



CODE OF PRACTICE FOR PROFESSIONAL SUITABILITY

Document Administration

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VERSION CONTROL TABLE

<u>Version Number</u>	<u>Date Authorised</u>	<u>Summary of Key Changes</u>
1.0	01 March 2019	Installation and amendments based on new practice
2.0	11 March 2026	Amended to take into account feedback received through faculty and student consultation. Terminology amendments and process flow chart added. Nomenclature and rebranding

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1. INTRODUCTION

- 1.1. Lincoln Bishop University has established a Code of Practice for Professional Suitability which is intended to ensure concerns about a student's professional suitability are acted upon promptly in order to provide support to the student, and to offer early intervention which may prevent matters from becoming more serious.
- 1.2. This Code of Practice applies to students throughout their period of registration with the University, both on and off campus, and at all times. It is not limited to term time or placement or work-based learning.
- 1.3. In implementing this Code of Practice, the University will remain mindful of its duty of care and of its obligations to students under the Equality Act 2010, including cases where reasonable adjustments are appropriate. It will also remain mindful of the often confidential and sensitive nature of professional suitability matters and of its obligations under the Data Protection legislation.
- 1.4. The standard of proof applied at every stage of this Code of Practice is the balance of probabilities.

2. SCOPE AND PURPOSE

- 2.1. The University provides a number of programmes of study where students' professional suitability to register for and undertake the programmes require assessment and monitoring by the University.
- 2.2. These programmes of study are those which usually lead to professional registration and/or a license to practice in a professional context. They are characterised as being practice-centred and are normally directed towards the achievement of professional competence and/ or professional registration. The University currently recognises these programmes as those which lead to Qualified Teacher Status (QTS) and British Association for Counselling and Psychotherapy (BACP) as these programmes are accredited and/or regulated by professional, statutory or regulatory bodies (PSRBs). In particular, PSRBs, together with other professional advisory bodies (PABs) are concerned with seeking to ensure that students comply with professional codes of conduct and demonstrate developing standards of professionalism.

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- 2.3. The University reserves the right to use this Code of Practice in relation to students who are registered on an academic programme and represent the university externally through placement activity or work-based learning. The Programme Leader and Dean of Faculty will agree when the use of the Code of Practice for Professional Suitability is appropriate in these circumstances.
- 2.4. The University's [Code of Practice for DBS Checks for Applicants and Students](#) sets out the arrangements for the admission of students with police warnings, reprimands, cautions and convictions. Once students are registered at the University they are subject to this Code of Practice for Professional Suitability in the event that professional suitability concerns are raised.
- 2.5. Students undertaking all programmes will be required at all times to:
- 2.5.1. demonstrate acceptable standards of conduct;
 - 2.5.2. demonstrate relevant values and attitudes;
 - 2.5.3. satisfy relevant criminal record requirements; and
 - 2.5.4. satisfy relevant health requirements through Occupational Health assessments.
- 2.6. The University has clear expectations for those students who represent the university externally through placement activity. These are set out in Appendix 1.

3. PRINCIPLES AND PROTOCOLS

- 3.1. This Code of Practice is not intended to deal with issues of assessing practice competencies which are managed under the University's Academic Regulations and Procedures. This Code of Practice sets out how the University will normally respond to instances where a concern is raised regarding a student's professional suitability and the type of action that the University may take to deal with the concern and to support the student. The University has the right to suspend and/or terminate a student's registration on the programme, if the nature of the case requires this. Issues of professional suitability can be raised by the programme team, or, in the case of Initial Teacher Training (ITT) placement panel.

4. EXAMPLES OF BEHAVIOUR WHICH MAY GIVE RISE TO PROFESSIONAL SUITABILITY CONCERNS

- 4.1. Examples of professional suitability concerns can be found in Appendix 2.

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- 4.2. Whilst the University anticipates that most matters involving professional suitability concerns will be dealt with under this Code of Practice, matters may arise where it is appropriate for the University to implement other University processes (such as its *Code of Practice for Academic Misconduct*, *Student Disciplinary Procedure* and/or *Support for Study Policy*) as an alternative or in addition, and the University is not prevented from doing so at any time.

5. CONCERNS ABOUT A STUDENT'S HEALTH AND WELLBEING

- 5.1. There may be occasions when a student's physical or mental health means that they pose a risk to themselves, or to others, which may include service users in placement settings. For students following professional programmes, such health concerns will usually be managed through this Code of Practice, especially where the student's presentation gives rise to professional suitability concerns arising from a failure to disclose a health issue, a lack of insight into their condition and/or its impact upon others and/or their professional practice. In all cases, the process will be conducted in as supportive a way as possible and with specialist expertise from the internal support services. In some cases, it might be deemed appropriate to manage health concerns through the *Support for Study Policy*. The decision on the appropriate policy framework will be made jointly between the Programme Leader, Dean of Faculty and Head of Student Success.

6. PROFESSIONAL SUITABILITY PROCEDURE FOR STUDENTS

- 6.1. Concerns about a student's professional suitability will normally be dealt with under our three-stage procedure, based upon the perceived level of risk to compliance with professional standards:
- 6.1.1. Stage 1: Initial, emerging or minor concerns
 - 6.1.2. Stage 2: Major concerns requiring a formal intervention
 - 6.1.3. Stage 3: Serious or persistent concerns.
- 6.2. The Code of Practice may be entered at any Stage without any requirement for an earlier Stage to have been commenced or exhausted, although it is anticipated that most situations can be managed by action taken at Stages 1 and/or 2, factors such as the nature of the professional suitability concern, the seriousness of any risk posed and the student's response to any steps taken so far by the University to manage the situation will determine at which stage the of the Code of Practice is implemented.

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- 6.3. The implementation of this Code of Practice at any stage is determined by the Dean of Faculty who is to be consulted by the relevant department prior to the start of this Code of Practice.
- 6.4. The University has clear processes regarding the Professional Suitability cycle. These can be found in Appendix 3a, 3b, & 3c.
- 6.5. Where in this Procedure reference is made to any named University officer, such reference is to be read as including reference to any appointed nominee.

7. REPORTING A CONCERN

- 7.1. The University recognises that concerns regarding students' professional suitability may arise in a variety of ways (e.g. as a result of a disclosure made by the student on an annual statement of good health and character, or from the circumstances of a student's practice, academic performance or conduct, or from issues raised by University staff, other students, health professionals, placement providers or service users). The University will consider and address concerns regarding students' professional suitability howsoever they arise and will endeavour to take action to deal with concerns promptly and fairly.
- 7.2. Staff who have identified, or have directly been alerted to, concerns regarding a student's conduct, should, in the first instance, raise this with the Programme Leader who will consult with the Placement Service Manager (if appropriate) to ascertain if a placement should be paused. The University recognises that dealing with matters in this way is critical, not only to ensure consistency of process and that relevant professional standards are attained and maintained, but also to support student learning and academic achievement leading to a positive student experience.
- 7.3. If a student wishes to raise a concern about another student, then they should raise this with a trusted member of staff within the University. The student is not expected to deal with the matter themselves. The staff member will make the appropriate referral to the relevant Programme Leader. If the student contacts a member of the Students' Union, then they will make the appropriate referral to the relevant Programme Leader.

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- 7.4. When supporting students under this Code of Practice, University staff will consider what support and guidance may be offered to students. Students will be reminded of the support services provided by the University through Student Advice & Welfare and the Students' Union and will be encouraged where appropriate to seek support from relevant external sources (e.g. local GPs or mental health services) as well as from sources internal to the University.
- 7.5. Students should be aware that, in the course of dealing with professional suitability concerns, the University may consider it appropriate to discuss and/or refer matters and/or their outcomes to third parties such as PSRBs or placement providers and agencies such as Social Services, the Police or the Disclosure and Barring Service. The University will normally notify the student when doing so, except in exceptional circumstances.
- 7.6. If a student's conduct may be in breach of the criminal law or poses significant risk, the University reserves the right to report any offences to the Police, even if the victim of the alleged crime requests the University not to do so.
- 7.7. In addition, the University may at its discretion suspend or delay taking action under this Code of Practice pending the outcome of any Police inquiry and/or criminal investigation/prosecution.
- 7.8. Consideration of misconduct following a sentence from a criminal court will be undertaken under the University's disciplinary procedures, normally once any fitness to study issues have been considered and at the discretion of the Dean of Faculty.

8. NON-ATTENDANCE AND SELF-REMOVAL FROM STUDY

- 8.1. Should a student without good cause be unwilling or unable to participate at any stage of this Code of Practice or attend a meeting/ hearing, the process should continue with concerns raised and action taken as appropriate. The panel may also rule that an absence, when able to attend, could constitute a disregard of the procedure and therefore result in escalation.
- 8.2. Should a student choose to interrupt their studies, the Professional Suitability investigation will continue if, and when, the student decides to return to study.

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- 8.3. Where a student decides to withdraw from the programme, or is withdrawn on academic or competency grounds, and there is an outstanding professional suitability concern, the professional suitability process will normally continue until completed so that a formal judgement may be reached, whether or not the student chooses to engage with the process.

9. REPRESENTATION AND ATTENDANCE AT MEETINGS AND HEARINGS

- 9.1. Students under this Code of Practice will be entitled at any stage to be accompanied and/or represented by one member of staff, friend, relative, or representative of the Students' Union. This is in addition to any health professional or support worker who may usually accompany the student. The role of this individual is to provide support to the student. It is not to advocate or represent the student, unless the Students' Union has been specifically requested by the student to advocate for them (see paragraph below).
- 9.2. The University's Students' Union may, upon the request of the student, provide advocacy for the student. In such circumstances, the student should inform the University in advance if they will be accompanied to a meeting. Student Advice & Welfare is also able to offer advice to students, and the Head of Student Success can assist members of staff within the University on general strategies to address professional suitability queries and issues. Care should be taken to ensure that there is no conflict of interest for the student and the University. Separate advisers from within Student Advice & Welfare should liaise with each individual party.

10. STAGE 1 – INITIAL, EMERGING OR MINOR CONCERNS

- 10.1. Once the student's Programme Leader has been informed of the possible concern, or if the Programme Leader has a concern of their own, they should then inform the Dean of Faculty that they are minded to have a discussion with the student under this Code of Practice. The Programme Leader, the Personal Tutor or University Based Mentor, will undertake an initial conversation with the student which may lead to further investigation. The purpose of this initial conversation will be to inform the student of the nature of the professional suitability concern and to determine the appropriate stage of action required. The Programme Leader will make a recommendation via the "Record of Concern for a Student's Professional Suitability" as found in Appendix 4. This will be made to the Dean of Faculty regarding the Stage at which it should be dealt with, if required. They will consider the concerns and recommendation and establish if there is sufficient cause to proceed under the Code of Practice for Professional Suitability.

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- 10.2. The Programme Leader will inform the student that there is a concern about their professional suitability, the nature of the concern, and at what stage the matter is being dealt with. An alternative outcome could be that there is no further action required at this time, but alternative support should be suggested to student.
- 10.3. Where there is sufficient cause for concern and Stage 1 is to be actioned, the student will be provided with a copy of this Code of Practice. The Programme Leader will arrange a meeting with the student to discuss the concern, providing at least 2 working days' notice. At this point the student is welcome to contact the Students' Union or Student Advice & Welfare if they have any concerns or questions regarding the process.
- 10.4. At the initial meeting with the student, the Programme Leader will talk with the student in an understanding manner, indicating that there are concerns about the student's professional suitability. The nature of the concerns should be clearly outlined and the student should be encouraged to discuss the issues, including potential impact on themselves, on others, their studies, and/or progression following completion of their studies.
- 10.5. Following the meeting, the Programme Leader will determine what actions, outcomes or support may be appropriate with regards to the student's professional suitability. The subsequent pages of the 'Record of Concern for a Student's Professional Suitability' form (Appendix 4) should be used to record key points and, where appropriate, the actions to be taken. Such actions may include (but are not limited to) one or more of the following:
- 10.5.1. an action plan being drawn up;
 - 10.5.2. issue a warning;
 - 10.5.3. support arrangements and/or reasonable adjustments be put in place for the student;
 - 10.5.4. the matter be referred to another stage;
 - 10.5.5. the matter be referred for consideration under another University process, such as Support for Study or Fitness to Study.
- 10.6. The 'Record of Concern for a Student's Professional Suitability form' (Appendix 4) containing a record of the key points and agreements from the Stage 1 meeting with the student will be sent to the student within 5 working days. A further copy should also be kept on the student's file for the duration of the student's studies. The student should be reassured that the purpose of keeping the form on file is to ensure the University is providing all necessary support and to ensure that the student remains fit to

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study. The Contention Officer, along with the Dean of Faculty, should also be informed that an initial meeting has taken place, though it is not necessary to provide any further detail regarding the specific concerns.

- 10.7. If the Programme Leader has determined that an action plan or support arrangements are to be put in place, the Programme Leader and student should agree a date to meet, normally within one month of the initial meeting, to review the situation (Stage 1 Review Meeting) and to discuss progress against any identified actions. The Programme Leader should fill out the Review Form (Appendix 5) and the Agreed Actions (Appendix 6) with the student and provide the student with a copy. The Stage 1 Review Form should be held on the student's record for the duration of the student's studies.
- 10.8. If the Programme Leader feels that they are unable to address the concerns at Stage 1 then they should contact the Dean of Faculty to discuss moving onto Stage 2 of the Code of Practice. If the student progresses onto Stage 2 then they will be notified of this by the Programme Leader. The Contention Officer should be notified that the issue is being progressed to Stage 2.
- 10.9. Following review at any Stage, where concerns escalate and lead the Programme Leader to believe that the concerns are of a major, serious and/or persistent nature and pose a significant risk to the student's professional suitability then they should raise this with the Dean of Faculty who may consider moving directly to Stage 3 of the Code of Practice. The Contention Officer should be notified that the issue is being progressed to Stage 3.

11. STAGE 2 – MAJOR CONCERNS REQUIRING FORMAL INTERVENTION

- 11.1. Where the Programme Leader feels they are unable to address the concerns at Stage 1 or, where there are major concerns over the student's professional suitability and/or are sufficiently indicating that formal intervention is required, stage 2 is implemented. This is normally undertaken by the Programme Leader, following consultation with the Dean of Faculty.
- 11.2. The Programme Leader will inform the student in writing that there is a concern about their professional suitability and the nature of the concern and that the matter is to be dealt with under Stage 2. The student will be provided with a copy of this Code of Practice.

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- 11.3. The student will be invited to a formal meeting by the Programme Leader which should ideally be within 5 working days of the concern being raised within Stage 2. The student will be informed in writing, at least 2 working days before the meeting of the overarching nature of the concerns (see para 4.2). The requirement for notice before the formal meeting does not preclude any communication with the student at the time of the specific incident.
- 11.4. The meeting will normally include the Programme Leader as Chair and the student's Personal Tutor or another suitable member of academic staff. Notes of the meeting will be recorded on the Review Form (Appendix 5) and any Agreed Actions (Appendix 6).
- 11.5. The Student may be accompanied at the meeting by one person of their choosing; this could be a friend, member of the Students' Union, member of Student Advice & Welfare or parent. The role of the member of Student Advice & Welfare will be to provide impartial advice regarding specific help which may be offered to the student, along with suggestions regarding any reasonable adjustments which could be made.
- 11.6. The meeting will normally proceed regardless of whether the student wishes to engage with the process.
- 11.7. During the meeting, the student (if present) will be informed of the concerns about their professional suitability. The student will be given a full opportunity to respond to the concern and ask questions. The meeting will help to establish the student's own perception of their conduct. The student may (if requested) have access to an outline of the concerns prior to the meeting.
- 11.8. The purpose of the meeting is to seek to investigate the concerns and any contributory factors. Any decision about the formal intervention will be explored in order to support whether the student's professional suitability is impaired or may become impaired. A potential action plan will be discussed, but this will be finalised, pending review by the Dean of Faculty and any external bodies necessary. Such actions may include (but are not limited to) one or more of the following outcomes:
- 11.8.1. an action plan being drawn up;
 - 11.8.2. a warning being issued;
 - 11.8.3. support arrangements and/or reasonable adjustments being put in place for the student;

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- 11.8.4. the student being withdrawn temporarily from placement, other work-based setting or related learning activity and Placement Panel informed;
 - 11.8.5. the matter being referred to Stage 3; and/or
 - 11.8.6. the matter being referred for consideration under another University process.
- 11.9. The outcome of the meeting and the final action plan will be communicated in writing to the student, normally within 5 working days.
- 11.10. A copy of the outcome including clarification of the agreed review date, the final action plan, and any associated documentation will be retained on the Student Record.
- 11.11. At the Action Plan Review meetings, the Panel will consider progress. In cases where appropriate progress has not been met, the options previously considered by the Professional Suitability Panel will be revisited to determine whether an alternative outcome is appropriate. The student will normally be in attendance at the Action Plan Review meetings and will have the opportunity to be accompanied by one person of their choosing.
- 11.12. Following review at Stage 2, where concerns escalate and lead the Programme Leader to believe that the concerns are of a serious and/or persistent nature and pose a significant risk to the student's professional suitability then they should raise this with the Dean of Faculty who may consider moving to Stage 3 of the Code of Practice. The Contention Officer should be notified that the issue is being progressed to Stage 3.

12. STAGE 3 – SERIOUS OR PERSISTENT CONCERNS

- 12.1. Serious and/or persistent concerns about a student's professional suitability will normally be dealt with under Stage 3 in the following way.
- 12.2. Where concerns are serious and/or persistent, the Programme Leader will gather the relevant evidence and any relevant notes and/or reports. Where Stage 3 is triggered by an external partner or stakeholder, the nature of the evidence will be relevant to the nature of the concern e.g., where Stage 3 causes of professional suitability are triggered by a safeguarding concern.

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- 12.3. The Dean of Faculty will call a Professional Suitability Panel to discuss the situation. The Panel will normally consist of:
- 12.3.1. Dean of Faculty or nominee (as Chair of Panel);
 - 12.3.2. Programme Leader, and/or another senior member of academic staff from the faculty; and
 - 12.3.3. an independent member of staff who has not been involved in the previous stages.
- 12.4. The Contention Officer will be in attendance to instruct on Code of Practice and take notes. In cases where concerns involved external partners and stakeholders, they may be asked to provide evidence either in attendance at the Panel or as a written submission. This may include:
- 12.4.1. a representative from Student Advice & Wellbeing (at the student's request);
 - 12.4.2. the student's GP or other relevant representative (provided the student gives consent); and/or
 - 12.4.3. a member of a University Support Service such as Estates, Accommodation Services, or Registry if appropriate.
- 12.5. The student will be informed in writing that there is a concern about their professional suitability and of the nature of the concern and that the matter is to be dealt with under Stage 3 of this Code of Practice. The student will be provided with a copy of this Code of Practice.
- 12.6. The student will be invited to a Professional Suitability Panel. At least 5 working days in advance of the hearing, the student will normally be given in writing:
- 12.6.1. notice of the date, time and place of the hearing;
 - 12.6.2. details of the professional suitability concern;
 - 12.6.3. the source of evidence and where there has been a formal investigation, e.g. a copy of a police report will be shared as appropriate;
 - 12.6.4. a reminder of the right to be accompanied and/or represented at the hearing as detailed previously.
- 12.7. The student may submit to the Contention Officer, at least 2 working days in advance of the hearing date, a written statement in response to the concern which is to be considered at the hearing.

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- 12.8. Notice of any witnesses to be called by the student and/or the Programme Leader at the hearing must be given in writing to the Contention Officer at least 2 working days in advance of the date of the hearing together with a written statement of the contribution that each witness will make. The Contention Officer will provide a copy of each party's witness notice and statements to the other party.
- 12.9. Whilst the order and procedure to be followed at a hearing before a Professional Suitability Panel will be at the discretion of the Chair and will comply with the principles of natural justice, including the right to a fair hearing, the following will normally occur:
- 12.9.1. The Programme Leader or nominee will outline the professional suitability concern and the evidence in support of the concern/
 - 12.9.2. The student may respond at this stage.
 - 12.9.3. The Programme Leader or nominee may call and questions witnesses.
 - 12.9.4. The student may questions these witnesses.
 - 12.9.5. The student will present their case.
 - 12.9.6. The student may call and questions witnesses.
 - 12.9.7. The Programme Leader or nominee may question these witnesses.
 - 12.9.8. The Programme Leader or nominee will sum up.
 - 12.9.9. The student may reply
 - 12.9.10. The members of the Professional Suitability Panel may questions any witness at any time during the hearing and may recall the parties or witnesses at any time.
 - 12.9.11. The Chair may adjourn or postpone the hearing where it is reasonable to do so.
- 12.10. The Professional Suitability Panel may ask for specific enquiries to be undertaken, additional witnesses to be called and/or additional information to be presented. Minutes will be taken of the proceedings. This will be recorded on the "review form" (Appendix 5), along with any Agreed Actions (Appendix 6).
- 12.11. The Professional Suitability Panel will retire in private to deliberate. The Contention Officer may retire with the Panel in order to provide procedural advice but will play no part in the Panel's decision-making. Matters will be determined by the Professional Suitability Panel on the balance of probabilities. If a consensus of decision is not achieved, the Chair will have the casting vote.

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- 12.12. The Professional Suitability Panel will determine whether or not the student's professional suitability is impaired, or may become impaired, and any actions to be taken. Such actions may include (but are not limited to) one or more of the following outcomes:
- 12.12.1. support arrangements and/or reasonable adjustments being put in place for the student;
 - 12.12.2. to implement or amend a previously agreed action plan;
 - 12.12.3. the matter being referred for consideration under another University process;
 - 12.12.4. a written warning being given to the student;
 - 12.12.5. the student being withdrawn from placement or other work-based activity or related learning activity and the Placement Panel informed;
 - 12.12.6. the student being transferred to a non-professional programme;
 - 12.12.7. a recommendation being made to the Award Board that an alternative non-professional award is awarded.
- 12.13. A record of the Panel meeting signed by the Chair will be sent to the student within 5 working days of the panel meeting, along with any actions which were determined within the meeting. A copy of this documentation will also be held on the student's record.
- 12.14. When an Action Plan is agreed, it will include specific actions (desirable behaviour and expectations), support mechanisms and dates for review (See Appendix 6). If an Action Plan is the agreed outcome of the Panel meeting, then it would normally be necessary to convene one or more review meetings which will normally include at least two members of the original (Stage 3) Professional Suitability Panel.
- 12.15. At the Action Plan Review meetings, the Panel will consider progress. In cases where appropriate progress has not been met, the options previously considered by the Professional Suitability Panel will be revisited to determine whether an alternative outcome is appropriate. The student will normally be in attendance at the Action Plan Review meetings and will have the opportunity to be accompanied by one person of their choosing.

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13. REQUEST FOR APPEAL

- 13.1. Should the student wish to invoke their right to appeal a decision at Stage 3 of the Code of Practice for Professional Suitability, then a request for appeal should be made in writing to the Provost and Chief Academic Officer within 21 days of the decision being communicated to the student. If a request is submitted after this date, then the Provost and Chief Academic Officer may decide whether or not the appeal should be allowed.
- 13.2. The student should use the form provided in Appendix 7 to submit their request. The request to appeal the Professional Suitability outcome should include brief details of the case and the grounds for the appeal and should be accompanied by any other supporting documentation.
- 13.3. A Case for Appeal may only be considered on the following grounds:
- 13.3.1. there was a procedural irregularity in the conduct of the professional suitability procedures;
 - 13.3.2. new evidence is now available which was not available upon reasonable enquiry or application at the time of the original meeting (students will be required to outline the reasons the new evidence could not have been presented previously); or
 - 13.3.3. that the decision reached was of such nature that it was one which no reasonable person could have reached on the available evidence.
- 13.4. The Provost and Chief Academic Officer will decide whether there is a prima facie case for review and if there is, then they may ask a Dean of Faculty, where appropriate, to convene a new Stage 3 Professional Suitability Panel. Where possible, the new Panel will not normally include any members of a panel previously involved in the case.
- 13.5. Following completion of this panel, the student will have exhausted the University's procedures and there will be no further grounds for appeal. The student will be issued with a Completion of Procedures Letter by the Contention Officer who will provide details of the Office of the Independent Adjudicator (OIA), whose role it is to independently review the application by the University of its own procedures.

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14. SUPPLEMENTARY PROVISIONS

14.1. Recording

- 14.1.1. The audio or video recording of meetings or hearings under this procedure is normally prohibited by all except the Panel Officer, although this clause may be revisited in an individual case subject to such a reasonable adjustment as may be agreed by the University under the Equality Act 2010.

14.2. Medical or Other Evidence

- 14.2.1. If, under the procedures, a student is encouraged to provide medical or other evidence of their professional suitability, a student may decline this request.
- 14.2.2. The University respects medical or other evidence provided regarding a student's professional suitability but will not necessarily be bound by it. It is for the University to decide whether or not it accepts a statement provided by a medical certificate of the student's fitness to study, taking into account the context, conduct and communications of the student.
- 14.2.3. It is normally expected that no costs will be incurred in providing additional evidence. However, if costs are incurred, they will generally be borne by the student. The University may however fund the cost of obtaining additional evidence if the University requests that the student complete an independent assessment to supplement evidence already provided by the student. If an independent assessment is required at the request of the University, then the University will make the arrangements and may also request that specific questions are addressed.

14.3. Suspension from Studies (Break in Learning)

- 14.3.1. This section refers to the use of a temporary suspension of a student from their placement, work-based learning setting, related learning activities and/or programme, or temporary exclusion from University premises as a means of mitigating risk, not to their use as a penalty. Any temporary suspension or exclusion made under this section is a neutral act and is not a determination regarding any professional suitability concerns raised.
- 14.3.2. Where the relevant Programme Leader and Dean of Faculty agree that a student poses a serious risk to:
 - i. their own health, safety and/or wellbeing and/or that of others;
 - ii. the professional activities of a placement provider or other professional organisation or to a practice situation;

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- iii. the property of the University and/or others; and/or
- iv. the reputation of the University or a placement provider or other professional organisation, and/or its proper functioning and/or its activities;

then immediate action in the form of temporary suspension and/or exclusion will be required to remove or reduce the risk.

14.3.3. The Dean of Faculty will consider the recommendation and may:

- i. suspend the student from their placement or work-based learning setting and/or related learning activities for a specified period of time;
- ii. suspend the student from their programme for a specified period of time; and/or
- iii. exclude the student from University premises for a specified period of time;

pending steps being taken under this Code of Practice and/or any police inquiry and/or criminal investigation/prosecution.

14.3.4. The student will be notified in writing of the Dean of faculty decision, with reasons, normally within 3 working days of the date of the decision.

14.3.5. The Programme Lead and Head of Student Success will consider whether specific arrangements can reasonably be put in place for the student in order to minimise the impact on their studies, and will liaise with the Dean of Faculty to make these arrangements as appropriate.

14.3.6. Any student whose studies are suspended or terminated by the University under the Professional Suitability Procedure shall not be entitled to a refund of fees and where necessary, it is the student's responsibility to inform the Student Loans Company (www.slc.co.uk) of their suspension/termination. The same also applies to a break in Learning. The student may seek advice from Student Advice & Wellbeing regarding this.

14.3.7. Whilst a student is suspended or on a Break in Learning, they will not be permitted to engage with the University. They may continue to receive ongoing therapeutic support through Student Advice & Welfare as an exception.

14.4. Break in Learning Processes

14.4.1. Break in Learning should not normally be for a period longer than one year in total. If intercalation/suspension period exceeds one year then the student's studies should normally be terminated and the student would be required to reapply should they wish to return at a later date.

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- 14.4.2. Following a formal decision to suspend a student from studies, a Return to Study Review will be conducted within a 4-week period of the expected return to study.
- 14.4.3. Students will usually only be permitted to return to studies following suitable medical or other evidence stating that the student is professionally suitable to return to study. A Return to Study Plan will normally be agreed 4 weeks prior to the student's expected return where possible and will be agreed by the student, the student's Programme Leader and the Dean of Faculty.
- 14.4.4. The plan will include specific support measures following consultation regarding reasonable adjustments with Student Advice & Wellbeing, and will also include any other support deemed reasonable and necessary to allow the student to return to study. The student will be required to comply with all the agreed actions in order to remain at the University.
- 14.4.5. Following the student's return to study, they will be required to attend regular Review meetings with the nominated member of academic staff in within their Faculty agreed by the Programme Leader. If appropriate, the meetings may also be attended by members of staff from Professional Services.
- 14.4.6. The Review meetings may normally cease after an agreed period but if it is deemed appropriate, support meetings may continue for the full duration of the student's study at the University in order to ensure student progression.

14.5. Employment References

- 14.5.1. The University regularly provides student-related references to third parties (such as educational institutions and potential employers).
- 14.5.2. When providing a reference in a professional context (for example, in connection with potential employment in a profession or admission on to a professional programme of study at another institution) for a student who has been subject to this Code of Practice at Level 3, the University will refer to the concern raised against the student, the associated circumstances, and the decision and outcome of the Stage 3 proceedings. Students will be actively encouraged to contact the employing organisation and discuss full details of the case with the prospective employer.
- 14.5.3. The University will not normally refer to issues arising in connection with professional suitability proceedings under Stages 1 and 2 when providing references requested in a professional context, but reserves the right to do so when it considers it appropriate to do so (for example, in a matter involving issues of safeguarding and/or client/service-user safety).

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- 14.5.4. The University will not normally refer to issues arising in professional suitability proceedings under Stages 1, 2 or 3 when providing references for students in non- professional contexts unless there are legitimate and serious concerns about possible risk to others.

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15. APPENDIX 1 – PROFESSIONAL CRITERIA

It is expected that trainees/students on placement will display the following criteria. Failure to do so will result in deferral to the Professional Suitability procedure.

- Trainees and Students show full commitment to the requirements of the placement, including but not limited to, acquiring an understanding and an adherence to the setting's Staff Code of Conduct, and putting strategies in place to ensure that these requirements obtain their full focus and dedication
- Trainees and Students are responsible for seeking support to ensure that they can access their placement effectively.
- Trainees and Students hold the health, safety and learning of those around them in high esteem and are committed to ensure that any strategy put in place to support them to do so, is not at the detriment to those who will be expected to support, or be supported*. Trainees and Students take an active role in sharing information to support their reasonable adjustments.
- Trainees and Student are committed to represent Lincoln Bishop University whilst on placement and will not put the university into disrepute as a result of their behaviour.
- Trainees and Students are committed to attend all placement days and will ensure that any absences are authorised, providing evidence where necessary.
- Trainees and Students show willingness and understanding to continuously improve their practice and see benefit in attending placement settings.
- Trainees and Students have acquired theoretical knowledge and understand the expectations required prior to the placement commencing through attendance and active participation in lectures.

* Where possible, reasonable adjustments will always be made to support trainees; these reasonable adjustments can only be made in accordance with the placement setting's consent and in line with relevant policies. These reasonable adjustments will also be made in the best interests of the service users, as well as the trainee.

In addition to the professional criteria listed above those students who are registered on programmes leading to a professional status will be expected to meet the standards set out by the particular profession and/or the requirements of any relevant PSRBs and/or PABs.

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16. APPENDIX 2 – PROFESSIONAL SUITABILITY CONCERNS

Examples of where professional suitability concerns may arise include (but are not limited to) instances where a student has, or is suspected of having:

- health, mental health, emotional or inter-personal problems, which indicate a lack of insight and appropriate management thereof, and which give rise to concerns about possible risk to self or others;
- failed to comply with PSRD and/or PAB requirements in relation to professional suitability at any point in time;
- failed to act within any statutory frameworks which set out students' professional duties and responsibilities;
- breached standards of acceptable conduct including those set out in the University's Student Conduct Policy or by a relevant PSRD and/or PAB, for example in connection with (but not limited to):
 - abuse or harassment, including through the use of social media;
 - violent, aggressive or threatening behaviour (physical, verbal or other);
 - sexual misconduct;
 - failure to treat others with dignity or respect, or to practice in a non-discriminatory way;
 - dishonesty or untrustworthiness (such as the misrepresentation of qualifications or professional experience, or the forgery of documents or signatures, or theft or making false expenses claims);
 - report or serious assessment offences;
 - activities which constitute a criminal offence;
 - the commission or suspected commission of a criminal offence;
 - alcohol or substance abuse problems or addiction;
 - anti-social behaviour which adversely affects the proper operation of placement/work-based settings;
 - the failure to demonstrate an attitude, demeanour or communication appropriate for the individuals working in the profession concerned;
 - breach of confidentiality;
 - lack of motivation or interest and/or failure to engage in learning activities;
 - lack of communication and engagement with the programme team, including failure to respond to communications;
 - inconsistent, unreliable or inappropriate behaviour in learning, study or placement/work-based learning settings;
- and where, due to the nature of the programme, the University is concerned that the student's professional suitability may be, or may become, impaired in light of a reasonable suspicion that as a result:
 - a risk is posed to the student's own health, safety or wellbeing and/or that of others;
 - the proper operation of the profession is or may be adversely affected;

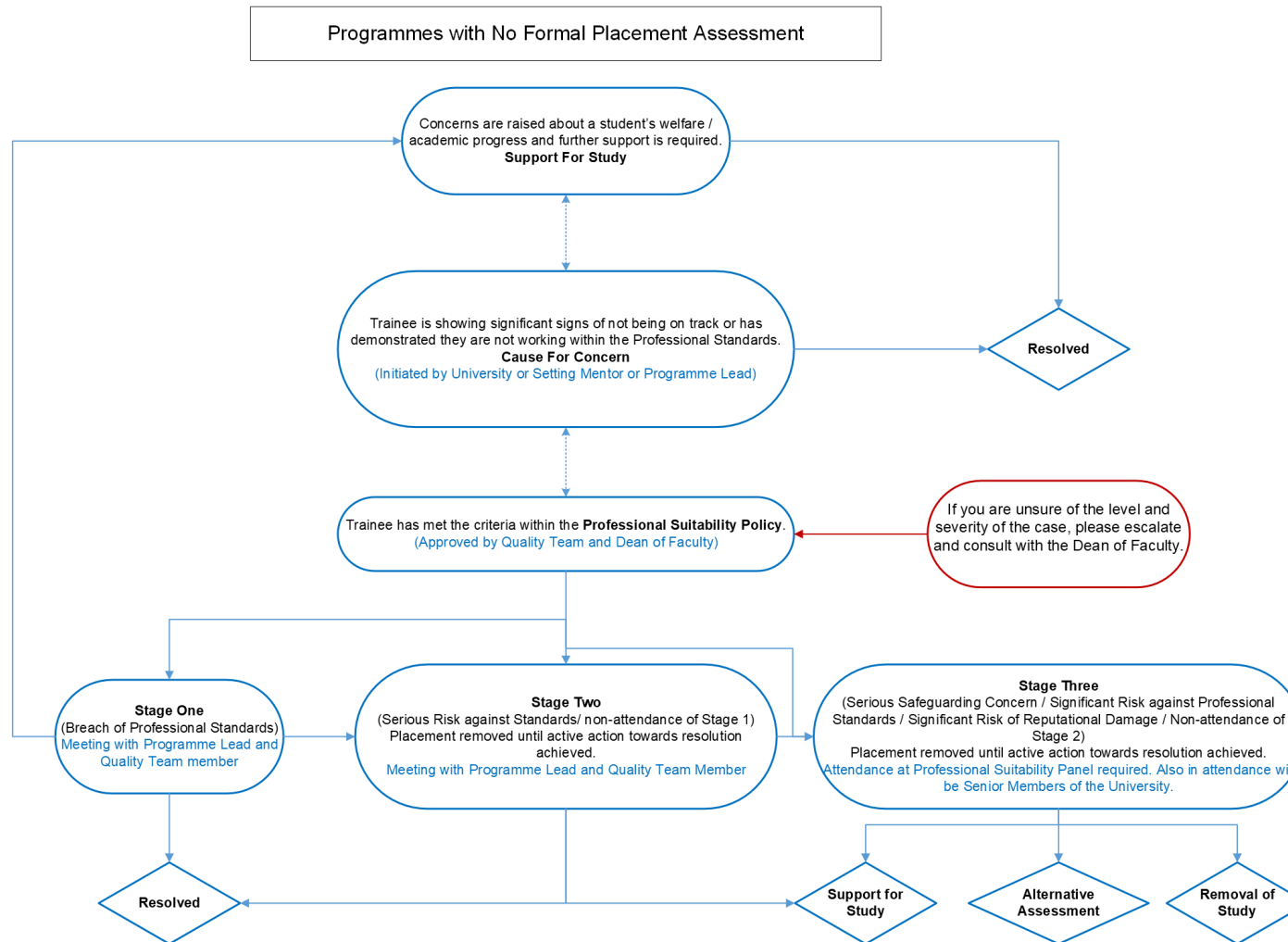


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- a relevant placement or work-based learning setting is or may be adversely affected; and/or
- trust in the profession or the University may be undermined or brought into disrepute.

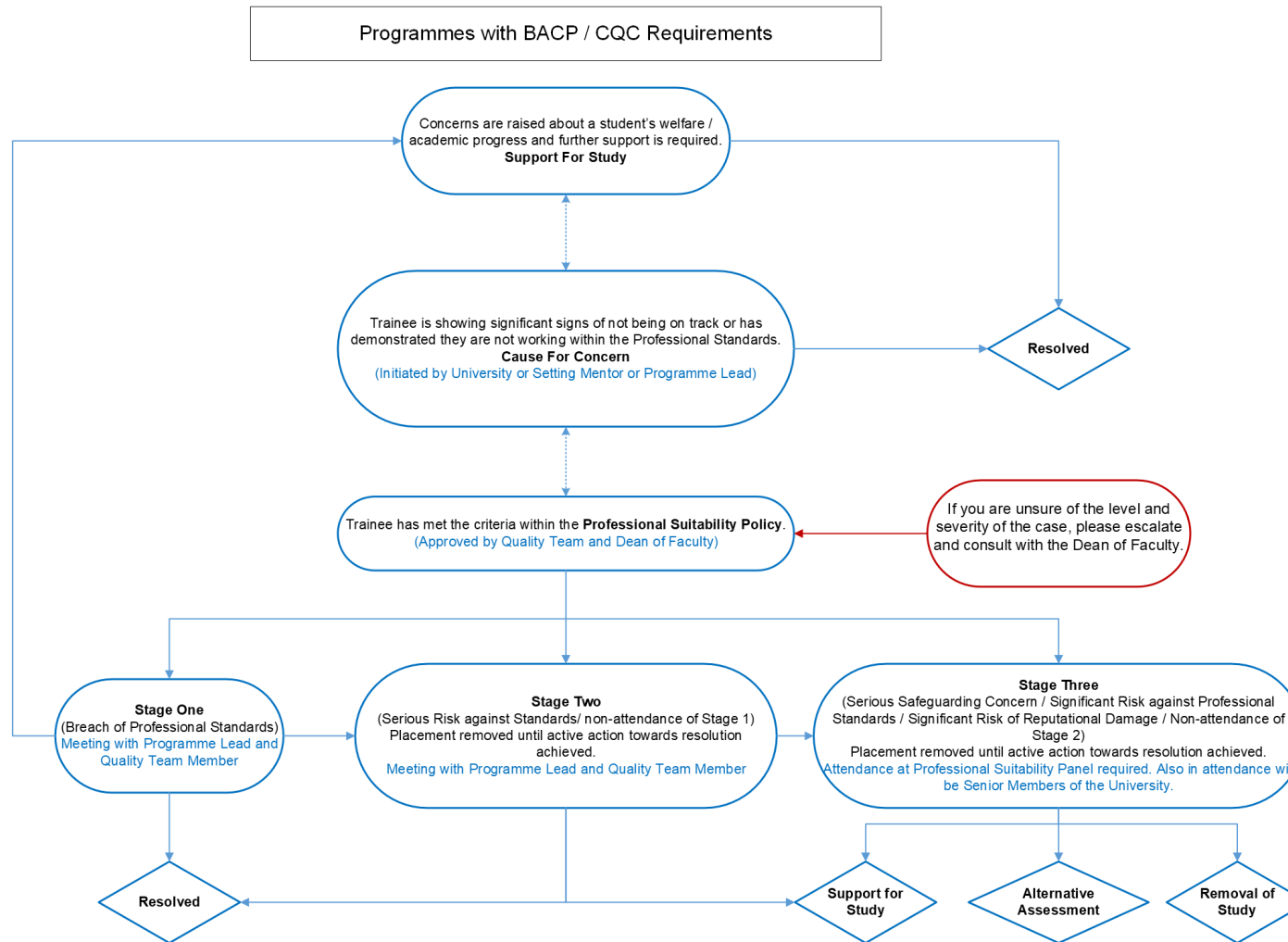
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17.APPENDIX 3A – PROGRAMMES WITH NO FORMAL PLACEMENT ASSESSMENT



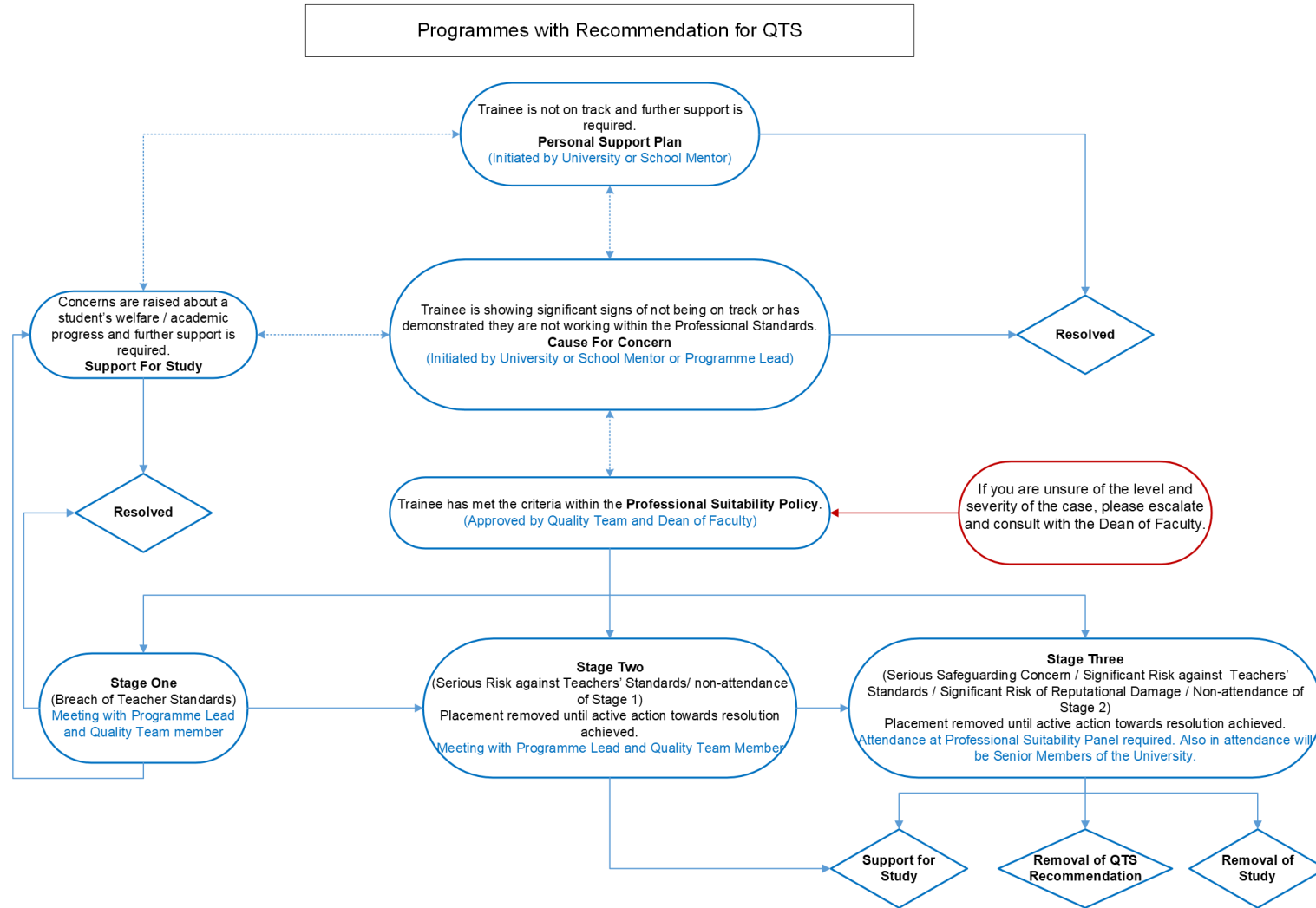
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18. APPENDIX 3B – PROGRAMMES WITH BACP/CQC REQUIREMENTS



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19. APPENDIX 3C – PROGRAMMES WITH RECOMMENDATION FOR QTS





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**20. APPENDIX 4 – RECORD OF CONCERN FOR A STUDENT’S PROFESSIONAL
SUITABILITY**

Student Name:	
Student ID Number:	
Term Time Address:	
Home Address:	
Telephone Number:	
Email Address:	
Concerns Raised By:	
Brief Outline of Concerns:	
Student Feedback:	
Actions, Recommendations and Further Support:	
Date for Review:	
	I understand the nature of the concerns outlined to me by the University during the meeting today and recorded within this document. I am also aware of the possible consequences and impact of my professional

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	suitability for both myself and others within the University community. I have agreed to work towards the actions and recommendations outlined within this form, as discussed with my programme leader, which has been agreed in order to support me throughout my studies. I am aware that, should I be unable or unwilling to engage with the actions and recommendations outlined within this document, further action will be undertaken by the University as appropriate. I am also aware that non-attendance on my part will also constitute a cause for concern and will be reported and acted upon accordingly. I consent to information surrounding my professional suitability being shared with other relevant services within the University where necessary such as the Faculty Administration Team and Student Advice & Wellbeing. I understand that I am ultimately responsible for my own actions and that it is my responsibility to be professional suitable. I also understand the University's duty of care to support me and also to the wider University Community.
Student Signature:	
Staff Members Name:	
Staff Members Role:	
Staff Members Signature:	

The original form should be recorded in the students file for an agreed period of time, or at least until no further action is required under the Code of Practice for Professional Suitability. A copy of this form should be given to the student.

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21. APPENDIX 5 – PROFESSIONAL SUITABILITY (REVIEW FORM)

Student Name:	
Student ID Number:	
Programme of Study:	
Date of Implementation of the Code of Practice for Professional Suitability:	
Stage of Code of Practice for Professional Suitability:	Choose an item.
Number of Previous Meetings:	
Name of Staff Member:	
Brief outline of Initial Concerns:	
Staff Member's comments on progress against agreed actions, recommendations and further support:	
Student's comments on progress against agreed actions, recommendations and further support:	
Next Steps:	☐ Concerns have subsided – no further action. <i>Agree the amount of time that the documentation regarding the student's fitness to study should be held on their file. This should take into account the likelihood of further incidences occurring in the future.</i>

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	☐ The level of intervention has been unsuccessful – progress to the next stage of the Code of Practice for Professional Suitability. <i>Follow the next steps as set out in the Code of Practice for Professional Suitability.</i>
	☐ Some concerns remain, though not significant enough to progress to the next stage of the procedure – another review meeting is required.
Agree further actions, recommendations and support:	
Date of next Review Meeting:	
Student Signature:	
Staff Members Name:	
Staff Members Role:	
Staff Members Signature:	
Date:	

The original form should be recorded in the students file for an agreed period of time, or at least until no further action is required under the Code of Practice for Professional Suitability. A copy of this form should be given to the student.

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22. APPENDIX 6 – PROFESSIONAL SUITABILITY (AGREED ACTION PLAN)

Date:	
Student Name:	
Student ID Number:	
Programme of Study:	
Name of Staff Member responsible for reviewing progress against actions:	
Names of Staff Members who contributed to the action plan:	
Date agreed (please indicate if the student was not present):	
Stage of Professional Suitability procedure:	Choose an item.

This action plan may be used in accordance with Stage 2 or 3 of the Code of Practice for Professional Suitability. Though the student concerned does not need to be present at the time of drafting the proposed actions, they will need to sign the plan to confirm an intention of completing the actions as identified. A failure on the student's part to agree to the proposed actions could lead either to progression to Stage 3 of the Code of Practice, and the consideration of another outcome.

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Action:	Desired behaviour/ expectations:	Support mechanism (staff or service):	Achieved by/ongoing:	Date for Review:

Student Signature:	
Staff Members Name:	
Staff Members Role:	
Staff Members Signature:	



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Date of Next Review Meeting:	
Student Signature:	
Staff Members Name:	
Staff Members Role:	
Staff Members Signature:	
Date:	

The original form should be recorded in the students file for an agreed period of time, or at least until no further action is required under the Code of Practice for Professional Suitability. A copy of this form should be given to the student.

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23. APPENDIX 7 – PROFESSIONAL SUITABILITY REQUEST FOR REVIEW (STUDENT APPEAL)

If you are a student at Lincoln Bishop University and you wish to appeal against a decision taken by the University under Stage 3 of the Code of Practice for Professional Suitability, then you should do so within 21 days of being made aware of the decision. Any appeal which is received by the University after this point will be for the discretion of the Provost and Chief Academic Officer whether or not to consider the appeal.

You should address your appeal to the Provost and Chief Academic Officer either by post (Lincoln Bishop University, Longdales Road, Lincoln, LN1 3DY), or by email (regulatorycompliance@lincolnbishop.ac.uk).

You should use the appeal template on the following page to help structure your appeal.

You may only appeal against a decision by the University in relation to the Professional Suitability procedures on the following grounds:

- there was a procedural irregularity in the conduct of the disciplinary procedures;
- new evidence is now available which was not available upon reasonable enquiry or application at the time of the original meeting (students will be required to outline the reasons the new evidence could not have been presented previously); or
- that the decision reached was of such nature that it was one which no reasonable person could have reached on the available evidence.

It will be for the Provost and Chief Academic Officer to decide whether or not, based on the balance of probability, there is a case for review.

If the Provost and Chief Academic Officer concludes that there is a need to review the decision, then they will instruct the Dean of Faculty where appropriate, to convene a new Professional Suitability Panel under Stage 3 of the procedure. Where possible, the new Panel will not normally include those panel members in attendance at the last meeting; it is more likely that those previously involved with the case would be called as witnesses during the new panel hearing.

Once this panel has met and you have been informed of the final outcome at the Appeal Stage, you will have exhausted all of the University's procedures for handling Professional Suitability cases. At this stage, you will be issued with a Completion of Procedures Letter, directing you towards the OIA (the University's external ombudsman) should you remain dissatisfied.



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Student Name:	
Student ID Number:	
Term Time Address:	
Home Address:	
Telephone Number:	
Email Address:	
Preferred method of Contact:	Choose an item.
Grounds for Appeal:	Choose an item.
Staff Member primarily involved at Stage 1:	
Staff Member primarily involved at Stage 2:	
Staff Member primarily involved at Stage 3:	
Brief details of University's actions/concerns regarding Professional Suitability:	
Previous actions undertaken by the University/reasonable adjustments made:	
Previous actions agreed and undertaken by the student:	
Reason to believe there are grounds for appeal:	



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Student Signature:	
Date:	
Additional Information:	