

ANNEX A

By replacing the Procedures to Determine Fitness to Practise of Preclinical and Clinical Medical Students (*Statutes and Ordinances*, p. 225) and the Procedures to Determine Fitness to Practise of Preclinical and Clinical Veterinary Students (*Statutes and Ordinances*, p. 233) with the following:

FITNESS TO PRACTISE PROCEDURE**1. Glossary of key terms**

1.1. In this procedure, the following terms shall have the meanings set out below:

Code of Conduct	The list of behaviours that describe the required standards of behaviour for the individual course of study, with which a student on the course of study must comply
expression of concern	A concern originating from any source relating to a student's fitness to practise
FTP	Fitness to Practise
FTP Committee	The group which considers an expression of concern when initially received and following any investigation determines what action, if any, should be taken, including agreement of actions or referral to an FTP Adjudication Panel
Investigator	A member of the FTP Panel who investigates an expression of concern at the FTP Committee's request
FTP Adjudication Panel	The decision-makers that determine whether a student is fit to practise following a referral from the FTP Committee, including whether the student should remain on the Student Register and/or should be subject to actions
FTP Appeal Panel	The decision-makers who consider a student's appeal of an FTP Adjudication Panel's decision
FTP Panel	A panel appointed by the relevant Faculty Board(s), from which Investigators or members of the FTP Adjudication Panel are appointed
OSCCA	Office of Student Conduct, Complaints and Appeals; this Office has the responsibility for maintaining the FTP Procedure
Regulator	The external organisation responsible for the professional standards that registrants and/or students adhere to in order to become or continue to be members or student members of that profession
student	Any person who has accepted an offer to study; or who is currently studying; or who has intermitted or is temporarily suspended from their studies; or a person who had such status at the time of the circumstances about which the expression of concern is being raised, on a relevant course which requires their fitness to practise to be monitored
Student Progress Panel	A group of staff who monitor and, where needed, provide additional support to students who are pursuing professional courses of study; the Student Progress Panel for preclinical and clinical medical and veterinary students is the Medical and Veterinary Student Progress Panel (MVSPP), and for P.G.C.E. students it is the relevant P.G.C.E. examination board
Student Register	A formal list of all students who are considered to be fit to practise, maintained by the Faculty Board

2. Scope and Principles

2.1. The following procedure shall govern students pursuing courses of study that will require them to register or provisionally register with a Regulator during or following their course of study, so that there can be assurance of their fitness to practise. The relevant courses of study and professional bodies are as follows:

- Preclinical and clinical medical students. The General Medical Council (GMC) has a duty, as a matter of public safety under the Medical Act 1983, to ensure that medical students are fit to practise medicine, as defined in guidance issued by the Medical Schools Council and GMC, when they apply to the GMC for provisional registration.
- Preclinical and clinical veterinary students. The Royal College of Veterinary Surgeons (RCVS) has a duty to ensure that veterinary students are fit to practise veterinary medicine when they apply for registration.
- P.G.C.E. students. The Department for Education (DfE) through the Teachers' Regulation Agency has a duty to ensure that P.G.C.E. students are fit to teach.

2.2. The University has a duty to ensure that students are fit to practise in the profession leading on from their professional course, or will be when they complete the course. This is in order to:

- (a) protect present or future patients, clients, learners, service users and members of the public;
- (b) safeguard public confidence in the profession;
- (c) comply with the requirements of the Regulator; and
- (d) ensure that students are not awarded a qualification that permits them to practise a profession if they are not fit to do so.

2.3. Fitness to practise issues can arise from a student's conduct, health, or performance. Students have a responsibility to report anything that may affect their fitness to practise to the following:

- (a) for medical students, the Director of Medical Education (Clinical) or (Preclinical);
- (b) for veterinary students, the Director of Teaching;
- (c) for P.G.C.E. students, the primary or secondary P.G.C.E. course manager, as appropriate.

2.4. A non-exhaustive list of matters that may give rise to concerns about a student's fitness to practise include:

- (a) committing an offence under the criminal law;
- (b) any breach of the University's Rules of Behaviour;¹
- (c) unsafe or incompetent practice;
- (d) poor communication skills and/or inappropriate communications;
- (e) behaviour likely to undermine the public's trust in the profession;
- (f) failure to seek appropriate help and engage with appropriate treatment in relation to personal health issues;
- (g) failure to engage with any aspect of the course.

2.5. Monitoring of a student's academic progress and additional support for students is provided by the Student Progress Panel; these matters can include issues relating to ill health or any other concern that does not merit a referral to the FTP Committee.

2.6. The consideration of whether or not a student is fit to practise shall be determined in accordance with the following procedure, which comprises of:

- (a) preliminary consideration by the FTP Committee of an expression of concern;
- (b) an investigation, where commissioned by the FTP Committee, into the concern;
- (c) consideration of the investigation report by the FTP Committee, to determine whether any action is required, or the student would benefit from remedial measures being put in place, or the matter should be referred to the FTP Adjudication Panel;
- (d) where referred, consideration by the FTP Adjudication Panel;
- (e) consideration of any appeal from the student by the FTP Appeal Panel;
- (f) following the conclusion of this internal procedure, students will be informed of the process for raising a complaint with the Office of the Independent Adjudicator for Higher Education, the external ombudsman.

2.7. A student must engage fully with this procedure and, where required to do so, attend meetings or hearings (whether in person or virtually), including occupational health or other expert assessments requested by the FTP Committee or FTP Adjudication Panel, and provide information upon request in a timely manner. Any failure to engage or improper engagement with this procedure may result in a student being found not fit to practise if it prevents or limits the collection of information necessary to determine the student's fitness to practise. Where a student does not engage, the process may continue in the student's absence.

2.8. Correspondence with the student will be primarily conducted using the student's University of Cambridge email address, where available. It is the responsibility of students to ensure that their contact details on their student record (CamSIS) are accurate. Where a student believes it is not possible to engage with the procedure for medical or other reasons, the Chair of the relevant committee will consider the evidence provided by the student and determine whether the procedure will be suspended and if so, when it will be recommenced.

2.9. When applying for provisional registration or registration with a Regulator, or when applying for any role that requires the student to have a professional qualification, students must comply with any request by the Regulator or employer to provide the details of any referral to the FTP Committee and any and all matters that might have a bearing on the student's fitness to practise.

¹ See [p. 191].

2.10. All FTP Panel and FTP Committee members will be appointed or re-appointed for terms of three years and receive appropriate training to undertake their role and be appropriately resourced and supported. No decision-maker or Investigator will have any previous material involvement with the matter that they are considering, or material personal knowledge of the people involved. Where a conflict or reasonable perception of conflict arises, or where the appointed members are unavailable, an alternative person will be appointed by the body responsible for appointing that person. It is at the responsible body's discretion whether any objection made by the student is reasonable and requires an alternative person to be appointed.

2.11. Some students may find engaging with this procedure worrying or challenging, as it may include consideration of whether they are able to continue with their course of study. The student will receive information on how to access support during the procedure. Support may be delivered by a College, the University, the Students' Union's Advice Service or external support organisations.

2.12. Students may bring a supporter of their choosing to any investigatory meetings. It is recommended that this is not a family member. In any FTP Adjudication Panel or FTP Appeal Panel hearing in which the outcome could be career-ending students may bring a supporter or representative with them, and such a person may act (at the student's expense) as the student's legal representative. Students must make the meeting secretary aware of who will accompany them at least 7 days in advance of the meeting.

2.13. If students have a disability and require reasonable adjustments to the process, then they should discuss this with the Chair of the FTP Committee or the Chair of the FTP Adjudication Panel or FTP Appeal Panel (as appropriate) who will determine the reasonable adjustments, seeking advice as appropriate. Examples of reasonable adjustments include extensions to timeframes or access to different support or representation in either investigatory meetings or panel hearings.

2.14. Where a concern about a student is raised and is already under consideration by the police or another University procedure, the Chair of the FTP Committee will normally wait for that process to be completed before taking action, except in relation to precautionary action as described in Regulation 4.2 and/or as outlined in Special Ordinance D (v)² or in other exceptional circumstances.

2.15. If at any stage of this procedure the Chair of any of the bodies involved considers that the student may have committed an offence under the criminal law or a breach of University discipline, the Chair may suspend proceedings and refer the circumstances to the police or to the University's Student Disciplinary Procedure for consideration, as appropriate. In any such instances, precautionary action may be taken under Special Ordinance D (v) and/or Regulation 4.2 of this procedure. Any unlawful conduct found by criminal proceedings or any breach of the University's Statutes and Ordinances found under the Student Disciplinary Procedure shall be confirmation of the student having committed the offence or breached the University's Rules of Behaviour.

2.16. The Chair of the FTP Committee or Chair of an FTP Adjudication Panel or Chair of an FTP Appeal Panel may seek and receive legal advice to ensure that they are acting lawfully.

2.17. Any reference in this procedure to a University officer or other named role-holder includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer or role-holder under this procedure.

2.18. Throughout this procedure and following any decisions, the relevant decision-makers may share relevant information with placement providers or other external organisations.

3. Submitting an expression of concern

3.1. Any expression of concern that a student may not be fit to practise shall be made in writing to the Secretary of the FTP Committee, who is appointed by the relevant Faculty Board.

3.2. Expressions of concern will normally be made by the Chair of the relevant Student Progress Panel, or by the student's Senior Tutor, but any person may make an expression of concern. This may include a decision-maker within an alternative procedure, for example, the Student Disciplinary Procedure, or a self-referral from a student.

3.3. The expression of concern shall include the author's name, contact details and relationship to the student. Anonymous referrals shall only be acted upon in exceptional circumstances at the discretion of the FTP Committee, having regard to the seriousness of the issues raised and the fairness to any individuals mentioned in the referral. The FTP Committee may also consider that the identity of individuals, although known to the FTP Committee, may need to be withheld from the student in exceptional circumstances.

² See [p. 98].

4. Consideration of the expression of concern

4.1. An expression of concern shall be considered by the FTP Committee. The FTP Committee shall comprise of three members, appointed by the Faculty Board aligned to the relevant professional body, except where stated:

- (a) a Chair who shall be a qualified member of the professional body;
- (b) a practising member of the professional body; and
- (c) a member of the Regent House who shall not be registered with the professional body, appointed by the Faculty Board of Biology for medical and veterinary students, and by the Faculty Board of Education for P.G.C.E. students.

4.2. The Secretary of the FTP Committee shall communicate the expression of concern to the Chair of the FTP Committee, who shall decide whether the student shall during the course of any fitness to practise procedures:

- (a) continue with the course of study without limitation;
- (b) continue with the course of study under specified conditions;
- (c) be prohibited from entering specified preclinical and/or clinical facilities as a medical student, or veterinary facilities as a veterinary student, or specified educational facilities as a P.G.C.E. student;
- (d) be provisionally suspended from the relevant Student Register and therefore from the professional components of the course.

4.3. In circumstances where the expression of concern is not made by the Chair of the Student Progress Panel, or by the student's Senior Tutor, the Chair of the FTP Committee may discuss the matter with some or all of the above individuals. The Chair of the FTP Committee may determine that the expression of concern is not of sufficient substance to require consideration under FTP processes (in which case students will not have to declare to the relevant Regulator that they have been referred to FTP). The Chair of the FTP Committee may also refer the concern into an alternative procedure. The student will be informed of this decision.

4.4. Within 7 days of the referral of an expression of concern to a FTP Committee, the Secretary of the FTP Committee shall inform the student and the student's Senior Tutor of:

- the details of the expression of concern;
- the identity of the members of the FTP Committee.

4.5. The student shall have 7 days to object to the membership of the FTP Committee. The Chair or Deputy of the nominating Faculty Board shall consider any representations and shall appoint another person if they consider there is a conflict of interest or bias, or a reasonable perception of a conflict of interest or bias.

4.6. Following consideration of the expression of concern, normally within 14 days of the letter informing the student of the expression of concern, the FTP Committee, by majority decision, shall determine whether the expression of concern shall be:

- (a) dismissed (because it is frivolous, vexatious, insufficiently serious, lacks sufficient evidence or for some other valid reason);
- (b) referred for investigation by an Investigator and/or request the student to undergo specialist assessment by a practitioner appointed by the FTP Committee;
- (c) referred to the police or other recognised investigatory body or to an alternative University procedure, including the Student Disciplinary Procedure;
- (d) referred to an FTP Adjudication Panel.

4.7. The student and the student's College will receive a letter from the Secretary of the FTP Committee within 7 days of the FTP Committee making a determination under Regulation 4.6, setting out its decision and the reasons for its decision. Where an investigation is required, the letter will explain the scope and nature of the investigation and how this relates to the relevant professional standards.

5. Investigating the expression of concern

5.1. Where the FTP Committee determines that an investigation should be conducted, the FTP Committee shall appoint an Investigator from the course-specific FTP Panel (as described in Regulation 5.2), normally within 7 days of informing the student of the investigation. The FTP Committee shall also confirm the scope of the investigation, including specific evidence to be considered and/or the requirement for specialist assessments.

5.2. The members of the course-specific FTP Panel are nominated by the relevant Faculty Board(s); for medical and veterinary students, this includes the Faculty Board of Biology in addition to the subject Faculty Board. Each course-specific FTP Panel will include at least six members appointed by each relevant Faculty Board. At least two members must be practising and registered members of the Regulator.

5.3. The Investigator shall normally attempt (either in person or virtually) to meet with the student concerned, the author of the expression of concern (unless an anonymous concern has been permitted), and any other relevant persons. It is expected that the Investigator will normally conduct these meetings within four to six weeks of being appointed. The Investigator should give at least a week's notice of the meeting with the student who is the subject of the concern. During the meeting with the student concerned, the Investigator shall invite the student to submit any relevant evidence and the names of any person(s) that the student considers that the Investigator should contact or meet. The student will be given a week following the meeting to submit this information. If the Investigator does not think that contacting or meeting any particular person will be of relevance, the Investigator shall discuss the matter with the Chair of the FTP Committee who will determine whether or not that person should be contacted. Where the student does not agree to meet with the Investigator in a timely way, the Investigator shall proceed with the investigation. As outlined in Regulation 2.7, there may be adverse consequences for any student who does not engage fully with the procedure.

5.4. A formal note of each interview shall be prepared by the Investigator (the Investigator may work with a note-taker during the interviews and on the preparation of the notes of each meeting and the final investigation report) and agreed with the person who has been interviewed. In the event that a person does not agree that a note is an accurate record of the meeting, a record of that disagreement will be appended to the note, but the record of the meeting shall not be altered without the agreement of the Investigator. In the event that a person does not respond to the request to agree that a note is an accurate record of the meeting, the Investigator shall proceed to complete their investigation report and shall include the record of the meeting and an explanatory comment that the meeting note has not been agreed. The Investigator shall also take reasonable steps to obtain or receive other relevant evidence, e.g. copies of postings on social media or messages.

5.5. A written report shall be prepared and submitted by the Investigator to the Secretary of the FTP Committee, normally within two weeks of the investigation receiving the final piece of evidence. The student will be kept informed if delays occur, which will normally be due to the complexity of the concern raised.

6. Consideration of the Investigator's report

6.1. On receipt of the Investigator's report and any specialist assessment requested under Regulation 4.6(b), the FTP Committee, by majority decision and normally within 14 days following receipt of all information, shall take one of the following decisions:

- (a) there is no further action to be taken;
- (b) there is no serious issue to be determined with regard to the student's fitness to practise, but the student would benefit from supportive or remedial measures being put in place; where this is the decision, the Chair of the FTP Committee shall on behalf of the FTP Committee:
 - (i) agree such measures with the student, the student's Senior Tutor, and the Director of Education or Director of Learning and Teaching in the relevant Faculty; or
 - (ii) in the event of failure to agree such measures, the FTP Committee shall refer the matter to a FTP Adjudication Panel;
- (c) there may be a serious issue to be determined concerning the student's fitness to practise and the matter shall be referred to a FTP Adjudication Panel.

6.2. The Secretary of the FTP Committee shall inform the student, the Student Progress Panel, and the student's Senior Tutor in writing of the FTP Committee's decision, the reasons for that decision and any agreed measures within 7 days of the FTP Committee decision being made.

6.3. Where the FTP Committee decides that a matter shall be referred to a FTP Adjudication Panel, the Secretary of the FTP Committee shall notify OSCCA and the student's Faculty Board Secretary.

7. Consideration by the FTP Adjudication Panel

7.1. The FTP Adjudication Panel shall comprise three members of the FTP Panel as set out in Regulation 5.2, and will be appointed by the Chair of the relevant Faculty Board:

- (a) a Chair who shall be a qualified member of the relevant professional body;
- (b) two other members, including at least one external member where this is required by the Regulator.

7.2. The Secretary of the student's current Faculty Board or a person appointed by the Secretary shall be Secretary of the FTP Adjudication Panel.

7.3. The Secretary of the FTP Adjudication Panel will write to the student and the student's Senior Tutor, providing confirmation of:

- (a) the members of the FTP Adjudication Panel and how the student can object to the membership within 7 days of the date of the letter;
- (b) the documents that will be considered by the FTP Adjudication Panel, including the Investigator's report and any further information or reports requested by the FTP Adjudication Panel;
- (c) the names of any persons who may be asked to attend a FTP Adjudication Panel to give evidence, which will normally include the Investigator and the Chair of the FTP Committee;
- (d) the fact that the student may provide further written submissions or evidence to the FTP Adjudication Panel, and the names of witnesses (if any) that the student would like to attend the FTP Adjudication Panel hearing. If submitting evidence or making requests for new witnesses to attend the hearing, students must explain why they did not submit the evidence or ask the Investigator to interview any witnesses earlier in the process. The FTP Adjudication Panel may decline to consider new evidence or hear witnesses in the absence of a reasonable explanation;
- (e) the deadline for the submission of information set out in paragraph (d), which will normally be two weeks before the date of the hearing; it shall be at the Chair's discretion whether any later submissions or late requests for witnesses to attend will be considered;
- (f) the date, time and place for the hearing, normally between 4–6 weeks from the date of the letter.

7.4. Where the student has good cause to object to any member of the FTP Adjudication Panel the action outlined in Regulation 2.10 will be taken.

7.5. A FTP Adjudication Panel may, at the Chair's discretion, consider the case in the student's absence. Where the student provides a valid reason for not being able to attend a hearing, the hearing may, at the Chair's discretion, be re-arranged or conducted by video conference. As outlined in Regulation 2.7, there may be adverse consequences for any student who does not engage fully with the procedure.

7.6. The student's Senior Tutor (or a deputy appointed by the Senior Tutor) shall be entitled, with the student's consent, to be present at any hearing (as the student's representative or in addition to such a representative).

7.7. The Chair of the FTP Adjudication Panel shall determine the procedure for the conduct of a FTP Adjudication Panel hearing, including requiring an adjournment at any time. The procedure shall normally be as follows:

- (a) The Chair shall introduce all those present at the hearing and explain the powers of a FTP Adjudication Panel.
- (b) The Chair shall ask the student whether they accept the investigation findings. Where the student accepts in full the investigation findings, and the Panel is satisfied it has sufficient information regarding the findings, the Chair shall direct the hearing from paragraph (j) onwards. Where the student does not fully accept the investigation findings, the Chair shall continue with the procedure from paragraph (c) onwards.
- (c) The Chair shall invite the Investigator to make an opening statement and shall then invite FTP Adjudication Panel members to ask questions.
- (d) The Chair shall invite the student and/or the student's representative to make a statement and shall then invite FTP Adjudication Panel members to question the student.
- (e) The Chair shall invite any witnesses or other persons called upon to attend the hearing to make a brief statement and shall then invite FTP Adjudication Panel members to ask questions.
- (f) At each stage, the Chair shall have discretion to allow reciprocal questioning by all parties.
- (g) When the Chair is satisfied that the FTP Adjudication Panel has completed its questioning and that the student and other persons present have had a full opportunity to convey information to a FTP Adjudication Panel, the student and/or the student's representative shall have the opportunity to make a final statement. Following this, all other persons not on the FTP Adjudication Panel except the Secretary of the FTP Adjudication Panel shall withdraw. The Secretary of the FTP Adjudication Panel shall remain to provide advice on procedure but shall take no part in the FTP Adjudication Panel reaching its decision on the case itself.

- (h) The FTP Adjudication Panel shall then discuss the case and reach a conclusion on whether the expression of concern has been proven on the balance of probabilities.
- (i) Those attending the first part of the hearing shall all be invited back into the hearing once the FTP Adjudication Panel has concluded its discussions and the Chair shall outline the FTP Adjudication Panel's decision to the student.
- (j) The Chair shall, if appropriate, ask the student to submit any evidence in mitigation and shall then invite FTP Adjudication Panel members to ask questions.
- (k) The student and all other persons not on the FTP Adjudication Panel except the Secretary of the FTP Adjudication Panel shall then withdraw whilst the Panel considers whether the student's fitness to practise has been impaired.
- (l) Where practicable, those attending the first part of the hearing shall all be invited back into the hearing once the FTP Adjudication Panel has concluded its discussions and the Chair shall then outline the FTP Adjudication Panel's decision to the student.

7.8. At any point during the hearing the Chair of the FTP Adjudication Panel has the discretion to seek any further clarification the Panel requires, including a request for further materials or information to verify or respond to matters raised, to call for a further adjournment or adjournments to allow that information to be provided. Where this additional material or information comes from a source other than the student, the student will be given an opportunity to comment on such additional material.

7.9. The FTP Adjudication Panel, following consideration of the case, may make one of the following decisions on the balance of probabilities and by a simple majority:

- (a) determine that there has been no breach of the Code of Conduct and therefore, no further action should be taken;
- (b) determine that there has been a breach of the Code of Conduct and:
 - (i) declare that the student is fit to practise and may continue on the course with no conditions or other actions;
 - (ii) declare that the student is fit to practise but provide a formal warning that will be added to the student's record;
 - (iii) declare that the student is fit to practise but impose conditions including educative or supportive actions;
 - (iv) declare that there are grounds for concern as to the student's fitness to practise, provide a formal warning and impose other conditions in respect of the student's continuation on a course of study, which may include:
 - that the student be temporarily suspended from the Student Register, specifying the arrangements for monitoring by the FTP Committee of the suspension (including a minimum period if appropriate) and the arrangements for the removal of the suspension;
 - that the student be required to undergo an occupational health assessment or referral to another specialist agency; and/or
 - that the student be required to undertake monitoring and engage with additional support;
 - (v) declare that the student is unfit to practise, that the student be removed from the Student Register and that any relevant professional body, Regulator and the Disclosure and Barring Service be informed of this action. The FTP Adjudication Panel may stipulate further conditions as appropriate to the case, for example whether the student may continue with a non-professional course of study or be awarded an exit qualification.

7.10. The student will receive the decision of the FTP Adjudication Panel, the reasons for the decision and information about the right to appeal in writing from the Secretary within 7 days of the FTP Adjudication Panel hearing taking place. A copy of the letter will also be provided to the Student Progress Panel, the FTP Committee Secretary, the student's Senior Tutor and the relevant Director(s) of Education or equivalent.

8. Appeal

8.1. A student shall have the right to appeal the decision of the FTP Adjudication Panel by submitting an appeal on the permitted grounds to the Head of OSCCA, who shall be Secretary of the FTP Appeal Panel, alongside all evidence to be considered, within 28 days of the student being informed of the written decision.

8.2. An appeal may be made on only one or more of the following grounds:

- (a) the procedures were not followed properly;
- (b) the decision-maker(s) reached an unreasonable decision;
- (c) there is material new evidence that the student was unable, for valid reasons, to provide earlier in the process;
- (d) there was bias or a reasonable perception of bias during the procedure;
- (e) the action taken by the FTP Adjudication Panel is disproportionate or not permitted under the procedures.

8.3. The FTP Appeal Panel shall comprise of members appointed by the Council to that role and drawn by lot from those who are available, except for the Chair who shall be nominated by the Vice-Chancellor. Membership of the FTP Appeal Panel shall be as follows:

- (a) a Chair, experienced in decision-making relating to misconduct either through legal training or in relation to student, staff or professional procedures, who is not a member of Council;
- (b) a member of the Regent House not in a Faculty linked to the Regulator;
- (c) an external member, who is a qualified/registered and practising member of the relevant professional body.

8.4. On receipt of the appeal, where it is within time and within the appeal grounds, as determined by the Secretary of the FTP Appeal Panel, the Secretary of the FTP Appeal Panel shall organise a FTP Appeal Panel to hear the appeal.

8.5. During the consideration of the appeal, the decision of the FTP Adjudication Panel shall remain in force.

8.6. The FTP Appeal Panel consideration shall take place as soon as possible, and normally within 4 weeks of the date of submission of the appeal.

8.7. The student shall have an opportunity to object to the FTP Appeal Panel membership in accordance with Regulation 2.10.

8.8. Unless, at the discretion of the Chair of the FTP Appeal Panel, the FTP Appeal Panel requests that a hearing should take place, the appeal will be considered on the basis of the papers provided, which will include the material considered by the FTP Adjudication Panel; the decision of the FTP Adjudication Panel; the minutes of the FTP Adjudication Panel hearing; and the appeal of the student. Where necessary, the FTP Appeal Panel may request further materials or information to verify or respond to matters raised in the appeal. Where this takes place and comes from a source other than the student, the student will be given an opportunity to comment on such additional material.

8.9. Where a hearing takes place, the student, the student's representative and the Chairs of the FTP Committee and FTP Adjudication Panel will be invited to attend, with at least 14 days' notice. During the hearing, the Chair of the FTP Appeal Panel will invite each of those in attendance to make a statement and there will be the opportunity for the FTP Appeal Panel to ask questions of those in attendance and, at the Chair's discretion, to allow the parties to put questions to one another. Once the FTP Appeal Panel considers it has sufficient information, the others in attendance will withdraw, except for the Secretary of the FTP Appeal Panel, and the FTP Appeal Panel will consider the case.

8.10. Following consideration, the FTP Appeal Panel may confirm, quash, amend, or refer back the decision to the same, or a newly constituted, FTP Adjudication Panel. The outcome of the FTP Appeal Panel or a further FTP Adjudication Panel may result in a more severe or lenient outcome for the student.

8.11. The Secretary of the FTP Appeal Panel shall inform the student in writing of the decision and the reasons for the decision within 7 days of the appeal decision being made. Where a case is not being referred back for consideration by a FTP Adjudication Panel, the decision will be accompanied by a Completion of Procedures letter to explain that the student may be eligible to raise a complaint with the Office of the Independent Adjudicator for Higher Education. The decision of the FTP Appeal Panel shall remain in force whilst any complaint to the Office of the Independent Adjudicator remains ongoing. The Secretary to the FTP Appeal Panel shall also inform the Chair of the FTP Adjudication Panel, the Chair of the FTP Committee, the Student Progress Panel, the Senior Tutor of the student's College, the Director of Education at the relevant Faculty Board(s) and, where appropriate, the Regulator and the professional body of the decision of the FTP Appeal Panel.

9. Record and declaration

9.1. The FTP Committee and the relevant Faculty Board shall make a record of any actions taken by any decision-makers or undertakings provided by a student relating to arrangements for the monitoring or supervision of the student's conduct, health, or performance.

9.2. A student upon whom conditions have been imposed or who has undertaken to comply with arrangements for the management and supervision of the student's conduct, health or performance shall be required to confirm compliance with such conditions or arrangements in writing. Any breach of the conditions or arrangements may result in a further expression of concern being considered under this procedure.

9.3. As specified in Regulation 2.9, where relevant, students shall inform the Regulator or employer of the details of any referral to the FTP Committee and any and all matters that may have a bearing on the student's fitness to practise. The University shall refer to fitness to practise proceedings in references regarding the student.

10. Reporting and monitoring

10.1. The Faculty Board shall be responsible for regularly reviewing and publicising the Code of Conduct, as well as publicising the Fitness to Practise Procedure. OSCCA shall have responsibility for reviewing and maintaining the Fitness to Practise Procedure.

10.2. The FTP Committee shall submit the minutes of its meetings to the relevant Faculty Board(s), the Education Committees and OSCCA, in addition to complying with any reporting requirements of the Regulator. OSCCA will provide anonymous case figures for the procedure in its annual report to the Council and the General Board.