PROCEDURE FOR STAGE 1: CAUSE FOR CONCERN

Initial consideration of a concern

1. Concerns raised about alleged breaches of professional standards or conduct ("fitness to practise") will be considered by appropriate members of staff from within the subject area in which the student is studying. A decision will be made on whether:

   a) supportive action is required;

   b) the case should be referred to the Dean of Faculty (or nominee).

2. A recommendation may be made that the student is suspended from their placement or area of practice learning until a conclusion in respect of their fitness to practise is reached.

3. Where a safeguarding issue is identified in relation to the student attending classes, or the case is very serious and/or criminal in nature, this will be referred to the Risk Assessment Panel for consideration. Please see the Risk Assessment Procedure for further information.

Supportive action

4. Where supportive action is deemed appropriate, one or more of the following actions will be agreed:

   a) recommend that an action plan is put in place;

   b) require you to write a reflective account;

   c) require you to attend internal or external support sessions;

   d) that another, appropriate supportive action be put in place.

Consideration by the Dean of Faculty (or nominee)

5. If the case has been referred for consideration by the Dean of Faculty (or nominee), the student will be called to a meeting within five working days of the referral. The student will be able to bring someone with them to this meeting to support them, for example a friend or an officer of the Students' Union. The role of a support person is not to represent the student.

6. In certain circumstances (for example, where the allegations are serious), it may be appropriate for the Dean of Faculty (or nominee) to directly refer the case to the Student Casework Unit for an investigation, without an initial meeting taking place. In such cases, the student will still have the opportunity to attend a meeting as part of the investigation to make representations before any conclusions are reached.

7. The Dean of Faculty (or nominee) can issue sanctions as defined in the Student Misconduct & Fitness to Practise Regulations:

Written apology

The Responding Student may be required to write a written apology; this could be to the relevant individual, or to the University. The apology must include sufficient reflection on the behaviour and its impact on others. Whether the apology is sufficient or requires further action (e.g. rewriting) will be determined at the discretion of the Head of Student Casework (or nominee).

Warnings

There are three categories of formal warnings that may be issued depending on the seriousness of the misconduct.

- *Verbal warning*
- *Written formal warning – will remain on record for a specified period, normally one year. Any repeated occurrence of a similar offence may result in the Responding Student being referred to a Disciplinary/Fitness to Practise Committee.*
- *Final written warning – any further cases of misconduct may be dealt with directly by a Disciplinary/Fitness to Practise Committee, and the proven offence will be taken into consideration when determining a sanction.*

Charges

The Responding Student may be required to make good any damage they have caused at their expense, up to £1000. The charges will be paid to the owner or possessor of the property damaged. Consideration will be given to the means of the Responding Student, and they may be allowed time to pay the sum or be allowed to pay the sum in prescribed instalments.

Restrictions/conditions

Restrictions or conditions may be imposed on the Responding Student. Examples are: support to be sought from Student Services; no direct contact to be made with another student (No Contact Order (NCO)). Where it is deemed in the student's best interests, a referral may be made to an educational programme.

8. The Dean of Faculty (or nominee) is also able to:

a) refer the concern back to the subject team to consider supportive action.

b) request an investigation into the concerns raised under the Procedure for Stage 2: Investigations into Student Misconduct & Fitness to Practise. *NB. Where a case has already been investigated at Stage 2, this option will not apply.*

c) decide that no further action is required.

9. The outcome will be provided to the student within five working days of the meeting.

10. If a sanction is applied, a note of the outcome of the meeting will be held on the student's record but will be removed when they leave the institution if there are no further instances of misconduct.

11. If a student is not satisfied with the outcome, they may submit a request for review subject to meeting certain grounds as detailed from (13) onwards.

12. If a student does not comply with a sanction issued at this stage, a more severe sanction may be issued by the Dean of Faculty (or nominee) or a referral may be made to Stage 2, which will include an investigation and/or a hearing by the relevant Committee.

Request for review

13. If a student does not agree with the outcome at Stage 1, they are able to request a review by submitting a completed request for review form to the Student Casework Unit, supported by appropriate evidence and within five working days of the outcome.

14. Students must demonstrate at least one of the following grounds:

    a) New evidence or extenuating circumstances are presented which the Responding Student could not have reasonably made known at the time of the original decision.

    b) There is evidence of irregularities in the conduct of proceedings of such a significant nature as to cause reasonable doubt as to whether the same decision would have been reached, had they not occurred.

    c) It can be demonstrated that the findings and recommendations were disproportionate, given the circumstances of the case.

15. The Head of Student Casework (or nominee) will review the submission and advise if the request for review is eligible for further consideration; that is:

    a) An arguable case is presented under at least one of the grounds set out at (14).

    b) The request for review has been submitted within five working days of notification of the decision; or good reason for lateness is given (supported by evidence as requested by Student Casework).

    c) The request for review is appropriately supported by evidence.

16. If the Head of Student Casework (or nominee) decides that the case is ineligible for further consideration, the student will be issued with a Completion of Procedures Letter. This will enable them to take their case to the Office of the Independent Adjudicator for Higher Education, should they remain dissatisfied with the outcome.

17. If the Head of Student Casework (or nominee) considers the case to be eligible for review, the case will be referred for further consideration within the Faculty (see point 19 onwards).

18. The decision of the Head of Student Casework (or nominee) regarding eligibility will be communicated to the student within five working days of receipt of the request for review and all supporting evidence.

Reviews eligible for further consideration

19. A member of the faculty at the same level of seniority or higher than the original decision maker will review the case within 20 working days of the referral. This timescale may be extended in agreement with the student or, in exceptional circumstances, by the University.

20. The review may decide that:

    a) The outcome at Stage 1 should be upheld.

    b) The outcome at Stage 1 should not be upheld and should be substituted with a different outcome.

21. The decision of the review will be final. The decision will be notified to the student within five working days of the meeting by e-mail to their University and personal email accounts; and/or, where it has been expressed that sending a hard copy of University correspondence is preferable, to their last known address.

22. If the review results in a change of outcome, the University will ensure as far as possible that the student has not been disadvantaged by any previously decided outcome. If the student remains dissatisfied with a changed outcome, they can request a Completion of Procedures letter from the Student Casework Unit.

23. If the review does not result in a change of outcome, the student will be automatically issued with a Completion of Procedures letter.