

Scope

6. Concerns about a student's fitness to practise may be raised from any source, including any member of staff, student, placement partner, member of the public, the Occupational Health Service or other agencies such as the Police,

Initial consideration

20. On receipt of the concern, the

24. Normally within five working days of receipt of the exact allegation from the Dean of School (or equivalent) or their nominee, OSACC will inform the student of the allegation made, the name of the Investigating Officer and the procedure for dealing with the allegation.

25. The student will be asked to submit a statement in response to the allegation along with any documentary evidence, where relevant, to OSACC within five working days of the date of the allegation letter. OSACC will pass this information to the Investigating Officer as soon as possible following receipt. Ideally this should be provided before the Investigating Officer meets with the student, but should a statement not be received within the deadline, the investigation will proceed without.

26. The Investigating Officer will assemble impartially the evidence relevant to the allegation and prepare a written report which shall not pass judgement for or against the student nor recommend a particular course of action.

27. In assembling such evidence, the Investigating Officer may interview those involved and shall consider any relevant records or other written information. Interviews may be conducted by telephone or virtually via video conferencing where appropriate. A representative from OSACC should normally be present to take the minutes of any meetings. As a matter of good practice, the student under investigation and others interviewed should be requested to read and sign minutes of their meeting(s) with the Investigating Officer to the effect that the statement represents a true record and to acknowledge that their statement will be shared with the student and the panel should the case proceed to formal stage (part 2).

28. The Investigating Officer when interviewing the student who is the subject of the concern shall explain the allegation and question the student in detail. The Investigating Officer shall inform the student beforehand that they may be accompanied by a friend. A friend is defined as a member of staff of the University of Suffolk or one of the University's partner institutions, or a registered student of the University, or a member of staff or sabbatical officer of the Students' Union. The friend may also be a representative of the union of the student's PSRB, if the student is a member. The role of the friend is to act as an observer, give moral support and to assist the student to make their case. The friend should not also be a witness to the alleged breach/incident. In addition, where reasonable adjustments are required, a student may be accompanied by a supporter e.g. a sign language communicator or a note-taker, and a student with difficulty in understanding English may be accompanied by an interpreter. Legal representation is not normally permitted, except in complex cases or cases where the consequences for the student are potentially very

serious. If a student wishes to have legal representation, they should inform OSACC in advance of their request and the Academic Registrar will determine whether legal representation will be permitted.

29. The Investigating Officer will submit their report to OSACC, normally within twenty working days of the case being referred to them. If the investigation takes longer than this the student will be kept informed of progress.

30. On receipt, OSACC will

decision about witnesses to be called, the Chair will take into account their number and relevance to the matter in hand. The Secretary shall inform witnesses of the date, time and venue of the panel hearing but is not responsible for ensuring their attendance. The unavailability of witnesses shall not restrict or delay the panel hearing unless the Chair determines that their evidence may be material to the decision of the FTTP. Unavailable witnesses may submit a statement to the Secretary for consideration by the FTTP. Exceptionally, a witness may be accompanied by a friend as defined in paragraph 28.

45. If the FPHP decides that the fitness to practise allegation is unproven, it will dismiss the case and no further action will be taken against the student.

46. If the FPHP decides that the fitness to practise allegation is proven, it shall have the power to do any one of, or a combination of, the following:

- a. Permit the student to continue on the course with no further action required
- b. Permit the student to continue on the course with adjustments
- c. Issue a formal warning
- d. Discontinue the placement and make arrangements for locating an alternative placement if this is permitted under the relevant assessment regulations
- e. Require the student to

If the FPHP recommend referral to the DBS, the relevant information will be provided to the Designated Safeguarding Officer for consideration in consultation with the Dean of School (or equivalent) and Academic Registrar. No referral should be made until after the period of appeal has elapsed.

PROCEDURE FOR APPEALS AGAINST DECISIONS OF THE FITNESS TO PRACTISE PANEL

50. If a student wishes to appeal against a decision of the FPHP, a written statement setting out the grounds on which the appeal is being made (see paragraph 51) must be submitted to OSACC within five working days of the student having been informed of the decision of the FPHP. If no appeal is received within this timescale, the case will be closed and the student will be informed of this in writing. A completion of procedures letter may be provided at this point if the student requests one, but it will state that the student did not complete the University's internal processes.

Further right to appeal

61. Students who are dissatisfied with the outcome of their appeal and the decision of the FTPAP may be able to seek a review by the OIA should the case be eligible under the OIA's rules (see <http://www.oiahe.org.uk/>). Details will be provided in the completion of procedures letter advising the student of the final outcome of their appeal.

APPENDIX 3

ORDER OF PROCEEDINGS AT THE FITNESS TO PRACTISE PANEL HEARING (FTPP)

1. At the start of the hearing, the FTPP will have a preliminary discussion in private. The Secretary shall then invite into the room:

- the person presenting the case ('the presenting officer')
- the student who is the subject of the hearing ('the student')
- any accompanying friend of the student as permitted by the Procedure

2. If the student fails to appear, the FTPP will consider whether or not to proceed with the case immediately and may do so provided it is satisfied that the student has been properly informed of the time and place of the meeting.

3. Any witnesses whom the FTPP has invited to attend shall remain outside the room in which the FTPP

6. The order of proceedings will be at the discretion of the Chair of the FTTP. The ruling of the Chair on any point of procedure shall be final.

7. The FTTP