

SENATE REGULATION 14: Professional Suitability (September 2017 onwards)

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Introduction

1. The University provides a number of programmes of study and research where students' professional suitability to register for and undertake the programmes will be relevant and will require assessment and monitoring by the University.
2. These programmes of study are ones which lead to professional registration and/or an ability to apply for registration with a professional, statutory or regulatory body (PSRB), and are characterised as being practice-centred and directed towards the achievement of professional competence and/or professional registration. In addition, all of these programmes are accredited and/or regulated by PSRBs which are involved in the design, delivery and regulation of programmes. In particular, PSRBs, together with other professional accrediting bodies (PABs) are concerned with seeking to ensure that students comply with professional codes of conduct and demonstrate developing standards of professionalism.
3. In light of the above, the University needs to be satisfied that students admitted to, registering for, and undertaking such programmes are professionally suitable to do so, with reference to the standards of the particular profession and the requirements of any relevant PSRBs and/or PABs.
4. The *Professional Suitability Procedure* sets out how the University will normally respond to concerns raised regarding a student's professional suitability, and the type of actions that the University may take to deal with the concern and to support the student.

Scope

5. The programmes of study to which this Regulation applies are listed in Appendix 2 to the *Professional Suitability Procedure*. The University reserves the right to use this Regulation and the *Professional Suitability Procedure* in relation to students who are qualified professionals on its undergraduate, postgraduate or continuing professional development (CPD) programmes.
6. Once the University confirms a student's acceptance of an offer of a place on a programme at the University they are subject to this Regulation and the *Professional Suitability Procedure* in the event that professional suitability concerns are raised.
7. This Regulation and the *Professional Suitability Procedure* apply at all times, to conduct on and off campus and to all activities whether or not associated with the University.

Professional Suitability

8. Professional suitability (referred to in some professions as fitness to practise) relates to the requirement for students undertaking the programmes listed at Appendix 2 of the *Professional Suitability Procedure* to, at all times:
 - demonstrate acceptable skills and standards of conduct,
 - demonstrate relevant values and attitudes,
 - satisfy relevant criminal record requirements, and
 - satisfy relevant health requirements

in order to practise safely and effectively in a profession, in accordance with the recognised professional standards as set out in programme handbooks and PSRB websites.

9. Concerns about a student's professional suitability should be acted upon promptly in order to provide support to the student, as early intervention may prevent matters from becoming more serious.

Temporary Suspension/Exclusion

10. The University may in appropriate cases use its powers to temporarily suspend and/or exclude a student for a defined period of time (which may be extended) or until a matter can be considered under the relevant University procedures. The imposition of a temporary suspension and/or exclusion is precautionary; it is not a penalty and does not indicate that the University has concluded that the student is professionally unsuitable or that their professional suitability is impaired. The procedure that will be followed is set out in the *Professional Suitability Procedure*.

Overlap with criminal proceedings/police or other departmental government investigations and other University regulations

11. If a student's conduct may be in breach of the law, the University may, at its discretion refer the matter to the police and/or other suitable authorities. In addition, where an investigation or criminal proceedings have been or are likely to be initiated in relation to the matter, the University may suspend its consideration of the matter under this or any other Regulation (at any stage) until such investigation/proceedings have been concluded. The University's consideration of a matter under this Regulation may be resumed at any stage should the University deem it to be necessary in the circumstances.

12. The University may take action in respect of a student under this Regulation notwithstanding the student's conviction or acquittal in criminal proceedings. The University is not bound by the outcome of any criminal prosecution although the University may, in its discretion take any penalty imposed by a criminal court into consideration in determining any outcome to be imposed under this Regulation.

13. The University may also suspend its consideration of the matter under this Regulation in order to allow another University process to take place, including an assessment of a student's fitness to study under *Senate Regulation 11*.

14. Where, on the basis of an allegation received, there may be good cause to deprive a current or former student of an award which has already been conferred, the Regulation on the Revocation of degrees and other awards and other distinctions (*Senate Regulation 13*) shall be used to determine whether that award should be revoked and not this Regulation.

15. Where a case gives rise to both professional suitability and conduct concerns, the University will normally follow its procedures relating to professional suitability to investigate, consider and determine the outcome of all the concerns arising in the case rather than following separate professional suitability and misconduct procedures. However, the University reserves the right to vary the procedure followed where appropriate.

Outcomes

16. The range of outcomes arising from a concern about a student's professional suitability and any actions that can be taken by the Professional Suitability Panel, including following any appeal, are set out in the *Professional Suitability Procedure*. The range of

outcomes includes temporary or permanent suspension from the programme, and permanent expulsion from the University.

17. A Professional Suitability Panel may decide to impose one or more of the penalties for non-academic misconduct and/or academic misconduct in relation to any misconduct associated with the case, as set out under the authority of Senate Regulation 6 in the *Academic Misconduct Procedure* and the *Student Disciplinary Procedure*.

Appeals

18. A student will have the right to appeal against any decision made under Paragraph 10 of this Regulation, and/or any outcome from Level 2 (a-e) or 3 of the Professional Suitability Procedure. The grounds for appeal, the procedure to be followed and the role of the Office of the Independent Adjudicator are set out in the *Professional Suitability Procedure*.

(Updated November 2018)