

## 13. Fitness to Practise

- [13.1 Introduction](#)

1. Throughout this section of the Academic Quality Handbook the term 'University' refers to the Aberystwyth University. The terms 'Faculty Pro Vice-Chancellor', 'Head of Department', 'Academic Registrar', and 'Faculty Registrar' may include designated members of staff acting on behalf of these staff. It applies to all registered students at Aberystwyth University as defined in its Rules and Regulations.

2. The University has a responsibility to ensure that all students on schemes with professional status should maintain appropriate standards of behaviour, both in relation to academic study and to placements in a professional setting.

3. The University also has a responsibility to ensure that students following a programme of study leading to a professional qualification or which is registered with a statutory regulatory body are suitable to enter that profession.

4. This section outlines the expectations for all students at Aberystwyth University and also outlines the procedure for investigating concerns about a student's Fitness to Practise. It should be read in conjunction with the departmental requirements and professional codes of conduct and departmental procedures. These are issued for the following study schemes:

- (i) All PCET schemes in the School of Education
- (ii) BA Education schemes with early years practitioner status
- (iii) BVSc (AVS FTP Procedure)
- (iv) Nursing

- [13.2 Departmental Support and Monitoring](#)

1. Where a department has concerns that students are failing to meet professional standards, it will arrange a meeting to explain these matters. This may lead to increased support and monitoring, additional training, or a series of specific targets. Students will receive a written summary of the actions agreed, and the department will continue to monitor progress. Departments will work with placement providers as appropriate in providing this support, maintaining detailed records of all actions.

2. The aim of the University is to support all students and ensure that they attain professional standards, but in exceptional cases, this may not be possible. If so students will be referred to a Fitness to Practice Panel for formal investigation.

- [13.3 Fitness to Practise Investigation](#)

1. Departments will submit a Fitness to Practise report with all relevant documentary evidence to Academic Registry [dscstaff@aber.ac.uk](mailto:dscstaff@aber.ac.uk) for formal investigation where:

- (i) students do not meet professional standards despite earlier support and monitoring at departmental

OR

(ii) The severity of the cases poses a high level of risk to the placement provider or others.

2. The University will seek to resolve all formal Fitness to Practise investigations within 60 calendar days of sending initial notification to the reported student. In cases where investigations cannot be completed within this timeframe, reported students will receive regular communication (including notification of delays as a result of university closure periods).

3. The burden of proof in all cases shall rest on the University and the standard of proof shall be on the balance of probabilities.

4. Legal representation will only be permitted in cases investigated by the Fitness to Practise Panel where the consequences for the student are potentially very serious.

#### Initial Action

5. On receipt of a written report concerning Fitness to Practise, Academic Registry will review the evidence and conduct a preliminary assessment. This will include a risk assessment under the University's duty of care to determine any conditions on the student's continued registration pending the outcome of an investigation, and possible deferral of the investigation pending the completion of other proceedings. The Academic Registrar will also consider whether to refer the case to the Fitness to Practise Panel, or apply one of the following, liaising with the academic department and the Behaviour Intervention Team (BIT). These may include:

(i) Support to Study

(ii) Student Discipline Investigation

(iii) Unacceptable Academic Practice

#### Fitness to Practise Panel

6. The Fitness to Practise Panel will include the following:

(i) Faculty Pro Vice-Chancellor (or nominee, not from student's own department) (Chair)

(ii) Head of Department or nominee, with no previous involvement in the case

(iii) External professional specialist (optional)

(iv) Student Representative

(v) Faculty Registrar (Secretary)

7. The academic department will nominate the external professional specialist, to be drawn from the membership of an external advisory board or equivalent.

8. Students will be invited to attend the panel and informed of its date, place and time.

9. Documentary evidence will be provided to students at least 5 days before the date of the meeting and also circulated to Panel members. Any further evidence made available on the date of the meeting may be presented to the Panel, but only with the express permission of the Chair.

10. Students may be represented by an advisor from the Students' Union or a Trade Union. Representation by other persons will be at the discretion of the Chair, and any requests for such

representation should be made in writing to the Chair in advance of the panel meeting. Legal representation at the meeting will not normally be permitted.

11. Panel meetings may proceed in students' absence where no good reason is provided for a failure to attend.

#### Functions of the Fitness to Practise Panel

12. The Fitness to Practise Panel will:

- (i) Consider the available evidence;
- (ii) Determine whether the student is fit to practice, on the balance of probabilities;
- (iii) Determine whether to apply a penalty.

#### Meetings of the Fitness to Practise Panel

13. The Chair will present an outline of the case, referring to the submitted evidence. Panel members may ask questions of the student.

14. The student will have the right to hear all the evidence relating to the case before responding, and to make a response in person. Additional documentary evidence including evidence of special circumstances may not be presented to the panel on the day of the meeting without the express permission of the Chair.

15. When the presentation of the evidence and the student's response are completed, all persons, other than members of the Panel will withdraw.

#### Outcome

16. The Fitness to Practise Panel may confirm one of the following outcomes:

- (i) The student is fit to practise, with no further action required;
- (ii) The student is not fit to practise;
- (iii) The case is not proven but that the student should be referred to the department for further support and monitoring.

#### Action

17. Where the Panel has determined that the student is not fit to practise, it may confirm one of the following:

- (i) To refer the student to the academic department for monitoring and support in accordance with the department's professional code of conduct.
- (ii) To exclude the student from the University on a permanent basis.
- (iii) To exclude the student from the University on a temporary basis.
- (iv) To issue a formal warning with specific conditions, for monitoring by the academic department.

#### Outcome letter and final review

18. Clear reasons will be given for all decisions, including the action taken

## Mitigating Circumstances

19. Mitigating Circumstances will not be considered in determining whether a student is fit to practise. They may however be taken into consideration in determining action. Mitigating circumstances may include personal circumstances which affected the student's judgment, but may also include expressed remorse or early admission of specified actions.

## Damages

20. The University reserves the right to recover any damages incurred because of students' actions at any stage of the Fitness to Practise procedure.

## Independence

21. Staff members involved in investigations and decisions will have no prior involvement in the case. Reported students will be made aware of the identity of panel members, and may submit an objection to Academic Registry [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk) on grounds of conflict of interest. The objection will be considered by the Academic Registrar and students will have the opportunity to appeal the outcome through the Student Complaints Procedure.

## Temporary action

22. The University may take temporary action where it considers it to be necessary to safeguard students, staff or the wider community. See 12.2 Temporary action for further details (<https://www.aber.ac.uk/en/academic-registry/handbook/student-discipline/>)

## Student Representation and Support

23. The University will make students aware of support services which are available internally and externally during the course of a Fitness to Practise investigation.

## Final Review

24. Students who are dissatisfied with the outcome of the Fitness to Practise investigation may request a review, to be investigated by a Pro Vice-Chancellor. The Final Review procedure can be found at <https://www.aber.ac.uk/en/academic-registry/handbook/fr/>.

## Records and Confidentiality

25. Academic Registry will maintain anonymised records of Fitness to Practise investigations to enable reflection and review of the procedure. These will include details of the types of cases, actions taken, and mitigating factors.

26. Academic Registry will maintain records of students who are excluded from the University under the Fitness to Practise procedure, and will review such cases in the event of a further application to study at the University.

27. In order to allow students to defend themselves against allegations, it is not normally appropriate to keep the identity of witnesses secret during Fitness to Practise investigations. It may not be appropriate to rely on the evidence of witnesses who do not wish their identity to become known to the reported student.

## Reconsidering the same allegation

28. Under some circumstances the University may reconsider the same case, taking account of the following:

(i) Whether new evidence is available which could not have been disclosed at an earlier stage, and with a good reason;

(ii) The length of time that has elapsed and the effect of this on the reliability of the evidence;

(iii) The impact on the reported student of undergoing a second investigation;

(iv) Whether leaving the matter unaddressed would impact on the University's obligations under its own Rules and Regulations, or the external requirements of professional or regulatory bodies.

- [13.4 Appendix 1: School of Education](#)
- [13.5 Appendix 2: Aberystwyth School of Veterinary Science](#)
- [13.6 Appendix 3: Healthcare Education - Nursing](#)
- [13.7 Appendix 4: Veterinary Nurses](#)