student even where the student decides not to engage. The decision to suspend or terminate the procedure will normally be made by the relevant Dean.

## **16.0 Student Personal Circumstances**

- 16.1 At all stages of this Procedure, if it appears to those considering an allegation that the student in question is suffering from significant personal circumstances, such as illness, the proceedings may be adjourned for the preparation of a medical report. In that instance, the Dean shall consider Precautionary Measures as set out below.

## **17.0 Interruption of Study and Withdrawal**

- 17.1 Where a student is on an interruption of study or suspended/revoked from the University, normally any hearing of a case will be postponed until the interruption or suspension is completed. However, if the case is deemed serious by the School in consultation with the



Student Case Management Group (SCMG), and Chair of Fitness to Practise Panel where appointed, or if the student concerned requests it, the University reserves the right to continue with the procedure. Cases relating to sexual misconduct harassment will not normally be postponed in such circumstances.

- 17.2 Where a student withdraws once the Procedure has been initiated, the University may choose to continue to hear a case. Should the University choose not to proceed with a case, a note will be placed on the student file and the case re-activated should the student re-apply to the University

## **18.0 Student Non-Attendance**

- 18.1 If a student is unable to attend, or fails to attend, any meeting or hearing under this Procedure without prior approval, the meeting or hearing will normally continue in their absence on the basis of the evidence available at the time of the meeting or hearing.

## **19.0 Witnesses and Support and Representation at Meetings and Hearings, including legal representation**

Information on supporters, representatives and witnesses is available from the University webpage <https://www.salford.ac.uk/governance-and-management/student-facing-policies-and-procedures>.

Legal Representation will not normally be approved for meetings held as part of an investigation, nor for School level hearings.

## **20.0 Audio Recording**

The audio recording of meetings and hearings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required under the Equality Act 2010.

## **21.0 Data Management**

All processing of personal data is undertaken in accordance with all applicable data protection legislation. This applies to all parties involved in the process, including the student who may be responding to allegations, that is where evidence contains data or personal information of third parties, they may not share that information except as required by the Procedure and allowed under the legislation. More detail of University data management available via the website <https://www.salford.ac.uk/privacy>.

Where an allegation relates to possible criminal activity, the University may share information with the Police as set out in relevant information sharing agreements, and with other external agencies where formal approved requested are received.

A student who is subject to conditions pending a hearing where the allegation relates to violence, aggression or other matters of direct interest to the Students' Union shall be reported to QMO and to the Chief Executive of the Students' Union. They may also be reported to other areas within the University (for example, Security, the Library or askUS) depending on the circumstances.

A student who is subject to the sanction of suspension or expulsion shall be reported to the Chief Executive of the Students' Union and Student Experience & Support (SES).

They may also be reported to other areas within the University (for example, Security, the Library, the askUS) depending on the circumstances.

## **22.0 Disclosure to Third Parties**

Disclosure of the progress and outcome of a case will only ever be shared with third parties (including students or members of staff who raise concerns) where there are legitimate grounds to do so (see also sections 20 to 25).

Where a third party, who is a member of the University (staff or student), has been involved in a case as a victim of an alleged incident, the University may, on request, provide information on whether the case is being considered, any precautionary measures agreed, and the outcome of any hearing.

Where the third party is external to the University, the University would not normally provide information with regards to specific cases but may exceptionally do so where the information could potentially impact on the wellbeing of the third party. A written record of all such instances, with grounds for disclosure, should be kept.

Where the student is already a registrant, the relevant PSRB will normally be informed where there is a finding that there is a concern about a student's fitness to practise. In certain circumstances, such as where someone is employed in the NHS, the University may be required to inform employers of outcomes.

Outcomes may be included in references (see section 24). Information will also be shared with the Disclosure and Barring Service (DBS) (see section 23).

Where a student is also a member of staff, guidance will be sought from the Human Resources Division and QMO as to how any allegation might be considered.

## **23.0 Referral of Concerns Raised and Findings to Disclosure and Barring Service (DBS)**

The University has an obligation to report serious concerns to the Disclosure and Barring Service (DBS). This may include allegations which the University has become aware of, but no hearing has considered, as well as where a final decision has been made through a University procedure. Such a referral to DBS may take place at any point during the consideration of a case under the Procedure.

## **24.0 Notification to Placement Providers**

A School may share, as appropriate, information about the student's professional and academic progress with placement providers. If a student has received a sanction under this Procedure, this will be made known to potential placement providers who, at their own discretion, may refuse to accept students. Whilst the schools will endeavour, as far as possible, to secure placements for all students who require them, a student who, by their own professional misconduct, and/or professional unsuitability, incurs a sanction under this Procedure, may jeopardize the ability of the School to help them find placements and therefore may also jeopardize their own ability to complete their programme.

## **25.0 Notification to Students Registering on Programmes**

Schools must ensure that notification regarding the requirements of the Procedure is made available in advance to all applicants considering applying to programmes covered by this Procedure.

## **26.0 References**

Findings and sanctions imposed may be referred to in references which are requested for students. Normally this would only be for the most severe of sanctions, for example where the University suspends a student, removes them from a programme, or expels them from the University. However, where references are for employment, education, training or other activities which could involve contact with vulnerable people, then reference to any finding under the Procedure may be included.

## **27.0 Communication During the Procedure**

Communication to students will be sent to the student's official University email account (unless this account has been deactivated by the University).

Given the confidential nature of the material, the University will not normally send communication associated with the Fitness to Practise Procedure to a personal email account.

## **28.0 Implications for International Students**

A student studying on a visa who is to be subject to a precautionary measure pending a hearing or who will be subject to the sanction of suspension, removal from the programme or expulsion, shall be reported to the University's Home Office Compliance Team for further advice and guidance on the implications for their immigration status and leave to remain in the UK. Once this has been considered, and if the decision is maintained, the Home Office Compliance team will report this, as appropriate, to the Home Office (UK Visas & Immigration).

## FITNESS TO PRACTISE PROCEDURE

### 29.0 Concerns About a Student's Fitness to Practise

- 29.1 Initiation of this Procedure may arise as a result of concerns raised regarding a student's conduct or behaviour; these concerns may be raised by members of the University, staff or other students, placement staff or members of the public. Fitness to Practise concerns may relate to concerns about professional misconduct and/or professional unsuitability.

### 30.0 Initial Referral

- 30.1 Allegations of professional misconduct and/or professional unsuitability against a student are referred to the Dean.
- 30.2 The student will be advised in writing, normally within 5 working days of the referral to the Dean, of the following:
- A clear summary of the concerns raised, in addition to a brief explanation and relevant evidence and reports (if available) to support the concerns will be provided;
  - The decision of the Dean as to whether the concerns will be considered under the preliminary or the formal stage of the Procedure;
  - If a decision has been taken to impose any precautionary measures on the student pending a hearing (see section 32.0) a rationale for the action will be provided in relation to the specific allegations.
- 30.3 The Dean may also consider referral to the Fitness to Study Procedure.
- 30.4 Where the concerns raised overlap with those which would otherwise be considered via the Student Misconduct Procedure the Dean should arrange for the Student Case Management Group (SCMG) to be notified, and kept informed of progress of any case. The SCMG will confirm if any other relevant matters are known which could impact on the case raised. The SCMG may also assist the Dean with risk assessments, application of precautionary measures (see 30.0) and arrangements for student support as required.
- 30.5 In cases where the allegation involves the most serious misconduct (for example, sexual violence) the University will arrange for an appropriate member of staff (normally a member of staff from the School) to be identified to act as a key contact for the student under investigation and, where an alleged victim is a student of the University, to support the alleged victim (normally a member of staff from Student Experience and Support).
- 30.6 **Concerns Which are also Subject to a Criminal Investigation, Court Hearing or Which Are Subject to Civil Proceedings, Including Proceedings by a Relevant Professional, Statutory and Regulatory Body (PSRB)**
- 30.7 The Dean may, at any stage, defer (either completely or partially) taking action under this Procedure in relation to an allegation of professional misconduct until the Police action, criminal proceedings and/or civil proceedings against the student have been concluded (see section 8).
- 30.8 The Dean will notify the student in writing when a decision has been taken to defer action.

**31.0 Precautionary Measures**

- 31.1 A student who is subject to consideration under the Procedure may be subject to specific requirements as set by the Dean of School pending a hearing and, if applicable, any subsequent appeal.
- 31.2 When imposing any requirements under this section, the member of staff making the decision should do so on the basis of risk to other students, staff, or the University or other identified people and/or organisations (such as related to a placement or field trip). Advice on making a risk assessment can be obtained from the Student Experience and Support (SES) and QMO.
- 31.3 Precautionary Measures are a neutral act in the context of the eventual determination of whether an allegation is found to be proven or not proven. Its purpose may be, for example,
- to ensure that potential witnesses or other evidence are not subject to interference;
  - to avoid any repetition of the circumstances which led to an allegation;
  - to ensure the safety and wellbeing of the University or placement community, including that of the student against whom an allegation has been made.
- 31.4 Written reasons for the decision to suspend shall be recorded by the Dean and sent to the student, copied to SCMG and QMO.
- 31.5 Precautionary Measures may include a range of action, including;
- whole or partial prohibition from entering all or specific University premises,
  - suspension from placement or clinical study;
  - prohibition on approaching, contacting (in person, by telephone, email or other means), or having cause for a third party to approach or contact named individuals, this would include removing themselves from shared areas should they find themselves near the other party,
  - prohibition from participating in University activities, including exercising their functions or duties of any office or committee membership in the University,
  - withdraw of the student's access to IT facilities,
  - requirement to cooperate with the University and/or accommodation provider on relocating to new accommodation.
- 31.6 Precautionary Measures may be subject to further qualification, such as permission to take an examination or submit an assignment.
- 31.7 The terms of the action shall be notified in writing to the student.
- 31.8 In cases deemed to be urgent, particularly if the safety or welfare of others is perceived to be at risk, such actions may be imposed with immediate effect, and before the student is given the opportunity to make representations. In this instance, the student shall be permitted to put forward representations at the earliest possible opportunity thereafter.
- 31.9 The relevant School must keep all such actions under review, and at a minimum, this should be done, recorded and notified to the student before the start of each Trimester.
- 31.10 A student wishing to instigate a review of any Precautionary Measures due to significant altered circumstances can do so at any point during the period the action is imposed via a

written request submitted to the Student Case Management Group (SCMG) [sccs@salford.ac.uk](mailto:sccs@salford.ac.uk). Such a request should provide appropriate supporting evidence of relevant significantly altered circumstances.

- 31.11 The SCMG, with the agreement of a nominee of the Dean of the relevant School, will review the Precautionary Measures on receipt of evidence from the student of significantly altered circumstances

## **32.0 Education, Training and Support**

- 32.1 Where the Dean considers that the allegations can be dealt with through education, training and support, the student will be invited to attend a meeting with the Dean to discuss the allegations. Following discussion, the Dean may decide on one of the following courses of action:
- provide the student with the opportunity to seek further guidance on the appropriate professional code of conduct and standards, this may be in the form of one-to-one sessions, group sessions, directed reading or through online material;
  - ask the student to complete further work to demonstrate their engagement with, and understanding of, the appropriate professional code of conduct and standards. This may take the form of a reflective piece of work (written, practical or oral), action planning or other such work. Clear timescales and guidance as to the size and nature of the work shall be set and information should be given about where the student shall access guidance and who would be responsible for signing off the work as complete and satisfactory.
- 32.2 Should a student fail to complete either of the above actions or, having completed them, fail to meet the required standards, the Dean may refer the case to the formal stage for further consideration.

## **33.0 Referral to Investigation**

- 33.1 The Dean shall initiate a referral to Investigation where:
- the matter has not been resolved by the course of action under the Education, Training and Support;
  - the original allegation was sufficiently serious, or;
  - further concerns regarding professional conduct or professional unsuitability have arisen following the matter being dealt with under Education, Training and Support.
- 33.2 The Dean, normally within 5 working days of the matter being notified to them, will write to the student with:
- a clear summary of the allegation(s) made and that the matter is being Investigation under the Fitness to Practise Procedure;
  - notice that an Investigator is to be appointed to gather information and report back to the Dean;
  - that, on receipt of the Investigator's report, the Dean will decide and notify the student if and how the matter will progress further;
  - notice of their right to be supported/represented;

- notice of any referral to the Disclosure and Barring Service (DBS) at this point.
- Confirmation of Precautionary Measures it has agreed to put in place (see section 30).

### **34.0 Investigation**

- 34.1 The Dean shall write to the student confirming referral to Investigation as soon as that is confirmed. The Dean shall then also notify the student of the appointment of the Investigator as soon as this is confirmed. The Investigator shall normally be a member of academic staff from the same School as the student who has had no involvement in the circumstances which led to the Procedure being invoked.
- 34.2 The investigation shall be progressed and concluded as soon as is reasonably practicable and the Investigator shall make every effort to report to the Dean within 30 working days of the Investigator's appointment. However, where extensive interviews are required and particularly where they involve staff outside the University, this may extend the timescale of the investigation. The student must be informed of any delays. Notification of any delay shall be notified to the Dean's nominee and as appropriate SCMG.
- 34.3 The Investigator will initiate an interview with the student, to be held as soon as possible.
- 34.4 If the student, without good cause, fails to cooperate with the process at the investigation stage, the University may continue the process without the student's input. Failure to engage may be reported and considered at later stages of the Procedure.
- 34.5 The allegations and evidence available relating to the allegations should be circulated to the student in advance of the first meeting. In some instances, for example where allegations relate to sexual violence/assault, it may not be appropriate to circulate full copies of personal statements prior to the first meeting with the Investigator, the student should however be provided with sufficient details of the allegations prior to the meeting to allow them to be able to respond to concerns raised.
- 34.6 Following the interview with the student the Investigator shall, where possible, interview or seek written statements from others who might be able to assist the investigation, for example, but not limited to, placement staff, witnesses to events, personal tutors, fellow students, the Police and relevant professional practitioners. Where substantive new evidence comes to light related to the concerns under Investigation, an investigator may, at their discretion, provide the student with an update on new evidence and even offer the opportunity for further discussion of the new evidence.
- 34.7 Interviews and further discussions with the student about whom the concerns are raised will preferably be completed in person or via video conference. Should this not be practicable, then the Investigator is asked to record the reasons for this.
- 34.8 The Investigator shall keep a note of each interview and append the notes to their report for transparency. The interviewee would normally be offered the opportunity to comment on the notes, should there be disagreement about the version, both viewpoints shall be included in the final report.
- 34.9 When the investigation is complete, the Investigator shall prepare a report using the University template (available for the QMO Staff hub pages). This shall be presented to the Dean.
- 34.10 The Investigator may include a recommendation where considered appropriate:
- that there is no case to answer and that no further action should be taken;

- that there is a need to refer the student for a medical assessment or to refer to the Wellbeing Team and/or Occupational Health;
- that the allegations appear to be substantiated by the available evidence in whole or in part;
- that named individuals be considered as witnesses should a case be referred to a formal hearing.

### **35.0 Dean of School Review of Investigation**

- 35.1 The Dean will review the Investigator's findings (report and appendices).
- 35.2 Where no further action is to be taken, the Dean shall, normally within 5 working days of receipt of the report, write to the student, copied to QMO and SCMG where appropriate, informing the student of the outcome of the Investigation and confirming that no further action will be taken in relation to this matter.
- 35.3 Where further action is to be taken, the Dean shall take one of the following actions:
- refer the case for further consideration at a School Hearing;
  - refer the case for further consideration by a Fitness to Practise Panel;
- 35.4 The Dean may also decide to:
- refer the student to the Wellbeing Team and/or Occupational Health (this may pause any decision on referral to a hearing);
  - whether to refer the matter to the Disclosure and Barring Service (DBS) at this point.
- 35.5 Where there is a recommendation for referral to the Wellbeing Team and/or Occupational Health, the Dean will confirm this in writing to the student, setting an appropriate deadline for the completion of this referral. Following receipt of the outcome from such a referral, the Dean will review the case again and decide whether further action under the Procedure is required. Should the student, without good reason, fail to engage with a referral to the Wellbeing Team and/or Occupational Health, then the University may continue the process without the student's input. This failure to engage may be reported and considered at later stages of the Procedure.
- 35.6 The Dean's response and the full investigation findings (report and appendices) will be submitted to the student and copied to QMO.

### **36.0 School Hearing**

- 36.1 Where the Dean decides the matter does not require consideration of potential suspension from the University, permanent removal of the student from the programme, or expulsion from the University, the case may be considered through a School Hearing.
- 36.2 The Dean shall, normally within 10 working days of receipt of the Investigator's report, confirm arrangements for the student to meet with them and an officer (normally from the School) who shall act as secretary and keep a record of the meeting. The student will be permitted to bring a supporter/representative to the School Hearing. (See additional guidance for procedure for hearings.)
- 36.3 Where the allegations are upheld, the Dean shall take one, or more than one, of the following actions:



- a) Take no further action;
- b) Defer a decision pending a medical report. In that instance, the Dean may consider Precautionary Measures (see section 30.0);
- c) Impose a sanction, or sanctions, from the range of sanctions set out at 41.0 but excluding the final sanctions listed (i) to (m).

- 36.4 Where the student does not confirm that they understand or admit to the allegations, this will be regarded as the student not admitting the allegations.
- 36.5 Should new information be provided by the student, or their representative, during the School Hearing which the Dean believes aggravates the allegations, the case may be referred back to the Investigator. Written confirmation will be provided to the student.
- 36.6 The student will be sent confirmation of the outcome of the School Hearing in writing within 5 working days of the meeting. This confirmation will include details of the allegations, the key points considered, the decision, and any sanctions imposed. The confirmation will also include reference to any right to Request a Review (appeal). The confirmation letter will constitute the formal record of the Hearing. The confirmation will be copied to QMO and SCMG where appropriate.

### **37.0 University Fitness to Practise Panel Hearing**

- 37.1 Where the Dean considers that the relevant sanction to be applied in the matter may include the final sanctions listed in section 41 (i) to (m), the Dean shall refer the matter to a University Fitness to Practise Panel. The Dean shall, at this point, identify any witness the School intends to call during the Panel hearing.
- 37.2 QMO shall establish a Fitness to Practise Panel.
- 37.3 The purpose of the Panel is to consider the evidence before it, to ensure due process has been followed and that principles of natural justice are followed. The Panel shall seek to establish the facts of the case, based on the evidence provided, asking questions of all parties as appropriate, and to determine an outcome.
- 37.4 The Dean shall normally present the case. Should the Dean not be in attendance to present the case, the Panel may choose to continue replacing presentation by the School with reference to the circulated documentation. The Panel must agree and record its reasons for either continuing or not.
- 37.5 The Panel shall comprise:
- a member of senior staff from outside the student's School appointed by QMO from a pool of trained staff who will act as Chair;
  - an external professional practitioner from the profession the student's field of study leads to;
  - a nominee of the University of Salford Students' Union;
  - a member of academic staff from a different discipline area covered by the Fitness to Practise Procedure. Where possible, they should be from the same school and from a discipline aligned to that of the student, for example for a case concerning a student on a health and social care programme the member would normally be from a health and social care profession.

- 37.6 The quorum for the Panel hearing shall be three of the four members, The three must include the Chair and the external professional practitioner.
- 37.7 An officer, normally from QMO, shall act as Secretary to the Panel hearing and shall keep minutes of the proceedings. The Secretary to the Panel hearing does not constitute a member of the Panel and does not take part in the decision making. The Secretary shall, however, advise the hearing on matters relating to the Procedure and associated guidance.
- 37.8 Where practical, the Investigator shall normally be in attendance, and where required, act as a witness answering questions from the Panel. Non-attendance by the Investigator would not normally be a reason for postponing a hearing.

### **38.0 Notification and Circulation of Documentation**

- 38.1 On receipt of the case, QMO shall confirm to the student that the case has been referred to a University level Panel. The student shall be given at least 10 working days' notice of the date and time when the Panel hearing will convene.
- 38.2 QMO shall, as soon as is reasonably possible, and in any event no later than 10 working days prior to the meeting of the Panel hearing, provide the student with a copy of all the documentation included in the Dean's referral to the hearing. That is the same documentation to be submitted to the Panel members.
- 38.3 The student shall have the right to submit written evidence and to call witnesses to the Panel hearing. The student must provide all documentary evidence to be relied upon, and details of the witnesses being called (section 18), and their statements to QMO at least 5 working days before the hearing for circulation to the Panel and Dean.
- 38.4 The student may be accompanied at the hearing by a supporter or representative (see section 18.0). A Representative accompanying a student may speak on the student's behalf. However, the Chair may determine that particular questions require a response directly from the student themselves (see section 18 and supporting guidance for more information on representation).
- 38.5 QMO shall circulate all documentation for the hearing to Panel members 5 working days before the hearing.

### **39.0 Decision**

- 39.1 The Panel shall find a case has been demonstrated only if, on the evidence before it, it is satisfied that a case has been established on the balance of probabilities. If the members of the Panel cannot agree, the verdict of the Panel shall be that of the majority of its members. In the case of a tie, the Chair shall have an additional casting vote.
- 39.2 When it has considered the case, the Panel shall reach one or more of the following decisions:
- case dismissed;
  - a finding of professional unsuitability; and/or,
  - a finding of professional misconduct.
- 39.3 The Panel shall set out detailed reasons for its decision(s).

### **40.0 Applying Sanctions**

- 40.1 In the case of a finding of professional misconduct and/or professional unsuitability, the Panel, taking account of:
- the seriousness of the allegation, the circumstances,
  - the level of the student and general personal circumstances of the student;
  - previous findings of guilt under the Academic Misconduct Procedure, the Student Misconduct Procedure or the Fitness to Practise Procedure as appropriate;
  - whether or not the University, or other parties, have suffered any particular detriment as a result;
- shall apply one or more of the sanctions stated in section 39.6.
- 40.2 The overriding principle underpinning the determination of sanctions is the protection of the public and that sanctions shall be proportionate to the particular offences. Account shall also be taken of the feasibility of implementing the sanctions where, in the Panel's view, this does not jeopardise the protection of the public.
- 40.3 The Panel shall clearly state, where required, the timescale for any sanctions imposed and specify the sign off point to confirm completion (normally the Chair of the Panel advised by Panel members, but may also include specific confirmation from others such as professional services, external panel member).
- 40.4 The Panel shall indicate what actions might be taken should a student fail to comply with a specific sanction. For example, referral back to the Chair of the Panel to confirm a pre-determined action such as a revised and increased sanction, referral to a further Panel hearing.
- 40.5 The Panel shall specify how the sanction shall be imposed and monitored. Where practicable, this will be by the Panel. However, in some circumstances, this may need to be by the School, a practice partner or a professional service.
- 40.6 The following sanctions can be put in place by the Panel:
- a) Written agreement by the student** to provide assurance in relation to their conduct for a period determined by the Panel hearing. To including dates for completion and the point/process for signoff.
  - b) Action plan/log.** Student to complete an **action plan/log** relevant to the finding of the Panel. To including dates for completion and the point/process for signoff.
  - c) Reflective essay.** The student to complete a **reflective essay** on specific aspect(s) of their behaviour, understanding and/or conduct relevant to the finding of the Panel (the Panel must specify the length of the essay). Where required the Panel may ask that a member of staff with appropriate expertise be asked to recommend to the Chair that the action has been appropriate to allow the Chair to sign off the reflective essay and confirm that it has met appropriate standards given the nature of the action and/or specific programme and the level of the student.
  - d) Formal Reprimand.** This shall give details of the specific concerns, any improvements required and associated timescales as appropriate. It shall warn that further action will be taken if there are further instances of concern regarding the student's fitness to practice. Failure to address concerns, repeat of similar concerns and/or no satisfactory improvement will be referred back to the Panel, with the likelihood that in any confirmed case a more severe sanction will be imposed.

A copy of the Formal Reprimand shall be placed on the student's record and will remain on record until the completion of their studies. Should there be a report of further concerns from the date of the hearing, then the new allegation may be considered an alleged breach of the Reprimand and will itself be considered as a potential act of professional misconduct. After completion of the programme of study the Formal Reprimand will remain on record as set out by the University Retention Scheme.

- e) **Not to contact named individual(s).** That the student does not approach nor contact named individual(s) or knowingly cause on their behalf another to contact them, this would include removing themselves from shared areas should they find themselves near the other party. This restriction will be for as long as they remain a student of the University, unless specified otherwise.
- f) **Compensation** of a reasonable sum in respect of identified and quantified loss such as for damages to cover full or partial costs.
- g) **An additional period of practice/clinical study.**
- h) **Prohibited from attending a specific building or area of University campus for a defined time period of up to 12 months.** This may be a blanket exclusion or may be specific to certain days and/or time slots.
- i) **Limited period of suspension** from the University for a fixed period of time, up to a maximum of three months.
- j) **Extended period of suspension** from the University for a fixed period of time, from three months up to a maximum of twelve months.
- k) **Withdrawal of academic credit or award.**
- l) **Permanent removal from the programme.**
- m) **Expulsion** from the University, which means that the student ceases to be a member of the University, has their registration as a student cancelled and loses all rights and privileges of membership. A student expelled from the University would not be permitted further study at the University or on a University of Salford award.

40.7 The Panel may defer a decision on a sanction pending a medical report or health and wellbeing action plan. In doing so a Panel must state the timescale for the completion of any such action.

#### 41.0 **Documentation and Communication of the Panel Hearing's Finding and any Sanctions Imposed**

41.1 Wherever possible, the Panel's decision(s), the reasons for that decision(s) and any sanction imposed shall be communicated in draft form to the student and to the Dean after adjourning to consider the evidence. Where a hearing is held in person this will normally be by oral report, where this is not practicable or where a hearing is held virtually it will be by an email.

41.2 QMO shall communicate the approved outcome, the decision(s), the reason for the decision(s) and any sanctions to the student in writing normally, within 5 working days of the hearing. This written communication will advise of the student's right to Request a Review (appeal).

- 41.3 Where the student is a Registrant of a Professional, Statutory and Regulatory Body (PSRB) consideration must be given to referring the individual to the relevant PRSB by the School as a conclusion of this Procedure.
- 41.4 If the student is a pre-registration student, then the student must, as required, notify/self-declare this outcome as part of the process involving registration with the relevant professional body.
- 41.5 The decision of the Panel hearing shall take effect and remain in force until such time as it may be changed following a successful Request for Review.
- 41.6 The Secretary will formally notify the Dean of the outcome. The School has responsibility for ensure appropriate staff within the school (for example personal tutors, programme administrators, programme leaders) and in placements (for example practice educators, mentors) are informed as required. For example where a sanction impacts on a student's engagement with a programme, the Programme Leader as a minimum will need to be informed, those involved in the provision of placements may also need to be informed where an outcome may affect placement provision.

## **42.0 Request for Review (Appeal)**

- 42.1 The student shall be allowed 10 working days from the date on the approved outcome notification (either from a School hearing or a Panel hearing) to provide written notice of a request for review (appeal) and relevant supporting evidence to QMO. Where, exceptionally, the minutes of a hearing are delayed then the deadline for the request may be extended until 10 working days from the date of the availability of the minutes.
- 42.2 Requests for review (appeals) should be submitted using an appeal form available via the link in the FAQ page <https://www.salford.ac.uk/askus/topics/admin-essentials/fitness-to-practise>.
- 42.3 The request for review must identify one or more of the three following grounds it is being submitted in relation to:
- A: that new and relevant evidence is available which, for good and reasonable cause, was not available to an earlier stage of the Procedure (as the case may be) at the earlier stage of this Procedure. (Exceptional circumstances are needed to explain why any evidence could not have been made available);
  - B: that there was a relevant and significant defect, error, or mistake in the conduct of the earlier stage of this Procedure which casts reasonable doubt on the decision reached by the Dean of School or Panel hearing (as the case may be), in that the decision might have been different if the defect, error or mistake had not occurred;
  - C: that the decision reached at the earlier stage of this Procedure is manifestly unreasonable. In this context, unreasonable will be taken to mean perverse, i.e., the decision was not one that a similar process might have reached.
- 42.4 A request from a student for a rehearing is not a valid ground for review.
- 42.5 The student must not only state a ground or grounds for the request for review, but must also provide evidence to substantiate those grounds.
- 42.6 The Head of Academic Quality Management or nominee shall, normally within 5 working days, reject any request for review which does not disclose a valid ground, does not

evidence a ground or ground(s), or is out of time. In such instances, the student shall be formally notified by a Completion of Procedures Letter (see section 44.0).

- 42.7 If the notice of the request for review is accepted as valid by the Head of Academic Quality Management or nominee, depending on the ground(s), they may refer the case back to an earlier stage of the Procedure or to an FtP Appeal Panel as appropriate.
- 42.8 An appeal shall only be heard by an FtP Appeal Panel if the Head of Academic Quality Management or nominee confirms there is evidence to support one or more of the grounds set out above.
- 42.9 The Chair of the original Fitness to Practise Panel or School hearing, where requested, shall have power to defer the operation of the sanction where a request for review is pending against a decision of the Panel to suspend a student, to withdraw an award or to expel a student pending that appeal. However, such a decision to defer operation of a sanction will not apply where a student would be expected to attend a placement, clinical practice, or other direct interaction with the public without agreement of the Dean.

### **43.0 Fitness to Practise Appeal Panel**

- 43.1 Where the Head of Academic Quality Management or nominee refers a case to an FtP Appeal Panel, QMO shall arrange for a Panel to be established as soon as possible, normally within 30 working days, to consider the appeal and to determine an outcome.
- 43.2 The Appeal Panel constitution will be the same as for the Panel hearing. All members shall have had no involvement in the direct circumstances leading to the allegations against the student, the investigation into those allegations, have not been members of the original panel, or have any other connection to the student which might be regarded as prejudicial to their impartiality. The quorum for the Appeal Panel shall be three of the four members. The three must include the chair and the external professional practitioner.
- 43.3 The School and the Chair of any original panel shall, as soon as is reasonably possible, receive a full copy of any evidence submitted by the student.
- 43.4 The Dean or nominee and the Chair of the original hearing may each make a written response for submission at least 5 working days before the date of the Appeal Panel hearing. These responses should not include information or evidence not directly related to the grounds for appeal.
- 43.5 The Chair of the original hearing will be invited to attend the Appeal Panel alongside the Dean as an observer. The Appeal Panel may call on the Chair as a witness during any appeal hearing.
- 43.6 The School will notify QMO of any witnesses they wish to call at least 5 working days before the date of an Appeal Panel.
- 43.7 The student shall receive written notification from QMO including whether the University will call witnesses, giving at least 5 working days' notice of the date and time when the Appeal Panel will convene.
- 43.8 QMO shall circulate all documentation for the Appeal Panel to all parties at least 5 working days before the hearing.
- 43.9 An officer, normally from QMO, shall act as Secretary to the Panel hearing and shall keep minutes of the proceedings. The Secretary to the Panel hearing does not constitute a member of the Panel and does not take part in the decision making. The Secretary shall,

however, advise the hearing on matters relating to the Procedure and associated guidance.

- 43.10 The student will normally be in attendance to present their case at an Appeal Panel. Where a student notifies the university that they do not wish to attend, the hearing will continue, however the school will not be invited to make an oral presentation. If the student does not attend, despite appropriate notification, the Panel will normally continue with the appeal. The Panel must agree and record its reasons for either continuing or not.
- 43.11 The Dean or nominee will normally be in attendance to reply to the appeal. If the Dean or nominee does not attend, the Panel may choose to continue with the appeal using the Order of Proceedings. The Panel must agree and record its reasons for either continuing or not.
- 43.12 The Chair of the original hearing and the Investigator may be in attendance, and where required, will act as a witness answering questions from the Appeal Panel. Non-attendance by the Chair of the original hearing or the Investigator would not normally be a reason for postponing a hearing.
- 43.13 The student may be accompanied at the appeal hearing by one person as supporter or representative. The person accompanying them may speak on the student's behalf. However, the Chair may determine that particular questions require a response directly from the student themselves (see section 18.0).

#### **44.0 Decision of an Appeal Panel**

- 44.1 The Appeal Panel will first confirm that the student has established ground for consideration. Should the Appeal Panel determine it has not, then the appeal shall be rejected/not upheld.
- 44.2 The Appeal Panel shall uphold an appeal only where it is satisfied that the student has successfully substantiated their grounds for appeal.
- 44.3 In making its decision, the Appeal Panel will have access to the documentation submitted as part of the student's appeal, responses from the School and Chair of the original panel, the minutes and formal outcome from, as well as the documents submitted to the original hearing. This will be considered alongside any presentations to the Appeal Panel hearing from the student, school or witnesses.
- 44.4 The Appeal Panel shall have the power to uphold, or to set aside, a finding reached by a previous Panel and shall have the power to uphold, to revoke, or to vary (to make more severe or less severe) any sanction(s) imposed.
- 44.5 It is normally in the interests of all parties that the case be concluded on the day of the hearing. However, the Appeal Panel may exceptionally, at its reasonable discretion, receive late evidence, adjourn, continue or postpone an appeal, seeking further information and take any other action(s) which it deems reasonable and appropriate in order fairly to consider the case. In doing so it must clearly articulate its reasoning to the student and school in writing.
- 44.6 Where practicable, the Appeal Panel's decision, the reasons for that decision, and any impact that decision has upon the sanction(s) imposed, shall be communicated informally to the student and the Dean on the day of the hearing. QMO shall, in all cases, communicate the conclusion, the reason for the conclusion, and the outcome to all parties in writing, normally within 5 working days of the hearing.

- 44.7 This written communication to the student will be a Completion of Procedures Letter (see section 44.0).
- 44.8 The relevant professional body may also be notified by the University in accordance with the arrangements governing that profession. The University may inform the student's employer (where the student is employed in a related and relevant professional role).
- 44.9 The University may also be required to inform the Disclosure and Barring Service (DBS) of a formal outcome.

## **45.0 External Review**

- 45.1 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The University of Salford is a member of this scheme. If a student is unhappy with the outcome, they may be able to ask the OIA to review their complaint. More information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right via the OIA website <https://www.oiahe.org.uk/students>.
- 45.2 Students normally need to have completed the Fitness to Practise Procedure before submitting a complain to the OIA. The University will send a letter called a "Completion of Procedures Letter" when a student has reached the end of the University's processes and there are no further steps which can be taken internally. If an appeal made against a formal decision taken under this Procedure is not upheld, the University will issue a Completion of Procedures Letter automatically. If an appeal is upheld, or partly upheld, a student can ask for a Completion of Procedures letter. More information about Completion of Procedures Letters and when a student should expect to receive one from the OIA webpage <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

## **46.0 Guidance and Related Forms and Documentation**

- 46.1 Supporting guidance and forms for student-facing procedures for staff can be found on the QMO webpages and staff hub via <https://testlivesalfordac.sharepoint.com/sites/QEO/SitePages/StudentFacingPolicies.aspx>

## **47.0 Contact Information and Advice**

- 47.1 General enquiries about the Procedure may be made to QMO via email address [studentconduct@salford.ac.uk](mailto:studentconduct@salford.ac.uk).
- 47.2 Counselling and Wellbeing Service can be contacted via email [wellbeing@salford.ac.uk](mailto:wellbeing@salford.ac.uk) or the webpage [Wellbeing | University of Salford](#)
- 47.3 University of Salford Students' Union provides independent advice to students about their specific case from the Students' Union Advice Centre, contactable via their webpage at <https://www.salfordsu.com/advice/advice-centre/>.

## **48.0 Appendices**

- Appendix A: A list of professional statutory and regulatory bodies (PSRBs) where accredited programmes are covered by this procedure.  
A list of programmes covered by the Procedure (by School).
- Appendix B: Examples of professional misconduct.
- Appendix C: Examples of types of professional unsuitability.



Appendix D: Flowchart – Procedure for dealing with professional misconduct and/or professional unsuitability.

**Appendix A – list of PSRBs & Programmes Covered by the Procedure**

An indicative list of professional statutory and regulatory bodies (PSRBs) relating to accredited programmes covered by this procedure.

- Association of Chartered Certified Accountants (ACCA)
- Bar Standards Board (BSB)
- British Association for Behavioural and Cognitive Psychotherapies (BABCP)
- British Association for Counselling & Psychotherapy (BACP)
- British Association of Sport and Exercise Science (BASES)
- British Association of Sport Rehabilitators and Trainers (BASRaT)
- British Psychological Society (BPS)
- Chartered Institute of Management Accountants (CIMA)
- Chartered Institute of Public Finance and Accountancy (CIPFA)
- Chartered Society of Physiotherapy (CSP)
- College of Policing (CoP)
- General Pharmaceutical Council (GPhC)
- Health and Care Professions Council (HCPC)
- Institute of Chartered Accountants in England and Wales (ICAEW)
- Nursing & Midwifery Council (NMC)
- Royal College of Surgeons (RCS)
- Social Work England (SWE)
- Solicitors Regulation Authority (SRA)
- UK Civil Aviation Authority (UK CAA).

An indicative list of programmes covered by the Procedure (by School):

- School of Arts & Media
  - None.
- Salford Business School
  - All undergraduate and postgraduate Law programmes,
  - All undergraduate and postgraduate Accounting & Finance programmes.
- School of Science, Engineering & Environment
  - None.
- School of Health and Society
  - All Non-Medical Prescribing Programmes approved by the NMC, HCPC and General Pharmaceutical Council (GPhC),

- All postgraduate taught Behavioural and Cognitive Psychotherapy programmes accredited by the British Association for Behavioural and Cognitive Psychotherapies (BABCP).
- All taught postgraduate programmes accredited by the Royal College of Surgeons (RCS).
- All undergraduate and postgraduate taught Counselling and Psychotherapy programmes accredited by the British Association for Counselling & Psychotherapy (BACP).
- All undergraduate and postgraduate taught Midwifery programmes accredited by the Nursing & Midwifery Council,
- All undergraduate and postgraduate taught Nursing programmes accredited by the Nursing & Midwifery Council (including Adult, Children & Young People, Mental Health and Learning Disabilities degrees, and Nursing Associate programmes),
- All undergraduate and postgraduate taught Occupational Therapy programmes accredited by the Health & Care Professions Council (HCPC).
- All undergraduate and postgraduate taught Physiotherapy programmes accredited by the Health & Care Professions Council (HCPC).
- All undergraduate and postgraduate taught Podiatry programmes accredited by the Health & Care Professions Council (HCPC),
- All undergraduate and postgraduate taught Prosthetics & Orthotics programmes accredited by the Health & Care Professions Council (HCPC),
- All undergraduate and postgraduate taught Psychology programmes accredited by British Psychological Society (BPS),
- All undergraduate and postgraduate taught Radiography programmes accredited by the Health & Care Professions Council (HCPC),
- All undergraduate and postgraduate taught Social Work programmes (including Learning Disabilities) accredited by Social Work England (SWE).
- All undergraduate and postgraduate taught Sport Rehabilitation programmes accredited by British Association of Sport Rehabilitators and Trainers (BASRaT),
- All undergraduate and postgraduate taught Sport Science programmes accredited by British Association of Sport and Exercise Science (BASES).
- All undergraduate programmes in Professional Policing and Professional Policing Practice approved by the College of Policing (CoP).

**Appendix B – Examples of Professional Misconduct**

The following is a non-exhaustive list of examples of behaviour and conduct which would constitute professional misconduct:

- Behaviour that would adversely affect the proper operation of professional, including clinical, practice and / or client confidence. Examples of this include:
  - abuse (child, physical, sexual, racial, emotional, verbal or physiological);
  - academic misconduct identified or exemplified as serious or repeated instances of academic misconduct in the University's Academic Misconduct Procedure (see Related Documentation section for Policy location).
  - acceptance of gifts, hospitality and other considerations (apart from small tokens of appreciation) or allowing any gift to influence the quality of care provided to the donor or to others;
  - aggressive or threatening behaviour, bullying or physical violence; by word or deed including using social media;
  - alcohol or drug abuse;
  - any action or omission that may place a client's safety at risk;
  - behaviour that indicates a lack of honesty and trustworthiness, e.g., misrepresentation of qualifications at the time of admission, forging of any documents; including practice documents, or signatures; including falsification of mentor's or academic's signatures;
  - breach of confidentiality (except under the provisions of the Public Interest Disclosure Act);
  - failure to keep appropriate professional and sexual boundaries;
  - failure to respect clients as individuals and/or failure to protect the interests and dignity of clients irrespective of gender, age, race, pregnancy, ability, sexuality, economic status, lifestyle, culture or of any other irrelevant distinction;
  - jeopardising the welfare of children and vulnerable adults;
  - malicious or wilful damage to property;
  - misconduct identified or exemplified as misconduct in the Student Misconduct Procedure (see Related Documentation section for Policy location);
  - misuse of the internet and social networking sites;
  - unjustified refusal to carry out a lawful and reasonable instruction that could result in immediate serious consequences for others;
- Criminal conviction(s) during the programme, of a nature which would have prevented admission to the programme.
- Behaviour which would bring the profession into disrepute or damage the credibility of the profession, examples of this include:
  - abuse (including child, physical, sexual, racial, emotional);
  - alcohol consumption that affects work or study;
  - bribery or corruption;

- Dishonesty (theft, fraud or forgery (including plagiarism and cheating in examinations));
- drink driving;
- drugs (dealing or misusing drug);
- misuse of social media including inappropriate use of social media related to compromising images on sites that indicate that the person is a student on a relevant professional programme or a student of the University of Salford.

## Appendix C – Examples of Professional Unsuitability

Professional unsuitability may be demonstrated in various ways. The following are common indicative examples:

- Inappropriate attitude or behaviour, normally persistent, which may be manifested by:
  - Failure to accept and follow advice from the university or placement provider;
  - Failure to follow recommended procedures/practices that may put other people, clients, students, or staff at risk of harm;
  - Failure to recognise and work within the limits of own competence;
  - Non-attendance at class, work placement or other relevant appointment;
  - Persistent lack of motivation or interest and/or non-participation in learning activities (for example, direct client care, learning, portfolio development, practice placements, presentations, or tutorials, clinical skills sessions);
  - Persistently failing required professional competencies / proficiencies.
  - Poor application to and failure to submit work;
  - Poor communication skills.
  - Incidents of behaviour that indicates a lack of honesty and trustworthiness, e.g., misrepresentation of qualifications at the time of admission, forging of any documents; including practice documents, dates or signatures;
- Professional Unsuitability behaviour which may be manifested by:
  - Repeated breaches of confidentiality;
  - Emotional and/or inter-personal problems that adversely affect the professional relationships proper operation of or learning in the clinical and/or learning context;
  - Failure to keep appropriate professional or sexual boundaries;
  - Inconsistent, unreliable, and inappropriate behaviour that may fall short of professional misconduct in the clinical or learning context;
  - Repeated misuse of the internet and social networking sites;
  - Persistent and/or repeated rudeness to people, for example colleagues, or service users;
  - Unlawful discrimination;
  - Unsociable behaviour that adversely affects the proper operation of the professional and/or learning context.
- Health Concerns, which, depending on the relevant profession may include:
  - Failure to seek medical treatment or other support where there is a risk of harm to other people;
  - The results of testing for immunity from, or infection by, serious communicable disease;
  - The results from health assessments of functional capacity (for example hearing, vision) which impact on ability to perform required professional tasks;
- Failure to recognise limits and abilities or lack of insight into health concerns that may put other people at risk.

<b>Document Control Information: Revision History incl. Authorisation (most recent first)</b>			
<b>Author</b>	<b>Summary of changes</b>	<b>Version</b>	<b>Authorised/date</b>
Richard Clemens	Revision to available Sanctions 39.6, separating out distinct types of “written undertaking” removal of “fines” and unpaid services, replacement of “Written Warnings” with “Formal Reprimand”. <ul style="list-style-type: none"> <li>• Clarification of ‘student withdrawal’</li> <li>• Update flowchart</li> <li>• Some minor editing to improve word flow, correct drafting errors and to update references to offices and other process and procedures.</li> </ul>	3.9	Quality Standards Committee 14 May 2025  Administrative updates
Richard Clemens	Administrative updates & clarifications: <ul style="list-style-type: none"> <li>• 29.5 <i>inclusion of reference to formal liaison with Student Case Management Group (SCMG)</i></li> <li>• 30.5 &amp; 30.6c <i>addition of “this would include removing themselves from shared areas should they find themselves near the other party” to options of precautionary measures and sanctions relating to not contacting 3<sup>rd</sup> party</i></li> </ul> <i>Appendix A – removal of BEng/MEng Aircraft/Aeronautical Engineering and Pilot Studies from list of covered programmes.</i>	3.8	Administrative updates & clarifications
Richard Clemens	<i>Change to 30.10 and 11 moving responsibility for considering requested reviews of precautionary measures to SCMG.</i>	3.7	Chair’s Action 9 May 2024
Richard Clemens	<i>Clarification of section 11.0 Impact statements</i>		Minor corrections of wording to clarify
Richard Clemens	<i>Addition of new sanction:</i>  That a student be prohibited from attending a specific building or area of University campus for a defined time period of up to 12 months.	3.6	ULTC 8 November 2023
Richard Clemens	Change of “Action Pending” to “Precautionary measures”, in line with SMP.  Addition of ‘not to contact’ as distinct sanction, in line with SMP.  Clarification of wording of Written Warning sanction.  Replacement/removal of reference to formal/informal stages. Minor changes to wording.	V3.5	October 2023

	Addition of law and accounting and finance programmes to list of covered programmes.		
Richard Clemens	<i>Minor change to who can chair FtP panel, section 38.5:</i> <ul style="list-style-type: none"> <li>a member of <del>academic</del> senior staff from outside the student's School appointed by QMO from a pool of trained staff who will act as Chair;</li> </ul>	V3.3.1	August 2022 Chair's Action
Richard Clemens	<i>Annual update to take into account changed names of organisational units etc</i>	V3.3	2022
Richard Clemens	<i>Addition of College of Policing Programmes to Appendix A</i>	V3.2	November 2021
Richard Clemens	<i>Update to sections on supporters, representatives, and witnesses. Sections on impact statements and covert records added. Addition/expansion to sections 29 regarding subject to criminal proceedings and 31 'action pending' in line with SMP. Minor restructuring and clarifications.</i>	V3.1	May 2021
R. Clemens	Substantial restructuring of documentation, separating policy statement, procedure and guidance, including change of name from FtP Procedure to FtP Policy & Procedure. Removal of consideration of specifically academic misconduct matters. Changes to Panel constitution to reflect changes to school structure. Merger of two written warnings in to a single sanction. Addition of requirement to consider reporting matters to the Disclosure & Barring Service (DBS). Re-writing to improve clarity of language.	V3	SELTEC May 2019
R. Clemens	Correction to list of programmes in Appendix A	V2.1	Dec 2017
R. Clemens	Major review and re-write Corrected URL at section 9.23 5th Dec 2017	v2	June 2017
R. Clemens	Correction of typos and republished 5/01/2017 Addition of paragraphs clarifying attendance, or otherwise, of Dean and the investigator at Panel hearings and of Dean and chair of original panel at appeal Panel hearing.	v.1.6	December 2016 Chair's Action on behalf of SELTEC
R. Clemens	Consideration in Absence clarified and reformatting.	V1.5	Oct 2016
R. Clemens	Info handling following a Reference request. notification to HO Compliance Team of suspensions & expulsions	V1.4	June 2016



R. Clemens	Replacement of his/her etc with neutral terms. Review of formal stages/hearing panel to clarify role of Investigator's report	1.3	May 2016
R. Clemens	Minor amendments to include British Association of Counselling & Psychotherapy (BACP)	1.2	February 2016
R. Clemens	Revision of Fitness for Professional Practice Procedure	V1.0	LTEC: 21/01/2015 Senate: 25/02/2015
<b>Policy Management and Responsibilities:</b>			
Owner:	This Policy is issued by ASQAC, which has the authority to issue and communicate policy on matters of academic governance and has delegated day to day management of the policy to the Quality and Enhancement Office and relevant schools.		
Others with responsibilities (please specify):	All subjects of the Policy will be responsible for engaging with and adhering to this policy. This document is available in the Quality Assurance Handbook and is cross-referenced in Student Handbooks and at Student Induction.		
<b>Author to complete formal assessment with the following advisory teams:</b>			
Equality Analysis (E&D, HR).	<i>signed off 19 October 2023</i> <i>Approval Reference Number: EIA2023-56</i>		
Legal implications (LPG)	Comments received and incorporated as part of the review (May 2017)		
Information Governance (LPG)	Comments received and incorporated as part of the review (May 2017)		
Student facing procedures (QMO)	Throughout policy review		
UKVI Compliance (Student Admin)	Consultation including on draft submitted during review.		
<b>Consultation:</b>			
Staff Trades Unions via HR	Comments from USSU received and incorporated as part of the review (May 2017).		
Students via USSU	Comments from schools sought and where received considered and incorporated as part of the review (May 2017).		
Relevant external bodies (specify)	External guidance sought on draft procedure (Prof Tim David, UoM) (April 2017).  Comments from ICZ Programme Director and Associate PVC received and incorporated as part of the review (May 2017).		

<b>Review:</b>	
Review due:	February 2028
Document location:	<a href="https://www.salford.ac.uk/governance-and-management/student-facing-policies-and-procedures">https://www.salford.ac.uk/governance-and-management/student-facing-policies-and-procedures</a>
<b>The owner and author are responsible for publicising this policy document.</b>	