



Academic Handbook Section 2E

Fitness to Practise Policy

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Introduction, scope and principles

1. Fitness to practice is an individual's ability to meet professional standards and the ability to demonstrate the skills, knowledge, character and health to practice their profession safely and effectively"¹ according to the codes of conduct and standards of the relevant Professional, Statutory or Regulatory Body (PSRB).
2. The University has a duty:
 - a. to ensure that students' conduct upholds the reputation of their chosen profession;
 - b. that students pose no threat to public safety and that students are professionally suitable.
3. The *Fitness to Practise Policy* provides the necessary rules and procedures to enable the University to discharge its responsibilities for ensuring students are fit to practise in their individual professional field.
4. The Fitness to Practise Policy applies to all students undertaking courses where protection of the public is a key consideration and where courses lead to the ability to become members of a PSRB that requires standards of professional suitability, conduct and performance.
5. Students are introduced to professional and regulatory standards of behaviour and codes of practice, relevant to their profession, at the application stage and at induction and these are reinforced throughout their course. Whilst students are not yet professionally qualified or registered, it is important that they conduct themselves professionally at all times, in order to justify the trust the public places in professional practitioners. The University expects students to become familiar with the relevant guidance, standards and codes for their profession and to conduct themselves in line with them. Below, as examples, are links to some relevant PSRB codes of practice:
 - [Health and Care Professions Council Guidance on Conduct and Ethics for Students](#)
 - [Nursing and Midwifery Council Professional Conduct of Nursing and Midwifery Students](#)
 - [The Society of Sports Therapists Standards of Conduct, Performance and Ethics](#)
 - [Social Work England – Knowledge, skills and behaviours](#)
6. Students will be expected to make an annual declaration of good health and good character.
7. Concerns about a student's fitness to practise may be raised from any source, including (but not limited to) any member of University staff, student, placement partner or other partner agencies, service user, or member of the public. All concerns received by the University regarding professional practice student behaviour/conduct will be referred to the Course Leader, so that all matters of misconduct may be considered for fitness to practise concerns.
8. Failure to meet expected standards of conduct, professional suitability and performance can lead to the

¹ Heath and Care Professions Council (HCPC) fitness to practise.

Fitness to Practise Policy being invoked.

9. The Fitness to Practise Policy complies with the principles of natural justice to ensure fair decisions are made:
 - a. Students will be told about the fitness to practise concern at the earliest opportunity and will be provided with full details of the case and how these relate to the relevant professional standards and the student's fitness to practise. In exceptional circumstances, including (but not limited to) where a complainant or witness alleges a student is guilty of intimidation, harassment or violence, and they fear reprisals, certain details may be withheld at the discretion of the Complaints and Appeals Manager.
 - b. The burden of proof of the allegation lies initially with the person making the allegation and then the University, via the person presenting the case.
 - c. There will be necessary investigation(s) and these will be to establish the full and balanced facts of the case, including mitigation where relevant.
 - d. Those investigating the allegation at any stage of the proceedings set out in these procedures will do so impartially and in a confidential manner.
 - e. In the event of a Fitness to Practise Panel hearing being convened, there will be provision for both parties to fully articulate their views. Students will have the right to be accompanied by a third party. This may be someone from the Students' Union, a relative, a friend, another student, or a professional representative of a trade union such as the Royal College of Nursing. Students must notify the Complaints and Appeals Manager in advance if they intend to bring professional representation. In such circumstances, the University reserves the right to bring legal representation.
 - f. Those judging the allegation and making decisions on outcomes and penalties will be independent in terms of having had no previous involvement in the case.
 - g. Penalties will be proportionate and consistent.
 - h. Both parties to the allegation will be informed of the outcome of the investigation and the reasons for any decisions made.
 - i. Students will have the right to appeal decisions.

Conduct, professional suitability and performance

10. Concerns about fitness to practise may arise from a range of actions or omissions relating to conduct, professional suitability and performance, including (but not limited to) those listed below.
11. The student's practice is considered to be at a marginal or failing level. Whilst short of seriously damaging or dangerous, there may be an accumulation of issues. For example:
 - a. Failing to meet employer/agency standards on record keeping and reporting;
 - b. Inability to engage effectively and appropriately with service users;
 - c. Missing appointments or pre-arranged meetings;
 - d. Being late without prior notification/acceptable reason;
 - e. Unexplained sickness/absence;
 - f. Not recognising accountability to a supervisor/mentor;
 - g. Breaking confidentiality;
 - h. A pattern of behaviour/events which calls into question overall competence;

- i. Any other behaviour contrary to employer codes of conduct.
12. The student has health or other wellbeing issues, or has experienced significant personal problems, which are impacting on their performance.
13. The student's behaviour whilst enrolled on the course is deemed to be damaging, dangerous, or is demonstrating a serious failure to uphold the relevant professional or regulatory standards and/or code of conduct.
14. Occurrence of any criminal convictions cautions or other events or concerns that may affect good character, which were not disclosed at the time of applying or entry to the course or are disclosed as having occurred whilst on the course. Failure to disclose any issue/event that may affect good character is in itself a fitness to practise concern. If students are in any doubt whatsoever, they should disclose the event or issue of concern to the relevant Course Leader and seek advice about how it may impact on their fitness to practise.
15. In the event of criminal proceedings being taken against a student the University may defer invoking the Fitness to Practise Policy until such time as the outcome of the criminal proceedings is known. Under these circumstances suspension from placement may be invoked by the Dean (or nominee). If suspension from the University is also required, this may be invoked at the discretion of the PVC Students and Governance.
16. Allegations of inappropriate behaviour, such as inappropriate sexual behaviour, lying, oppressive or discriminatory remarks, bullying or harassment.
17. The student is unable to meet reasonable work-placement/academic expectations.

Freedom of Speech

18. Solent University recognizes and values the fundamental importance of protecting freedom of speech in both academic life and the wider community and the University's core value of respect and inclusivity. The University is committed to upholding and promoting the right of the freedom of speech for its students, staff and visiting speakers within the law.
19. **Freedom of speech** means everyone has the right to express lawful views and opinions freely, in speech or in writing, without interference.
20. **Academic freedom** means protecting the intellectual independence of academics to question and test received views and wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in danger of losing their jobs or privileges or reducing the likelihood of them securing promotion or different roles at the university.
21. Fitness to Practise processes will have due regard to the right of freedom of speech.

Overview of fitness to practice procedural stages

22. There are three stages to the Fitness to Practise Policy:
 - Stage 1: Informal
 - Stage 2: Professional Suitability Group
 - Stage 3: Fitness to Practise Panel
23. At any of the three stages, a student may be suspended from placement and/or the course if it is judged that the student poses a risk to the well-being of themselves, service users, other students, University staff, or staff of partner organisations. A student may also be suspended if there are reasonable grounds for considering that, if the student were to continue the course without any restriction or limitation, it would be difficult to conduct a fair investigation. Suspension will not prejudice the investigation and will be authorised in consultation with the placement partner organisation as appropriate. Under these

circumstances suspension from placement may be invoked by the Dean (or nominee). If suspension from the course is also required, this may be invoked at the discretion of the PVC Students and Governance. The student will be informed in writing of the suspension and the reasons for it, together with its terms. Suspension is not used as a penalty in the context of fitness to practise.

24. During any of the three stages of the Fitness to Practise Policy, a student's known, or newly diagnosed, health issues may give rise to concern and the Fitness to Practise Policy may need to be informed/adjusted by an assessment of the impact of these health issues on the student's behaviour, judgement and ability to participate in the process. Under these circumstances the University Head of Student Success, Student Experience (or nominee) will be informed and student support will be initiated as appropriate, e.g. counselling. Support may also include student restrictions or suspension, if that is deemed necessary in the interests of the student's wellbeing. If necessary, due to student health issues, the usual timescales of the Fitness to Practice Policy may be extended.
25. Where the University considers that a fitness to practice concern is sufficiently serious, the Course Leader may bypass the informal stage and refer the case direct to the Fitness to Practise panel.

Stage 1: Informal

26. Allegations will normally be initially addressed informally with the student. Prior to initiating Stage 2, or taking any other action, the Course Leader (or nominee) should normally meet the student informally to discuss the area of concern/allegation. Staff meeting with students under the Fitness to Practise policy should ensure that they have a colleague present in the meeting.
27. If the issue cannot be resolved informally it will be passed to the Professional Suitability Group, which will determine if the case should be referred to a Fitness to Practise Panel. After the informal discussion the Course Leader (or nominee) may take any of the following actions:
 - a. no further action under the Fitness to Practise Policy.
 - b. give appropriate advice and guidance, together with an oral warning, and place a note in the student's file, which may be referred to in any future disciplinary proceedings, including under the Fitness to Practise Policy. The student will be informed in writing that a note has been placed but that it does not constitute a written warning. The note will be retained on the student's file in accordance with the University's records retention policy.
 - c. refer issues for consideration under other regulations, for example Student Academic Misconduct, if the allegation does not question the conduct, professional suitability or performance of the student in relation to public protection. Any single fitness to practise case against a student may not be considered through the formal stage of more than one University procedure, to avoid double jeopardy.
 - d. refer the matter to the Professional Suitability Group to consider fitness to practise issues.
28. If the student does not agree with the action, they have the right to request that their case is referred to the Professional Suitability Group (PSG) under Stage 2.

Stage 2: Professional Suitability Group

29. The purpose of the Professional Suitability Group is to discuss the issue/allegation and decide, based on preliminary evidence/information, whether there is a case to answer through a Fitness to Practise Panel.

30. The membership of the Professional Suitability Group (PSG) is as follows:

- a. A Course Leader or Deputy Dean from the academic department (Chair). Appendix A sets out the criteria for Professional Suitability Group Chair.
- b. The Course Leader (or nominee) who met informally with the student and judged that the matter should be referred to the PSG.
- c. An academic member of staff who is a registrant of the PSRB whose codes of conduct are the standards under which the Fitness to Practise allegation has been brought.
- d. A member of the University's Complaints and Appeals team, who will ensure all relevant University regulations are adhered to and will take notes of the meeting.

31. The PSG will consider all preliminary information and may decide:

- a. to allow the student to continue fully on the course but recommend to the Course Leader that appropriate advice is given as to future conduct whilst enrolled on the course. At this stage it may be necessary, for the student's benefit, to require them to attend an alternative placement.
- b. to give an oral warning and place a note in the student's file, which may be referred to in any future disciplinary proceedings, including under the Fitness to Practise Policy. The student will be informed in writing that a note has been placed but that it does not constitute a written warning. The note will be retained on the student's file in accordance with the University's records retention policy.
- c. that the allegation is sufficiently serious to warrant referring the student to a Fitness to Practise Panel. The Course Leader (or nominee) will prepare the case using the guidance in Appendix B.

32. If the student does not agree with the action, they have the right to request that their case is referred to the Fitness to Practise panel under Stage 3.

33. The Stage 2 process will normally be completed within ten working days from the first report of the informal stage. If, due to unforeseen circumstances, this timeline cannot be adhered to the student will be informed at the earliest opportunity of the delay and the reason why.

34. The outcome at Stage 2: Professional Suitability Group will be recorded, and the student will be notified in writing. The record may be referred to in any future disciplinary proceedings, including under the Fitness to Practise Policy.

Stage 3: Fitness to Practise panel

35. The purpose of the Fitness to Practise Panel is to hear the allegation brought against the student under the Fitness to Practise Policy and make decisions on outcomes and penalties as appropriate.

36. Where a student's fitness to practice is being considered as a result of the outcome of a Student Disciplinary panel or criminal conviction, an investigation of the facts is not normally necessary or required.

37. The membership of the Fitness to Practise Panel is as follows:

- a. Dean, Deputy Dean or Course Leader independent from the previous stages of the process (Chair).
- b. A representative of the student's employing organisation if the student is an employee / apprentice.
- c. An academic member of staff who is a registrant of the PSRB whose codes of conduct are the standards under which the Fitness to Practise allegation has been brought, but who has not been involved in the case at an earlier stage.

- d. An academic member of staff who is a registrant of a different PSRB and has not been involved in the case at an earlier stage.
- e. A Senior Practitioner from an employer partner organisation relevant to the student's course who has experience of dealing with Fitness to Practise in the workplace and has not been involved in the case at an earlier stage.

38. A member of the University's Complaints and Appeals team, who will act as the Clerk to the panel, ensuring all relevant University regulations are adhered to, and will take notes of the meeting.

39. Fitness to Practise Panel process:

- a. The student will be informed of the date of the hearing and the composition of the Panel. If the student feels there is good reason why there would be a conflict of interest or other good reason why any one of the Panel members would not be able to fairly judge their case, they should submit their argument in writing to the Complaints and Appeals Manager within two working days of notification of the panel composition. If the Complaints and Appeals Manager accepts the student's argument, the relevant Panel members will be replaced.
- b. The student will be required to attend the meeting of the Panel in person. If the student fails to attend without 'reasonable explanation', the Panel may consider the case and reach a decision in the student's absence. The Chair will have discretion as to what constitutes a 'reasonable explanation'.
- c. Students will have the right to be accompanied by a third party. This may be someone from the Students' Union, a relative, a friend, another student, or a professional representative of a trade union such as the Royal College of Nursing. Students must notify the Complaints and Appeals Manager in advance if they intend to bring professional representation. In such circumstances, the University reserves the right to bring legal representation.
- d. A student cannot normally be represented by other persons at any meeting except in cases where a student is not capable of representing themselves and might otherwise be at a disadvantage (e.g., they have an evidenced disability or mental health issues). The person accompanying the student will be given opportunity to address the panel.
- e. The student must submit any written statement or evidence for the consideration of the Panel at least five working days before the meeting.
- f. Exceptionally the Panel may ask for witnesses to attend in person.
- g. The Course Leader (or nominee) will attend the meeting to set out the allegation and relevant evidence. The Course Leader will not propose or comment on any outcome or penalty which might be imposed or be involved in the deliberations of the Fitness to Practise Panel in any way.
- h. The Fitness to Practise Panel will operate on the principle of 'the balance of probability' rather than that of 'beyond reasonable doubt'. That is, on the evidence available, the student is more likely than not to have committed professional misconduct / demonstrated professional unsuitability.

40. Fitness to Practise Panel outcomes. Any penalty/sanction should be proportionate to the offence(s) and individual circumstances, and due regard given to the feasibility of discharging the actions or sanctions. Outcomes of the Fitness to Practise Panel are as follows:

- a. Permit the student to continue on the course with no sanction required. It may be recommended to the Course Leader that appropriate advice and guidance is given as to future conduct whilst enrolled on the course. If appropriate, the Panel can recommend an oral warning

is given and a note placed in the student's file, which may be referred to in any future disciplinary proceedings, including under the Fitness to Practise Policy. The note will be retained on the student's file in accordance with the University's records retention policy.

- b. Permit the student to continue on the course with a formal action plan. The plan will be supportive, designed to enable the student to sustainably demonstrate they are professionally suitable and will be monitored by the Course Leader (or nominee). Failure by the student to adhere to the plan will be viewed as a further fitness to practise issue and the Fitness to Practise Policy may be re-invoked. The action plan may, where appropriate, include referral to Occupational Health or other University services. A record of the action plan will be held in the student's file, which may be referred to in any future disciplinary proceedings, including under the Fitness to Practise Policy.
 - c. Issue a formal warning, which will be placed in the student's file for a period of time to be determined by the panel, including up to and after the duration of the student's course. The student will be notified that while the warning remains on the file any reference given by the University for employment or further study will include a statement that the student was subject to a Fitness to Practise Panel hearing during the course. Details of the allegation or the outcome will not be given in the reference.
 - d. In addition to any of the above outcomes, the Panel may require discontinuation of a placement. The University may share, as appropriate, information about a student's professional and/or academic progress with placement providers, including (but not limited to) the outcome of a Fitness to Practise Panel hearing. Whilst the University will take all reasonable steps to secure an alternative placement, placement providers may refuse to accept particular students, and this may legitimately jeopardise the student's ability to complete the course.
 - e. Require the student to suspend from the course for a defined period of time, with return subject to conditions, e.g. recovery from health issues or resolution of other relevant or mitigating factors. Suspension is not used as a penalty in the context of the Fitness to Practise Policy.
 - f. Require the student to withdraw from the course because they are deemed unfit to practise. Where it is proposed that a student is withdrawn from the course, they may be eligible to transfer to another course. Subject to the recommendation of a Progression and Award Board, the student may be eligible to receive any exit award to which they are entitled.
 - g. Where the Panel considers the student should be withdrawn from their course this must be approved by the Chair of Academic Board. The approval process should only be carried out once the student has exhausted the internal appeals procedure.
 - h. The student will receive in writing the outcome of the Panel and a copy of the Fitness to Practise Panel minutes, within ten working days, including the decision, the reason for the decision and details of any sanction or further action. The student shall be informed of the right to appeal against the decision in accordance with University procedures.
41. Where, following any suspension imposed by the panel, the student is unable to return to their studies at the agreed time the Course Leader should consider whether or not it would be reasonable to extend the period of intermission or suspension, and for how long. The University will advise the student of any time limits for completing the course, for example, limits set by professional bodies, and whether or not those time limits can be extended. If the student is not able to return the University will withdraw the student from the course.

APPEAL

42. The student has the right of appeal against the decision of the Fitness to Practise Panel. The Appeal must be made in writing to the Complaints and Appeals Manager, within ten working days of the written notification of the Panel's decision. Exceptionally, at the discretion of the Complaints and Appeals Manager, this deadline may be waived where evidence is provided to show circumstances prevented an appeal being lodged.
43. The student may only appeal on one or more of the following grounds, which must be specified in the letter of appeal to the Complaints and Appeals Manager:
 - a. there is new evidence that was not available to the Panel at the time of their deliberations; or
 - b. there is evidence that University procedures and/or guidance have not been implemented correctly; or
 - c. that the action taken by the panel is disproportionate; or
 - d. that there was bias or reasonable perception of bias during the procedure.
44. Dissatisfaction with the outcome of the hearing and decision of the Panel shall not in itself constitute acceptable grounds for an appeal.
45. Following receipt of an appeal letter, the Complaints and Appeals Manager will acknowledge receipt of the appeal and determine if the appeal meets the criteria. If the appeal meets the criteria the Complaints and Appeals Manager (or nominee) will convene an Appeal Panel.
46. Where the appeal does not meet the grounds for appeal, the student will be issued with a 'completion of internal procedures letter' confirming they have completed the University's internal appeals procedure relating to the case of fitness to practice and advising them that any further request for redress will need to be made to the Office of the Independent Adjudicator.
47. The Appeal Panel will comprise members who have had no involvement in the direct circumstances leading to the allegations against the student or the investigation into those allegations, or have any other connection to the student which might be regarded as prejudicial to their impartiality. Membership will be as follows:
 - a. A Dean or Deputy Dean independent from the department in which the student's course runs, or the Pro Vice Chancellor Education, the PVC Research Academic Strategy Planning or Associate PVC Education and Partnerships (Chair).
 - b. One staff member from the Academic Board or the Education Committee.
 - c. One member of academic staff, independent of the academic department in which the student's course runs.
 - d. A senior practitioner external to the University, who is a registrant of the relevant PSRB and who has not been associated with teaching the student, mentoring them on placement or had any other previous involvement with the student.
48. A member of the University Complaints and Appeals team, who will act as the Clerk to the panel, ensuring all relevant University regulations are adhered to, and will take notes of the meeting.
49. Students will have the right to be accompanied by a third party. This may be someone from the Students' Union, a relative, a friend, another student, or a professional representative of a trade union such as the Royal College of Nursing. Students must notify the Complaints and Appeals Manager in advance if they intend to bring professional representation. In such circumstances, the University reserves the right to bring legal representation.
50. If the student fails to attend without 'reasonable explanation', the Appeal Panel may consider the case

and reach a decision in the student's absence. The Chair will have discretion as to what constitutes a 'reasonable explanation'.

51. If the Panel determines that there is insufficient evidence to uphold the appeal, the appeal will be dismissed, and the student advised accordingly.
52. If the Panel determines that there is sufficient evidence to uphold the appeal, the panel will determine the appropriate action to be taken. The panel cannot raise the penalty from that initially imposed prior to the appeal.
53. The student will be informed in writing of the decision and outcome of the panel within ten working days of the Appeals Panel meeting.
54. This marks the end of the appeal stage. The student will be issued with a 'completion of internal procedures letter' confirming they have completed the University's internal procedures relating to the case of fitness to practise and advising them that any further request for redress will need to be made to the Office of the Independent Adjudicator.

APPENDIX A: GOVERNANCE

55. Chairs of PSG and Fitness to Practise Panel should normally:

- a. have experience in chairing PSG or Fitness to Practise or have undergone training and shadowing of at least one PSG/Fitness to Practise case.
- b. be familiar with the role of PSRBs, ideally being a registrant themselves.
- c. PSG/Fitness to Practise academic members should normally have previous experience of sitting on PSG/Fitness to Practise panel or have undergone training and shadowing of a least one PSG/Fitness to Practise case.

APPENDIX B: GUIDANCE FOR PRESENTING THE FITNESS TO PRACTISE ALLEGATION

56. This guidance does not prescribe a standard template or form but outlines the information which should be included:

- a. **Student details:** Student name, number, course, commencement date and level of study.
- b. **Student status:** Provide details if the student is currently suspended from placement and/or course or currently absent from the course, or any part of it, for any reason. If not, then confirm that the student is currently fully participating in the course.
- c. **The Fitness to Practise allegation:** A concise summary of the Fitness to Practise allegation with clear reference to the relevant sections of the appropriate sections of the Fitness to Practise Policy and PSRB codes of conduct that align with where the student is alleged to be unsuitable or to have committed misconduct.
- d. **Timeline of events leading to Fitness to Practise allegation:** A chronological timeline of events/issues that underpin the allegation, with references to supporting evidence,* which should be presented as numbered appendices from Appendix B onwards.
- e. **Mitigation:** Any mitigating factors specific to the individual student, including (but not limited to) health issues, personal/domestic issues, actions of others that may have impacted on the student's behaviour. Wherever possible, supporting evidence should be presented in the form of numbered appendices, following sequentially from those listed in Section 5.
- f. **Student progress overview:** A brief overview of the student's overall progression and academic/practice profile.
- g. **Student support:** Details of student support in place during the relevant timeline and at present.

57. The Panel may consider evidence from a range of sources including (but not limited to) Practice Assessment Documents, records of communications from the student, e.g. emails, statements from mentors/supervisors/practice educators or other agency/practice staff, communication from members of the public or service users, statements from other students, occupational health reports, medical notes, legal documents, reports from student counselling services, records of meetings or reports from personal tutors or other academic staff as appropriate.

APPENDIX C: FITNESS TO PRACTISE PANEL CONDUCT

- a. The members of the Panel have a private preliminary discussion.
- b. The student, the student's chosen companion and the Course Leader (or nominee) join the meeting and the Chair introduces all those present.
- c. The Chair checks that the student has received details of the case and any supporting documentation, and that they understand fully the nature of the allegation and the purpose of

the Fitness to Practise Panel.

- d. The Chair explains the order of proceedings to the student.
- e. The allegation and evidence relating to the concern about fitness to practise is then presented by the Course Leader (or nominee).
- f. Members of the Panel are invited by the Chair to ask the Course Leader (or nominee) questions related to the case or evidence.
- g. The student is invited by the Chair to put questions to the Course Leader (or nominee). The student's companion should not directly question the Course Leader (or nominee) but may advise the student on relevant issues. Only at the discretion of the Chair is the student's companion allowed to speak directly to Panel members or the Course Leader (or nominee).
- h. The Chair then invites the student to put forward verbally to the Panel their response to the allegation, referring to any previously submitted written evidence. At the discretion of the Chair the student may table a written statement in the Panel hearing.
- i. Members of the Panel are invited to put questions to the student.
- j. The Course Leader (or nominee) is invited to put questions to the student.
- k. Exceptionally the Panel has the power to call witnesses who shall only attend to present their evidence and to answer questions that the Panel or other party may put to them through the Chair. Once their evidence has been heard and there are no more questions, witnesses shall be required to withdraw.
- l. At any time during the Panel hearing the student may ask the Chair for a comfort break or a short recess to confer with their companion or to compose themselves.
- m. The Chair invites the student to make any final response or remarks.
- n. The student, the student's companion and the Course Leader (or nominee) are then asked to leave the room and invited to wait, to be asked back to hear the outcome of the panel. It is not a requirement that they do so.
- o. The Panel then deliberates and comes to a decision. If the Panel is unable to reach a decision for any reason then the Panel may be adjourned and the student, their companion and the Course Leader (or nominee) will be informed.
- p. The Panel shall have the power to seek such other evidence as it deems necessary. The Panel may be adjourned to allow for such evidence to be gathered.
- q. In making the decision the Panel will consider the seriousness of the allegation; the circumstances and context; the level of the student; personal circumstances of the student, including any mitigation; previous findings under the Academic Misconduct Procedure, the Student Disciplinary Procedure or the Fitness to Practise Policy as appropriate.
- r. If the Panel finds on the balance of probability that the case is proven (in whole or in part), they then determine any resulting action or sanction, clarifying the reasons for the choice of penalty.
- s. The student, their companion, and the Course Leader (or nominee) are invited to return to hear the outcome of the panel, which is communicated verbally by the Chair. The student is not allowed to respond to the decision and is informed that they will receive formal written notification within ten working days, including guidance on how to appeal.