PROCEDURE FOR THE SUSPENSION AND EXPULSION OF STUDENTS FROM PROGRAMMES ON GROUNDS OF PROFESSIONAL UNSUITABILITY

1. A student on a programme including or leading to a professional qualification or conferring practitioner status, who is deemed to have become professionally unsuitable for that qualification or status, shall be expelled from it in accordance with these procedures. This procedure could be invoked because of issues that give cause for concern about professional suitability at any stage during a student's course, including prior to the student embarking on a placement or during a placement.

2. Programmes leading to a professional qualification or conferring practitioner status to which these procedures are intended to apply shall at a time normally not later than when its students register on the programme have evidenced that these procedures have been brought to the attention of the students as a condition of their registration.

3. Grounds for determining that a student is professionally unsuitable to remain on a programme leading to a professional qualification or conferring practitioner status include but are not limited to:
   (i) failure to meet or comply with the professional requirements related to the programme;
   (ii) failure to adhere to the professional standards specified for training purposes;
   (iii) failure to abide by specified codes of practice;
   (iv) unsuitability to undertake professional practice or placement;
   (v) evidence of professional unsuitability;
   (vi) acquisition of a status (such as a relevant criminal conviction) which renders continuation on the programme or award inappropriate.

4. The student's Head of Department (or equivalent) may in appropriate circumstances authorise the summary suspension of a student from his/her programme or professional or placement part thereof, pending consideration of the student's case by the Professional Suitability Panel. The student has a right to make representations to the Head of Department about the decision to suspend him/her. However, the Head of Department's decision in these cases is final.

5. A student who is under consideration for exclusion on grounds of professional unsuitability may have his/her case considered by a Professional Suitability panel. A preliminary meeting shall be established first with the student to determine whether the student should be referred to the Panel; this shall be conducted by the Programme Leader or nominee and another member of academic staff. The student should have the right to be accompanied by a friend or representative (who should not be a qualified solicitor or barrister or be attending in a legal capacity). If it is determined that there is a case to answer, the student will be suspended from placement and the Programme Leader or nominee shall present the case to the Professional Suitability Panel.

6. The constitution of the Professional Suitability Panel, as a minimum, shall include the Chair (at Head of Department level) who has had no prior involvement in the case; an external

member of the relevant profession; two other members of staff from the Department in which the student is studying who have no prior involvement in the case.

7. Where the programme's professional requirements, including any of a professional body involved in the accreditation of the programme and/or of the students as practitioners, make it appropriate to do so, a Professional Suitability Panel may be established on a permanent basis. Where this is done, all students on the programme concerned shall be given full details of the Panel, including its composition, not later than the time when they register on the programme.

8. A student whose case is to be considered by the Professional Suitability Panel shall be notified in writing of the following:
   (i) a clear specification of the alleged ground(s) on which he/she is alleged to be professionally unsuitable;
   (ii) the time, date and place fixed for the hearing which shall be held to consider the allegation(s), and a direction to be present at the hearing; the student shall not be given less than 5 working days' notice of the hearing, and any request by the student for this period to be extended shall not be unreasonably refused;
   (iii) the right to be accompanied/represented at the hearing by a friend or representative (who should not be a qualified solicitor or barrister or be attending in a legal capacity);
   (iv) the right to call witnesses on his/her behalf, to question these and other witnesses and to submit documentary evidence;
   (v) the content of any documentation intended to be used or referred to in the hearing or as part of the hearing.

9. If, at the time appointed for the hearing, the student does not appear, the panel may proceed to hear the case if it is satisfied that proper notice of the hearing has been given to the student, and there are no grounds for believing that the student might have good and proper reasons for not attending. Otherwise, the hearing shall be adjourned, usually on one occasion only, for the service of further notice on the student. If it is decided to deal with the case in the absence of the student, no matter shall be introduced which is not contained or referred to in the particulars notified to the student.

10. If the student accepts that he/she is professionally unsuitable and will withdraw from the programme, the proceedings of the panel shall be halted and arrangements made for the student to withdraw.

11. If the student does not accept that he/she is professionally unsuitable and does not withdraw from the programme then the panel shall proceed to consider the evidence, both oral and documentary. The student shall be given every opportunity at the hearing to challenge the evidence presented and to put forward any mitigating circumstances before the panel reaches its decision.

12. The relevant Head of Faculty Student and Academic Services (or nominee) shall attend the panel hearing to advise on regulatory and procedural matters and shall be responsible for the official record of the panel hearing, a copy of which shall be sent to the student at a time not later than when it is sent out to the members of the panel.

13. Where having examined the case before it, the finding of the Professional Suitability Panel is that the student is professionally unsuitable to remain on the programme and therefore will be expelled from it, the relevant Dean of Faculty shall notify the student in writing of their right to request an appeal in person against the recommendation. Such a request should be made

in writing within 10 days of the date of this correspondence, and must include detail of the grounds on which the appeal is being made.

14. A Dean hearing an appeal under this procedure from a student shall do so sitting together with another Dean or Head of Department (or equivalent) who has had no prior involvement with the student's case.

15. Following the appeal hearing, the Dean shall decide either:
    (i) to implement the recommendation or
    (ii) to remit the recommendation back to the Panel for reconsideration in the light of his/her findings through the appeal, or
    (iii) to reject the recommendation in which case the student may remain on and continue with the programme and shall provide the student with a written statement of the reasons for his/her decision.

16. A student expelled from a programme on grounds of professional unsuitability may subsequently apply for admission to a different programme leading to an award of the University but admission to that programme shall be at the admitting authority's discretion having regard for the student's professionally unsuitability for the previous programme on which he/she was registered. At the discretion of the admitting authority, the Student may be admitted with advanced standing to an appropriate point of the new programme in accordance with the University's Policy for Accreditation of Prior Learning.

17. The University may have a responsibility to report to the relevant professional, statutory and regulatory body when a student has been expelled from a programme on the grounds of professional unsuitability or where other factors deem it appropriate for the University to report the matter to the relevant body. If this is considered to be the case, the student will be notified of this decision either as part of the outcome of the Panel hearing or as part of the outcome of the appeal.

18. If the Professional Suitability Panel's proceedings reveal that a child or vulnerable adult might be at risk of significant harm or other safeguarding issues arise, the matter should be reported to the University's Safeguarding Officer in accordance with the relevant University policies and procedures.

19. Upon a request for a reference for a student during the course of an investigation, under this procedure or upon the conclusion of an investigation, the University may need to advise a referee that a student is subject to investigation under this procedure, depending on the circumstances. Please see the University's policy on providing student references. If the matter reaches a Professional Suitability Panel and/or an appeal, the Panel/Chair of the appeal will consider, as part of the decision, whether the investigation will be referred to in the event of a reference request for the student, and, if appropriate, consider the length of time that the matter will be included on the reference for.

20. Once all stages, including any appeal to the Dean of Faculty, of this procedure have been exhausted, a student will be issued with a Completion of Procedures letter by the Student Case Management team. This letter allows a student to refer the matter to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter. Full details regarding the OIA's rules and guidelines are available via: www.oiahe.org.uk