

## Fitness to Practise Policy

<b>Policy Category:</b>	Academic – Student
<b>Subject:</b>	Fitness to Practise
<b>Approving Authority:</b>	Academic Board
<b>Responsible Officer:</b>	Vice President (Education & Student Success) and Executive Director (Education and Students)
<b>Responsible Office:</b>	Student Conduct & Appeals (Student & Education Directorate)
<b>Related Procedures:</b>	Fitness to Practise Procedure
<b>Related College Policies:</b>	<a href="#">Support for Study Policy</a> <a href="#">Non-Academic Misconduct Policy</a>
<b>Effective Date:</b>	1 September 2025
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### I. PURPOSE & SCOPE

When conferring awards which lead to professional qualifications registerable with a Professional, Statutory and Regulatory Body (PSRB), the University must be satisfied that the student would be a safe and suitable entrant to the given profession, and as such would be fit for registration and fit to practise. Such programmes depend upon the satisfactory completion of theory and practice assessment as well as demonstrating appropriate standards of behaviour, health and professional conduct relevant to future employment in the associated profession. Behaviour, health and/or professional conduct that adversely affect a student's fitness to practise, may result in their Professional, Regulatory and Statutory Body (PSRB) refusing to record the student's award and entitlement to practice.

Faculties determine standards and criteria for students to ensure their fitness for practise. Standards of Education and Standards of Proficiency are published by PRSBs.

This policy and procedure outline how the University will respond to concerns about a student's fitness to practise.

The policy has been developed with regard to equal opportunities legislation, which ensures that the rights of students are protected, and judgements are free from prejudice on the basis of protected characteristics. It should be considered in conjunction with the University's [Support for Study Policy](#), the [Academic Regulations](#) and the University's [Misconduct proceedings](#).

This policy applies to students following a programme of study leading to the following professional qualifications:

- all programmes in Midwifery with registration
- all programmes in Nursing with registration
- BSc Nutritional Sciences
- MSc Nutrition
- BSc Physiotherapy
- MSc Physiotherapy
- MBBS

- BDS
- BSc Dental Therapy and Hygiene
- PGDip Dietetics
- MSc Dietetics
- PGCE Postgraduate Certificate in Education
- PCE Professional Graduate Certificate in Education
- MPharm
- DClinPsych
- MBBS Foundation Year One Training. The University is responsible for ensuring that MBBS graduates of the University during their Foundation Year One training follow an approved training programme and certify successful completion of this programme. This certification entitles full registration with the General Medical Council. For the purpose of this Policy, the term 'student' shall include Foundation Year One students and the term 'programme of study' shall include the Foundation Year One training.

This policy also applies to students who already hold a professional qualification which is registrable with a PSRB, although the outcomes under this Policy may differ for these students. This is outlined in detail in section 8 of the Policy below.

This Policy and Procedure do not cover:

- Failure to progress academically. This should be considered within the remit of the [Academic Regulations](#).
- Support for Study. Please see section 9 below.
- Where a matter that may be considered under this Policy could also constitute an offence under the criminal law, the University's own consideration or proceedings may be delayed until such time as the police and/or courts have completed their investigations and proceedings.

## II. DEFINITIONS

Please see the [Academic Glossary](#) for the following definitions:

- Programme of Study
- Fitness to Practise
- Misconduct

## III. POLICY

### 1. Introduction

- 1.1 In accordance with University procedures for academic progression and professional conduct, professional body requirements, and Faculty procedures, the University must endeavour to ensure that the behaviour, health and professional conduct of students does not constitute a risk to themselves or others.

- 1.2 A student's Fitness to Practise may be challenged when their behaviour, health and/or professional conduct gives cause for concern. Such concerns may arise at any time during the student's studies. In these circumstances, a student should initially be considered by Fitness to Practise Procedures at a local Faculty level, which may include a Faculty committee/panel or meeting. When required, the Faculty may refer the case to a University Fitness to Practise Committee.

## **2. Responsibilities**

### The University

- 2.1 The University has a duty to:
- Ensure that students on a professional course are fit to practise in that profession, or will be when they complete the course;
  - Protect present or future patients, clients, service users and members of the public;
  - Safeguard public confidence in the profession;
  - Comply with the requirements of professional/regulatory bodies; and
  - Ensure that students are not awarded a qualification that permits them to practise a profession if they are not fit to do so.
- 2.2 In accordance with the Equality Act 2010, the University will consider any reasonable adjustments to this Policy to take into account the needs of individual students. This might include agreeing and arranging additional support for the student in their practical placement setting.
- 2.3 If an investigation has begun under this Policy during a student's registration with the University, it shall be concluded regardless of whether the student withdraws from the University where the relevant PSRB requires this. Otherwise the University will exercise discretion as to whether to continue Fitness to Practise processes following a student's withdrawal from the University.
- 2.4 If a University Fitness to Practise Committee determines that a student is not fit to practise, or a University Misconduct Committee determines that a student be expelled, the student's details will be added to the relevant regulatory body's 'Excluded Students' database, where one is in place. Where there is no database, the relevant PSRB will be informed if there is a requirement to do so

### Students

- 2.5 Students are expected to behave professionally and competently and be aware of their health and conduct to ensure they are safe to be around patients, clients and members of the public. This includes:
- Ensuring that behaviour is professional on placements, in University and in their personal life (including on social media);
  - Being aware that their health problem(s) may put themselves or others at risk or adversely affect their ability to engage with study or placements;
  - Accepting that they may not be able to assess their own health accurately and be willing to seek advice from a healthcare professional, including referral for

treatment and to engage in any recommended treatment programmes. Students must register with a GP so that they have access to independent and objective medical care and must protect themselves and others by being immunised against common serious communicable diseases if vaccines are available and are recommended by the Department of Health or relevant devolved department;

- Reporting anything that give cause for concern relating to themselves or another student that might impact on someone's fitness to practise;
- Being aware that when they graduate, they are responsible for informing their employer or other appropriate person if their health poses a risk to themselves or others and to declare any health problems.

2.6 Students are required to familiarise themselves with and comply with the relevant professional code of conduct and should approach their Faculty for profession-specific advice about standards and criteria for students to ensure their fitness for practise. Standards of Education and Standards of Proficiency are published by PSRBs.

### 3. Reporting Fitness to Practise Concerns

3.1 As per the Office of the Independent Adjudicator's [Good Practice Framework: Fitness to Practise](#), examples of issues that may lead to Fitness to Practise concerns if the student's ability to meet professional standards are impaired, include but are not limited to:

- disciplinary offences (for example, antisocial, abusive or threatening behaviour; sexual misconduct; violence; bullying or harassment; damage to property; internet access abuse; substance/alcohol abuse);
- health and safety breaches;
- failure to disclose convictions or other information that the student is required to disclose;
- inaccurate or falsified placement documentation;
- unsafe practice, incompetence or requiring too much supervision;
- unprofessional behaviour, including:
  - a conduct concern;
  - indiscipline, failure to follow dress code, inappropriate use of mobile device, poor time keeping, poor attendance;
  - inability to improve or address concerns through feedback;
  - failure to engage with investigations into unprofessional behaviour;
  - poor self-management, lack of personal accountability;
  - dishonesty;
  - breaking patient confidentiality.
- behaviour away from the student's studies, including:
  - criminal conviction e.g. violent offence; offence of dishonesty;
  - disruptive behaviour in the community;
  - inappropriate use of social media;
- safeguarding concerns; and
- failure to seek help or engage with appropriate services in relation to health issues.

- 3.2 Anyone concerned about the behaviour, health and/or professional conduct of a student has the right to raise their concern via relevant Faculty procedures for raising concerns. In accordance with this policy and associated procedure, faculties will determine how concerns are initially managed and considered.
- 3.3 External complaints should be submitted through the relevant Faculty Procedure:
- Faculty of Life Sciences & Medicine: [Raising Concerns process](#)
  - Faculty of Dentistry, Oral & Craniofacial Sciences: [Raising Concerns process](#)
  - Faculty of Nursing, Midwifery & Palliative Care: [Cause for Concern and Fitness to Practise](#)

#### **4. Removal from an External Environment and Emergency Measures**

- 4.1 Where a cause for concern relates to a professional placement, patient/service user safety will be the paramount consideration. A student undertaking a placement or a period of study or practical training in an external working or educational environment may be removed from this, under [the Academic Regulations \(chapter 8\) on removal from an external environment](#), pending an investigation in accordance with this Policy.
- 4.2 If the University considers the reasons for the removal would require a misconduct investigation under the [Non-Academic Misconduct Policy](#) or a fitness to practise investigation under this Policy, the student's removal from the external environment will be temporary, pending the outcome of the proceedings. The student may be permitted to attend classes and sit assessments that are not in the external environment during this period. As part of its outcome, the Committee will confirm the status of the student's removal from the external environment; if this is permanent and the student will be unable to complete their programme of study, their registration will be terminated.
- 4.3 When a student is suspended from placement this will be confirmed to them in writing by the Faculty, normally within 2 working days. This written notification will inform the student of the allegations against them/concerns about their practice and an outline of the procedures that will be followed by the Faculty. Whenever the student is suspended from practice, the Faculty is required to inform the placement supervisor. The student and the placement supervisor will be advised of this at the earliest opportunity.
- 4.4 Under the University's emergency powers to exclude or suspend, a student may at any time be suspended or excluded from the University if a concern is raised under this Policy or the Non-Academic Misconduct Policy (see Chapter 8 of the Academic Regulations). This can happen concurrently to a student's removal from an external environment (see 4.1 above).
- 4.5 Where a student has been removed from an external environment and/or suspended or excluded from the University and is ultimately permitted to resume their studies, this may result in the student needing to repeat elements of their programme or not being able to return during the current academic year/cycle. This may delay the student's anticipated end date to their programme and may delay entry to later stages of their programme. Faculties should make student aware of this as soon as possible.

## 5. Fitness to Practise Procedure

- 5.1 This is a summary of the Fitness to Practise Procedure. The full Procedure is included below and should be referred to alongside this Policy.
- 5.2 Faculties should investigate all concerns as soon as they arise and should keep clear and accurate records of the Stage One process. This should include all relevant evidence considered and reasons for the outcome determined.

### Stage One: Faculty Fitness to Practise Procedures

- 5.3 The Faculty will investigate any concerns about a student's Fitness for Registration and Practise and will make one of the following decisions:
- A) Permit the student to continue with the course as there is no case to answer; or
  - B) Permit the student to continue with the course with no further action; or
  - C) Permit the student to continue with the course with enhanced supervision, support and/or monitoring or remediation which could include a period of interruption and a review before returning; or
  - D) Refer the student to a University Fitness to Practise Committee (see clauses 5.6-5.8).
- 5.4 All local faculty processes for investigating concerns at Stage One can be found by contacting the Faculty directly. Faculties must ensure that students are made aware of where to locate information on their faculty's Fitness to Practise procedures at the beginning of their programme.
- 5.5 Whilst a Faculty is investigating concerns under Stage One, the Faculty is responsible for informing the Faculty Assessment Board and relevant central services to not issue the student with a final award whilst action is being taken under this Policy. This restriction will be lifted upon completion of the action.

### Stage Two: Referral to the Fitness to Practise Investigation

- 5.6 There are two routes of referral to the Fitness to Practise Committee:
- A) Misconduct  
where a student faces an allegation of misconduct under the terms of the [Non-Academic Misconduct Policy](#) or [Academic Misconduct Policy](#), the case shall be considered in accordance with the respective procedure. Where such a student is found guilty of misconduct, the findings shall be notified to the appropriate Executive Dean of Faculty (or their nominee). The Faculty shall consider the findings, in accordance with the Faculty's fitness to practise procedures, to determine whether the case should be referred to the Associate Director, Student Conduct & Appeals (or their nominee) for consideration by the Fitness to Practise Committee. Where a Fitness to Practise issue is present within a misconduct case, the Associate Director, Student Conduct & Appeals

(or their nominee) will notify the Faculty as soon as possible in order to allow the Faculty to determine whether any precautionary action should be taken.

- B) Other matters justifying referral where a student demonstrates behaviour and/or health issues which do not constitute misconduct under the [Non-Academic Misconduct Policy](#) or [Academic Misconduct Policy](#) but raise issues of fitness for registration and practise, the Faculty shall investigate internally, in accordance with the Faculty's fitness to practise procedures, and determine whether the case should be referred to the Associate Director, Student Conduct & Appeals (or their nominee) for consideration by the Fitness to Practise Committee. Where the Faculty determines that a case should be referred for consideration by the Fitness to Practise Committee, the Faculty shall notify the Associate Director, Student Conduct & Appeals (or their nominee) in writing as soon as possible.

- 5.7 Upon receiving notification from the Faculty Vice Dean (Education) or their nominee, the Associate Director, Student Conduct & Appeals (or their nominee) shall convene a meeting of the Fitness to Practise Committee. Further information on the committee membership for a Fitness to Practise Committee can be found in the procedure.
- 5.8 The Faculty Assessment Board may be instructed by the Associate Director, Student Conduct & Appeals (or their nominee) to not issue the student with a final award whilst action is being taken under Stage Two of this Policy. This restriction will be lifted upon completion of the action.

## **6. Possible Outcomes**

- 6.1 Based on the previously determined findings and the evidence submitted to the Committee, one of the following decisions will be made:
- A) The student is fit for registration and practise;  
or
  - B) The student is unfit for registration and practise.
- 6.2 A student will be presumed 'fit' to practise unless the Committee is satisfied that there is proof the student is unfit for registration and practise. In such instances, no further action will be taken.
- 6.3 Where the Committee finds that the student is unfit for registration and to practise, the following options will be considered:
- That the student should undergo medical treatment or other appropriate remedial action to reach the necessary standards, during which the student may be suspended from their programme via a mandatory period of interruption of studies. In such cases a time limit for the mandatory interruption must be specified, at the end of which the case will be reviewed and continuation on the programme shall be at the discretion of the Faculty Vice Dean (Education) and the Chair of the Fitness to Practise Committee. Where the student is not permitted to continue, their registration on the

programme of study will be terminated and they will be withdrawn from the University.

- That, where appropriate, the student is given the option to transfer to another non-professional programme, providing the student meets the admission requirements for that programme;
- That the student's registration on the programme of study be terminated and they will be withdrawn from the University.

## **7. Appeals**

7.1 Students may appeal the decision of the Committee on either or both of the following grounds:

- there is new evidence that could not have been, or for good reason was not, made available at the time of the Committee, and sufficient evidence remains that the appeal warrants further consideration;
- that evidence can be produced of significant procedural error on the part of the University before or during the Committee, and sufficient evidence remains that the appeal warrants further consideration.

7.2 The Vice-Chancellor and Vice President (Education & Student Success) will have the discretion to take into account grounds (including grounds of compassion) other than those stated above in deciding whether to allow an appeal to be heard.

7.3 Students can appeal via Student Conduct & Appeals by submitting the appropriate form detailing the grounds for their appeal within 10 working days of being notified of the Fitness to Practise Committee outcome. Fitness to Practise Appeal Forms received after this deadline will only be accepted at the discretion of the Vice-Chancellor and Vice President (Education & Student Success) or their nominee.

7.4 The appeal will be considered by the Vice-Chancellor and Vice President (Education & Student Success) or their nominee, having reviewed the case documentation and evidence to date. The student will be told one of the following outcomes within 30 working days:

- A) If the appeal is to be heard, an Appeal Committee will be appointed. Further information on the committee membership for a Fitness to Practise Appeal Committee can be found in the procedure below;  
or
- B) If the appeal is rejected, reasons will be given to the student. There is no further right to appeal internally.

7.5 When all internal procedures are complete, students may request an independent review of their case by the [Office of the Independent Adjudicator for Higher Education](#), if they remain dissatisfied with the University's final outcome.

## **8. Students with existing Professional Registration**



- 8.1 There may be occasions where concerns are raised about a student who already holds a professional qualification which is registerable with a PSRB. Faculties should initially assess these concerns and then refer the matter to the student's PSRB, where:
- A) the student has been found guilty of misconduct by a Misconduct Committee under the [Non-Academic Misconduct Policy](#) or [Academic Misconduct Policy](#); or
  - B) the student demonstrates behaviour and/or health issues which do not constitute misconduct under the [Non-Academic Misconduct Policy](#) or [Academic Misconduct Policy](#), but raise issues of their fitness for registration and to practise; and
  - C) there is a legal obligation to inform the professional, statutory or regulatory body about the matters covered by (A) and/or (B), or it is the judgment of the University it would be in the public interest to do so.
- 8.2 Where the University has concerns about a student who already holds a professional registration, they will also inform the Disclosure and Barring Service and/or the student's employer, where appropriate.
- 8.3 Where there are concerns relating to patient safety in a professional placement setting, the University may remove a student from the external environment under the Academic Regulations (chapter 8). Further information can be found in Section 4 of this Policy. In this scenario, the student's Faculty will inform the PSRB of the concerns raised and any action that has been taken.
- 8.4 Where a student already holds professional registration but is following a programme of study that leads to a different professional qualification registerable with a PSRB, then this Policy and associated Procedure will apply in full.

## **9. Support for Study and Fitness to Practise**

- 9.1 There may be instances where a student's ability and capacity to study on their programme, or to engage with their studies and the University environment, also impacts on their fitness to practise. In most instances, the student's case should normally be dealt with under the Fitness to Practise Policy, but supportive measures will be explored and offered in line with the Support for Study Policy where appropriate. This may include, but is not limited to:
- Personalised Assessment Arrangements;
  - King's Inclusion Plans;
  - Mitigating Circumstances;
  - Access to support from University services, such as Student Services, Disability Support & Inclusion, Counselling & Mental Health, and Advice & Guidance.

In some instances, it may be necessary to apply both the Support for Study Policy and the Fitness to Practise Policy. This will be decided by an appropriate nominee in Student Conduct & Appeals.

- 9.2 There may be occasions where a student is deemed able to study at the University but not fit to undertake a professional placement. In these cases, the Fitness to Practise

Policy and its associated procedures will be invoked, but support may also be provided under the Support for Study Policy and Procedure (see 9.1 above).

## **10. Fitness to Practise and Conduct**

- 10.1 If a separate disciplinary process is conducted before fitness to practise proceedings, the student will be given the opportunity to appeal the outcome of the disciplinary process. The Fitness to Practise proceedings will not start until the disciplinary process is complete. This includes action under the Academic Misconduct Policy, Non-Academic Misconduct Policy and the Bullying & Harassment Policy. However, this does not prevent the University taking immediate action to safeguard others (see section 4 of this Policy).

## **11. Confidentiality and Retention of Data**

- 11.1 All University staff members are governed by the requirements of GDPR. All data relating to an individual's physical or mental health is regarded as sensitive personal data. The [KCL Data Protection Policy](#) contains guidance on the use of sensitive personal data and should be followed in any Fitness to Practise procedures.
- 11.2 If a member of staff judges that it would be in the student's best interests to disclose sensitive information (e.g. so appropriate support may be provided), informed consent should be obtained from the student where possible.
- 11.3 If the student chooses to withhold consent, this decision should be respected. In this scenario, the implications of non-disclosure in terms of additional support and Fitness to Practise processes should be made clear to the student by the relevant staff in the Faculty or Student Conduct & Appeals.
- 11.4 However, there may be occasions when the student's consent is withheld, or it is impracticable to try to obtain it, where it may be appropriate to break confidentiality. These include:
- When the student's mental health has deteriorated to the extent of compromising their personal safety;
  - When the student is at risk of serious abuse or exploitation;
  - When the student's behaviour is likely to adversely affect the rights and safety of others;
  - Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed. Patient Safety Information will be shared with others in circumstances where there may be a risk to others if information were withheld.
- 11.5 All records related to the process (including Stage One faculty processes), the meeting and any ruling of the Committee will be held on the student's file for in accordance with the [KCL Data Protection Policy and Procedures](#) and the University's Records Retention Schedule. The student will be informed what record has been kept and for what purpose.

- 11.6 Unless a case has been dismissed, referral to Fitness to Practise procedures will be made in all exiting student references where relevant in PSRB registration procedures.

## **12. Office of the Independent Adjudicator – Information for Students**

- 12.1 A student will normally need to have completed the Fitness to Practise Procedure and have received a [Completion of Procedures Letter](#) before a complaint can be made to the OIA. The complaint needs to be submitted to the OIA within 12 months of the date of the Completion of Procedures Letter.
- 12.2 Provided the complaint is eligible under the rules of the OIA's complaints scheme, the OIA will look at whether the University has applied its regulations and policies properly and followed its procedures correctly. It also considers whether any decision made by the University was fair and reasonable in all the circumstances.

## **Fitness to Practise Procedure**

### **Introduction**

A student shall be deemed to be unfit for registration and to practise if found by the Fitness to Practise Committee to demonstrate any health condition, behaviour or attitude which would render that student a person not fit to be admitted to and practise the given profession.

This procedure outlines the steps that should be taken in the investigation and administration of Fitness to Practise concerns. This procedure should be read alongside the Fitness to Practise Policy and relevant [Committee Procedures](#).

### **Representation**

1. A student may be represented at any point in the proceedings by another University member, by a member of the King's College London Students' Union, or a member of the student's professional organisation (where applicable).
2. Additionally, the student may be accompanied by a family member or a friend who will not be able to speak on the student's behalf, unless this is a reasonable adjustment, such as a sign language communicator or interpreter.
3. If the student is to be represented or accompanied, the name of the person who is to attend must be received in writing by the Associate Director, Student Conduct & Appeals (or their nominee) at least 2 working days in advance of the Committee. The Fitness to Practise Committee or Appeal Committee has the discretion to refuse to permit a representative or friend or family member to attend where prior written notice has not been given.
4. If a student wishes to be represented or accompanied by an individual not listed above, they should make their request to the Chair of the Fitness to Practise Committee or Appeal Committee. The Chair or Associate Director, Student Conduct & Appeals (or their nominee) has the absolute discretion to accept or reject an application to be accompanied or represented, or to impose conditions on that attendance (such as to provide support only). Their decision will be final.
5. A legal representative will not normally be considered for attendance at any investigation under Stage One (Faculty Investigation). A student will only be permitted legal representation at Stage Two where the consequences for the student are potentially very serious. The Chair of the Committee and the Associate Director, Student Conduct & Appeals (or their nominee) will balance the interests of all parties when considering whether legal representation is appropriate.

### **Stage One: Faculty Fitness to Practise Investigation**

6. Where a Faculty has concerns about a student's fitness for registration and to practise, or where a Faculty is made aware of a concern, they shall investigate internally in accordance with the Faculty's fitness to practise procedures.

7. A Faculty's fitness to practise procedures will make one of the following decisions:
  - A) Permit the student to continue with the course as there is no case to answer;
  - B) Permit the student to continue with the course with no further action;
  - C) Permit the student to continue with the course with enhanced supervision, support and/or monitoring or remediation which could include a period of interruption and a review before returning;
  - D) Refer the student to a University Fitness to Practise Committee. Where a case is referred for consideration by the Fitness to Practise Committee, the Faculty shall notify the Associate Director, Student Conduct & Appeals (or their nominee) in writing as soon as possible.
8. Where a Faculty initiates a formal investigation under Stage One, the student should be informed that concerns have been raised about their practice or behaviour, even if the Faculty decides there is no case to answer or that the student can continue with no further action.
9. A student may not contest a decision that B) there is no further action or D) that the case be referred for consideration by the Fitness to Practise Committee. However, a student may contest under C) any remedial action or supportive measures, or other decision of the Faculty under C). The student must contest the Faculty decision within 5 working days to the Associate Director, Student Conduct & Appeals (or their nominee) who will consider the contestation and if satisfied there is a case to be answered, the Associate Director, Student Conduct & Appeals (or their nominee) will refer the matter to Fitness to Practice Committee.
10. In the event of the student failing to agree to remedial action or supportive measures, imposed in accordance with the Faculty's fitness to practise procedures, the Faculty may also refer the case for consideration by the Fitness to Practise Committee. The Faculty shall notify the Associate Director, Student Conduct & Appeals (or their nominee) of this in writing as soon as possible.

## **Stage Two: Fitness to Practise Committee**

11. Written notice of the Hearing date will normally be sent to the student and the Faculty Vice Dean (Education), together with the names of the Committee members, any witnesses, and all documentary evidence, at least 10 working days before the Committee date.
12. The student may present documentary evidence or witnesses in their defence or mitigation. Documentary evidence for consideration by the Committee and/or the names of any witnesses and written copies of their evidence, must be sent to the Associate Director, Student Conduct & Appeals (or their nominee) at least 5 working days in advance of the Committee. This evidence will be sent immediately to the Committee and the Faculty Vice Dean (Education) by the Associate Director, Student Conduct & Appeals (or their nominee). Documentary evidence and/or witnesses

received after this deadline will only be accepted at the discretion of the Chair of the Committee.

13. The Vice Dean (Education) or nominee will present the Faculty's case to the Committee. The student (or their representative) will be invited to reply. Both parties may call witnesses and present documentary evidence, provided that any such evidence or the names of witnesses had previously been received and circulated to all parties by the Associate Director, Student Conduct & Appeals (or their nominee).
14. The Committee may also call upon other persons (whether members of the University or not) to provide advice on specific aspects of the case, either in person or in writing, provided that the names of any such persons have previously been made available to all parties.
15. The Committee may ask questions of all those called before it. The representative of the Faculty and the student may raise questions through the Chair.
16. At the conclusion of the Faculty representative and student's presentations and questions, the student may address the Committee and make a statement.
17. The Committee may, at its discretion, at any time during the proceedings have a private discussion where only the Committee and the Clerk will be present.
18. The Committee will consider its decision in private and will normally reach a decision and outcome without adjournment.
19. At any time during the proceedings, the Chair may adjourn the Committee, for the purpose of reaching a decision, outcome, or for other good cause. The Committee will ensure that any adjournment does not unreasonably delay the proceedings.
20. A decision of the Committee will be reached by a majority vote of the Committee members but will be announced as a decision of the Committee. The votes of the individual Committee members will be treated as confidential. In the event of a tie, the Chair will have the casting vote.
21. The possible outcomes of the Committee can be found in Section 6 of the Fitness to Practise Policy.
22. The decision of the Committee will normally be sent, to the student and Faculty Vice Dean (Education), within 5 working days of the date of the decision of the Committee. Where a student has been found unfit for registration and practise, the relevant regulatory body will be informed.
23. None of the proceedings will be invalidated or postponed by reason of absence, provided that both the student against whom a case has been made and the Faculty Vice Dean (Education) bringing the case have been sent written notice of the Committee and provided that those conducting the Committee believe that all the evidence and representations are before it. In the event that a student has indicated that they will

attend but then cannot do so for good reason, an adjournment would generally be considered.

### **Appeal Committee Procedure**

24. Written notice of the Committee date will normally be sent to the student and the Faculty Vice Dean (Education), together with the names of the Committee members and all documentary evidence, at least 10 working days before the Committee date.
25. The student and the Faculty Vice Dean (Education) may present documentary evidence and/or witnesses. Documentary evidence for consideration by the Committee and/or the names of any witnesses and written copies of their evidence, must be sent to the Associate Director, Student Conduct & Appeals (or their nominee) at least 5 working days in advance of the Committee. This evidence will be sent immediately to the Committee and other party by the Associate Director, Student Conduct & Appeals (or their nominee). Documentary evidence and/or witnesses received after this deadline will only be accepted at the discretion of the Chair.
26. The student making the appeal, or their representative, will present their case. The Faculty Vice Dean (Education) or their nominee will present the Faculty's case to the Committee. Both parties may call witnesses and present documentary evidence, provided that any such evidence or the names of witnesses had previously been received by the Associate Director, Student Conduct & Appeals (or their nominee) and made available to the other party.
27. The Committee may ask questions of all those called before it. The representative of the Faculty and the student may raise questions through the Chair of the Committee.
28. At the conclusion of the Faculty representative and student's presentations and questions, the student may address the Committee and make a statement.
29. The Committee may, at its discretion, at any time during the proceedings, have a private discussion where only the Committee and the Clerk will be present.
30. The Committee will consider its decision in private and will normally reach a decision and outcome without adjournment.
31. The Appeal Committee will normally reach its decision without adjournment but may adjourn for the purpose of reaching a decision. The Committee will ensure that any adjournment does not unreasonably delay the proceedings.
32. The decision of the Appeal Committee will be reached by a majority vote of the members of the Committee and will be announced as the decision of the Committee. The votes of individual Committee members will be treated as confidential.

### **Appeal Committee Outcome**

33. The Appeal Committee may reject or uphold the appeal. Where the Appeal Committee upholds the appeal, the Committee may decide on one of the following measures:
  - i. that the decision of the Fitness to Practise Committee be set aside and that the Fitness to Practise Committee re-hear the case;
  - ii. that the decision of the Fitness to Practise Committee be modified or reversed.
34. The decision of the Committee will normally be sent, to the student and the Faculty Vice Dean (Education) and Chair of the Fitness to Practice Committee, within 5 working days of the date of the decision of the Appeal Committee. Where a student has been found unfit for registration and practise, the student's details will be added to the relevant regulatory body's 'Excluded Students' database where one is in place or where there is no database, the relevant regulatory body will be informed.
35. Where the Appeal Committee reject the appeal, the decision of the Fitness to Practise Committee will stand.
36. A decision of an Appeal Committee will be final.