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LSBU

London South
Bank University

Fitness to Teach Procedure

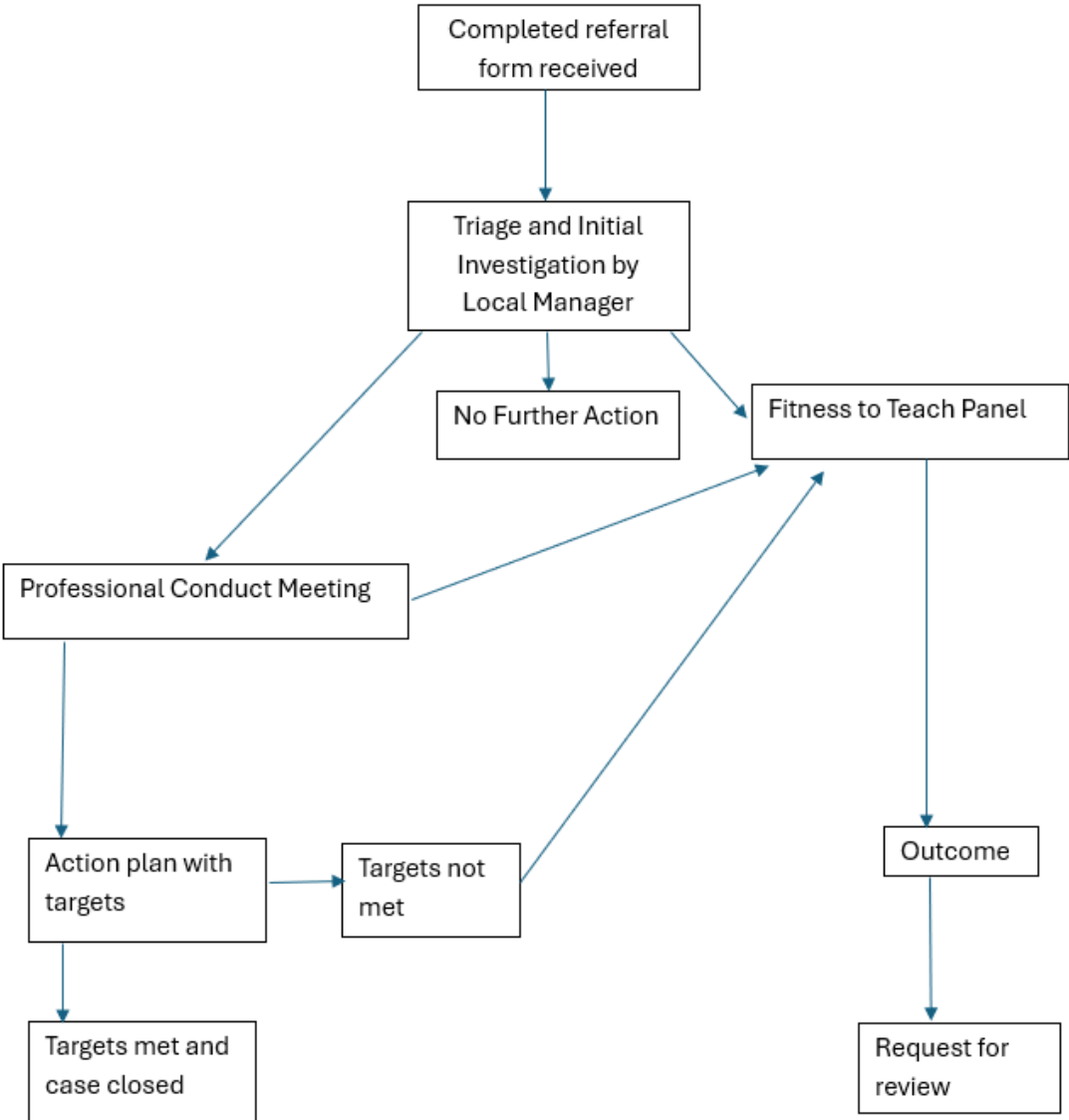
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Fitness to Teach Flowchart



Fitness to Teach Procedure

1. Introduction – the principles behind this procedure

- 1.1. The Fitness to Teach of a student may be called into question if their behaviour, competence or health status causes concern in relation to their suitability to become a registered professional or work in an area of education.
- 1.2. This Fitness to Teach Procedure covers all students on PGCE courses which involve contact with learners in formal and informal education settings including but not limited to schools, colleges and alternative provision and/or allows for registration to teach as a professional.
- 1.3. Standards of Conduct, Performance and Ethics are set out by the relevant professional bodies which include; Department for Education (DfE), Education and Training Foundation (ETF), Advance HE and education professionals who also provide guidance for the application of those standards for students in an educational setting.
- 1.4. The professional bodies mentioned above define the professional standards which must be met by all students studying on relevant LSBU Education courses, and this procedure outlines the University processes to ensure these standards are maintained.
- 1.5. The over-riding principles underpinning this procedure are:
 - Protection and safety of learners and professional colleagues.
 - The declaration and upholding of appropriate standards of professional conduct by students.
 - Maintaining public confidence in the profession and in the University.
 - Maintaining public confidence in students of the profession
- 1.6. The Fitness to Teach procedure is not a disciplinary process but is designed to ensure that you have the support that you need to succeed in your chosen career and every opportunity to demonstrate that you meet the relevant professional standards.
- 1.7. A decision made under this procedure about whether or not you are fit to teach is a matter of professional judgment. The burden of proof in cases considered under the Fitness to Teach policy rests with the University, (i.e., it is for the University to prove that you are not fit to teach). Decisions will be made in accordance with the civil standard of proof (i.e. on the balance of probabilities).

- 1.8. An attempt will be made where possible to resolve any concerns informally, in discussion with you and putting in place appropriate support as needed. Any investigation and necessary action will be undertaken as speedily as possible, normally within 90 days from the start of the formal process. This timeframe requires you to engage with the Fitness to Teach Procedure by meeting all of the University's stipulated deadlines for submission of materials and attending the meetings you are invited to at each stage of this procedure.
- 1.9. There may be cases where, for good reason(s), the University will need to extend the timeframe for dealing with your case. When this is the case, we will contact you to explain the delay and set a new deadline for the next stage.
- 1.10. Meetings and hearings under this procedure will normally be held via MS Teams. Meetings in person may be permitted at the discretion of the local manager, or Chair of the Fitness to Teach Panel who is the Associate Dean Academic and Quality Assurance of the College of Society and Professions (or their appointed nominee). A meeting or hearing may be recorded at the discretion of the local manager or Chair to enable accurate notetaking, in which case all parties will be notified accordingly.
- 1.11. The University is committed to upholding the right to freedom of speech and academic freedom in accordance with the Higher Education (Freedom of Speech) Act 2023. This procedure does not seek to prevent students from lawfully expressing views, beliefs, or opinions, even if these are controversial or offensive to others, provided they do not breach the law, professional conduct standards, or safeguarding responsibilities. Decisions under this policy will take into account students' rights under freedom of speech legislation.

2. Scope – who/what is covered by this procedure?

- 2.1. This procedure applies if you are a LSBU student on a programme of study covered by paragraph 1.2 and:
 - a) are enrolled and registered at the University; or
 - b) were enrolled at the University at any time during the previous 12 months; or
 - c) have interrupted your studies.
- 2.2. The University reserves the right to carry out and/or complete the Fitness to Teach Procedure if you withdraw from the University whilst the process is ongoing. As set out in paragraph 17.3, details of any formal Fitness to Teach procedure may be referred to in a reference given by the University on your behalf.
- 2.3. Reported unacceptable behaviour can be considered under this procedure whether it has taken place on, or outside of, University premises (e.g. a placement setting) or online (e.g. social media and

digital communication). In addition, unacceptable behaviour considered under the process of another institution (such as the placement provider) can still be considered under this Fitness to Teach Procedure.

- 2.4. Unacceptable conduct may be dealt with under the Student Disciplinary Procedure or the Student Academic Misconduct Procedure unless it would more appropriately be dealt with under this Fitness to Teach Procedure. The Chair of the Fitness to Teach Panel will be consulted if it is not clear which procedure should be followed in a given situation. If another University procedure is initiated with respect to behaviour which is subsequently seen to fall under Fitness to Teach, the other process may be suspended or terminated and action under this procedure may be taken instead.

3. Who is responsible for this procedure?

- 3.1. The PVC Education and Student Experience has overall responsibility for this procedure but has delegated day-to-day responsibility for overseeing its implementation to the Associate Dean Academic and Quality Assurance of the College of Society and Professions. All relevant members of staff have been made aware of the procedure and have received appropriate training.
- 3.2. The College of Society and Professions and the University Solicitor will review this procedure from time to time (and at least every two years) to ensure that its provisions continue to meet our legal obligations and reflect best practice in teacher education.

4. Support for Students

- 4.1. You are encouraged to seek advice and support regarding this procedure from the LSBU Students' Union Advisory Service.
- 4.2. If you are invited to attend an investigatory interview, or a formal meeting or hearing under this procedure, you may be accompanied by companion such as a fellow student or Students' Union representative. You are not normally permitted to be represented by a legally qualified solicitor or barrister, but the University may allow legal representation at Fitness to Teach Panel hearings in exceptional circumstances. You must provide the name and contact details of your chosen companion to the University at least five calendar days before the meeting/hearing.
- 4.3. If you have a disability, you may additionally be accompanied by a support worker as may reasonably be required. The University will make reasonable adjustments to this procedure where it is reasonable to do so to prevent you from suffering substantial disadvantage as a result of your disability. The University's DDS and/or Student Wellbeing teams will be consulted.

- 4.4. The companion's role at the meeting will be to support you; you may consult them for advice and support during the meeting, but they may not answer questions on your behalf (unless this is agreed in advance by the chair as a reasonable adjustment for your disability).
- 4.5. Further details of support services offered by the University are set out at Appendix 1.
- 4.6. The University will take your circumstances into account when investigating incidents, and when deciding on a course of action. All efforts will be made to support students whilst they are under investigation. The Mental Health and Wellbeing team will be informed of an investigation if a student's mental health is considered to be affected or in question. Students who are registered with the Disability and Dyslexia Service (DDS), or who the University considers to have emerging mental health difficulties, can expect the University to consider their personal circumstances in the application of this procedure.
- 4.7. At any stage of this procedure the University may (at its expense) refer you for assessment by the University's occupational health service or other medical professional. Failure to co-operate with such a referral may itself be treated as an issue of Fitness to Teach. The University also operates a Support and Fitness to Study procedure; under certain circumstances students may find themselves subject to the application of both procedures at the same time. However, it would more usually be the case that one was paused pending the outcome of the other, unless it was in the best interest of a student for both processes to run in parallel.

5. Professional Standards and Expectations of Students

- 5.1. It is your responsibility to be aware of the professional standards set by your relevant professional body.
- 5.2. All students on relevant education courses will sign the "Directional Statement" annually, which clarifies the expected behaviours of students. The process of annually signing the statement reinforces that students should be clear of the expectations upon them.

6. Application of the Fitness to Teach Procedure

- 6.1. In general Fitness to Teach has four elements:
 - Suitable health.
 - Suitable competence.
 - Suitable conduct.
 - Suitable character.
- 6.2. **Suitable Health** - The University has an occupational health service. As part of any investigation or action under this procedure, a student

may be referred to occupational health for an assessment of fitness to teach in relation to their health status. Any such assessment will be taken into consideration by the local manager or chair of the Fitness to Teach Panel in making a decision under this procedure.

- 6.3. **Suitable Competence** - Students' competencies are demonstrated through the satisfactory completion of academic assessments and placements. Therefore, suitable competence is typically not considered under this procedure.
- 6.4. **Suitable Conduct and Character** - The intended use for this procedure is to review cases where a student's behaviour calls into question whether their conduct and/or character are suitable for the profession which they have entered or are seeking to enter. This includes assessing whether any such behaviour conflicts with professional standards. However, expressing personal, political, or religious views – including those that may offend others – will not in itself be considered evidence of impaired fitness to teach by the University unless it involves unlawful speech or constitutes a breach of safeguarding or professional conduct expectations.
- 6.5. Any behaviour or action which breaches the Student Code of Conduct and/or professional standards set by the relevant professional body applicable to the student may give rise to action under this procedure if it calls into question a student's fitness to teach.
- 6.6. Unacceptable behaviour will be addressed under this procedure. A claim that a student is mentally or physically unwell, under particular stress, or that a disability caused them to behave in an unacceptable way is not a defence to a case of Fitness to Teach. Any student who has a disability is encouraged to seek support from the University's Student Wellbeing team. Additionally, it is not a defence to claim that behaviour was caused or influenced by drugs or other substances, even if prescribed for a recognised medical condition.

7. Reporting Unacceptable Behaviour or Concerns about a Student

- 7.1. All University staff and students are responsible for reporting unacceptable behaviour that they witness or for which they have evidence. In particular, students who have signed the "Directional Statement" are expected to self-declare any cautions, criminal convictions, investigations or pending child safeguarding issues in which they may have become involved.
- 7.2. All University staff who either witness or become aware of a report of unacceptable behaviour or other concerns about a student through some other means (e.g., if the behaviour is reported to them in person or by email) should ensure that the matter is reported to the Course Leader within 24 hours of the incident. If the incident causes concern for learners and/or public safety the Associate Dean Academic and

Quality Assurance or another Designated Safeguarding Office should be informed immediately so that a decision can be taken on whether a student should be prevented from attending placement and/or suspended from the University in accordance with paragraph 11 (Precautionary Action) below.

8. Informal Resolution

- 8.1. In the first instance, the Course Leader will assess if an informal resolution can be found. The purpose of informal resolution is to attempt to resolve issues that are straightforward, and that require little or no investigation. The aim is to put matters right quickly. To facilitate this, issues raised at this stage can be handled by a face-to-face discussion between the student and the Course Leader to deal with the matter. Students will have an opportunity to quickly put forward their perspective. Resolution might be achieved by providing an on-the-spot explanation of why the conduct occurred and/or an apology and explanation of what will be done to stop a similar situation happening again.
- 8.2. A record will be kept of informal resolution outcomes. This is to allow for escalation into the Fitness to Teach Procedure should there be future recurrences of similar issues.
- 8.3. If an attempt at an informal resolution is made, the Course Leader will take the decision, in discussion with the placement organisation, as to whether the student is permitted to attend placement whilst a resolution is being sought. If an attempt at putting an informal resolution in place is not successful within seven calendar days then a referral under this Fitness to Teach Procedure should be made.

9. Referral to Fitness to Teach

- 9.1. Referrals to the Fitness to Teach Procedure are to be made in writing and submitted to the Student Affairs team by sending a Fitness to Teach Referral Form (Appendix 2). Relevant documentary evidence should be submitted with the referral where appropriate. Once a referral has been made, the student will be notified of the allegations made against them. All staff with prior involvement should refrain from discussing the case with the student until any subsequent actions under the procedure have been concluded.
- 9.2. Anonymous referrals or witness statements will not normally be accepted.
- 9.3. Occasionally, referrals may be made through other channels, such as cases that have been referred via Report and Support or Safeguarding channels.

- 9.4. Referrals that appear to concern a student's lawful expression of views (e.g. in academic debate, classroom discussion, online platforms, or political activity) will be reviewed through a sifting process by the Student Affairs Team and, if needed, in consultation with the University Solicitor or other appropriate member of staff. If the concern does not relate to any breach of professional codes, Directional Statement of Conduct Principles, safeguarding responsibilities or risk to service users, no action will be taken under this procedure.
- 9.5. All accepted referral forms will be forwarded by the Student Affairs Team to the local manager for the College of Society and Professions. This may be the Head of School, Deputy Head of School or another member of the School or College Leadership team, appointed by the Executive Dean of the College. The local manager will review the case within four days and decide if the case is to be taken forward under this procedure.

10. Student Conduct under Police Investigation

- 10.1. If the University is made aware that a student is under current criminal investigation by the police or any prosecuting authority, the University Solicitor, Pro Vice Chancellor Education and Student Experience/Executive Dean of the College of Society and Professions, and the Chair of the Fitness to Teach Panel will be notified.
- 10.2. The University's typical policy is to support all students involved in police investigation in continuing their studies safely and abiding by any bail conditions that may have been placed on them. Where appropriate, we will make reasonable adjustments to students' academic programmes to help them ensure their own safety, the safety of others and/or to comply with any bail conditions. However, the safety of learners is paramount, and students may therefore be removed from or prevented from attending placement or required to interrupt their course pending resolution of police investigation.
- 10.3. Once a criminal investigation is concluded, the local manager will review the facts of the case and decide if this procedure needs to be implemented due to the professional suitability of the student being brought into question.
- 10.4. If a complaint of misconduct reported under this procedure is also subject to police investigation, the local manager will ask the student to give consent for the police to provide information to the University on the progress of the police investigations or require the student to keep the University informed accordingly.
- 10.5. The University reserves the right to either suspend or continue with the Fitness to Teach Procedure in cases where the police investigation is

ongoing or has been suspended or discontinued. This will be decided on a case-by-case basis in consultation with the University Solicitor and, where appropriate, in dialogue with the police. The University also reserves the right to proceed with the Fitness to Teach Procedure where the student against whom the allegation of misconduct has been made has been acquitted in criminal proceedings.

- 10.6. Where a student is unable to or has been advised not to attend a Fitness to Teach hearing or say anything about a pending criminal matter, the University reserves the right to take a decision based on the available evidence.

11. Precautionary Action

- 11.1. If the Course Leader or Student Affairs Team considers that the alleged behaviour is such that there is risk to the student, learners, other students and/or staff, they should notify the Chair of the Fitness to Teach Panel or another Designated Safeguarding Officer for the College of Society and Professions. In these circumstances, the student will normally immediately be removed from placement.
- 11.2. In addition, if necessary, a request may be sent to the Head of Academic Services for the temporary suspension of the student from all or any part of University premises or University activity until the Fitness to Teach Procedure is concluded; and/or that conditions be placed on the student (e.g., not to contact a named person). Students who are suspended will not be eligible to go to, or remain on, placement, but students shall not be suspended from the University merely because they have been removed from placement by the University and/or the placement provider.
- 11.3. The decision to suspend and/or to place conditions on the student will only be made where the risk level is high and there are no alternative measures that could be put in place instead to mitigate the risk. It is, therefore, a precautionary, rather than a punitive, measure.
- 11.4. Any suspension/conditions will be limited to a specified period of time and reviewed regularly by the Academic Registrar or nominee but may be extended where necessary to do so.
- 11.5. If students are suspended and/or conditions are placed on them, the Head of Academic Services will write to them setting out the decision and clear reasons for the decision, which will relate to the allegations made, supported by a statement of the basic alleged facts.
- 11.6. Students can appeal against a precautionary suspension and/or conditions placed on them to the Pro Vice-Chancellor Education and Student Experience within seven calendar days of the decision letter (making clear representations). The Pro Vice Chancellor Education and

Student Experience (or nominee) will notify you of their decision within seven working days of receipt of the students' appeal.

- 11.7. Precautionary Action will normally be reviewed after 28 days to decide if it remains the appropriate course of action.
- 11.8. It is possible that in cases where LSBU does not institute precautionary action themselves, a placement provider may still do so. A placement provider may suspend or terminate a placement under one of their own policies e.g. safeguarding. In these circumstances LSBU will seek a written confirmation of the reasons for the action which will form part of the evidence considered when evaluating a students' Fitness to Teach.

12. Investigation

- 12.1. On receipt of a referral under paragraph 9.4, the local manager will investigate the case unless it meets the criteria in 12.2.
- 12.2. The local manager will not investigate a case if:
 - The referral report consists only of hearsay.
 - The behaviour has been addressed satisfactorily by another process and it is not deemed necessary to consider it under the Fitness to Teach procedure.
 - The behaviour can be addressed at an informal level.
- 12.3. If the local manager decides there is no case to answer, the student will be notified that concerns have been raised about their conduct but that no action will be taken under the Fitness to Teach Procedure. The local manager may nevertheless initiate the Support and Fitness to Study Procedure or pass a suitable report to other University services, or a placement provider, who will take action to support the student(s) involved in the incident. Where a case has been closed without taking action under the University's Fitness to Teach Procedure, the individual who made the referral will be informed.
- 12.4. If an investigation is undertaken by the local manager, the student's placement provider will be informed of the Fitness to Teach referral. This will not include any specific details without the student's permission; however, the organisation has the right to remove them from placement if specific details are requested and they refuse to allow this information to be shared.
- 12.5. Prior to starting the investigation, the local manager should consider whether any conflict of interest exists, and if there is, ask another suitably qualified person to take over the investigation.
- 12.6. The investigation will be started as promptly as possible, and normally within 14 calendar days of the date of the Fitness to Teach referral being made.

- 12.7. As part of the investigation the local manager will:
- Arrange to meet with the student to discuss the concerns and hear their version of events, including any explanation that the behaviour in question relates to lawful expression protected under the University's freedom of speech duties.
 - Identify any other relevant witnesses and either interview these individuals or obtain written witness statements.
 - Seek documentary evidence where appropriate (e.g., emails, logs from relevant University systems or other relevant evidence).
 - Write a full report at the end of their investigation and submit this with a copy of the full investigation file to the Student Affairs team.
- 12.8. Where a student is invited to an investigatory interview, the local manager will write to them at least five calendar days in advance inviting them to the interview. They will explain the reason for the interview and the allegations made against the student.
- 12.9. The Student Affairs team will provide a copy of the current Fitness to Teach Procedure with the invitation and remind the student of the seriousness of the situation and the potential outcomes should their fitness to teach be found to be impaired.
- 12.10. The student will also be invited to submit a written statement which must be sent at least three calendar days before the interview takes place. After the interview and within 14 calendar days, the student will receive a copy of the notes of the interview for comment.
- 12.11. The local manager reserves the right to proceed with the investigation without meeting with the student if they are satisfied that due notice of the date and time of the investigatory interview was given to them and they are absent without reasonable explanation. The local manager shall decide in their absolute discretion what constitutes "reasonable explanation".
- 12.12. If at the end of the investigation, the local manager considers that, based on the evidence available, there are no reasonable grounds to believe that the alleged behaviour or conduct took place, the local manager will take no further action and the case will be closed and the individual who made the referral will be informed.
- 12.13. If at the end of the investigation, the local manager considers that, based on the evidence available, there are reasonable grounds to believe that the alleged behaviour or conduct took place, and that this means that the student's fitness to teach may be impaired, the student will be invited to a Professional Conduct meeting within 14 calendar days of completion of the investigation. Alternatively, the local manager can refer the student straight to the Fitness to Teach Panel if they consider the matter to be complex or one which may warrant suspension or expulsion.

- 12.14. The student will normally be notified of the decision of the local manager (and provided with a copy of the investigation report) within seven calendar days of the conclusion of the investigation.

13. Professional Conduct Meeting

- 13.1. The Student Affairs team will invite the student to attend a Professional Conduct Meeting, providing the date, time and place of the meeting. The student will be given at least 10 calendar days' notice to prepare their case based on the information provided by the University.
- 13.2. The notice will set out the allegations against the student, the basis of those allegations and the likely range of outcomes if it is decided after the Professional Conduct meeting that their fitness to teach is impaired.
- 13.3. The Student Affairs team will also provide the student with copies of all the relevant documents related to their case.
- 13.4. The student will be invited to submit a written statement no later than five calendar days prior to the Professional Conduct meeting, together with any documents they wish to rely on.
- 13.5. The local manager reserves the right to proceed with the Professional Conduct meeting in the student's absence if they are satisfied that due notice of the date and time of the meeting was given to them and they are absent without reasonable explanation. The local manager shall decide in their absolute discretion what constitutes a "reasonable explanation".
- 13.6. The purpose of the Professional Conduct meeting is to consider the evidence gathered and to provide the student with an opportunity to make representations. The Professional Conduct meeting will include the local manager, the student, any other parties as deemed appropriate (e.g., a companion or representative from the DDS team), and an administrator whose role is to take notes. The local manager will decide on the basis of the evidence and student representations whether the alleged conduct is proven. If the conduct is considered to be proven the local manager will ask the student to submit any evidence in mitigation before they consider whether their conduct means that their fitness to teach is impaired.
- 13.7. If at this stage the Professional Conduct Meeting decides that the allegation is not proven, they will take no further action, and the case will be closed and the individual who made the referral will be informed.

13.8. If the Professional Conduct Meeting Chair considers that the allegation is proven and that the student's fitness to teach is impaired, they will take one or more of the following actions:

- Place conditions on the student with an action plan to allow for them to improve their conduct. This may include referring the student to relevant training or ordering them to pay repair and/or cleaning costs. The conditions will be reviewed within 2 months of being issued and, if they have not been met by the student, further action may be taken under this Fitness to Teach Procedure;
- Referral to the University's occupational health service or other medical professional for assessment and/or treatment;
- Issuing a formal warning;
- Referral to the Fitness to Teach Panel (see paragraph 14 below).

13.9. During the decision process, the local manager will consider:

- Whether action has already been taken against the student by another body (such as a placement provider).
- Whether there is evidence of contrition on the part of the student (for instance evidence that they have apologised, made restitution or improved their behaviour since the incident).
- Any previous action taken against the student under this Fitness to Teach procedure or any other relevant procedure, such as disciplinary procedure.
- The professional body standards that apply.

13.10. When issued, a formal warning will:

- Be given in writing.
- Clearly notify the student that they have been given a formal warning about their conduct which will be live for the remainder of their course.
- Remind the student of their duties under the relevant Standards of Conduct, Performance and Ethics.
- Be stored as a part of the student's permanent record.
- In some circumstances, advise the student to apologise or make appropriate restitution to named parties, and may request a copy of any letter of apology or restitution for the case file.

13.11. The Student Affairs team will notify the student in writing of the outcome of the Professional Conduct meeting and the reasons for the decision within 14 calendar days of the meeting. The student will also receive a copy of the notes of the meeting for comment and will be informed of their right to request a Review under paragraph 15.

14. Fitness to Teach Panel Hearing

- 14.1. Fitness to Teach Panel hearings are undertaken when the local manager refers the case under paragraph 12.13 or 13.8.
- 14.2. The student will be invited to attend the hearing of the Fitness to Teach Panel and sent copies of all the relevant documents and the names of the Panel members at least 14 calendar days before the Panel meeting. The letter invite will also clearly set out potential outcomes.
- 14.3. The student has the right to present their case to the Panel in person (or in writing if they prefer to do so). All written documents must be received at least 7 calendar days prior to the Panel meeting, together with details of any witnesses the student intends to call.
- 14.4. The Fitness to Teach Panel shall consist of:
 - The Chair, typically the Associate Dean Academic and Quality Assurance of the College of Society and Professions, otherwise a senior member of the academic or management staff of the College, appointed by the Executive Dean;
 - One member of staff within the School of Law and Education who is a registered professional in Education.
 - An external registered professional in Education who is not employed at the same organisation where the student has been attending placement.
- 14.5. No member of the Panel will have had significant prior involvement with the student, or the current case, apart from regular teaching and coursework assessment.
- 14.6. Where the student has a disability, the Fitness to Teach Panel will also include a member of the University's Disability and Dyslexia and/or Mental Health and Wellbeing Team.
- 14.7. The Student Affairs Team will act as secretary and procedural adviser to the Panel. The Panel may also seek legal or other support from the University Solicitor or external advisers.
- 14.8. At the Panel hearing the local manager will present the case against the student, including any evidence which has previously been disclosed to them. The student will be able to respond and to present any evidence of their own.
- 14.9. The Panel reserves the right to proceed with the hearing in the student's absence if they are satisfied that due notice of the date and time of the meeting was given to them and they are absent without reasonable explanation. The Panel shall decide in their absolute discretion what constitutes a "reasonable explanation".
- 14.10. The Panel may be adjourned at the discretion of the Chair in the interests of fairness e.g. new evidence which has come to light which

could not reasonably be disclosed in accordance with the prescribed timescales under this procedure.

- 14.11. Decisions of the Panel shall be made on a majority basis; where there is a tie, the Chair shall have a casting vote.
- 14.12. The purpose of the Panel is to consider the evidence gathered and to provide the student with an opportunity to make representations. The Panel will then decide on the basis of the evidence and the student's representations whether the alleged conduct is proven. If the conduct is considered to be proven the Panel will ask the student to submit any evidence in mitigation before it considers whether their conduct means that their fitness to teach is impaired.
- 14.13. The Panel will make one or more of the following decisions:
- A) To dismiss the case against the student.
 - B) That the investigation has not been conducted properly, fairly, or with sufficient rigour, and that therefore the investigation should be quashed and another local manager identified to investigate the issue afresh.
 - C) To take one of the actions under 13.9 of this Procedure, namely:
 - To place conditions on the student with an action plan to allow for them to improve their conduct. This may include referring the student to relevant training or ordering them to pay repair and/or cleaning costs. The conditions will be reviewed within 2 months of being issued and, if they have not been met by the student, further action may be taken under this Fitness to Teach Procedure;
 - Referral to the University's occupational health service or other medical professional for assessment and/or treatment;
 - Issuing a formal warning;
 - D) That, whilst the student has behaved inappropriately or there are other concerns about their conduct, their fitness to teach is not impaired and the matter should be referred for consideration under another University procedure (e.g., Student Disciplinary Procedure, Support and Fitness to Study Procedure, Academic Misconduct Procedure).
 - E) That the student's conduct means that their fitness to teach is impaired, but their continuation on the course constitutes no risk to the safety of learners in placement settings, in which case the Panel may:
 - i. suspend the student from the University for a specified period of time and may impose conditions on their return to study which will be reviewed by the student affairs team; or
 - ii. withdraw the student from the course but with the opportunity to transfer to an alternative non-professional course at the University or to receive an exit Award or credits as appropriate; or
 - iii. exclude the student from the University.

- F) That the student's conduct means that their fitness to teach is impaired, and their continuation on the course constitutes may constitute a risk to the safety of learners in placement settings, in which case the Panel may:
- i. withdraw the student from the course but with the opportunity to transfer to an alternative non-professional course at the University or to receive an exit Award or credits as appropriate; or
 - ii. exclude the student from the University.

14.14. The Student Affairs team will notify the student in writing of the outcome of the Fitness to Teach Panel and the reasons for the decision within seven calendar days of the hearing. The student will also be informed of their right to request a Review under paragraph 15. When the Fitness to Teach Panel makes a decision to suspend or exclude the student, it will notify the Head of Academic Services of the decision. The Head of Academic Services (or nominee) will action the suspension or exclusion and write to the student informing them of the suspension or exclusion.

15. Review

- 15.1. If the student is dissatisfied with the outcome resulting either from the Professional Conduct meeting, or from the Fitness to Teach Panel hearing, they have 14 calendar days to request a Review of the decision by the Executive Dean of the College of Society and Professions.
- 15.2. A request for a Review will be granted on limited grounds:
- a. there was a procedural irregularity at the formal stage (e.g., there was a material failure by the University to follow the Fitness to Teach procedure, clear reasons were not provided for the decision, or there is evidence of bias);
 - b. the outcome was not reasonable in all the circumstances (i.e., no reasonable decision-maker, properly directing themselves and taking into account the relevant facts, could have reached that decision); or
 - c. new material evidence is available which the student was unable, for valid reasons, to provide earlier in the process.
- 15.3. The student should submit their request for a Review to the Student Affairs Team in writing, by email or letter or by having someone submit such a request on their behalf. Such a request should include the student's express written consent for their representative to deal with the request on their behalf. The request for a Review should set out the student's concerns clearly and succinctly and provide evidence to substantiate the issues raised, where possible, and outline what outcome the student is seeking. The receipt of the request will normally be acknowledged within seven calendar days of receiving it.

- 15.4. The Executive Dean will nominate a senior member of staff from the College of Society and Professions who has not been previously involved in the matter to decide whether the request for a Review is based on the permitted grounds and is hence eligible to be considered. The nominated member of staff will notify the student of their decision within seven calendar days of receiving the request.
- 15.5. If they believe that the grounds are not satisfied, the student will be informed of the decision to reject their request for a Review and a Completion of Procedures letter ("COP") will be issued to the student (see paragraph 15.9 below for further information).
- 15.6. If they believe that one or more of the grounds for Review apply to the student's case, it will be referred to the Executive Dean (CSP). The Executive Dean (CSP) will review all information collated for the original decision, together with any new evidence presented, on the papers (but may contact the student and/or anyone else involved in the matter if they consider it necessary).
- 15.7. The outcome of the Review will be that the Executive Dean (CSP) either upholds the outcome made at the formal stage or makes a different finding, which overturns the outcome. They may remit the matter to the same or a different student affairs team case officer/Fitness to Teach Panel to consider again or may impose a lower sanction.
- 15.8. The decision taken by the Executive Dean (CSP) at the Review stage is final. The outcome of the Review will be communicated to the student by letter written within 28 days of the Review request being accepted.
- 15.9. If the outcome of the Review is favourable to the student, they will not automatically receive a COP; however, they can request a COP within 30 days of the date of the outcome letter. Where such a request is made, a COP will be provided within 14 days of the request. Where the outcome of the Review is unfavourable to the student, they will receive a COP automatically within 28 days of the outcome letter.

16. Independent External Review

- 16.1. Once the Review stage has been completed, and within twelve months of the date of the COP, the student is entitled to ask the Office of the Independent Adjudicator to review the University's handling of your case under this procedure. The process for doing so will be set out in their COP.

17. Record Keeping and Notification

- 17.1. A formal sanction or other action imposed in accordance with paragraph 13.9 or 14.13 shall be a permanent part of a student's record.
- 17.2. It shall not be considered confidential that a student has been subject to this procedure. The relevant members of the University staff (such as in Registry, School, College, Student Administration, Employability Services and HR (e.g., in cases where a student is employed by the University as a Student Ambassador and/or Hourly Paid Lecturer, or in any other capacity)) and placement providers where relevant may be also notified. If the student is an apprentice, the University will notify their employer.
- 17.3. Information will be shared with others in circumstances where there may be a risk to others if information were withheld. Unless a case has been dismissed, referral to Fitness to Teach Procedures and outcomes (including any sanctions) will be made in all exiting student references and disclosed in accordance with any regulatory reporting requirements.
- 17.4. On the closure of all Fitness to Teach cases (including any Review), the student's placement organisation, the relevant Head of School and Course Leader, and the individual who made the referral will be notified of the outcome.
- 17.5. Where the University considers it reasonable and appropriate to do so, it will inform the victim(s) of the misconduct, of the outcome of the Fitness to Teach process.
- 17.6. When a student is removed from their course as an outcome of this procedure, or in certain restricted circumstances relating to safeguarding, LSBU is expected to disclose this to and seek guidance from the DBS service.

18. Use of Data

- 18.1. The University will collect data on fitness to teach outcomes at each stage of this procedure and any complaints submitted by a student to any regulators (including the OIA), and will use the data:
 - a) internally for reporting, evaluation, learning and training; and
 - b) externally for discussion with regulators in the higher education sector.
- 18.2. The data used by the University for the purposes in paragraphs 18.1 a) and b) will be anonymised. For further information about how the University uses your personal data please see our Student Privacy notice.

Appendix 1: Support for students

The University provides a number of student support services. These are open to any student against whom an allegation is made under this procedure, and also any student who is a victim of or witness to misconduct. Students are encouraged to engage with the services and take up any appropriate support available to them. The following are University-run services:

a) Mental Health and Wellbeing team

Support and advice to any student experiencing personal difficulties, who may be struggling to cope at University or who just needs someone to talk to. Appointments are available on the day by visiting the Student Life Centre helpdesk – you can also call 0207 815 6454 / email studentwellbeing@lsbu.ac.uk or raise a query through your MyAccount.

b) Report and Support

Report and Support offers a point of contact for students to report incidents and access dedicated support in relation to sexual violence and hate crime. In addition, the Support articles provide information and signposting to organisations who can provide specialist assistance and give some simple steps students can take if they, or someone they know has experienced sexual violence or hate crime.

<https://my.lsbu.ac.uk/my/portal/Student-Life-Centre/Mental-Health-Well-Being/Be-safe-at-LSBU>

c) TogetherAll – online support anywhere, any time

TogetherAll is an online self-help resource and can support you with anxiety, depression, body image or stress. It's free to use, just sign up with your lsbu.ac.uk email address: <https://togetherall.com/en-gb/>

d) Disability and Dyslexia Support (DDS)

Disability & Dyslexia Support (DDS) is a dedicated service for students who have a disability, mental health condition, long term medical condition or specific learning difficulty (including dyslexia). We also offer screenings for dyslexia throughout the year. Visit the Student Life Centre helpdesk, call 0207 815 6545, email disability@lsbu.ac.uk or raise a query through your MyAccount.

e) Student Advice

Advice and guidance on financial and money management, and help with any personal, emotional, or academic issue you may face. Appointments are available on the day by visiting the Student Life Centre helpdesk, you can call 0207 815 6454 or raise a query through your MyAccount.

Support is also available through the **Students' Union**. The Union provides free, confidential and impartial advice and a place to talk during difficult times you may face as a student. You can book an appointment by calling 0207 815 6060 or by visiting the SU reception in the Student Centre (by the Venue bar).

Appendix 2: London South Bank University Fitness to Teach Referral Form

When completing this form please give as much detail as possible in relation to the concerns/incident that led to the referral. Please also send all evidence with the completed form to the Student Affairs Team: hscftp@lsbu.ac.uk

Your Name			
Your LSBU staff/student ID			
Name of Witness (if not you)			
Date of Incident	Time of Incident	Location of Incident	

<p>Does this report need to be treated in confidence, if yes, please explain why below (if completing this form for another individual please confirm this with them)</p>
<p><i>If you request confidentiality we will not give your name or any other details about you to anyone else unless there are safeguarding concerns which require us to do so. If we cannot fairly investigate your concern without breaching your confidentiality we will write to you to explain what will happen.</i></p>

Name and ID number (if known) of student you wish to refer	
Date of this form	
<p>Please describe the reason for your referral in your own words below:</p> <ul style="list-style-type: none"> • Please list the incidents/concerns in chronological order. • Please indicate how each incident/concern is linked to a potential breach of the professional code and or the Student Code of Conduct. • Please give as much detail as possible 	