

1. Principles

- 1.1. If you are on a course that is recognised by a Professional Statutory or Regulatory Body ('PSRB'), you will have additional responsibilities around your conduct and behaviour. These additional responsibilities around your conduct and behaviour mean we have an obligation to assess whether you are fit to practise in a regulated field. This Policy explains when and how we make such fitness to practise assessments.
- 1.2. We make clear in relevant Course Specifications which courses are subject to PSRB requirements and are therefore subject to this Policy. The course specifications address key practice knowledge, understanding and skills. They also refer to relevant professional body codes of conduct or ethics to ensure you are aware of your responsibilities regarding fitness to practise.
- 1.3. Unless otherwise indicated, we assume you are fit to practise. However, if concerns are raised, we use this policy in a timely and proportionate way to assess whether you are fit to practise and, if not, what action must be taken. This Policy explains the process we will follow and the principles that underpin our decision making to determine whether you are fit to practise, to continue with your studies and to engage with related professional activities, including placements. Concerns about your fitness to practise may be considered at any Stage of this Policy without first having completed an earlier Stage.
- 1.4. Our approach to making decisions about your fitness to practise is:
 - a. Clear and accessible. This means this Policy is widely available and written in such a way that you should not need additional support in understanding what being fit to practise is, and how we can and will assess your fitness. If you are referred through this Policy, we recommend you speak to your Student Experience Officer and/or the Students' Union for assistance.
 - b. Confidential, impartial, and fair. This means that we will treat all referrals through this Policy as being serious and ensure that all resulting decisions are made without a reasonable perception of bias or conflict of interest. We treat all referrals made under this Policy as confidential unless there is good or compelling reason to share key information. Where there is good or compelling reason to share information, we will share only the minimum or key information. We will tell you if we have decided to share such information. We do not normally take forward anonymous concerns. However, if you are raising a concern, you may ask us to withhold your identity.
 - c. Timely, flexible, and proportionate. This means that we will work as quickly as we can to assess your fitness to practise. If we can assess your fitness to practise early, we may be able to put support in place, rather than taking you directly to a fitness to practise panel. Where we establish good reason, we may skip earlier stages (as set out below).
 - d. Embedded and informative. This means we will use the experience of assessing fitness to practise to inform enhancements and improvements to our processes and awards. We do this through our formal committees.
- 1.5. The process for deciding fitness to practise is rigorous, impartial, and evidence based. Therefore, any decision to deem you not fit to practise must be similarly evidence-based, proportionate and informed by academic judgment.
- 1.6. The applicability of this Policy under the University's Collaborative Provision arrangements is detailed in Schedule A.
- 1.7. Determining whether you are not fit to practise can be difficult, and we will, where possible, consider a broad range of views and expertise, all of which must be evidence-based. This means that the evidence must be factual as far as possible and written by a suitably qualified individual who has supervised you within your field of practise. Such evidence must

not seek to offer a medical or other opinion that goes beyond the role and expertise of the individual offering it. Decisions about possible support will usually require a professional and academic judgment regarding ability to engage with studies and/or professional practice.

- 1.8. Behaviour that is raised as an allegation of misconduct (either academic or general) may be considered through this Policy where this forms part of the concerns raised regarding fitness to practise. Similarly, allegations of not being fit to practise raised through this Policy may be referred through any other Policy or Regulation if deemed appropriate.
- 1.9. In deciding your fitness to practise, a decision is made on the balance of probabilities as to whether misconduct has occurred. This is to ensure that vulnerable clients, patients or others are safeguarded.
- 1.10. You are required to read and understand these Regulations, including being familiar with any updates made during your studies. Any questions regarding this Policy should be referred to the Student Experience team.
- 1.11. At all times the application of this Policy will meet the expectations of UK Data Protection law and General Data Protection Regulations. This means that specific detail and information about Fitness to Practise cases is kept confidential as far as possible and disclosed only to those deciding your fitness to practise during the process. There are, however, circumstances when Regent's commitment to confidentiality may be overwritten by other considerations. These are:
 - a. When a student's health and safety or that of others is considered to be at risk;
 - b. When a student is considered to be at risk of serious exploitation;
 - c. When disclosure is required by law;
 - d. When a student's current behaviour or health requirements compromise Regent's responsibilities to outside agencies including practice placements and partner institutions. If a Fitness to Practise panel decides that you are not fit to practise, they will legally be required to inform your PSRB that a fitness to practise panel has decided that you are not fit to practise;
 - e. When a student's current behaviour or health requirements compromise Regent's responsibilities to other students to the extent that those other students are being adversely affected to the serious detriment of their academic progress;
 - f. We do not routinely disclose that you have been subject to a fitness to practise review unless required to do so as part of a lawful request made by an authorised external agency or organisation.

2. Stage One – Initial Concerns

- 2.1. Initial concerns or those that appear to be less serious or general are normally considered at Stage One. This may include concerns raised by any member of the University, or an external person or organisation. Initial concerns and any relevant evidence should be sent in writing to the relevant Head of School.
- 2.2. The Head of School will make arrangements for an investigation to begin. The purpose of the investigation is to determine if there is a case for you to answer. If so, the person investigating the referral must notify you in writing of the concerns within 10 working days of the concern being raised, attaching a copy of this Policy. The person investigating the referral may ask to meet with you or anyone felt to be relevant or ask for specific information and/or evidence.
- 2.3. If you are invited to a meeting, you will be given information about the concerns and evidence, and informed that you can bring someone with you to the meeting. If you bring someone to the meeting with you, they are there as a supporter for you. We would not expect them to speak on your behalf or be acting in a legal capacity. You are responsible for the conduct of anyone you bring to the meeting. During the meeting you will be given the opportunity to respond to the concerns raised.

- 2.4. When the person investigating the concern feels they have enough information, they will finish their investigation. They will reach a conclusion about whether there is a case to answer and recommended action (if any) to take. The conclusion and any recommended actions will be submitted to the Head of School for consideration.
- 2.5. Within five working days after the investigation has finished, the Head of School will write to you with the outcome of the investigation. The outcome will be shared with Registry to update your student record. Possible outcomes include:
- a. There is no case to answer: the matter is closed.
 - b. There is a case to answer but you are fit to practise. Any proportionate actions may be taken, including (the following list is not exhaustive):
 - i. A formal written warning that will normally remain on your record for the duration of your registration on the course.
 - ii. Completion of a reflective piece of work related to your referral and the relevant professional code of conduct.
 - iii. A Behavioural Action Plan.
 - iv. Reimbursement of like-for-like costs where you have been found to be responsible for loss or damage to (or of) any property.
 - v. Written apology.
 - c. There is a case to answer, and you may not be fit to practise. The matter may be referred to Stage Two of this Policy. You may also be placed on a [short-term suspension](#).
- 2.6. Failure to complete any action by the deadline set for you may result in referral to a Stage Two Panel or, if relevant, new or additional actions being assigned, or a referral through the [Academic Regulations: General Misconduct](#) for failure to follow a reasonable instruction.
- 2.7. Depending on the outcome and individual circumstances of the Stage One referral, the Head of School will inform the relevant PSRB. In addition, and depending on the circumstances of the referral, the Head of School may inform the person that raised the concern initially that the matter has been concluded. This would not normally include specific information about any action being taken, unless necessary to ensure the safety of anyone relevant to the referral.
- 2.8. You have the right to appeal the Stage One outcome and/or actions. Such appeals should be submitted using the [Academic Regulations: Academic Appeals](#).

3. Stage Two – Fitness to Practise Panel

- 3.1. Concerns can be raised by any member of the University or external person or organisation. Concerns and relevant evidence should be sent in writing to the relevant Head of School. Concerns can be referred to Stage Two of this Policy where they:
- a. Have completed Stage One and there is felt to be a case to answer as you may not be fit for practise
 - b. Appear to be more serious than can be considered at Stage One
 - c. Appear to be more specific than can be considered at Stage One may be referred directly to Stage Two.
- 3.2. Within ten working days of concerns being raised at Stage Two, the Head of School will inform the Head of Student Experience & Wellbeing.
- 3.3. Within ten working days of being informed, the Head of Student Experience & Wellbeing will decide whether to proceed with the referral at Stage Two. Decisions may include:
- a. To close the matter with or without further actions. Actions may include:
 - i. A formal written warning that will normally remain on your record for the duration of your registration on the course.
 - ii. Completion of a reflective piece of work related to your referral and the relevant professional code of conduct.

- iii. A Behavioural Action Plan.
 - iv. Reimbursement of like-for-like costs where you have been found to be responsible for loss or damage to (or of) any property.
 - v. Written apology.
 - b. To refer the matter to Stage One.
 - c. To proceed to a Stage Two Panel.
 - d. To refer the matter to a Panel at any Stage of the [Academic Regulations: General Misconduct](#).
- 3.4. Within five working days of the decision, the Head of Student Experience & Wellbeing will write to you. If the matter is being referred to a Stage Two Panel you will be given at least ten working days' notice of the date of the Panel meeting. You will also be told:
- a. The reason for the referral.
 - b. The time, date and location of the panel, this will normally be held via Microsoft Teams;
 - c. The Panel members.
 - d. The deadline for you to submit evidence and/or a statement for consideration by the Panel. This should include all mitigation for your behaviour and conduct related to the referral.
 - e. When you will receive the full pack of information and evidence being considered by the Panel. This should be no less than five days before the Panel meeting.
 - f. That you can bring someone with you to the meeting. If you bring someone to the meeting with you, they are there as a supporter for you. We would not expect them to speak on your behalf or be acting in a legal capacity. If bringing someone with you, you must provide the name and contact details of any supporter at least two working days before the Panel meeting. You are responsible for the conduct of anyone you bring to the meeting.
- 3.5. Stage Two Panel members should have no prior involvement in the referral. Panel membership normally comprises:
- a. A Head of School (Chair).
 - b. An academic member of staff who has an understanding of the area of study or PSRB requirements more generally.
 - c. A professional member who may be external to the University but who has experience of fitness to practise and can assess your fitness in the relevant discipline.
 - d. The Head of Student Experience & Wellbeing.
- 3.6. A member of staff from the Student Experience & Wellbeing team will normally be present to take notes of the meeting. This note-taker is not a member of the Panel.
- 3.7. You will usually be required to attend the hearing, though the Chair may allow the Panel to proceed without you if they deem this reasonable. You do not have a right to an alternative date, but you can ask to postpone the Panel date if you have exceptional circumstances and can evidence this. The Panel must be fair and reasonable in deciding whether or not to grant a postponement or proceed in your absence. If you cannot attend, you can make written submissions.
- 3.8. If you fail to attend without reasonable explanation, the Panel will normally proceed in your absence. Failure to attend without prior arrangement or failure to engage constructively with the process may be considered when determining your fitness to practise.
- 3.9. The Panel may ask a witness to attend or provide a written statement. Witnesses will be given reasonable notice should they be asked to attend the hearing and their role will be fully explained to them.
- 3.10. The Chair will outline the procedure that the hearing will follow, which will include:
- a. Informing everyone present that the whole meeting is confidential, and professional rules will be observed. Pseudonyms will be used to protect the confidentiality of

service users and/or third parties.

- b. Introduce the panel and explain their role at the meeting.
- c. The Stage One investigator may attend to present the referral.
- d. You will be provided an opportunity to present your response. Any evidence must be given by you and not your representative.
- e. Any witness attending the Panel meeting may be asked questions by you or the Panel. However, the Chair may rule on the appropriateness of any question from anyone present.
- f. The Chair will check that you and the Panel has had sufficient opportunity to ask questions or respond to any point before closing the meeting.
- g. The Panel will meet privately to reach a decision: you, your companion, and any witnesses will be asked to leave the meeting.

3.11. If the Panel members are unable to agree on a decision, the outcome will be decided via a majority vote.

4. Stage Two Outcomes

4.1. If the Panel finds you have no case to answer or you are fit to practise it may:

- a. Take no further action other than to record the finding; or
- b. Refer you to another University policy; and/or
- c. Make recommendations to you regarding your further progress on the course.

4.2. If the Panel finds that your fitness to practise is impaired, it may take any of the following actions:

- a. Written warning with recommendations as to your future conduct;
- b. Written warning with conditions for conduct on the course and/or placement;
- c. Require that you are placed on an interruption of studies for a fixed period of time and confirm conditions or outcomes which must be met prior to your return;
- d. Recommend that you are unable to progress on the course as you are not fit to practise and cannot redeem the situation.

4.3. The Chair will approve the notes as the formal record of the meeting. These approved notes and the Panel outcome will be shared with you within five working days following the Panel meeting. The outcome and any actions will be shared with Registry to update your student record.

5. Academic Appeals

5.1. If you are dissatisfied with the outcome and you can establish one or more of the grounds, you may submit an [Academic Appeal \(Formal Stage\)](#) within ten working days of the outcome of the Stage Two Fitness to Practise Panel.

6. Schedule A

The applicability of this Policy under the University's Collaborative Provision arrangements is detailed below.

Where the Regent's University London Policy applies, collaborative partners may use different terminology, e.g. 'programmes' and 'units' instead of 'courses' and 'modules'.

Cours Florent

- 6.1. This policy is not applicable to students of Cours Florent. Students should refer to Cours Florent's policies.

DOMUS Academy

- 6.2. This policy is not applicable to Domus Academy. Students should refer to Domus Academy's policies for the applicable policy.

Istituto Marangoni (London)

- 6.3. This policy is not applicable to students studying at Istituto Marangoni London. Students should refer to Istituto Marangoni London's policies for applicable policy.

Istituto Marangoni (Paris)

- 6.4. This policy is not applicable to students studying at Istituto Marangoni Paris. Students should refer to Istituto Marangoni Paris' policies for the applicable policy.

Liverpool Media Academy (LMA)

- 6.5. This policy is not applicable to LMA students. Students should refer to LMA's Health, Wellbeing and Support for Study Policy.

MACROMEDIA

- 6.6. This policy is not applicable to Macromedia students. Students should refer to Macromedia's policies for the applicable policy.

Nuova Accademia di Belle Arti (NABA) London

- 6.7. This policy is not applicable to students of NABA London. Students should refer to NABA London's policies.