



## UCL FACULTY OF MEDICAL SCIENCES

### PROCEDURE FOR THE ASSESSMENT OF FITNESS TO PRACTISE IN A PROFESSIONAL CAPACITY

This document sets out the procedures for assessing the fitness to practise of students undertaking a programme of study within the Faculty of Medical Sciences at UCL that is linked to professional practice, where:

- the programme leads to the award of a qualification that entitles the student to apply for registration as a professional practitioner with a relevant registration body, or:
- the programme leads to the award of a qualification that entitles the student to apply for registration as a professional practitioner with a relevant registration body after a successful period of pre-registration professional practice, or:
- the programme involves training in the application of competences relevant to the practise of a profession at a post-registration level (i.e. for students already registered with a relevant registration body<sup>1</sup>), or:
- the programme involves training in the application of competences relevant to the practise of a profession, where completion of the course of study is not linked to registration as a practitioner, but where students will be applying the relevant competences in a professional context

Students who will go on to become professionally regulated are expected to display standards of professional behaviour that are different from those expected of other students not training to join a regulated profession. Meeting these standards is a requirement for graduation. When a student's conduct or health becomes a cause for concern, it is essential that they get the appropriate support and guidance to continue their studies. However, some concerns cannot be remedied with support, and so UCL must have a process in place to identify and deal with students whose conduct or health is such that their fitness to practise may be impaired. The kind of conduct or behaviour that could trigger concerns about fitness to practise includes the following non-exhaustive examples:

- Persistent inappropriate attitude or behaviour;
- Failing to demonstrate good professional practice;
- Drug or alcohol misuse;
- Cheating or plagiarising;
- Dishonesty or fraud, including dishonesty outside the professional role;
- Aggressive, violent or threatening behaviour;
- Any caution or conviction;
- Health concerns and insight or management of these concerns<sup>2</sup>.

---

<sup>1</sup> Concerns about the Fitness to Practise of students already registered with a professional body will be raised with that body directly.

<sup>2</sup> See Appendix 2 for further examples.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

The following procedure shall provide for the arrangements for assessing any conduct, behaviour or other matters that could bear on a student's fitness to practise their profession.

*The following mechanisms and arrangements for the assessment of any conduct, behaviour or other matters that could bear on a student's suitability or fitness to practise their profession, and the review of individual cases where appropriate, have been written in accordance with Article 6 of the Human Rights Act, the Equality Act 2010 and the Data Protection Act 2018 and are intended to be consistent with UCL's Charter, Statutes and Regulations for Management.*

### **1. CRITERIA FOR THE INITIATION OF AN ASSESSMENT OF FITNESS TO PRACTISE**

- 1.1 Where the conduct or behaviour of a student may be defined as misconduct under UCL's [Disciplinary Code and Procedure in Respect of Students](#), the matter will first be considered under that Code and Procedure, prior to the initiation of the Procedure for the Assessment of the Fitness to Practise in a Professional Capacity.
- 1.2 In the event that the decision against a student under UCL's Disciplinary Code and Procedure in respect of Students is that the student is in breach of the Code and Procedure, and involves a penalty short of permanent exclusion from UCL, then the matter will be referred for consideration by the relevant programme under the following Procedure for the Assessment of the Fitness to Practise. The Procedure for the Assessment of the Fitness to Practise will rely upon the outcome of the Disciplinary Procedure and will not revisit the findings of fact made during the Disciplinary Procedure. The Procedure for the Assessment of the Fitness to Practise will consider whether the misconduct has impacted upon the student's fitness to practise, and the extent to which any further sanction may be required.
- 1.3 Where the conduct does not involve a disciplinary offence as defined as misconduct under UCL's Disciplinary Code and Procedure in Respect of Students, but is considered to bear on a student's fitness to practise, the matter will be considered automatically by the programme under the following Procedure for the Assessment of the Fitness to Practise. (For example, a drink-driving offence may not ordinarily be defined as misconduct under UCL's Disciplinary Code, but would normally prompt concerns relating to fitness to practise.)
- 1.3 Conduct, behaviour or other matters that are sufficient to signal a need to investigate a student's fitness to practise will be reported in the first instance to the relevant Departmental Tutor

### **2. INITIAL FITNESS TO PRACTISE PANEL**

- 2.1 An Initial Panel will be established comprising two senior members of staff of the programme, who will consider whether a *prima facie* case exists for the student's conduct to be the subject of further scrutiny under the Procedure for the Assessment of the Fitness to Practise. The Initial Panel will usually be chaired by the Divisional Director or their Deputy. The second panel member will be selected from a pool of suitably trained programme staff. The Initial Panel will also be attended by the Fitness to Practise Lead ('FtP Lead'), who will be available to answer questions regarding any initial investigations that have been undertaken into a student's fitness to practise, but will not have a role in the decision-making process. A panel secretary will also be in attendance. The Initial

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

Panel may refer to any guidance or standards issued by the relevant regulator in assessing whether a *prima facie* case exists.

- 2.2 The student will be notified by the FtP Lead that a concern has been raised about their Fitness to Practise, and will be provided with details of the allegation, together with a copy of this process, and notification of when the Initial Panel meeting will take place. The student will be invited to submit any written representations or evidence that they wish to be considered by the Initial Panel in advance of the meeting. The Initial Panel may, at their discretion, consider the case on the papers without the student being invited to attend.
- 2.3 Having met to consider the allegation and any response from the student, the Initial Panel will determine:
  - that there is no case to answer and the case should be dismissed;
  - that although there is insufficient concern about impaired fitness to practise to refer the matter to a Fitness to Practise Panel, remedial action or further support should be recommended, in consultation with the Departmental Tutor;
  - that the student be required to enter into a [learning agreement](#);
  - that the student should be issued with a formal warning which will remain on their academic record throughout their period of study, and which they will be required to disclose to their regulator at the point at which they apply for provisional registration;
  - that the case warrants referral to a Fitness to Practise Panel.
- 2.4 Where the student is referred to the Fitness to Practise Panel, the Initial Panel will consider whether the student should be suspended from study, placement and/or practice, or be subject to any other interim measures, in order to protect the public and/or the student, and make a recommendation to the Provost or the Registrar (acting upon the delegated authority of the Provost) accordingly.
- 2.5 The Chair of the Initial Panel will write to the student and the FtP Lead to notify them of the outcome within 7 days of the Initial Panel meeting.
- 2.6 If a student receives a formal warning as the outcome of the Initial Panel, they may appeal against this outcome by submitting written reasons to the Faculty Dean within 14 days of the outcome letter. The appeal process will then follow that set out from 6.4 of this procedure.

### 3. INVESTIGATION OF CONCERNS

- 3.1 In circumstances where the facts of the case have not yet been established (for example, where no investigation has taken place under UCL's Disciplinary Code and Procedure in Respect of Students), or where further information is needed about the effects of the matter leading to concern about the student's fitness for practice, the Initial Panel may recommend that further investigation and/or evidence-gathering takes place prior to the Fitness to Practise Panel. In those cases, the Chair of the Initial Panel will appoint a suitably trained investigator who has had no previous involvement in the case.
- 3.2 The student must be informed of the purpose and scope of the investigation, and the possible outcomes. The member of staff investigating the case will interview the student; they may also take statements from UCL staff, staff at the placement and/or other students. They will also consider documents and other evidence, including medical evidence, that the student provides in support of their case. The investigator should also consider any wellbeing issues and signpost the student to support as appropriate.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

- 3.3 The investigator should produce a report based on their investigations which outlines the process followed, the information gathered, and their conclusions. The student should receive copies of the information obtained during the investigation, a copy of the investigation report and information about the next steps in the process. Where necessary, personal information obtained during the investigation should be anonymised before it is sent to the student. The student should also be told who they can contact with any queries about the progress of the case.
- 3.4 Where the investigator concludes that there is evidence to support a finding that a student's fitness to practise may be impaired, the matter should be considered at a Fitness to Practise Panel hearing. The FtP Lead will write to the student to notify them that they have been referred to a Fitness to Practise Panel within 7 days of receiving the investigator's final report.
- 3.5 Where the investigator concludes that there is no evidence to support a finding that the student's fitness to practice is impaired, the matter should be referred to the Departmental Tutor to determine what, if any, next steps may be required.
- 3.6 In cases where the student's health gives rise to initial Fitness to Practise concerns, the Departmental Tutor should refer the student for an appropriate Occupational Health assessment.
- 3.7 Occupational Health may seek to obtain GP records/reports and reports by treating specialists, or the case may be supplemented if necessary by a psychiatric report. This process may negate the need for referral to the Fitness to Practise Panel.

### **4. FITNESS TO PRACTISE PANEL**

- 4.1 The core constitution of the Fitness to Practise Panel shall be:
  - 4.1.1 A Chair, who shall normally be a senior member of Faculty staff;
  - 4.1.2 The Faculty Tutor;
  - 4.1.3 An academic member of staff external to UCL who is a member of a Fitness to Practise panel within their own institution; and
  - 4.1.4 For programmes that confer eligibility for professional registration, a senior member of the relevant profession with a licence to practise.
- 4.2 Core membership may be supplemented by additional members with specific knowledge or expertise.

*Note: Members of the Fitness to Practise Panel shall be asked at the time of nomination to declare any interest in or connection with the student concerned which is likely to prejudice the hearing.*

- 4.2 The case against the student will be presented by the FtP Lead, who may also call upon the Investigator to attend the hearing and answer questions if required. The FtP Lead should not have held any direct pastoral or supportive role in relation to the student's studies. The FtP Lead should recuse themselves where an actual or potential conflict of interest exists.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

- 4.3 The Secretary of the Fitness to Practise Panel will normally be the Faculty Manager or their nominee.
- 4.4 A member of the Fitness to Practise Panel required to give evidence in a case shall relinquish his/her membership of the Panel for the duration of that case.
- 4.5 No member of the Fitness to Practise Appeal Panel shall be a member of the Fitness to Practise Panel.
- 4.6 The quorum for a meeting of the Fitness to Practise Panel shall be the membership outlined in paragraph 4.1.

### **5. PROCEDURE FOR A MEETING OF THE FITNESS TO PRACTISE PANEL**

#### **5.1 Notice**

- 5.1.1 The student must be given a minimum of 14 days' notice of the time, date and place of the hearing and of the case against him/her.
- 5.1.2 Notification of a referral must be made to the Chair of the Panel not less than 28 days before the date of the hearing. The notification must include the reason for referral and an outline of the case against the student, with any supporting documentary evidence relevant to the referral which is available at this stage.
- 5.1.3 The FtP Lead shall ensure that all documentary evidence is submitted to the student and Panel members not less than 14 days before the date of the hearing. No further written evidence will be accepted unless specifically requested by the Chair of the Fitness to Practise Panel or agreed in accordance with paragraph 5.1.5. The documented case from the FtP Lead should contain a detailed chronological summary of the student's file/record. The reasons for referring the student to the Panel, and the FtP Lead's concerns should be clearly outlined in the FtP Lead's summary.
- 5.1.4 The student's statement of mitigation and all supporting documentation which will be taken into consideration by the Panel during the hearing, shall be provided by the student or their representative (see paragraph 5.2.4) not less than seven days before the date of the hearing. No further written evidence will be accepted unless specifically requested by the Chair of the Fitness to Practise Panel or agreed in accordance with paragraph 5.1.5.
- 5.1.5 In the event of the documentation referred to at 5.1.3 and 5.1.4 above not being received within the prescribed timescale, or if further information pertinent to the case comes to light, the documentation will be considered and the hearing may still take place on the appointed day subject to the agreement of all parties.
- 5.1.6 The Notice of the hearing shall include a copy of this Procedure.

#### **5.2 Format for the Hearing**

- 5.2.1 The FtP lead or their nominee will present the case against the student. The FtP Lead may be supported at the Hearing by an administrative assistant from the relevant programme.
- 5.2.2 Where findings of fact have not previously been determined under another process, the Chair of the Panel may invite relevant witnesses to attend the Fitness to Practise hearing. The student, student's representative or the FtP Lead may recommend appropriate

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

witnesses to the Chair of the Panel. The witnesses will not normally be provided with the documentary information that is made available to the student and Panel members. The witness will only attend the hearing to give their evidence and be questioned, and will not remain for the entirety of the hearing. Where a witness has been the victim of alleged sexual misconduct by the student, or is deemed to be vulnerable, neither the student nor their representative will be permitted to question the witness directly. In these circumstances, any questions will be put to the witness via the panel chair.

- 5.2.3 The Chair of the Panel may additionally invite 'expert witnesses' to the hearing. Expert witnesses are called to comment on the alleged unfitness to practise because of their professional knowledge or professional relationship with the student, rather than by any necessary first-hand witness of the alleged misconduct. Expert witnesses will normally be privy to the information that is made available to the student and Panel members.
- 5.2.4 The student is strongly encouraged to attend throughout the hearing and may enlist the help of one representative to present his/her case. The student must inform the Chair of the Fitness to Practise panel of their representative's identity at least 7 days before the panel meets. The representative may be a trade or student union representative, or a member of UCL staff. Legal representation is not normally permitted at any stage of the procedure. If the student requests to be legally represented at the Fitness to Practise Panel because of the complexity of the case, UCL will consider this on an exceptional basis. The student must make their request at least 14 days before the panel hearing, and must include details of their proposed representative. In the event that the request is granted, UCL reserves the right to arrange its own legal representation in connection with the case. The student remains responsible for ensuring that any statements, evidence, or representations made throughout the procedure by their legal representative are accurate, and are responsible for meeting any costs associated with their own representation.
- 5.2.5 The Panel shall be empowered to call any person before it to clarify evidence.
- 5.2.6 The Fitness to Practise Panel may consider a student's previous disciplinary and fitness to practise record and, if relevant, their health record, when determining their overall fitness to practise.
- 5.2.7 The Fitness to Practise Panel may refer to any guidance or standards issued by the relevant regulator in assessing whether the student's Fitness to Practise is impaired.
- 5.2.8 The proceedings of the Fitness to Practise Panel will normally be recorded in full except when the Panel withdraws to consider its decision.

### **5.3 Decisions of the Panel**

- 5.3.1 The Panel shall deliberate in the absence of all parties.
- 5.3.2 The Panel will normally sit between the hours of 9.00am and 6.00pm. The Hearing will normally continue and the Panel deliberate until a decision has been reached. An adjournment may take place if a decision has not been reached by the end of the time scheduled for the hearing. The Panel decision will not usually be communicated at the end of the hearing; however, the Chair has discretion to provide an indicative outcome at the end of the hearing. Therefore, after deliberation the Panel will confirm whether an indicative outcome can be delivered on the day, or whether the Panel decision will follow in writing.
- 5.3.3 At the conclusion of the hearing the Panel may:

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

- (a) Dismiss the complaint, or
  - (b) Find that the student is fit to practise, but that the conduct of the student has been such as to warrant a formal warning, which will remain on the student's file for the duration of their registration with the programme and may be taken into consideration in the event of future allegations being made about the student's fitness to practise, or
  - (c) Find that the student is unfit to practise. The student will not be permitted to complete the programme of study leading to the award of the relevant degree but (dependent on the regulations that apply to their programme of study) may be eligible to complete, or be awarded, an alternative degree or other qualification, subject to satisfying the necessary academic criteria and approval, or
  - (d) Find that the student is unfit to practise, but that the decision not to allow the student to complete the programme of study leading to the award of the degree may be reviewed by a Fitness to Practise Panel within a stated period of time, or
  - (e) Make such other findings and recommend such other action as it deems appropriate in the circumstances of the case, including requiring the student to enter into a [Learning Agreement](#).
- 5.3.4 Decisions of the Fitness to Practise panel should be sufficiently detailed so that the student can understand the reasons for the decision reached. In giving reasons for any sanction imposed, the Panel should explain that they considered the lesser sanctions available to them, and give reasons as to why a lesser sanction was not considered to be an appropriate outcome.
- 5.3.5 Decisions of the Fitness to Practise Panel, and the reasons for those decisions, made under 5.3.3 above may be disclosed to the appropriate regulatory body, or other public authority (including the Disclosure and Barring Service) based on relevant regulatory requirements and guidance. All students who have been subject to the Procedure for the Assessment of the Fitness to Practise and who have received a sanction are asked to disclose this information to the appropriate regulatory body as part of their application for provisional registration. Should a full transcript of a Hearing be required by the regulatory body or other relevant public authority, it will be made available. Medical students who are not permitted to complete the programme of study or be awarded the degree will be notified to the General Medical Council and Medical Schools Council for inclusion in the Excluded Student database.
- 5.3.6 Findings under 5.3.3 above will include recommendations by the Panel on appropriate advice, guidance or remedial actions to be given to the student.
- 5.3.7 The decision of a Fitness to Practise Panel shall be reached by a majority vote of the members of the Panel, and shall be announced as the decision of the Panel. The Chair shall have a second or casting vote.
- 5.3.8 The votes of individual Panel members shall always be treated as confidential and there shall be no disclosure either of such votes or of information showing whether the decision was reached by a unanimous or a majority vote.
- 5.3.9 Upon completion of its deliberations the Panel shall notify its decision to the Faculty Dean. The Faculty Dean will then notify the student, the FtP Lead, the relevant Programme Director, the Registrar and other relevant parties, in writing and with reasons, usually within seven days of the date of the hearing.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

- 5.3.10 The written notice of the decision to the student shall include notice of the student's rights of appeal, the time within which the appeal must be made and the grounds upon which such appeal may be made.
- 5.3.11 The Chair may provide formal written feedback to the relevant Departmental Tutor, student, or other parties, as necessary and proportionate, following the hearing. This may include any areas of concern raised by the Fitness to Practise Panel about the case presented.
- 5.3.12 Where a student is permitted by the Fitness to Practise Panel to continue in practice, but new evidence emerges that indicates ongoing concern regarding their fitness to practice, then the programme may re-refer them to the Fitness to Practise panel, following the procedures set out at 2.1-2.4 above.

## 6. APPEALS

- 6.1 Notice of intention to appeal by the student against the decision of the Fitness to Practise Panel must be made in writing to the Faculty Dean within 14 days of the date of the notification to the student.
- 6.2 Such notice shall include all documentation pertaining to the grounds on which the appeal is being made. No further submissions of any sort will be accepted for consideration under an appeal after this time.
- 6.3. Such an appeal may be made only on one or more of the following grounds:
- 6.3.1 the proceedings of the Fitness to Practise Panel were not conducted in accordance with the above procedures; or
- 6.3.2 fresh evidence has become available which was not and could not reasonably have been made available to the Fitness to Practise Panel; or
- 6.3.3 the decision of the Fitness to Practise Panel was inappropriately severe.
- 6.4 As soon as is practicable after receipt of such notification, the Faculty Dean shall present the documentation relevant to the appeal to the Registrar or their nominee, who shall decide on the evidence available whether or not the appeal should be proceeded with, based upon whether it has been brought on one of the three grounds set out at 6.3 above, and whether it has been brought in time.
- 6.5 If it is decided not to proceed with the appeal, the Registrar shall inform the Fitness to Practise Panel Chair, FtP Lead and the Appellant of the decision, giving reasons, normally within seven days of the Registrar having received the documentation.
- 6.6 Where it is decided that the appeal shall be proceeded with, the Registrar shall inform all parties of the decision, and will make the necessary arrangements for the appeal to be held as early as possible. All parties shall be informed of the date of the appeal.
- 6.7 Where an appeal is granted, and the student has been allowed to remain in registration, the student shall normally be permitted to continue with his/her programme of study until the Fitness to Practise Appeal Panel has reached its decision.
- 6.8 A Fitness to Practise Appeal Panel shall consist of three voting members (including the Chair), comprised of:

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

6.8.1 one member who holds the office of Dean or Vice-Provost;

6.8.2 one member from the programme with which the student is registered or alternatively, who holds membership with the relevant professional regulator; and

6.8.3 one member from a faculty within UCL other than that with which the student is registered.

6.9 The Appeal Panel shall not include any member who has been a member of the Fitness to Practise Panel against whose decision the appeal is made, nor a member of any department involved, nor have assisted the appellant in any way with the presentation of his or her case either for the Fitness to Practise Panel or for the Fitness to Practise Appeal Panel, or the Discipline Committee if proceedings have also been initiated under the Disciplinary Code and Procedure in Respect of Students.

*Note: Members of the Fitness to Practise Appeal Panel shall be asked at the time of nomination to declare any interest in or connection with the appellant which is likely to prejudice the hearing.*

6.10 The secretary of the Fitness to Practise Appeal Panel shall normally be appointed from the UCL's Registry and Academic Services Division. He or she shall not have acted as secretary to the Fitness to Practise Panel.

6.11 The Fitness to Practise Appeal Panel and the student shall be supplied with a report of the proceedings of the Fitness to Practise Panel which shall be prepared by the secretary of the Fitness to Practise Panel in consultation with all relevant parties, and with such other evidence as is considered appropriate.

6.12 The report shall contain:

- (a) a copy of the statement made by the FtP during the Fitness to Practise Panel;
- (b) copy of the statement made by the student during the Fitness to Practise Panel;
- (c) all other evidence presented during the Fitness to Practise Panel,
- (d) a copy of the decision letter; and
- (e) where applicable, any fresh evidence that was not available to the Fitness to Practise Panel.

6.13 The Fitness to Practise Appeal Panel shall usually meet to consider the appeal without the need for the parties to attend. Where the Fitness to Practise Appeal Panel requires the attendance of the parties, the student whose case is being considered shall be entitled to present his/her case personally, either alone or with the assistance of a representative who shall normally be the person who acted in this capacity at the Fitness to Practise Panel hearing. The Chair of the Fitness to Practise Panel should also be present and have the right to comment on the student's appeal submission.

6.14 A Fitness to Practise Appeal Panel shall have power to reverse or modify the decision appealed against in any way that it thinks fit, provided that it shall not normally impose a more severe outcome.

6.15 In reaching its decision a Fitness to Practise Appeal Panel shall take into consideration the evidence provided under 6.12 above.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

- 6.16 The decision of a Fitness to Practise Appeal Panel shall be reached by a majority vote of the members of the Panel, and shall be announced as the decision of the Panel. The Chair shall have a second or casting vote.
- 6.17 The votes of individual Appeal Panel members shall always be treated as confidential and there shall be no disclosure either of such votes or of information showing whether the decision was reached by a unanimous or a majority vote.
- 6.18 The Secretary of the Appeal Panel shall notify the student, the Fitness to Practise Panel Chair, the FtP Lead, the relevant Programme Director, the Registrar and other relevant parties, in writing and with reasons, usually within seven days of the date of the hearing. A report of the proceedings shall be submitted to the Faculty Dean.
- 6.19 A decision of the Fitness to Practise Appeal Panel shall be final as far as UCL's internal procedures are concerned.
- 6.20 The written notice of the decision to the student shall include notice of the student's rights of appeal to the Office of the Independent Adjudicator, the time within which the appeal must be made and the grounds upon which such appeal may be made.

## 7. OFFICE OF THE INDEPENDENT ADJUDICATOR ('OIA'S') STUDENT COMPLAINTS SCHEME

- 7.1 The Office of the Independent Adjudicator for Higher Education (OIA) has been established to provide an independent scheme for the resolution of student complaints. All Higher Education Institutions (HEIs) are required to comply with the Scheme which came into effect from 1 January 2005. Areas of complaints covered by the OIA will include:
- a programme of study or research for which the complainant was registered
  - a service provided by UCL
  - a final decision by a UCL disciplinary or appeal body
- 
- 7.2 The OIA will not, however, advise about a complaint if:
- it relates to a matter of academic judgement (which will normally be about a student's academic performance)
  - the matter is or becomes the subject of court or tribunal proceedings
  - it concerns a student employment matter.
- 
- 7.3 Forms and further details on the operation of the OIA are available from the OIA web site [www.oiahe.org.uk](http://www.oiahe.org.uk) including [Guidelines on Fitness to Practice Procedures](#). Alternatively, if you wish to make a complaint to UCL, please email UCL's Casework Team on: [casework@ucl.ac.uk](mailto:casework@ucl.ac.uk); tel: 020 3108 8207. The UCL Rights and Advice Office (020 7679 4130, UCL ext. 34130) can provide further information.

## PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

### APPENDIX 1

UCL's Disciplinary Code and Procedure in respect of Students can be found at:

[https://www.ucl.ac.uk/academic-manual/sites/academic\\_manual/files/chapter\\_6\\_student\\_casework\\_framework\\_2021-22.pdf](https://www.ucl.ac.uk/academic-manual/sites/academic_manual/files/chapter_6_student_casework_framework_2021-22.pdf)

### APPENDIX 2

Circumstances that *prima facie* would render a student unfit to practise may include the following:

- Exploiting the vulnerability of a patient to establish a sexual relationship
- Dishonesty or fraud, including dishonesty outside the professional role;
- Offences against the vulnerable, including children, the elderly and the mentally incapacitated
- Aggressive, violent or threatening behaviour
- Criminal conviction, caution, reprimand or penalty notice of disorder (PND) or equivalent;
- Intimidation of fellow students or patients on religious, ethnic, racial or other grounds
- Repeated inappropriate behaviour
- Health concerns and lack of insight or management of these concerns including failure to seek appropriate medical treatment or other support, failure to follow medical advice or care plans, including monitoring and reviews, in relation to maintaining fitness to practise, failure to recognise limits and abilities or lack of insight into health concerns or treatment-resistant conditions that might impair fitness to practise
- Being a carrier of a serious communicable disease
- Failure of treatment for chronic mental health
- Chronic drug or alcohol abuse
- Unprofessional behaviour or attitudes including breach of confidentiality, sexual, racial or other forms of harassment, failure to observe appropriate boundaries in behaviour, persistent rudeness, bullying; unlawful discrimination;
- A failure to abide by professional codes of conduct that apply to the profession being trained by the programme.
- Persistent inappropriate attitude or behaviour including lack of commitment to academic work, neglect of administrative tasks, poor time management, infrequent or non-attendance, poor communication, failure to accept or follow educational advice, failure to follow health and safety requirements, or failure to follow the rules and regulations of the programme.

| Version | Date       | Amendments   | By                    |
|---------|------------|--|-----------------------|
| 1       | 05/03/2013 | Regulations agreed and approved  | SLMS Education Board  |
| 2       | 30/5/14    | To update section 2.3 in respect of the new admin structure                                | SEG                   |
| 3       | 07/09/21   | To update section 3.1.2 in respect of the submission of outline documentation to the Chair | Vice Provost (Health) |
| 4       | 07/09/21   | To remove reference to the School of Life and Medical Sciences                             | Vice Provost (Health) |
| 5       | 07/09/21   | To clarify that recommendations for suspension of study are referred to the Provost        | Vice Provost (Health) |

PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

|   |             |  |                       |
|---|-------------|--|-----------------------|
| 6 | 07/09/21    | To include referral to the GMC and Medical Schools Council of students who are not permitted to continue | Vice Provost (Health) |
| 7 | July 2022   | To update and amend the Procedure for professional programmes within the Faculty of Medical Sciences     | ARQASC                |
| 8 | August 2023 | To include referral to the Disclosure and Barring Service in clause 5.3.5.                               | UCL Compliance Team   |