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## Alternative Format

If you require this Fitness to Practise Procedure in an alternative format please [Contact Us](#) (visit [www.open.ac.uk/contact](http://www.open.ac.uk/contact)), telephone us on +44 (0)300 303 5303, or get in touch with your dedicated Student Support Team via StudentHome if you are a current Open University student. If you are studying an Apprenticeship please contact the Apprenticeship Enrolment and Support Team (AEST) by email on [apprenticeships@open.ac.uk](mailto:apprenticeships@open.ac.uk), or telephone (+44 (0) 300 303 4121). Welsh-speaking Students and Learners may speak with a student support adviser in Welsh on +44 (0) 29 2047 1170.

## About this Procedure

This procedure is followed on professional programmes governed by a Professional, Statutory or Regulatory Body (PSRB) or professional counselling body for the Counselling programme. It describes:

- processes we will follow to ensure you are eligible for registration, with regard to your Open University qualification and any required professional or regulatory body registration.
- the process for responding to an allegation or cause for concern about a student's suitability or fitness to practise.
- how we ensure issues raised are investigated and assessed quickly, fairly and systematically.

A list of [Definitions](#) is included to explain any terms that may be unfamiliar to you. Throughout this document, where you see references to 'we', 'us', or 'our' this means The Open University. 'You' refers to you as the Student.

# Scope

## What this Procedure covers

- This procedure covers applicants and students of qualifications where registration with a Professional, Statutory or Regulatory Body (PSRB) is required in order to practise a profession. It also covers applicants and students on the Counselling programme, who are members of professional counselling bodies, and registered on their Accredited Voluntary Register (AVR).
- The procedure includes students studying qualifications which require a code of ethics or other professional standards documents issued by a PSRB, or for the Counselling Programme, it includes students where the ethical or professional guidelines are issued by professional counselling bodies (see [Appendix 7](#) for a list of counselling bodies).
- Undergraduate, postgraduate students, students on work-based placements and learners on apprenticeships are included.
- A full list of qualifications covered is provided within the following appendices:

[Appendix 1 Example timeline for a Review Meeting](#)

[Appendix 2 Social Work](#)

[Appendix 3 Nursing](#)

[Appendix 4 Non-Medical Prescribing and Advanced Clinical Practice](#)

[Appendix 5 PGCE \(Wales\)](#)

[Appendix 6 Policing](#)

[Appendix 7 Counselling](#)

You are a Student or Learner of The Open University if you:

- are currently registered for a qualification or a module,
- have studied a module in either of the previous two academic years.

## What this procedure does not cover

This procedure does not apply to you if:

- you are studying a qualification that does not require you to register with a PSRB or if you are an applicant on the Counselling programme, who is not a member of a professional counselling body, or registered on an Accredited Voluntary Register (AVR) approved by the Professional Standards Authority (PSA).
- you are not studying to practise a profession that follows a PSRB's Code of Ethics or other professional standards documents.
- you are not yet a Student of The Open University.
- you are studying an OU Microcredential.
- you are studying with a validated partner institution for award of a non-OU qualification. Validated partnership students should refer to the partner institution's Fitness to Practise procedures.

Students who are studying qualifications where their suitability or fitness to practise is being assessed through the work-based elements of their programme may be subject to the terms of other written agreements between The Open University and their employer, Independent Route Host, sponsor or practice learning opportunity provider.

The Open University reserves the right to follow additional appropriate policies such as the [Code of Practice for Student Discipline](#), the [Fitness to Study policy](#), [Academic Conduct Policy](#) or any other Open University student policy as listed on the [Student Policies and Regulations page](#).

If you are unsure if this procedure applies to you, please contact the Student Policy and Compliance team by emailing [SPR-Policy-Team@open.ac.uk](mailto:SPR-Policy-Team@open.ac.uk).

For specific guidance on how this procedure may relate to your personal circumstances, please contact the Student Casework Office. Contact details are provided in the [Support and information](#) section of this procedure.

# Support and Information

## How to contact us

If you have any queries around the content provided within this document and how to interpret it, please [Contact Us](#). To check the contact details for the Open University, please see [OU Offices](#). If you are studying an apprenticeship, please contact the Apprenticeship Enrolment and Support Team (AEST) by email on [apprenticeships@open.ac.uk](mailto:apprenticeships@open.ac.uk), or telephone (+44 (0) 300 303 4121). Welsh-speaking Students and Learners may speak with a student support adviser in Welsh on +44 (0) 29 2047 1170.

## Procedure

### 1 Purpose

- 1.1 The Open University is responsible for confirming your professional suitability or fitness to practise for training and education, registration and or employment with a Professional, Statutory or Regulatory Body (PSRB) or in case of Counselling, with professional counselling bodies and the AVR [administered by the Professional Standards Authority (PSA)].
- 1.2 Fitness to practise means your ability to meet professional standards. This includes your character, professional competence and health.
- 1.3 Student support and management starts when we receive initial concerns in relation to your character, your professional competence, your health or your academic conduct.
- 1.4 The procedure aims to be thorough and fair to service users, patients and clients, carers, students, learners, sponsors, employers, Independent Route Hosts, and practice learning opportunity providers.

### 2 Procedure Principles

- 2.1 Roles in the professions covered by this procedure are challenging and entail a high degree of responsibility as well as requiring the ability to work safely with individuals and groups in vulnerable situations. Relevant PSRBs have codes of practice and other policies and procedures that set out the standards for professional conduct and practise.

In Counselling, they are set out by the professional counselling bodies with which the students are registered. All professional practitioners within the respective discipline are required to uphold those standards. The relevant documents issued by PSRBs or the professional counselling bodies are detailed in the Appendices to this procedure.

2.2 The Open University is required to ensure that students and applicants on all professional programmes concerned are fit to practise. This responsibility is not dependent upon the requirement to register with the professional regulator as a student.

2.2.1 For Social Work, students in Wales, Scotland and Northern Ireland register as students with the Social Care Wales (SCW), Scottish Social Services Council (SSSC) or Northern Ireland Social Care Council (NISCC) at the point they commence their studies. In England they become eligible to be registered with Social Work England (SWE) at the point they are awarded their qualification.

2.2.2 For Nursing, The Open University makes a judgement and signs a declaration of health and good character for applicants prior to registration, as well as uploading success data to the Nursing and Midwifery Council (NMC) on successful completion of the programme.

2.2.3 For Non-Medical Prescribing, as a requirement of enrolment all students on the programme are registrants of the appropriate PSRB, the General Pharmaceutical Council (GPhC), Health and Care Professions Council (HCPC) or the Nursing and Midwifery Council (NMC).

2.2.4 For PGCE (Wales), students on the salaried route need to register with the Regulatory Body (the Education Workforce Council, EWC) as a School Learning Support worker before they commence their PGCE and will need to comply with the EWC Code of Professional Conduct and Practice. EWC registration incurs a fee. On successful award of the PGCE (Wales) qualification, The Open University will notify the EWC of recommendation for Qualified Teacher Status (QTS).

PGCE (Wales) students on the non-salaried route are not required to register with the EWC while on the programme. However, if you are employed in a school while studying the non-salaried route, then EWC registration is a requirement for your role in your school. Please discuss this with your employer if you have any queries.

2.2.5 For Policing, the decision as to whether students are fit to practise resides with the police force. The Open University is obliged to communicate any Fitness to Practise issues raised through the duration of their study.

2.2.6 For Counselling, students would have already completed an approved external level 4 counselling qualification as a minimum, covering the SCoPEd framework 'Therapist A' competences/requirements. These students would also have membership and registration of professional counselling bodies. For Counselling issues which may give rise to concerns these are covered in the ethical frameworks detailed in [Appendix 7](#).

2.3 In applying for registration as a student with The Open University, you agree to abide by the relevant code of practice or ethics for your professional programme, as detailed in the Appendices to this procedure, in addition to the [Conditions of Registration](#) for taught course students or the [Conditions of Registration \(Apprentices\)](#), or [Conditions of Registration for Policing Programmes](#) and any relevant supplementary agreements for your professional programme.

2.4 If you fail to meet the required professional standards, or your conduct, character or health suggest you are unsuitable.

- Your profession's regulatory body can withdraw your registration as a student
- The Open University can decline to recommend you for registration for that profession.



- 2.5 The Open University's staff, along with sponsors, employers or Independent Route Hosts, are responsible for making decisions about your suitability to enrol on and remain on professional programmes as well as your suitability or fitness to practise as a professional at the end of your training. For this reason, it is essential that you and your sponsors, employers, or Independent Route Hosts or placement providers (if applicable) share full and up-to-date information with us about any conduct or behaviours which cause concern.
- 2.6 This procedure allows us to consider your fitness to practise in relation to academic and professional competence.

### **3 Written agreements**

- 3.1 It is a condition of acceptance on professional programmes that you are either:
- supported, sponsored or employed by a recognised employer, and that employer signs a written agreement for each student or cohort of students they register.
  - subject to an honorary contract with your Independent Route Host, and that Independent Route Host signs a written agreement for each student or cohort of students they register.

These agreements set out responsibilities for each party, including responsibility for dealing with fitness to practise issues. The written agreement will set out who is responsible for dealing with fitness to practise matters that arise in connection with your study, work placements or other employment related matters.

- 3.2 Employers, sponsors, or Independent Route Hosts and placement providers will be provided with a copy of this procedure and the written agreement will set out if they have agreed to The Open University's approach to suitability and fitness to practise. If agreed and a cause of concern arises during practice, they will inform The Open University immediately, as well as, or in parallel with, invoking their own procedures. This procedure is intended as an approach to assist you to become a competent and trusted member of your chosen profession and an exemplary employee.
- 3.3 The written agreement will also set out how all parties will share information or relevant evidence about issues relating to your conduct which might affect your professional suitability or fitness to practise, and which may be needed to invoke this Fitness to Practise procedure. Please see [Section 7: "Confidentiality and the sharing of information"](#) in this document which sets out further information on confidentiality and the sharing of information.
- 3.4 You agree, as part of your [Conditions of Registration](#) for taught course students or the [Conditions of Registration \(Apprentices\)](#), or [Conditions of Registration for Policing Programmes](#) and any [Supplementary Agreement](#) for your professional programme (if relevant), that your personal information can be shared between your employer, sponsor, Independent Route Host or placement provider and The Open University, and that you have a personal responsibility to inform the programme about any conduct issue or behaviour giving rise to a suitability or fitness to practise concern. This is reinforced in the module materials and/or Practice Learning Guide, so that you are fully aware of the expectations that The Open University and relevant PSRBs, or professional counselling bodies for Counselling programme, have of you. The sharing of personal data is set out in more detail in the [Student Privacy Notice](#).

## 4 Implementation and enforcement of procedure

4.1 When you are subject to workplace procedures and have appealed, either to your employer or Independent Route Host (as applicable) or employment tribunal, or you are subject to a criminal investigation, the Fitness to Practise investigation will be pended until the case is concluded. This may imply that you are suspended from continuing your study for that period.

### 4.1.1 Raising concerns

Behaviours which may give rise to concerns could include the following. **Please refer to the professional standards of practice and behaviour of your PSRB or professional counselling body for the Counselling programme - this is usually covered in their Code of Conduct.**

#### a. Character:

- A conviction or caution for fraud, theft, violence, sexual offence, drug dealing or drunkenness.
- Cases of accessing illegal material from the internet.
- Dishonesty, including falsifying study or practice records.
- Serious or repeated instances of instances of academic misconduct could be considered to have implications for professional practice if it is found to be indicative of dishonesty or lack of integrity.
- Serious inappropriate use of social media.

#### b. Serious ill health:

- Long-term, untreated/unmanaged, or unacknowledged physical or mental health conditions that would impede professional practice. The Open University will implement all reasonable adjustments to support students who have declared to have disabilities or long-term conditions in order to comply with its obligations under the Equality Act 2010 in England, Scotland and Wales, the Disability Discrimination Act 1995 (Amendment) regulations (Northern Ireland) 2004 and Section 75 of Northern Ireland Act 1998, or any other statutory duty or obligation.

- Long-term untreated alcohol or drug dependence.

**c. Misconduct:**

- Physical or verbal abuse of patients/ service users/ carers, colleagues or members of the public.
- Theft whilst working.
- Failure to deliver adequate care.
- Significant failure to keep proper records (determined through risk assessment).
- Failure to follow dress code.
- Inappropriate use of mobile phones.
- Poor time keeping and attendance.

**d. Lack of competence in the related profession:**

- Lack of skill or knowledge.
- Poor judgement, including a failure to understand where their professional practice has fallen below expected standards.
- Inability to work as part of a team.
- Difficulty or failure to communicate with colleagues or people in their care.
- Health and safety breaches.
- Confidentiality breaches.

4.1.2 Issues can be raised by you (as the Student or Learner), employers, sponsors, Independent Route Hosts, placement providers, tutors, another part of The Open University, a service user, or another external source. The issue might arise from concerns about your health or behaviour, your competence, an incident or behaviour during practice or external to your studies or practice, or behaviour in a social context including on social media or forums (internally or externally).

4.1.3 To be fair to service users, patients, clients, carers, students, sponsors, placement providers, Independent Route Hosts and employers, it is important that any concerns about your suitability or fitness to practise are raised promptly, and that they are investigated and assessed quickly, fairly and systematically.

4.1.4 The first stage is for The Open University to investigate the alleged cause for concern and decide whether it is of such seriousness that the Fitness to Practise procedure should be invoked, or whether the concern can be addressed by supporting and advising you.

- If the concern raised involves minor competency issues, you will be given the opportunity to improve your practise and provided with an action plan with corresponding timescales for improvement. This applies to both academic and non-academic aspects of your learning.
- If you fail to comply with the action plan, the case may be referred to the Fitness to Practise panel and/or you may be subject to disciplinary procedures, as set out in the [Code of Practice for Student Discipline](#).

4.1.5 Overall consideration of fitness to practice issues will consider how far you have progressed through your studies and the reasonable expectations of you at that point in your development.

## **4.2 Investigation stage**

4.2.1 When a concern is raised, this is recorded on your student record. In order to avoid prejudice to the case, no other details will be recorded on your student record at this stage.

4.2.2 We will appoint a suitable member of staff to investigate the concern.

4.2.3 The person investigating will contact you in writing to inform you of the concern, and you will be invited to respond within 10 working days.

4.2.4 The person investigating will contact all appropriate parties to gather relevant information to inform a risk assessment and to write a risk assessment report. Any evidence collected will only be in relation to the concern raised and a wider investigation will not be undertaken at this stage.

### **Investigation Panel**

4.2.5 Within 15 working days of receiving a concern an Investigation Panel will be convened to consider the risk assessment report. The person who wrote the risk assessment report will not sit on the Investigation panel.

#### **Nursing Students**

- Investigation Panel members will be drawn from the Specialist FtP Group comprising qualified academics in that discipline.

#### **Social Work Students**

- Investigation Panel members will be drawn from the Specialist FtP Group comprising qualified academics in that discipline.

#### **Enhanced Clinical Practice Students**

- The Panel will include the person in charge of your case plus one other academic member of staff.

#### **PGCE Wales Students, Policing Students and Counselling Students:**

- The person who investigated the concern will meet with the Senior Authority for your case and at least one other member of academic staff to form a Panel.

### **Investigation Panel Key Principles**

- a. At least one member of the Investigation Panel will be a professional with expertise in the area of your programme.

- b. All those forming the Investigation Panel will have appropriate experience and will be asked if they have had any contact with you in the past and if so, under what circumstances to ensure impartiality.
- c. The Open University may invite staff from other institutions, alumni or other relevant people in order to cover specific areas of expertise.
- d. The University will try to ensure that panel members reflect the diversity of the student body.

4.2.6 The Investigation Panel will establish if:

- there is evidence to support a cause for concern
- whether the concern warrants further action

4.2.7 Any decision made about whether a concern is sufficiently supported by evidence and found to be significant will be the responsibility of:

- For Nursing, the Specialist FtP Group
- For Social Work, the Specialist FtP Group
- For Enhanced Clinical Practice, the Senior Authority for your case and other senior members of staff
- For PGCE Wales, the Senior Authority for your case and other senior members of staff
- For Policing, the Senior Authority for your case and other senior members of staff
- For Counselling, the Senior Authority for your case and other senior members of staff

The person who investigated the concern can only make a recommendation, which will be documented, and they cannot be part of the decision-making process.

4.2.8 You will be informed when you can expect to hear the outcome of the investigation. If we require longer than 15 working days to complete the investigation, you will be informed when you can expect to receive a decision.

### **4.3 Outcomes when a concern is received or from the investigation stage**

#### **4.3.1 No further action:**

- a. If, at any point during the investigation, the person who investigated the concern decides that there is no evidence or substance to the referral, for example the concern is trivial, or it is a malicious allegation that is untrue, or is mistaken, then the Senior Authority managing the case should be informed and, following their agreement, the matter will be dismissed, and you will be informed of this outcome in writing.
- b. If the Investigation Panel determines that the matter may be disciplinary but is not considered to affect fitness to practise, then there should be a decision of no case to answer in the Fitness to Practise process, please see [paragraph 4.3.5, 'Referral to other disciplinary or procedural route'](#) for details. If a concern is raised but is not considered to be proven, then you may be informed that there is no case to answer.

#### **4.3.2 Additional support:**

- a. If a concern is raised but is not considered to be proven then there may be a recommendation of steps that you should take to improve your professional practice, for example support sessions. This recommendation may involve your employer, sponsor, Independent Route Host or placement provider providing additional support to you.
- b. This outcome will be recorded on your student record, and you will be informed of the outcome in writing. If the concern has arisen in practice, then the placement provider, employer, Independent Route Host or sponsor, will be told of the decision.



### 4.3.3 Recommended actions:

- a. If the concern is proven but is not considered to be significant enough to warrant a full Review Meeting, a decision may be made that you need to undertake some further recommended actions so that you understand the implications of the concern that has been raised. This may include you carrying out a reflective piece of work to demonstrate that you understand that your actions were unacceptable; additional supervision or repeating a practice learning experience.
- b. Any recommended actions will be recorded on your student record, then shared and agreed with your sponsor/employer/Independent Route Host/placement provider. In certain cases, it may be necessary to arrange an alternative placement provider. The Open University will ensure this is done in line with decisions made in your case.
- c. If another placement is not available or your programme does not offer this opportunity (for example, Policing), The Open University will discuss with you the option of being transferred to another course or the exit qualifications that might be available to you.

### 4.3.4 Suspension:

- a. Where a concern has been raised, is proven and is sufficiently significant that it has a potential impact on your ability to continue to study on the programme or to professionally practice, then several options are available.

The risk assessment may have revealed that concern is serious and immediate, and you may need to be suspended from professional practice, as described in [Section 4.6: "Suspension pending the outcome of proceedings"](#).

#### **4.3.5 Referral to other disciplinary or procedural route:**

- a. If, in the opinion of the Investigation Panel, the concern is an Open University disciplinary matter rather than, or in addition to, one of fitness to practise, the matter may be referred to the [Code of Practice for Student Discipline](#) or another Open University policy or procedure. This referral may happen either after the outcome of or parallel to a fitness to practise investigation. On some occasions, it may be more appropriate for the fitness to practise investigation to be suspended pending the outcome of other policy processes or procedures.
- b. If the Investigation Panel determines that the matter may be disciplinary but is not considered to affect your fitness to practise then there should be a decision of no case to answer in this procedure, as in paragraph 4.3.1, but you may be informed that the matter is being passed to the appropriate disciplinary authority as set out in the [Code of Practice for Student Discipline](#) for consideration.

4.3.6 You will be informed of any outcome in writing, and this will be recorded on your student record. The letter will summarise the facts, how these facts do or do not establish a fitness to practise concern, the outcome decision(s) and, where appropriate, any monitoring conditions and review arrangements. If these are completed satisfactorily, then this will be recorded on your student record and you will be informed in writing that no further action will be taken unless there is a new cause for concern.

4.3.7 You have the right to appeal as set out in [Section 5: "Right of Appeal"](#).

#### **4.4 Review Meeting**

4.4.1 If a serious concern is found during the Investigation stage, the case will proceed to the Review Meeting stage. If the concern arises from an external event such as a conviction, the case will normally proceed directly to the Review Meeting stage.

A senior member of the staff who has received dedicated training by The Open University in matter of investigation, will be designated by the Senior Authority as a point of liaison for the case. This designated person does not need to be a member of academic staff but will be responsible for ensuring that the correct timetable is adhered to; be your liaison and act as secretary to the meeting. For an example of a Review Meeting timeline, please see [Appendix 1: "Example timeline for a Review Meeting"](#).

- 4.4.2 The Review Meeting is a formal panel meeting that will consider the risk assessment and evidence gathered in the investigation stage. The composition of the formal panel will be determined in accordance with the professional programme that you are studying and is set out in the appropriate appendix for that programme. All panels will include one or more current or alumni student representatives from your professional programme.
- 4.4.3 You will be informed in writing of the decision to take the case to a Review Meeting, the matter(s) that has given rise to this concern, when the Review Meeting will be held, and details of the person designated as your liaison. The Review Meeting panel can consider the case in your absence or if you do not respond, but we will take all reasonable steps to ensure that you have had the opportunity to see the evidence being presented and to respond to it, either in writing or in person.
- 4.4.4 When you are informed of the Review Meeting date, you will be told who the Review Meeting panel members will be. All those forming the Review Panel will have received appropriate training and will be asked if they have had any contact with you in the past and if so, under what circumstances. You will be informed in writing and in advance on the composition of the Review Panel and you will be given the opportunity to object on any of the members of the Panel. You will be asked to provide reasons for your objection and the designated person will make the necessary adjustments to the composition of the Panel, if your reasons are deemed acceptable.

- 4.4.5 You will be provided with copies of the documents that will be considered by the Panel. You will receive this information at least ten working days before the Review Meeting date to allow you to make arrangements to attend and/or to respond as set out in the timeline. Any response or evidence that you provide either in advance or when you attend the Review Meeting must be considered by the panel.
- 4.4.6 You will be invited to attend the Review Meeting to make your submission. This will usually be an online meeting. You may be accompanied by a Union representative or adviser, who could be a colleague, family member or friend.
- 4.4.7 If you would benefit from someone to communicate on your behalf – what we term an Advocate - more information about this is available in the [Advocacy: guidelines and procedure](#). An Advocate's role is to help you to communicate independently and to make informed decisions regarding your studies.
- 4.4.8 You will be given the opportunity to ask for a postponement of the Review Meeting if you are unable to attend on the first meeting date suggested.
- 4.4.9 Appropriate evidence must accompany the request and will be considered by the Chair of the Panel. Only one deferral of the meeting may be requested, and the Review Meeting will take place within 30 days of the original date set in most cases.
- 4.4.10 The members of the Review Meeting panel could ask for any further information if they feel it would assist in the determination of your case. However, any further material or evidence supplied must also be provided at least five working days before and the Review Meeting may be adjourned, if necessary, unless you accept the shorter notice period.

Any evidence requested by Review Meeting panel members not provided in advance of the meeting will only be considered at the Chair's discretion.

- 4.4.11 If you, or your witnesses, have declared a disability that requires any reasonable adjustments to be made, these will be made prior to the Review Meeting to ensure fairness. Any provision necessary around protected characteristics which ensures you are treated fairly under the Equality Act 2010, or any other statutory duty or obligation, can be explored together with us before your meeting. Please contact us with any concerns.
- 4.4.12 When the Review Meeting takes place, the Chair will outline the purpose of the meeting and explain the possible outcomes. If you are attending the meeting, you will be invited to provide your response in relation to the evidence provided against you. The panel will reserve the right to ask you further questions on specific matters of concern. The Chair will then tell you when you should expect to hear the outcome of the meeting and you will be asked to leave.
- 4.4.13 At the end of the Review Meeting, the panel will consider, on the balance of probabilities and all evidence that has been presented, whether you have breached your applicable professional code of practice and, if so, consider your stage in study and if the breach can or cannot be rectified. If you have declared a disability, the Review Meeting panel will also consider whether the matters under investigation have arisen wholly or partly related to your disability, and whether they have arisen despite reasonable adjustments having been made.
- 4.4.14 Mitigating and/or aggravating circumstances will be considered by the panel when they determine if a breach of professional standards has occurred. Mitigating circumstances might include that you are demonstrating remorse or insight; you have disclosed an illness that is now being treated; or you have provided evidence that there has been an absence of appropriate professional guidance on a placement. Aggravating circumstances might include you denying or showing no insight into what has gone wrong, or you have previously been taken through the informal stage of this Fitness to Practise procedure, but further concerns have been raised.

4.4.15 The panel will consider all the evidence that has been presented and decide on the outcome.

#### **4.5 Outcomes from the Review Meeting**

4.5.1 The Panel will determine whether the evidence demonstrates that a breach of the professional standards has occurred or whether the evidence demonstrates that there is no case to answer.

4.5.2 Where the Panel has confirmed that a breach has occurred, they will determine whether the breach is so serious that you:

- will be expelled from the professional programme immediately;  
or
- whether this is a matter which, if not satisfactorily addressed by you, would mean that The Open University would not be confident in recommending you as fit to practise on completion of the professional programme; or
- that you, having been given the opportunity to address a matter of concern, have failed to do so to a satisfactory standard and consequently it is reasonable to expel you from the professional programme.

4.5.3 Where the Panel has confirmed that a breach has occurred, they will determine whether the breach is so serious that you:

- a. You will be given an informal warning.
- b. You will be given a formal warning, with or without the requirements below:
  - to identify specific steps that you must take to rectify the breach, by when, and how these will be monitored;
  - you will be required to repeat and pass a professional practise learning opportunity;
  - you will be required to repeat one or more modules.
- c. You will be expelled from the qualification or programme.

4.5.4 Please be aware that if your case is referred to the Central Disciplinary Committee (CDC) at any stage, outcomes that may be determined by CDC include:

- You will be prevented from studying on any work-based programme with The Open University.
- You will be permanently expelled from The Open University.

CDC will only consider these outcomes if there is a serious disciplinary offence in addition to the Fitness to Practise concern.

4.5.5 You will be informed of the outcome decision of the panel in writing within 15 working days. The outcome decision letter will set out the facts that have been established, the reasons why the panel has reached its outcome decision (referring to the appropriate part of the professional code or guidance) and what outcome the panel has applied including any limitations being placed on you or additional tasks that you will be required to undertake.

4.5.6 Your placement provider, employer, Independent Route Host or sponsor will be provided with the details of the outcome decision.

4.5.7 If your employer/sponsor/ Independent Route Host/ placement provider has suspended you but The Open University does not uphold the case, then we will presume that you will be reinstated as a student unless they tell us that you have been withdrawn from the professional programme. Please be aware that your employer/sponsor/ Independent Route Host/ placement provider may reserve the right to invoke their own procedures as a result of the outcome decision.

#### **4.6 Suspension pending the outcome of proceedings:**

4.6.1 It may be necessary to suspend you, pending the outcome of this procedure, as outlined in the [Conditions of Registration](#) for taught course students, [Conditions of Registration \(Apprentices\)](#), [Supplementary Agreements](#) or the [Conditions of Registration for Policing Programmes](#) (if relevant).

- 4.6.2 An employer, sponsor or placement provider may suspend you from practice only, in accordance with any rules or regulations applicable to that practice environment. For Apprenticeships and the Policing Programmes, the employer may remove you from the entire programme. The employer, sponsor or placement provider will inform The Open University of any such suspension as soon as practicable and provide the reasons for the suspension.
- 4.6.3 If a concern has arisen as the result of, or which involves, a criminal investigation by the police or other investigating authority, for all Programmes except the Policing Programme this does not necessarily mean that you should be suspended from practice or study. The Review Panel Chair will send a recommendation to the CDC of The Open University which will make the decision regarding whether the matter is serious enough to warrant suspension. Further action under this procedure may need to be deferred until any criminal proceedings have been completed. If you have been suspended, this will be reviewed regularly, as cases may be referred to the Crown Prosecution Service or Procurator Fiscal, but a later decision made not to proceed.
- 4.6.4 You may only be suspended from your academic studies and professional practise pending a fitness to practise investigation by an authorised executive authority of The Open University. This may be an Associate Dean, a Programme Director or Head of the relevant professional programme, the Director of Academic Services or their delegate. In the cases of Apprenticeships, the employer may remove you from the entire programme.
- 4.6.5 If you are suspended from practice, this does not necessarily mean that you should be suspended from continuing as a student of The Open University (however, exceptions apply in Policing). While you may not be able to continue with practice-related elements of your study pending an investigation, you may be able to continue with academic study by transferring your credit to a non-practice related qualification for academic study only.



This does not apply to Apprenticeships or PGCE (Wales), unless you intend to personally pay for your new module. If it is decided to suspend you from all study with The Open University, the grounds on which this decision is made must clearly state why you cannot continue with your academic studies.

4.6.6 If you remain suspended from practice and/or academic study at the point where a module or qualification would normally have been completed, and as a result of that suspension have not had a sufficient opportunity to demonstrate the learning outcomes of that module or qualification, where possible and where appropriate, you will be re-registered on the module or qualification (or its replacement) to allow you to conclude your studies.

4.6.7 For Apprentices and Policing Programmes, your employer may remove you from the entire programme pending the investigation in your apprenticeship setting. The outcome of the employer's investigation may have an impact on your ability to resume the apprenticeship.

## **5 Right of Appeal**

If you wish to appeal against the decision of the investigation panel, the Review Meeting panel or any element of how this procedure has been applied, please consult the [Student Complaints and Appeals Procedure](#).

## **6 Non-compliance**

Should you refuse to cooperate or engage with this procedure, The Open University reserves the right to follow alternative or additional appropriate policies or procedures such as [Code of Practice for Student Discipline](#), the [Fitness to Study Policy](#), [Academic Conduct Policy](#) or any other relevant policy specified in 'Related Documentation'. We will advise you of any additional action which may be taken to respond to your case.

## 7 Confidentiality and the sharing of information

- 7.1 Processing data relating to this procedure is part of our public task of delivering Higher Education qualifications.
- 7.2 You, and/or your witnesses, may declare that disclosing personal or “special category” data such as information about physical or mental health, will help explain your circumstances. We will ask for your, and your witnesses’, informed consent to use such data as part of this procedure. You and your witnesses can withdraw your consent to use this “special category” data at any time.
- 7.3 You, and/or your witnesses, can ask for any “special category” data collected under the procedure to be removed from our systems if you/them withdraw your/their consent.
- 7.4 If during our discussions with you, you disclose disability information to us, we will record this on your student record. You will be asked if you wish this information to be sent to the support teams who can talk to you about additional support that may be available. This information will only be shared if you agree.
- 7.5 More information about how your data is used, stored and shared is given in the Student Privacy Notice.
- 7.6 Under normal circumstances, your data will not be shared with third parties outside of The Open University, your placement provider, employer or sponsor.

If we deem you or others to be at risk of harm because of your behaviour or actions, we will share your data with other organisations without your consent under the exceptional circumstances set out in the Data Protection Act 2018 Schedule 1, paragraphs 1, 10 and 18.

- 7.7 If exceptionally the data does need to be shared, we will seek your consent. The following circumstances are called mitigating or aggravating circumstances. These are the only circumstances under which we could share the data with other organisations without your consent:

- 7.7.1 When your mental health threatens your personal safety (DP ACT 2018 sch1 (18) safeguarding)
- 7.7.2 When your behaviour is adversely affecting the rights and health and safety of others (sch1 (1) for social protection/ health and safety)
- 7.7.3 When a member of staff would be liable to criminal procedures if the information was not disclosed (i.e. a crime had been committed) sch1 (10) prevention/ detection of crime.
- 7.8 If any of the circumstances outlined in 7.7 occur, The Open University may contact the police, a hospital, psychiatric services, a case worker, psychiatric nurse, social services or a nominated advocate to speak on your behalf (for The Open University's purposes or court appointed).
- 7.9 Data relating to Fitness to Practise will be kept on your student record for the duration of your professional programme or for as long as you remain a student of The Open University (plus 6 years as specified in the [Retention of Student data and Records](#)).

## **8 Welsh Language standards**

Mae fersiwn Gymraeg o'r polisi hwn ar gael.

A Welsh language version of this procedure is also available.

- 8.1 Students living in Wales have the right to communicate with The Open University through the medium of Welsh. This includes:
- Correspondence – you have the right to write to us or email us in Welsh, and we will respond to you in Welsh if that is your wish.
  - Meetings - When we invite you to a meeting as part of the procedure, either in person or on the telephone, we will ask you if you wish to use Welsh at the meeting. If you choose to use Welsh at a meeting and not all attendees are Welsh speakers, we will arrange a simultaneous translator.

- 8.2 Advocates - Any advocate you choose to represent you may also use Welsh in any meeting or correspondence.

## **Definitions**

### **The Crown Office and Procurator Fiscal Service (COPFS)**

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's public prosecution service and death investigation authority.

### **Fitness to practise**

Fitness to practise is your ability to meet professional standards. It encompasses your character, professional competence, and health.

### **Independent Route Host**

Independent Route Host for the purposes of this procedure is the organisation with whom the Student has an Honorary Contract to study a Nursing qualification, where the Student is not employed directly by the organisation. Further information on Independent Route Hosts can be found in the [Supplementary Agreement \(Nursing\)](#).

### **Investigation Panel**

An Investigation Panel will be chaired by a senior member of staff who has had no previous involvement in the case. Members of the Investigation Panel will be trained and resourced in order to effectively undertake an investigation on a concern about a student's fitness to practise.

### **Mitigating and/or aggravating circumstances**

Mitigating circumstances might include that you are demonstrating remorse which involves regret and self-awareness. You may show insight which involves deepening understanding; you have disclosed an illness that is now being treated; or you have provided evidence that there has been an absence of appropriate professional guidance on a placement.

Aggravating circumstances might include you denying or showing no insight into what has gone wrong, or you have previously been taken through the informal stage of this Fitness to Practise procedure, but further concerns have been raised.

## **Review Meeting Panel**

The Review Meeting Panel is a formal panel that will determine the severity of the breach of the professional standards specified in the contract with the written agreement within a training programme. The Review Meeting Panel will consider the risk assessment and evidence gathered in the investigation stage.

## **Senior Authority**

The Senior Authority is the person who will manage your case. They will be familiar with your programme of study and the application of this procedure. Who this may be will be determined by the type of case being investigated. For example, if your case surrounds academic conduct issues, your Senior Authority may be a Module Chair, or other academic. If your case surrounds your conduct in a practice setting, this may be an appropriate expert with experience of issues in your setting.

## **Special Category Data**

The General Data Protection Regulation sets out “special categories” of data which have to be given additional protection. These comprise your racial or ethnic origin, religious beliefs, political opinions, trade union membership, genetics, biometrics (where used for ID purposes) physical or mental health, sex life and sexual orientation. Information about criminal offences or criminal proceedings are treated similarly.

## **Specialist Fitness to Practise (FtP) Group**

In Nursing and Social Work, specialist FtP Groups have been set up to carry out individual Risk Assessments and taking part in FtP Investigation Panels and Review Panels.

## **Sponsor/Sponsoring Agency (Social Work)/ Partner School (PGCE)**

Sponsor/Sponsoring agency/ Partner School is an organisation putting forward a student to participate in the programme and undertaking the arrangement of supervision of their practice learning; this term is used whether or not the organisation is also paying the student tuition fees.

## Student of The Open University

For the purposes of this procedure, you are a student of The Open University if you are currently registered for a qualification or a module, or if you have studied a module in either of the previous two academic years.

## Related Policies and Legislation

Refer to the following documentation in conjunction with this document:

### Documents that govern your study:

- [Advocacy: guidelines and procedure](#)
- [Code of Practice for Student Discipline](#)
- [Conditions of Registration](#)
- [Conditions of Registration \(Apprentices\)](#)
- [Conditions of Registration for Policing Programmes](#)
- [Fitness to Study Policy](#)
- [Academic Conduct Policy](#)
- [Prevent Principles](#)
- [Safeguarding Policy](#)
- [Student Complaints and Appeals Procedure](#)
- [Student Computing Policy](#)
- [Student Privacy Notice](#) (All personal data, including 'sensitive personal data', will be treated in accordance with the General Data Protection Regulation (GDPR) and [Student Privacy Notice](#).)

### Information and Guidance:

- [The Equality Act 2010 for England, Scotland and Wales](#)
- Section 75, [Northern Ireland Act 1998](#)
- [Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004](#)

## Welsh language standards

### [Yr iaith Gymraeg \(Welsh Language Standards\)](#)

The Open University is one of several universities named in the Welsh Language (Wales) Measure 2011. This means that any students in Wales can expect to receive certain services from the OU in Welsh. These are outlined in what's called the [OU's Welsh language standards](#).

This means that you can speak to our student recruitment and support team in Welsh or contact the university in Welsh. You can find out more about your rights as a Welsh language user on the [OU in Wales website](#).

## Safe Space Reporting

The Open University is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across The Open University will not be tolerated. Safe Space Reporting is available through [Safe Space online tool](#) through which staff, students, learners and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

## The Open University Student Charter Values

[The Student Charter](#) was developed jointly by The Open University and the OU Students Association. It is a declaration of our shared values and the commitments we make to each other. This document has been developed with the Student Charter values as its foundation.

## The Open University commitment to Equality Diversity and Inclusion

Our commitment to equality and inclusion is embedded in all that we do and reflects our mission to be open to people, places, methods and ideas. We celebrate diversity and the strengths that it brings, whilst challenging under-representation and differences in outcomes within our institution. We promote and manage equality and diversity to meet both our strategic goals and our statutory equality duties. We achieve this in many ways, including the development of inclusive policy.

## **Give Us Your Feedback**

If you have any comments about this procedure document and how it might be improved, please share this with us, by emailing [SPR-Policy-Team@open.ac.uk](mailto:SPR-Policy-Team@open.ac.uk).

## **Charity Statement**

The Open University is incorporated by Royal Charter (RC 000391), an exempt charity in England and Wales and a charity registered in Scotland (SC 038302). The Open University is authorised and regulated by the Financial Conduct Authority in relation to its secondary activity of credit broking.

## **About this Document**

### **Summary of Significant Changes since last version**

- a. Procedure template updated to new more concise and accessible version, and new short summary created to sit alongside the full Procedure.
- b. Enhancements in response to a Student Consultation conducted through January and February 2024.
- c. New Appendix 7 added for R86 BSc Hons in Counselling which will accept practice students from October 2025.
- d. All references to Conditions of Registration for Degree Holder Entry Programme (DHEP) updated to Conditions of Registration for Policing Programmes to reflect recent updates to the Policing Programme including the new Police Constable Entry Programme (PCEP) qualification.
- e. References added for Nursing to refer to Independent Route Hosts instead of employers where applicable, given the new Independent Route provision for Nursing.

### **Policies Superseded by this Document**

This document replaces the previous version of the Fitness to Practise Procedure, December 2023, Version number 1.0.



## **Document Information**

Version number: 1.1

Approved by: Student Experience Committee

Effective from: December 2024

Date for review: December 2025

# Appendices

## Appendix 1: Example timeline for a Review Meeting

Step	Example date	Comment
The decision to convene a Review Meeting panel is made.	1 July	N/A
The faculty writes to you to advise what the process will be and the date of the Review Meeting.	15 July	The faculty has 10 working days to collate evidence and recruit the panel members.
The meeting agenda and evidence is circulated to you and the panel members.	23 July	You will receive this information at least 10 working days before the Review Meeting date.
The deadline by which you can respond to the evidence.	13 August	You will have 10 working days to respond to the evidence.
The panel has sight of your response.	27 August	This must be at least 5 working days before the Review Meeting date.
The Review Meeting takes place.	14 August	N/A
The panel writes to you with the outcome decision(s) and any recommendations	3 September	The panel must inform you of their decisions within 15 working days.
Appeal deadline	17 September	You have 10 working days to appeal the panel's decision or recommendations

## Appendix 2: Social Work

- [Supplementary Agreement \(Social Work\)](#)

### 1. Social Work (England) Professional Programme

#### 1.1 Qualifications covered:

- [Q32: BA \(Hons\) Social Work \(England\)](#)
- [R34: BA \(Honours\) in Social Work \(England\) \(Apprenticeship\)](#)
- [F80: MA in Social Work](#)
- [E85: Postgraduate Diploma in Social Work](#)

#### 1.2 Professional, statutory or regulatory body:

- [Social Work England](#)

#### 1.3 Code of Practice and relevant regulatory documents:

- [Social Work England- Professional Standards](#)

#### 1.4 Composition of Review Meeting panel:

- a chairperson: the Head of Social Work (England) or their nominee;
- a representative from a sponsoring agency;
- a member of academic staff from the social work professional programme, who should be a Staff Tutor (Social Work);
- a (current or alumni) Open University student representative from the social work professional programme;
- an impartial and experienced Open University note taker.
- a representative from the Independent Route Host

No member of the Panel should be directly involved with the student subject to the enquiry.

#### 1.5 Specific social work entry requirements:

You must demonstrate the entry level capabilities and other entry requirements set by The Open University's social work programme which are linked to in the Qualifications section above. The requirements can also be provided by your Student Support Team or APDM for Apprentices.

## **2. Social Work (Scotland) Professional Programme**

### **2.1 Qualifications covered:**

- [Q41 BA \(Hons\) Social Work \(Scotland\)](#)
- Q50 BA (Hons) Social Work (Scotland) (graduate entry)
- [F80: MA in Social Work](#)
- [E85: Postgraduate Diploma in Social Work](#)

### **2.2 Professional, statutory or regulatory body:**

- [Scottish Social Services Council \(regulator\) \(SSSC\)](#)

### **2.3 Code of Practice and relevant regulatory documents:**

- [SSSC \(2016\) Codes of Practice for Social Service Workers and Employers](#)
- [SSSC Fitness to practise guidance](#)

### **2.4 Composition of Review Meeting panel:**

- a chairperson: the Head of Social Work (Scotland) or their nominee;
- a representative from a sponsoring agency;
- a member of academic staff from the social work professional programme who should be a Staff Tutor (Social Work);
- a (current or alumni) Open University student representative from the social work professional programme;
- an impartial and experienced Open University note taker.

Members would normally be appointed from within the Social Work (Scotland) professional programme.

No member of the panel should be directly involved with the student subject to the enquiry.

### **2.5 Specific social work entry requirements:**

You must demonstrate the entry level capabilities and other entry requirements set by The Open University's social work programme which are linked to in the qualifications section above. The requirements can also be provided by your Student Support Team or APDM for Apprentices.

### **3. Social Work (Wales) Professional Programme**

#### **3.1 Qualifications covered:**

- [Q42 BA \(Hons\) Social Work \(Wales\)](#)
- [F80: MA in Social Work](#)
- [E85: Postgraduate Diploma in Social Work](#)

#### **3.2 Professional, statutory or regulatory body:**

- [Social Care Wales \(regulator\) \(SCW\)](#)

#### **3.3 Code of Practice and relevant regulatory documents:**

- [SCW \(2018\) Code of Professional Practice for Social Care](#)
- [SCW Fitness to practise guidance](#)

#### **3.4 Composition of Review Meeting panel:**

- a chairperson: the Head of Social Work (Wales) or their nominee;
- a representative of a partner agency from the Wales Programme Partnership;
- a member of academic staff from the social work professional programme, who should be a Staff Tutor (Social Work);
- a (current or alumni) Open University student representative from the social work professional programme;
- an impartial and experienced Open University note taker.

Members should normally be appointed from the Wales programme.

No member of the panel should be directly involved with the student subject to the enquiry.

#### **3.5 Specific social work entry requirements:**

You must demonstrate the entry level capabilities and other entry requirements set by The Open University's social work programme which are linked to in the qualifications section above. The requirements can also be provided by your Student Support Team or APDM for Apprentices.

## **4. Social Work (Northern Ireland) Professional Programme**

### **4.1 Qualifications covered:**

- [R61 BA \(Hons\) Social Work \(Northern Ireland\)](#)

### **4.2 Professional, statutory or regulatory body:**

- [Northern Ireland Social Care Council \(NISCC\)](#)

### **4.3 Code of Practice and relevant regulatory documents:**

- [NISCC Standards of Conduct and Practice for Social Work students](#)

### **4.4 Composition of Review Meeting panel:**

- a chairperson: the Associate Head of School, Professional Programmes, or their nominee (who must be a qualified and registered Social Worker);
- a representative from a sponsoring agency;
- a member of academic staff from the social work professional programme, who should be a Staff Tutor (Social Work);
- a (current or alumni) Open University student representative from the social work professional programme;
- an impartial and experienced Open University note taker.

No member of the panel should be directly involved with the student subject to the enquiry.

### **4.5 Social work entry requirements:**

You must demonstrate the entry level capabilities and other entry requirements set by The Open University's social work programme which are linked to in the qualifications section above. The requirements can also be provided by your Student Support Team or APDM for Apprentices.

## **5. Formal agreement with social work sponsors/employers:**

- 5.1 All sponsoring agencies sign a formal agreement that clarifies the respective responsibilities of The Open University and the sponsor. Sponsoring agencies agree to ensure that you undergo a period of 20 days of readiness for practice, are provided with two contrasting practice learning opportunities with a suitable practice educator, and that study leave arrangements are agreed.

- 5.2 Sponsoring agencies also agree, without prejudice to their right to deal with employment matters under their normal procedures, that Fitness to Practise issues arising in connection with work placements or other employment related matters affecting your continuation on the programme, will be dealt with under these procedures. They also include an agreement that all parties will share any information about any issues relating to your conduct which might affect your professional suitability or fitness to practise, and to share the relevant evidence which may be needed by The Open University for this Fitness to Practise procedure.
- 5.3 If a cause for concern arises in the course of practice, sponsoring agencies will inform the Head of Operations, Social Work at The Open University immediately, as well as, or in parallel with, invoking their own fitness to practise procedures.

## Appendix 3: Nursing

- [Supplementary Agreement \(Nursing\)](#)

### 1. Nursing Professional Programme

#### 1.1 Qualifications covered:

- [Q73: BSc \(Hons\) Adult Nursing](#)
- [Q74: BSc \(Hons\) Mental Health Nursing](#)
- [R39 BSc \(Honours\) Nursing](#)
- [R43 BSc \(Honours\) Nursing \(Apprenticeship\)](#)
- [X19 Foundation Degree in Nursing Associate Practice \(Apprenticeship\)](#)
- [X20 Foundation Degree in Nursing Associate Practice](#)

#### 1.2 Professional, statutory or regulatory body:

- [Nursing and Midwifery Council \(regulator\) \(NMC\)](#)

#### 1.3 Code of Practice and relevant regulatory documents:

- [The Code: Standards of practice and behaviour for nurses, midwives and nursing associates \(NMC October 2018\)](#)
- [Standards for nurses \(NMC 2018\)](#)
- [Standards for nursing associates \(NMC 2018\)](#)
- [Guidance: Health and character as a student \(NMC 2019\)](#)
- [Guidance: Raising concerns](#)
- [Raising concerns: Guidance for nurses, midwives and nursing associates](#)
- [Standards of Proficiency for Pre-Registration Nursing Programmes \(NMC Jan 2019\)](#)
- [Standards of Proficiency for Pre-Registration Midwifery Programmes \(NMC Jan 2020\)](#)
- [Standards framework for nursing and midwifery education \(NMC Jan 2019\)](#)



## **1.4 Composition of review panel:**

- Senior Academic from the School of Nursing;
- Staff Tutor representative (who has not been involved in the initial risk assessment);
- a (current or alumni) Open University student representative from the Nursing professional programme;
- employer/ employer's representative (who must not be a member of staff from the student's department/ clinical place of work, or have been involved in the initial evidence gathering exercise);
- an impartial and experienced Open University note taker.

The panel must include at least one member (not including the note taker) with a background in the specific field of study being undertaken by the student (i.e. Adult, Mental Health Children & Young People or Learning Disabilities Nursing). For students on OU Blended Learning partnerships, a representative from that partnership.

No member of the panel should have been directly involved with the student subject to the enquiry.

## **2. Specific nursing entry requirements:**

2.1 The Open University's nursing students must either be:

- employed in a healthcare support worker role or acceptable equivalent setting (Students and Learners studying a Nursing qualification but who are not studying the Independent Route)
- Have an active Honorary Contract with their Independent Route Host (Students who are studying the Independent Route)

They may be funded by their employer or a government agency or, in England, may self-fund their studies.

2.2 You must demonstrate the entry level capabilities and other entry requirements set by The Open University's nursing programme which are linked to in the qualifications section above or can be provided by your Student Support Team or APDM for Apprentices.

### **3. Formal agreement with employers or Independent Route Hosts**

3.1 All employers sign a formal Agreement which requires that they inform The Open University:

- immediately of your removal (and reason for removal) from placement on grounds of conduct, suitability, or patient safety, thereafter, cooperating in any disciplinary proceedings relating to you;
- concerns raised about you over a period of time, as soon as reasonably practicable;
- if you withdraw from the programme or cease employment;
- if you are sufficiently absent from the programme to jeopardise your ability to meet learning outcomes and statutory/regulatory requirements.

3.2 In addition, employers or Independent Route Hosts are required to ensure that you satisfy occupational health requirements throughout your practice experience, to cooperate in answering any complaint, clinical negligence or personal injury claim involving you, and to encourage and support its staff to participate in disciplinary and appeals processes where appropriate.

3.3 Employers or Independent Route Hosts also agree, without prejudice to their right to deal with employment matters under their normal procedures, that Fitness to Practise issues arising in connection with practice placements or other employment related matters affecting your continuation on the programme will be dealt with under these normal procedures. The Agreement also requires that all parties share any information about any issues relating to your conduct which might affect your professional suitability or fitness to practise, and also to share the relevant evidence which may be needed by The Open University for this Fitness to Practise procedure.

3.4 If a cause for concern arises in the course of practise, employers or Independent Route Hosts will inform The Open University immediately, through liaison with a Practice Tutor, or Staff Tutor as well as, or in parallel with, invoking their own procedures.

## **Appendix 4: Non-Medical Prescribing and Advanced Clinical Practice**

### **1. Non-Medical Prescribing Professional Programme and Advanced Clinical Practice**

#### **1.1 Qualifications covered:**

- K33: Postgraduate Certificate in Non-Medical Prescribing
- E95 - Postgraduate Diploma in Enhanced Clinical Practice
- F85 - MSc in Advanced Clinical Practice
- F91 - MSc in Advanced Clinical Practice (Apprenticeship)

#### **1.2 Professional, statutory or regulatory bodies**

- [General Pharmaceutical Council \(GPhC – Regulator\)](#)
- [Nursing and Midwifery Council \(NMC\)](#)
- [The Health and Care Professions Council \(HCPC\)](#)

#### **1.3 Code of Practice and relevant regulatory documents:**

- [Standards for pharmacy professionals \(GPhC May 2017\)](#)
- [The Code: Standards of practice and behaviour for nurses, midwives and nursing associates \(NMC October 2018\)](#)
- [Health and Care Professions Council HCPC Standards](#)

#### **1.4 Composition of Review Panel:**

- Professional Lead Non-Medical Prescribing / Advanced Clinical Practice.
- Academic Tutor (who has not been involved in the initial risk assessment).
- Student/ student representative with experience of non-medical prescribing programmes (existing Open University student or alumnus/alumna).
- Employer/ employer representative (who must not be a member of staff from the student's department / clinical place of work, or have been involved in the initial evidence gathering exercise).

- An impartial and experienced Open University note taker.

The panel must include at least one member (not including the note taker) with a background in the specific professional regulator of the student (i.e. GPhC, HCPC or NMC).

No member of the panel should have been directly involved with the student subject to the enquiry.

## **2. Specific entry requirements for these programmes**

2.1 You must demonstrate the entry level capabilities and other entry requirements set by The Open University's Non-Medical Prescribing and Advanced Clinical Practice programmes as defined online:

- K33: Postgraduate Certificate in Non-Medical Prescribing
- E95 - Postgraduate Diploma in Enhanced Clinical Practice
- F85 - MSc in Advanced Clinical Practice
- F91 - MSc in Advanced Clinical Practice (Apprenticeship)

The requirements can be provided by your Student Support Team, via <http://www.open.ac.uk/contact/> or APDM for Apprentices.

## Appendix 5: PGCE (Wales)

- [PGCE \(Wales\) Supplementary Agreement](#)

### 1. PGCE (Wales) Programme

#### 1.1 Qualifications covered:

[K36 Postgraduate Certificate in Education \(Wales\)](#)

#### 1.3 Code of Practice and relevant regulatory documents:

- [Code of Professional Conduct and Practice](#) (1 September 2019), Education Workforce Council (EWC)

#### 1.4 Composition of Review Panel:

- Chairperson: The Director of the PGCE Programme for Wales, or their nominee.
- Employer school representative (who must not be a member of staff from the student's school or have been involved in the initial evidence gathering exercise).
- A member of PGCE academic staff, who should be a Curriculum Tutor but who should have not been involved in the initial risk assessment.
- A student/ student representative with experience of a professional programme other than the one you are studying within the OU (existing student or alumnus/ alumna).
- An Open University note taker.
- No member of the panel should be directly involved with the student subject to the enquiry.
- A student may choose to have the meeting conducted in either English or Welsh. Students wishing to have the meeting in Welsh shall notify the nominated representative, in order for simultaneous translation services to be arranged for non-Welsh speakers. Such services shall be provided free of charge to the student.

## **2. Specific entry requirements for this programme:**

which apply to both Primary and Secondary phases except where stated:

- 2.1 a UK degree or equivalent (Secondary phase only: this qualification must have at least 50% relevance to the subject they want to teach);
- 2.2 Primary phase only: achieved a standard equivalent to a GCSE Grade C or above (or equivalent) in Science;
- 2.3 a GCSE Grade C or above (or equivalent) in mathematics or Mathematics-Numeracy;
- 2.4 a GCSE Grade C or above (or equivalent) in either English Language or Welsh Language;
- 2.5 confirms that they understand that should they be successful they will need to apply for an Enhanced Disclosure and Barring check, and for some routes may be required to register with the Education Workforce Council as a school learning support worker prior to commencement on the programme;
- 2.6 a named employer school and has included a supporting statement for the application endorsed by the head teacher or has indicated that they do not have a named employer school at this stage and states the geographical location for where a salaried placement is being sought;
- 2.7 confirms that they understand that they will also need to undertake school experience in a second school.

## **3. Formal agreement with Lead Partner Schools and Second Schools**

- 3.1 All Schools sign a Memorandum of Understanding which clarifies the respective responsibilities of The Open University and the school. Students sign on registration that they understand the respective responsibilities of The Open University and the student.
- 3.2 All students must follow the expectations set out in the [Supplementary Agreement](#), including a statutory minimum of 120 days of practice learning.

- 3.3 Schools also agree without prejudice to their right to deal with employment matters under their normal procedures, that Fitness to Practise issues arising in connection with practice learning experience or other employment related matters affecting their continuation on the programme, will be dealt with under these procedures. They also agree that all parties will share any information about any issues relating to the student's conduct which might affect their professional suitability or fitness to practise, and also to share the relevant evidence which may be needed by The Open University for this Fitness to Practise procedure.
- 3.4 Schools should be made aware that if a cause of concern arises in the course of practice learning, they should inform the Director of the PGCE Programme for Wales immediately, as well as, or in parallel with, invoking their own procedures.

## Appendix 6: Policing

- [Conditions of Registration Policing Programmes](#)
- [Supplementary Agreement \(Policing\)](#)

### 1. Policing Programmes

#### 1.1 Qualifications covered:

- [R31 Police Constable Degree Apprenticeship](#)
- [T51 Police Community Support Officer Apprenticeship](#)
- V21 Degree Holder Entry Programme (DHEP)
- W27 Police Constable Entry Programme (PCEP)

#### 1.2 Professional, statutory or regulatory body:

- [The College of Policing](#)

#### 1.3 Code of Practice and relevant regulatory documents:

- [The College of Policing Code of Ethics](#)

### 2. Composition of Review Panel

The panel must include at least one member (not including the note-taker) with a background in policing education.

- A chairperson: The Teaching Director or nominee.
- A representative from the employing Police Force (who has not been involved in any workplace investigation).
- A representative from the Student Experience Team.
- A representative from the Business Development Unit.
- A (current or alumni) student representative (from the policing programme).
- An impartial and experienced Open University note taker.



No panel member should have been directly involved in the teaching of the student subject to the enquiry.

### **3. Specific entry requirements for these programmes**

- 3.1 Policing students must be employed by a Police Force and registered onto the course by their employer.
- 3.2 Individual forces may set their own educational entry requirements in addition to:
  - Good character, evidenced through self-declaration, Police Force recruitment process, vetting and enhanced criminal disclosure.
  - Good health, evidenced through self-declaration, Police Force recruitment process, medical and other screening on entry.
- 3.3 Entry requirements onto the Apprenticeships are also dictated by the Apprentice Standard as approved by the Education and Skills Funding Agency and Institute for Apprenticeships and Technical Education.
- 3.4 Students must sign a registration agreement which references the [Student Privacy Notice](#).

### **4. Formal agreement with employers**

- 4.1 The three qualifications covered by this Appendix are subject to employment by a Police Force: it is not possible for an individual to register for the qualifications without being confirmed in post as an employee of a Police Force. The Police Force govern the terms of employment and progression via their professional pathway. If an individual is no longer employed, they are no longer a student on the qualification for which they were enrolled.
- 4.2 All employers sign a formal agreement/contract which requires that they inform The Open University:
  - Immediately of the termination (and reason for termination) of employment for any student or learner;
  - Concerns raised about students over a period of time as soon as reasonably practicable;

- Should the student accrue sufficient absence from employment to jeopardise their ability to meet learning outcomes of the programme.
- 4.3 As the employing force is responsible for conferring fitness to practise to the student, The Open University must ensure the force is fully informed of any concerns observed through the context of study. This will be done with your consent where possible, but please refer to paragraph 7.7 within [Section 7 Confidentiality and the sharing of information](#) which details when we may share data without your consent. Force procedure in relation to fitness to practise takes precedent over The Open University's procedure.
- 4.4 The employer will, without prejudice, have the right to deal with employment related matters under their normal procedures. Any fitness to practise concerns arising in connection with employment, and which may impact on the student's continuation on the programme, must be referred to the University to determine if the Fitness to Practise procedure should also be followed. The agreement/contract also requires that all parties share information about any issues relating to the student's conduct which might affect their professional suitability or fitness to practise, and also to share the relevant evidence which may be needed by either party for this Fitness to Practise procedure.
- 4.5 Employers are required to inform the University immediately, via the Practice Tutor or Apprenticeship Programme Delivery Manager as well as, or in parallel with, invoking their own procedures. Similarly, the University will inform the employer via the Practice Tutor or Apprenticeship Programme Delivery Manager as well as, or in parallel with, invoking the Fitness to Practise procedure.

## Appendix 7: Counselling

### 1. Counselling Professional Programme

#### 1.1 Qualifications covered:

- [R86 BSc \(Honours\) Counselling](#)

#### 1.2 Professional, statutory or regulatory body:

Counselling and psychotherapy in the UK are not regulated but currently included in Accredited Voluntary Registers (AVR) for non-statutory regulated health professions. The scheme is administered by the [Professional Standards Authority \(PSA\) for Health and Social Care](#), an independent body accountable to the UK Parliament. Professional bodies can apply to the PSA to have their register approved by demonstrating that the organisation meets rigorous standards of governance, ethics and professional standards.

#### 1.3 Code of Practice and relevant regulatory documents:

[SCoPEd framework](#): Scope of Practice and Education (SCoPEd) is a framework that sets out the core training requirements and practice standards for counsellors and psychotherapists working with adult clients. It has been developed by six professional bodies that hold registers accredited by the Professional Standards Authority:

- UK Council for Psychotherapy (UKCP): [Code of ethics and professional practice](#)
- British Association for Counselling and Psychotherapy (BACP): [Ethical framework for the counselling professions](#)
- National Counselling and Psychotherapy Society (NCPS): [Code of ethical practice](#)
- British Psychoanalytic Council: [Code of ethics](#)
- Human Givens Institute: [Ethics and Conduct Policy](#)
- Association of Christians in Counselling and Linked Professions (ACC): [Code of ethics](#)

#### 1.4 Composition of Review Meeting panel:

- Senior Academic with relevant counselling/psychotherapy practitioner training and expertise from the School of Psychology and Counselling.
- Academic Tutor with similar training and expertise who has not been involved in the initial risk assessment.
- A student/ student representative with experience of a professional programme separate to the one the student is studying within the Open University (existing student or alumnus/ alumna).
- Employer/employer's or placement provider representative (who must not be a member of staff from the student's clinical place of work, or have been involved in the initial risk assessment in the specific case).
- External examiner for R86 BSc Counselling.
- An impartial and experienced Open University note taker.
- The panel must include more than one member (not including the External Examiner and note taker) with a background in the specific field of study being undertaken by the student.
- No member of the panel should have been directly involved with the student subject to the enquiry.

### **1.5 Specific counselling entry requirements:**

Students enrolled on R86 and the Professional Certificate must demonstrate the entry level capabilities and other entry requirements (at stage 1 and stage 2) set by The Open University's counselling programme which are linked to and outlined in ['Section 1.1 Qualifications'](#) above.

## **2. Specific issues/behaviours in counselling which may give rise to concerns**

2.1 The specific issues and behaviour which may give rise to concern can be different in counselling, compared to the other disciplines covered in this Fitness to Practice Procedure (e.g., Nursing, Social work). In addition to the issues/behaviours listed under ['Section 4.1.1 Raising concerns'](#), for Counselling the following three components of fitness to practise (a. to c. below) need to be considered (BACP, 2018).

While these aspects are not necessarily explicitly mentioned in the codes of practice of the professional bodies in counselling (see '[Section 1.3 Code of Practice and relevant regulatory documents](#)'), the issues which may give rise to concerns are usually covered in the ethical frameworks.

2.2 In addition, in the context of counselling, fitness to practice proceedings can arise through:

- Concerns raised by the practice supervisor and/or line manager;
- Concerns or complaints from clients raised either with the placement setting or directed to programme staff;
- Concerns raised by university tutors or Academic Conduct Officers arising from interactions with the student or from their submitted work.

**a. Practitioner's wellbeing:**

Practitioner's own wellbeing, including physical, emotional, psychological, social, and spiritual aspects, is essential to sustain the quality of therapeutic work. It is important to note that while issues with wellbeing may lead to fitness to practice proceedings based on evidence impaired therapeutic decision making or inappropriate interactions with clients, failure to disclose (e.g. to supervisors) and/or to appropriately manage wellbeing concerns (e.g. through temporary withdrawal from therapeutic practice) may also be grounds for fitness to practice proceedings. The following situations may give rise to concerns if they create a risk for clients, supervisors, colleagues, trainees, the counselling profession and/or practitioners themselves:

- Inadequate self-care:

Practitioners not taking sufficient care of their own physical or mental health needs.

- Poor self-regulation at work:

Frequently feeling overwhelmed by therapeutic work (can lead to emotional exhaustion and impair the ability to provide effective care).

- Crisis situations in a practitioner's personal, relational or family life (e.g., related to bereavement, relationship breakdown, health concerns etc.) can exacerbate personal wellbeing issues and impair the ability to provide effective care.
- Emotional exhaustion, chronic stress, and burnout.

**b. Practitioner's competence:**

The following specific issues/behaviours related to a practitioner's competence may give rise to concerns if they pose a risk for clients, supervisors, colleagues, trainees, the counselling profession and/or practitioners themselves:

- **Poor record keeping:**  
Incomplete, inaccurate, or untimely documentation (can jeopardize client care and violate legal and professional standards).
- **Failure to follow ethical guidelines:**  
Ignoring/misunderstanding ethical codes and guidelines (can result in unethical practices, damaging client trust and wellbeing).
- **Insufficient Continuing professional development (CPD):**  
Neglecting ongoing professional development and training (can result in outdated practices and failure to meet current professional standards).
- **Lack of Cultural Competence:**  
Failing to understand and appropriately address cultural, social, and individual diversity (can result in biased or insensitive care).

**c. Practitioner's behaviour and conduct:**

Unprofessional Relationships: Dual (when the counsellor-client relationship overlaps with another relationship) or inappropriate personal relationships with clients, colleagues, or supervisors (can compromise professional boundaries and client trust).

- **Inappropriate Communication:**  
Unprofessional/abusive language with clients, colleagues, or other professionals (can damage relationships and professional reputation).

- Disrespectful/discriminatory behaviour:

Disrespectful, prejudiced, or discriminatory attitudes or behaviours towards others (can violate ethical standards).

- Failure to maintain confidentiality:

Breaching client confidentiality without appropriate consent or justification (can erode trust and violate legal and ethical obligations).