Fitness to Practise Policy

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1. Purpose

1.1 The Bedford College Group is committed to ensuring students enter their chosen profession with the upmost professional behaviour in line with professional standards. Qualifications achieved by students that lead to a professionally recognised qualification require the college to take into account their behaviours for that profession.

1.2 This policy will apply whenever the Group receives a complaint about a student which raises concerns about their fitness to practise.

1.3 The codes of conduct and behaviour are set by Professional, Statutory and Regulatory Bodies (PSRBs).

1.4 For the purposes of the policy the term 'complaint' means any information received by the college that a student's behaviour raises questions regarding their fitness to practise in their given profession.

2. Scope

2.1 The Fitness to Practise Policy sets out the route by which the Group will assess a student's failure to comply with professional standards of conduct.

2.2 Where an HE programme is being delivered in collaboration with a Partner University, the procedure and HE regulations for that organisation should be adhered to.

2.3 The purpose of the policy is to:

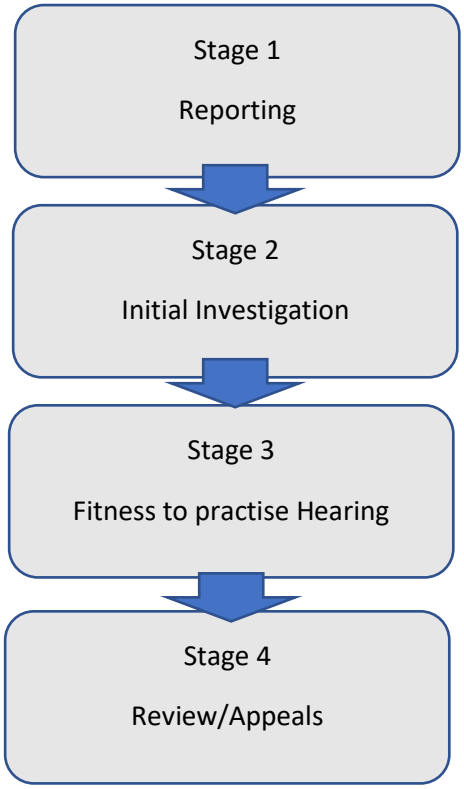
- Comply with professional body requirements;
- Protect individuals and students;
- Ensure students are appropriately prepared for entry to the profession, including developing professional attitudes and professional behaviours;
- Ensure that only students who are fit to practise progress on to the professional register in the interest of protecting the public against significant risk during the student's professional training, and upon qualification.

2.4 The Fitness to Practise policy is in addition to the Group's student Behaviour and Disciplinary Policies and Code of Conduct. When a student commits an act that is actionable under the disciplinary policy, then that policy should be adhered to. However, that act may require referral to the Fitness to Practise Procedure if the behaviour is a fitness to practise issue.

2.5 For students who declare criminal convictions during their course of study, the 'procedure for disclosure or display of potentially harmful behaviours' should be followed.

2.6 Professional practise is dictated by PSRBs.

3 Fitness to practise College Procedure



3.1 Stage 1 reporting

3.1.1 Concerns regarding a student's behaviour or conduct should be initially logged through ProMonitor and reported to the Head of Department.

3.1.2 If the behaviour is deemed by the Head of Department as a potential breach of professional standards and may result in the student being unable to achieve their qualification stage 2 should be initiated. If the behaviour can be dealt with through the college Disciplinary Policy, then this should be the case.

3.2 Stage 2 Initial Investigation

3.2.1 This should be carried out by the Head of Department. All facts and evidence to support the complaint should be collected. The purpose of the investigation is to try and establish the facts.

3.2.2 The student will be invited to a disciplinary interview where the facts can be presented and responded to, they have the right to be accompanied at that interview.

3.2.3 Possible outcomes from Stage 2:

1. No case to answer- concern will remain on student Promonitor account
2. Warning with or without recommendations.
3. Referral to awarding organisation – for Teacher Education the referral will be made for the complaint to be handled through the University of Huddersfield fitness to practise procedure.

4. Referral to Fitness to Practise hearing Stage 3

4.3 Stage 3 Fitness to Practise Hearing

3.3.1 The fitness to practise hearing will take place if it is deemed that there has been a serious breach of professional standards or conduct.

3.3.2 A panel hearing date and time will be notified to the members of the panel and the student

3.3.3 If the student is unable to attend the hearing date, then this needs to be stated by them at least 2 days prior to the meeting. The hearing can only be rearranged once and will continue in the absence of the student if they fail to attend without prior notice, the rearranged hearing.

3.3.4 Students are entitled to bring a supporter along to the panel meeting who cannot speak on the student's behalf - only offer support.

3.3.5 If there are any mitigating supporting statements that have not been explored during the investigation then these need to be sent to the panel 2 days prior to the meeting being held.

3.3.6 The fitness to practise panel members will include:

The Head of Department

An internal independent member of staff

A representative from Student services

The Director for higher level skills

An external practitioner from the relevant profession, where appropriate

3.3.7 Possible outcomes from stage 3

1. No case to answer
2. Warning with or without recommendations
3. Temporary restriction from the course with actions
4. Permanent withdrawal from the course with withdrawal of any award or certification pending.

5. It maybe relevant to notify the relevant PSRB of the issue.

4.1 Stage 4 Fitness to practise Appeals process

4.1.1 The student will have the right of appeal against any recommendation for permanent exclusion or formal suspension. Notice of appeal must be logged within 10 days of the date of the recommendation for exclusion or suspension decision and must give the grounds and brief particulars of the appeal.

4.1.2 The recommendation will not be considered until the expiry of the period for lodging the appeal. If a notice of appeal is lodged within the time allowed, an appeal hearing with a panel consisting of the Principal (or their designated officer) and the Director of Student Services, will be arranged to take place within 21 days of the notice of appeal being lodged.

4.1.3 The student will be given at least five days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, student representative or relative. A legal or other professional adviser will be allowed if the Group intends to have an external adviser present. Any documents considered at the disciplinary interview will be available for the purpose of the appeal.

4.1.4 At the appeal interview, the student will be invited to explain the grounds of the appeal and state their case. If the appeal is allowed, the Panel may decide that disciplinary action lesser than that recommended by the member of staff should be taken, including a shorter period of suspension. The Panel may also decide that no further disciplinary action should be taken.

4.1.5 If the appeal is dismissed, the recommendation of the member of staff will stand. The Panel may not impose any greater sanction against the student than that recommended by the Disciplinary Hearing.

4.1.6 Within five days of the appeal interview, the final decision by the panel will be confirmed in writing to the student. Any records of hearings or of disciplinary action taken against the student will be retained by the College under confidential cover and will not be provided to any third parties except where the College is required to comply with statutory and/or other legal provisions.

4.1.7 Disciplinary decisions (as opposed to records of hearings) will be communicated to relevant College staff. Where the disciplinary decision has led to the imposition of a disciplinary measure, such as the removal of access to specific college facilities, a verbal warning, a written warning or a final written warning, then the reason for that measure will also be shared

5.1 Related procedures and Policies

Disclosure or Display of potentially harmful behaviours Guidelines

Student Positive Engagement Behaviour Policy

Disciplinary Process and Guidelines