

## **Faculty of Science**

### **Professional conduct and fitness to practise policy and procedure with respect to the Diploma in Clinical Neuropsychology and Diploma in Applied Neuropsychology**

#### **1. Introduction and Scope**

1.1. The Faculty and relevant School have a particular responsibility in respect of students who are following a programme of study leading to a professional qualification which:

- (a) entitles the individual to register (either provisionally or fully) with a statutory professional body and/or to practise under licence; or
- (b) where either of them is asked to certify that the student is a fit and proper person to be admitted to a professional body; The Faculty and School must ensure they are satisfied that, in addition to achieving the appropriate qualification, the student would be a suitable entrant to the given profession. The requirements referred to in this section relate exclusively to students who are taking the diploma in clinical neuropsychology because only this degree contributes one of the criteria required for a professional qualification. This procedure does not apply where the Faculty is asked to certify a student's fitness to a professional body in relation to a common career destination, but where this certification is not linked to an automatic professional qualification (or partial criterion for such).

1.2 The Faculty and relevant School have a particular responsibility in respect of students who are following a programme of study which requires their placement within an external institution that provides education and training, under the terms of an academic partnership, accredited as a core component of the degree programme when:

- (a) the placement requires those students to comply with rules of professional conduct and procedure required by that institution;
- (b) rules of conduct and procedure within that external institution are not identical to those which exist within the university;

The requirements referred to in this section (1.2) are henceforth termed "placement procedures" and relate to students taking both the diploma in clinical neuropsychology and the diploma in applied neuropsychology. The external institution referred to in this document relates exclusively to North Bristol Trust (NBT) as described in the academic partnership agreement between this organisation and the university.

1.3 This Procedure will be approved by the Faculty Professional Conduct Committee and FPARC and subject to approval and review by the University Education Committee.

1.4. The relevant sources for guidelines on professional conduct within NBT are described within Appendix 19.

1.5. Relevant sources on professional conduct associated specifically with those taking the Diploma in Clinical Neuropsychology note that it is an absolute requirement of course entry that you are

already a professionally qualified Clinical Psychologist under the terms of the British Psychological Society and that as a consequence:

- (a) students are already bound by the Generic Professional Practice Guidelines and regulations of the British Psychological Society of which you are a member;
- (b) students are already bound by the Specific Professional Practice Guidelines and regulations of the British Psychological Society division of clinical psychology;
- (c) students are already bound by the guidelines and regulations laid down by the Health Professions Council (HPC) as they apply to the discipline of Clinical Psychology and HPC oversight of the British Psychological Society (see Appendix 20 for reference to the appropriate relevant documentation);
- (d) That in seeking professional accreditation as a Clinical Neuropsychologist and entrance to the British Psychological Society division of neuropsychology, student behaviour, practice and conduct must at all times be consistent with requirements of the British Psychological Society professional regulations.

## **2. Obligations**

### **2.1 Students:**

It is each student's responsibility to:

- (a) be aware of and meet the requirements of the University, Faculty, relevant school, NBT and any professional body relevant to his or her programme;
- (b) understand that his or her behaviour both inside and outside the University environment, including his or her personal life, may have an impact on his or her fitness to practise his or her chosen profession – whether or not that student is currently pursuing a professionally accredited degree or intends so to do at a later date.

### **2.2.1 School:**

It is the relevant School's responsibility:

- (a) to ensure students and applicants offered a place are aware of the standards required of them by providing clear and easily accessible information about the professional conduct expected by the School, the Faculty, the University, NBT, and any relevant professional body;
- (b) to provide opportunities for students to learn and practice these requirements and standards;
- (c) To ensure students are aware of the thresholds that define the boundaries of acceptable student professional conduct, and that, when breached, will result in formal action under these procedures;
- (d) to provide support to individuals in addressing identified concerns;
- (e) to ensure prompt action is taken in cases which provide a risk to the student, clients or other students;
- (f) to ensure professional judgements about students are based upon appropriate evidence;

(g) to ensure all staff teaching on programmes or supervising placements are aware of the requirements and apply them consistently;

(h) to adopt a Professional Conduct Procedure to cover the following programmes:

(i) Diploma in Clinical Neuropsychology

(ii) Diploma in Applied Neuropsychology

(i) to assess whether a current Professional Conduct Procedure requires revision, when proposing major changes to the current programmes set out in (f) (i) and (ii) above; and;

(j) to ensure that its Professional Conduct Procedure is approved by the Faculty Professional Conduct Committee and FPARC;

(k) to hold an annual review of programme policies and procedures relating to professional conduct and to prepare an annual report on the operation of the procedures within the programme.

### **3. School Professional Conduct Procedures**

3.1 The Faculty requires each relevant School to:

(a) appoint a School Committee Convenor;

(b) ensure that the School Committee Convenor appoints a Professional Conduct Committee (the "SPCC") to hear cases under the School Professional Conduct Procedure other than major or persistent cases referred under section 4.5. The names of those appointed shall be published annually;

(c) ensure that the SPCC adopts and secures Faculty approval for a Professional Conduct Procedure which includes the matters set out in paragraph 2.2 above and which makes provision for the dealing with concerns about professional conduct referred to it from within the School;

(d) report annually to the Faculty Professional Conduct Committee on the oversight of professional conduct during the previous year;

(e) ensure that students registered on programmes subject to Professional Conduct Procedures sign an ethical code of conduct, approved under the School's Professional Conduct Procedure, on first registration and will be subject to procedures and guidance which will be available to them at the time of registration. This code will continue to apply throughout the duration of their studies and will be in addition to (1) any professional body codes and/or (2) any NBT codes of practice that the student must sign;

(f) ensure that assessment of continuing progress will take place as an integral part of normal assessment of whether students have met the specific learning outcomes of a unit, including assessment of readiness for placement. Where these normal review or feedback procedures or sequence of events identify a cause for concern in any member of staff this matter shall be referred to the Convenor of the School Professional Conduct Committee in the first instance, who may:

(i) Refer the matter to the Dean of the Faculty under paragraph 8.1.

(ii) Deem it to be a cause for concern that can be resolved by appropriate supportive action and put in place a support plan in discussion with the student and relevant staff;

(iii) Refer it to the School Professional Conduct Committee for consideration of whether the matter should be dealt with under SPCC procedures or be referred to the Faculty under paragraph 4.5;

(g) The School Professional Conduct Procedure should set out the procedures and range of actions available to the School Professional Conduct Committee when considering matters under paragraph (f).

#### **4. Faculty Professional Conduct Committee (the “Committee”)**

##### **(a) Composition**

4.1 The Faculty shall establish a Professional Conduct Committee.

4.2 Its membership shall comprise the Graduate Dean, the Dean of Science, and at least one member drawn from each School’s Professional Conduct Committee. The Committee shall be chaired by a person appointed by the Dean. The Committee will be quorate provided that a minimum of three of its members are present.

##### **(b) Function**

4.3 The Committee shall meet at least once a year in order to:

(a) share good practice;

(b) receive and consider an annual report from all SPCCs;

(c) oversee SPCC annual reports to ensure consistency of approach taking into account the differing professional requirements;

(d) keep the Faculty Professional Conduct Procedure under review; and

(e) consider and approve new Programme Professional Conduct Procedures or changes to School of Professional Conduct Procedures prior to submission to FPARC for approval.

4.4 Where a SPCC considers a case to be major or persistent, the Convenor of the SPCC will refer the matter to the FPCC Chair, and in consultation the Convenor and Chair will determine whether;

(a) the matter should be referred to a Faculty Professional Conduct Panel (“the Panel”) and if so shall convene a Panel; or

(b) the matter should be referred to the Vice Chancellor under the Student Disciplinary Procedure.

4.7 ‘Major’ and ‘persistent’ here relate to the severity of the conduct in relation to the person’s ability to demonstrate appropriate professional conduct or fitness to practice. Major connotes a serious concern, which may have arisen from one or relatively few incidents, persistent connotes a lesser event, but which by reason of a student’s failure to address the conduct can give rise to a more substantial concern.

## **5. Faculty Professional Conduct Panel (the “Panel”)**

### **(a) Function**

5.1 The Panel will consider cases referred to it under section 4.5.

### **(b) Composition**

5.2 The Panel will normally consist of at least three members and may include among its members:

- a person external to the University with direct relevant professional experience in the profession concerned;
- a person currently serving on one of the SPCCs within the Faculty with relevant experience in the discipline concerned who will chair the Panel; and
- a person currently serving on one of the SPCCs within the Faculty from a different School, or the Undergraduate or Graduate Dean.

5.3 In the event of the Panel being divided in its view, the Chair will have a casting vote.

### **(c) Assistance to the Panel**

5.4 The Faculty Head of Academic Administration (or her/his deputy) will act as the Clerk to the Panel and will arrange for a note of the hearing to be taken. The Panel may seek advice from the Secretary’s Office.

### **(d) Support / Representation at the Hearing**

5.5 The student is entitled to be present at the Panel hearing and may be accompanied by an adviser, friend or other representative. If the student wishes to bring a legal representative to the hearing he or she must inform the Clerk as soon as possible and in any event not later than two weeks prior to the hearing.

### **(e) Conduct of the hearing**

5.6 The hearing shall be conducted in accordance with the provisions of Appendix 1.

## **6. Evidence of mental illness or instability**

6.1 If at any stage of the procedure it appears that the student may be suffering from mental illness or mental instability, the proceedings may be adjourned for the preparation of a medical report.

## **7. Powers of Professional Conduct Panels**

7.1 A Faculty Professional Conduct Panel may make any one or more of the following decisions:

- a) Issue no sanction and permit the student to continue on the programme;
- b) Remit the case to the School’s Professional Conduct Committee;
- c) Permit the student to continue on the programme, subject to specified conditions - for example mentoring by a named senior academic member of staff, requiring a student to repeat certain parts of the programme of study, delaying progression or placements until specified conditions are met;

- d) Exclude the student from the University for a fixed period of time, up to a maximum of twelve months. A student who is excluded from the University has restricted rights to enter University premises, and to participate in University activities. The terms of the exclusion will be notified to the student in writing. An order of exclusion does not affect the student's status as a member of the University;
- e) Suspend the student from the University for a fixed period of time, up to a maximum of twelve months. A student who is suspended ceases to be a member of the University for the duration of the suspension and is prohibited from entering University premises, and from participating in University activities. Suspension may be subject to qualification, such a permission to take an examination. The terms of the suspension will be notified to the student in writing;
- f) Terminate the student's programme of study but allow the student to transfer to another programme of study;
- g) Terminate the student's programme of study but recommend consideration of an exit award which does not involve professional practice;
- h) Expel the student from the University, which means that the student ceases to be a member of the University, and loses all rights and privileges of membership.

## **8. Suspension pending hearing by the Panel**

8.1 If the concern is sufficiently serious, a decision may be made by the Faculty Dean at any stage of this procedure to suspend the student from the programme or from a placement while the matter is being investigated or pending the hearing by the Panel.

8.2 At any stage a placement may be immediately suspended by the Dean on behalf of the University, acting where appropriate in liaison with a professional partner with whom the student is on placement.

## **9. Record Keeping, Data Protection and Confidentiality**

9.1 Where it has been decided by the Panel that no sanction should be issued, nonetheless a record of the Panel's decision shall be kept on the student's official record. In these circumstances

(a) should no further concerns be raised during the student's programme of study, the record will be destroyed upon completion of their programme of study; or

(b) should further concerns be raised during the student's programme of study, a record of the concerns and the Panel's decision may be kept on the student's official record up to a period of five years following completion of their programme of study.

9.2 Where a Panel has decided to issue a sanction, a record of the concern and any decisions made by the Panel shall remain on the student's official student record for up to a period of five years following completion of their programme of study. If the matter is sufficiently serious that the University has to report the student to the professional body, the matter shall remain on the student's official student record for such period as shall be determined in consultation with the professional body concerned.

9.3 All matters relating to a student's career at the University are strictly confidential and may not be relayed to other parties, including parents, without the express permission of the individual student. The University handles personal data (including official student records of concerns, reports and

warnings relating to Fitness to Practice) in accordance with the Data Protection Act 1998. Notwithstanding the foregoing, the University may:

- (a) take into account any concerns, reports and/or warnings in assessing a student's professional behaviour; and
- (b) disclose details of any concerns, or decisions relating to a student's fitness to practice which have arisen during the student's programme of study (where required to do so by law or in the public interest) to any relevant Professional Body or current or prospective employer.

## **10. Appeal**

10.1 An appeal under this Procedure must be made to the University Secretary within twenty-eight days of the date of the report issued under section 18 of Appendix 1. The student must set out in writing the ground(s) on which the appeal is based. The appeal will be heard by a Committee of Council (the "Appeal Committee") constituted under the provisions set out in the Student Complaints Procedure.

10.2 A student may appeal against the decision of the Panel on one or more of the following grounds:

- (a) that there is new evidence which could not reasonably have been presented at the hearing of the Panel;
- (b) that the penalty imposed is not reasonable in all the circumstances;
- (c) that there was a material irregularity in the decision making process sufficient to require that the decision be re-examined.

10.3 If the student appeals on ground 10.2 (a) the Appeal Committee may, without the necessity for a hearing, remit the matter back to the Panel for reconsideration. If the student appeals on ground 10.2 (b) or (c) the Appeal Committee may overturn the decision of the Panel if it considers it just to do.

10.4 There will be no entitlement to a rehearing of the case, which will be allowed only in exceptional circumstances. The student may present the appeal in person or in writing as he or she chooses, and may be represented by an adviser, friend or other representative.

10.5 Those hearing an appeal against penalty may impose a lesser or greater penalty, having considered whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case, and the student's circumstances.

## **11. Co-ordination between this Procedure and other University Regulations**

11.1 Where plagiarism, cheating or other disciplinary matters have been handled under the Examination Regulations or Student Disciplinary Procedure, or concerns have arisen and been dealt with under the Mental Health Policy or the Guidelines for current students with criminal convictions these may be reported to professional bodies, where relevant, without a requirement to adopt this procedure.

11.2 Nothing in this procedure prevents a matter being dealt with under this procedure in addition to other University regulations or procedures.

11.3 A School may only refuse to provide a declaration of fitness to practice where the evidence is clear and where meetings have been held in accordance with this procedure.

11.4 The procedure for the regulation of professional conduct is independent of academic progression processes and student disciplinary processes. In cases where a student is in breach of both professional conduct and academic requirements the Professional Conduct Procedure will take priority and only if thereafter the student is permitted to remain on a programme will an academic appeal be heard. Where both disciplinary and professional conduct requirements are involved the Chair of the Faculty Professional Conduct and Fitness to Practice Committee will determine the timing of stages in each procedure consistent with advice from the Secretary's Office.

## **APPENDIX**

### **1 PROCEDURE FOR HEARINGS OF FITNESS TO PRACTISE PANELS**

#### **1. Standard of Proof**

The Panel will only impose a penalty upon a student if on the evidence before it, it is satisfied on the balance of probabilities that the concerns raised are proved.

#### **2. Procedure**

Subject to the provisions of this procedure, the conduct and order of the proceedings shall be at the discretion of the Panel. The Panel may ask for additional enquiries to be undertaken and may call for additional witnesses to attend. It may adjourn proceedings if it considers it in the interests of justice to do so.

#### **3. Joint Hearings**

If two or more students are involved in related cases the Panel may at its discretion deal with their cases together.

#### **4. New Hearing**

The Committee will rely only on evidence presented at the hearing. The deliberations and decisions of anyone previously considering the matter shall be irrelevant for the Committee's purposes.

#### **5. Written Allegations**

The Clerk, on behalf of the Panel, will ask the SPCC to appoint a person to present the case: the Investigator, who will set out the allegation(s) against the student in writing in advance of the hearing. A copy will be sent to the student at least three weeks before the hearing.

#### **6. Witness Evidence**

The student will be informed at two weeks in advance of the hearing of any witnesses who have been nominated/called by the Investigator or the Chair of the Panel. The student and/or his or her representative must inform the Clerk, at least two weeks in advance of the Hearing, of any witnesses that they wish to nominate/call.

The Clerk, on behalf of the Panel, may call for written witness statements in support of the allegation in advance of the hearing. If such statements are obtained, members of the Panel will be entitled to see them in advance of the hearing and copies will be made available to the student and to the case presenter at least one week before the hearing.

Witness evidence will normally be given orally by witnesses appearing in person even if witness statements have been provided prior to the hearing, although such evidence should not duplicate matters set out in writing. The Panel may accept a witness's written statement in evidence where both parties agree that the witness need not attend, or where it is impracticable for the witness to attend, or where in the opinion of the Panel it is for some other reason in the interests of justice to do so.

## **7. Written submission to the Committee**

Either the Investigator or the student may make a written submission to the Panel. Any such submission must be made available to the Panel at least seven days before the hearing and a copy will be made available to the Investigator or the student.

## **8. Documentary Evidence**

Any documentary evidence must be submitted in advance of the hearing and copies will be made available to members of the Panel and to all parties at least one week before the hearing. Documentary evidence submitted late will only be admitted with the permission of the Panel.

Evidence may be in the form of medical or other reports. By consenting to the preparation of medical or other reports, the student is consenting to the Panel having access to such reports.

## **9. Closing addresses**

The Investigator shall be entitled to address the Panel at the conclusion of the evidence called on behalf of the student. The student, or his or her representative, may address the Committee after the Investigator's final address.

## **10. Witnesses in support of the allegation**

The allegations against the student will be put first. The Investigator will ask questions of each witness giving evidence in support of the allegation. The witness may be cross-examined by the student or his or her representative. Witnesses may be re-examined, but concerning only those matters raised in cross-examination, for the purpose of clarification.

## **11. Submission that there is no case to answer**

At the conclusion of the evidence in support of the allegation against the student, the student, or his or her representative, may submit that there is no case for the student to answer. The Investigator has the right to reply. If the Panel finds on the evidence that there is no case to answer, it must dismiss the allegation(s).

## **12. Witnesses against the allegation**

If the case proceeds, the student may then give evidence. At the conclusion of the student's evidence he or she may be cross-examined by the Investigator. The student may give evidence to clarify matters raised in cross-examination. The student, or his or her representative, may call further witnesses, who may be similarly cross-examined and re-examined. The representative may not give evidence on behalf of the student.

## **13. Recall of witnesses**

A witness may be recalled to give further evidence only with leave of the Panel.

## **14 Relevance**

The Panel will refuse to admit evidence that is in its opinion irrelevant to the issues raised.

## **15. Time Limits**

The Panel may impose time limits on oral addresses and submissions.

## **16. Adjournments**

The Panel shall have power to adjourn a hearing to another date, as it thinks fit.

### **17. Mitigation**

At the conclusion of both parties' evidence the Panel will make its decision as to whether the allegation(s) have been proved. If the Panel decides that the allegation(s) are proved the student or his or her representative will be entitled to address the Panel concerning penalties. The Investigator has the right to reply.

### **18. Report**

The Chair of the Panel will write a short report, setting out the allegation(s), the grounds for concern, a brief summary of the evidence, the decision of the Panel and the reasons for the decision. A copy of the report will be sent to the student, the Investigator, the Dean, Head of School and Chair of the SPCC and any other appropriate member of the University.

### **19. NBT Professional Guidelines**

NBT professional guidelines, policies and procedures are summarised in the Table below. On admission to either diploma, students will be provided with access to all documents pertaining to these guidelines and will be instructed on the importance of acting in accordance with the guidelines.

## NBT POLICIES AND PROCEDURES

This is a list of documents setting out the Trust's Policy, Procedure and guidance in particular areas. These documents are readily available and may be inspected or copy obtained within the relevant functional area e.g. Health & Safety, Human Resources or within your own department or via the Trusts intranet. You should note that any North Bristol Policy/Procedure supersedes any document relating to predecessor organisations. In due course, any such policies/procedures will be replaced by those of North Bristol NHS Trust. The policies listed below are current policies, but employees will equally be bound by revisions, or new policies agreed.

North Bristol NHS Trust	
<b>Employment Policies &amp; Procedures</b>	
<i>Work Experience</i>	<i>Disciplinary Procedure</i>
<i>Equality &amp; Diversity Policy</i>	<i>Corporate Induction and Workplace Orientation</i>
<i>Trade Union Facilities Agreement</i>	<i>Alcohol and Substance Abuse</i>
<i>Fraud Policy and Response Plan</i>	<i>No Smoking Policy</i>
<i>Disputes Procedure</i>	<i>Race Equality Scheme</i>
<i>Grievance Procedure</i>	<i>Standards of Business Conduct and Hospitality</i>
<i>Professional Registration</i>	<i>Declaration of Interest Policy</i>
<i>Trust Board Appeals Procedure</i>	
<i>Capability Policy and Procedure</i>	
<i>Dealing with Harassment</i>	

### 20. Professional Guidelines for Professionally accredited Clinical Psychologists and Clinical Neuropsychologists

**Standards of Proficiency for practitioner psychologists are outlined in:**

[http://www.hpc-uk.org/assets/documents/10002963SOP\\_Practitioner\\_psychologists.pdf](http://www.hpc-uk.org/assets/documents/10002963SOP_Practitioner_psychologists.pdf)

**General Standards of Conduct Performance and Ethics required by the Health Professions Council are outlined in:**

<http://www.hpcuk.org/assets/documents/10002367FINALcopyofSCPEJuly2008.pdf>