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**Faculty of Health Sciences and Sport**

Fitness to Practise Policy and Procedure (Applicants)

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| ***Version*** | ***2.0*** |  |
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| ***Approval date*** | ***21 October 2024*** |  |
| ***Review date*** | ***21 October 2027*** |  |

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# 1. Introduction

The Faculty of Heath Sciences and Sport (FHSS) offers a portfolio of innovative, research-led programmes designed to produce the very best graduates with cutting-edge and employable skills.

Students registered on programmes leading to membership of a statutory regulatory body should demonstrate appropriate behaviour and standards required for entry into that profession.

## 1.1 Policy Objective

This policy is a statement of principle(s) on behalf of FHSS, it is a guide to decision making under a given set of circumstances. The procedures contained within this policy are a way of accomplishing or implementing this policy and can reflect local circumstances.

The purpose of this Policy is to make explicit the FHSS intentions, expectations and actions with respect to assuring an individual applicant’s fitness to practise at the point of entry to the programme.

This policy applies to applicants to:

* Any health sciences programmes leading to professional registration with HCPC or NMC
* All FHSS Staff
* University of Stirling Admissions and Access staff

## 1.2 Responsibility

The Dean of Faculty of Health Sciences and Sport has overall responsibility for the implementation of this policy however they have the discretion to delegate the responsibilities detailed within this policy to others where appropriate.

The Fitness to Practise (FtP) Lead will be responsible for writing any reports and reviewing this policy every 3 years. The FtP Lead has overall responsibility for the operationalisation of this policy, however, they can delegate authority for any aspect of this policy to other suitably trained staff.

University of Stirling staff have a duty to adhere to this policy and managers have a duty to ensure their staff are aware of this policy and comply with it.

## 1.3 Scope of Policy

The FHSS Admissions Fitness to Practise Panel has delegated authority from the University of Stirling and the relevant regulators to decide on applications for entry onto any programme leading to professional registration or re-registration with the Nursing and Midwifery Council (NMC) or Health Care Professions Council (HCPC).

Public protection is a primary objective when making decisions in relation to applications for any course leading to professional registration.

## 1.4 Governance

This policy has been developed in conjunction with University of Stirling Admissions and Access staff.

This policy operates in conjunction with the University Criminal Charges and Convictions Policy and Procedure.

It has been ratified by the FHSS Learning and Teaching Committee and the Dean of FHSS.

If any minor amendments are required to this policy, these may be made with permission from the Chair of the FHSS Learning and Teaching Committee. Any substantial changes will require FHSS Learning and Teaching Committee approval.

## 1.5 Quality Assurance

A report of fitness to practise outcomes will be shared with FHSS and practice partners (if appropriate). This report will be used to identify themes, trends and any ‘Learning Points’ from cases.

# 2. Regulatory Requirements for Fitness for Practise

The NMC has a primary statutory obligation as the regulator of registered nurses and midwives, and the HCPC has a primary statutory obligation as the regulator of 15 health and care professions in the UK.

The role of each of these regulators is to protect the public and maintain public confidence in the profession. They both state that good health and good character are fundamental to fitness to practise as a professional.

Programme providers have a responsibility for ensuring that applicants meet the regulatory requirements for entry onto approved programmes leading to registration with either NMC or HCPC. Completing an approved programme does not guarantee that a student will be able to register with the NMC/HCPC. If a student (who has completed their programme of study) declares information that is considered incompatible with registration, this may result in their application for registration being rejected by the relevant regulatory body.

## **2.1 Good Health**

Applicants must disclose any health conditions and/or disability, which could affect their ability to practise safely and effectively, when they apply to a programme that leads to professional registration.

‘Good health’ means that a person must be capable of safe and effective practice either with or without reasonable adjustments and adjustments. It does not mean the absence of a health condition and/or disability. Many people with disabilities and health conditions are able to practise with or without adjustments put in place to support them.

If an applicant has a disability or a health condition, it is their responsibility to discuss what reasonable adjustments can be provided to support them to provide safe and effective practice with or without direct supervision.

## **2.2 Good Character**

This means thata person must be honest and trustworthy. This is based on an individual’s conduct, behaviour, and attitude. It also takes account of any criminal convictions, cautions, pending charges or other relevant information contained within a Protection of Vulnerable Group’s (PVG) Scheme Record that are likely to be incompatible with professional registration.

### 2.3 Regulatory body guidance on Good Health/Good Character

The most up-to-date NMC/HCPC Good Health, Good Character guidance should be referred to in conjunction with this policy. These can be found on the NMC/HCPC websites.

# 3. Admissions Procedure

## 3.1 Overview

The FHSS may refuse the applications of individuals it believes are not fit to undertake a programme of study leading to registration with the NMC or HCPC. The test of whether an applicant is of good character and can be admitted to a professional register is stringent.

All applications will first be considered on academic merit, in line with the University’s Admissions Policy. Any offer made at this stage will be subject to the relevant checks, as detailed in this policy.

Once the applicant receives the conditional offer of a place on the programme, information will be sought in relation to criminal offending and health/disability.

The process for prescribing/HV can be found at section 5.

The applicant Fitness to Practise procedure includes three stages:

### Stage 1: Consideration of Criminal Offending

There is a requirement for applicants to declare on their application any previous or pending criminal offences.

Having a previous or pending criminal offence does not automatically exclude the applicant from entry to a programme. Each case is considered on an individual basis, however, some criminal offending may result in an unsuccessful application.

### Stage 2: PVG Check

All applicants are subject to a Disclosure Scotland Protection of Vulnerable Groups (PVG) check. A PVG certificate contains conviction information. It also contains any other non-conviction information that the police or other government bodies think is relevant, and it will show any barring information. Legislation (The Police Act 1997, Schedules 8A and 8B) dictates the information shown on the PVG certificate. If the applicant is barred from working with adults and/or children, they will be refused entry on to the programme.

### Stage 3: Consideration of Good Health

FHSS has a responsibility to make sure people who complete programmes leading to professional registration can meet the required standards of proficiency required for a registrant. Applicants will be required, as a condition of admission, to demonstrate good health.

Applicants are required to complete a confidential health questionnaire and be passed by Occupational Health.

## 3.2 Stage 1 Procedure: Consideration of Criminal Offending

The applicant will have successfully completed the FHSS interview procedure before an offer of a place is made.

Only after this has been completed will any criminal offending be taken into consideration.

The application procedure includes a requirement for the applicant to declare any previous or pending criminal offending.

Any applicants who declare any criminal offending on application are identified by Admissions and Access and further information will be sought as part of the admissions procedure.

### 3.2.1 Good Character

Each applicant to the Course is required to declare:

* Any convictions and/or police cautions
* Any criminal charges
* If they are barred from undertaking Protecting Vulnerable Groups (PVG) regulated work
* Adverse determinations made by other regulators, professional bodies, and educational establishments

Each applicant will be considered on an individual basis, taking into account all the relevant circumstances relating to the offending.

### 3.2.2 Protected Convictions

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) 2013 Order states which conviction information needs to be disclosed.

A PVG will show:

* all unspent convictions
* spent convictions for offences that must be disclosed
* spent convictions for offences that are disclosed according to rules

Applicants are advised to contact Disclosure Scotland <https://www.mygov.scot/organisations/disclosure-scotland/> if they require more information on disclosure of conviction information.

### 3.2.3 Seriousness

Information contained on the PVG certificate will be reviewed in relation to guidance from the regulators. Each regulator has specific guidance on this matter, and this is summarised below. FHSS will decide on the appropriate action, taking into account the particular circumstances of each case.

#### 3.2.3.1 NMC

The NMC Guidance on Health & Character (2024) states it is unlikely the applicant will meet the character requirements for admission to the register if they have been involved in any of the following:

* Serious sexual misconduct (including child sexual abuse images).
* Conduct involving dishonesty, fraud, or deception.
* Offences that involved neglecting, exploiting, assaulting or otherwise harming patients/people, which are so serious that it may be harder for a nurse, midwife or nursing associate to remediate.
* Conduct involving hostility to others based on their race or ethnicity, religion, sexual orientation, gender identity or disability.
* Conduct involving a breach of trust and/or abuse of position.
* If they received a custodial sentence (this includes suspended sentences), or the conviction was for a specified offence. Please visit [Directly referring specified offences to the Fitness to Practise Committee - The Nursing and Midwifery Council (nmc.org.uk)](https://www.nmc.org.uk/ftp-library/understanding-fitness-to-practise/fitness-to-practise-allegations/criminal-convictions-and-cautions/directly-referring-specified-offences-to-the-fitness-to-practise-committee/) for further information.

#### 3.3.3.1 HCPC

The HCPC Guidance on Health and Character (2024) states that they cannot provide a list of convictions and cautions that would lead to the HCPC rejecting an application for registration. However, there are certain types of offences which the HCPC believe usually mean a person should not be registered within one of the professions they regulate.

The HCPC will consider rejecting an application for registration, if the student is convicted of a criminal offence or accepts a police caution that involves one of the following types of behaviour:

* Violence
* Abuse
* Sexual misconduct
* Supplying drugs illegally
* Child pornography
* Offences involving dishonesty
* Offences which received a prison sentence

### 3.2.4 Drug and Alcohol Offences

This includes the following types of offences:

* Offences where alcohol or drugs are part of the offence itself, for example, driving with excess alcohol or possession of controlled drugs
* Offences committed while under the influence of alcohol or drugs, for example, an assault committed when under the influence of alcohol
* Offences committed in order to obtain alcohol or drugs, for example theft of alcohol or medication

Driving and alcohol offences may affect the application if:

* There are aggravating circumstances connected with the offence, or it is a repeat offence.

### 3.2.5 Driving Offences

A Fixed Penalty Notice (FPN) is often used to deal with minor road traffic offences, but it is not a criminal conviction or a caution. However, if an FPN is given for a road traffic offence in Schedule 2 to the Road Traffic Offenders Act 1988, and the driving licence is endorsed, then (in line with s. 58 of that Act) the endorsement is treated as having been given by a court following conviction of the offence.

This information must be declared on the application form and will show up on a PVG certificate (unless it is spent or protected)

The following usually will not affect the applicant being admitted on to the course:

* ONE conviction for a motoring offence that resulted in a fixed penalty notice and endorsement of driving license. Examples include exceeding the speed limit, failing to provide a specimen of breath for a breath test, using a vehicle uninsured against third party risks, breach of requirements as to control of the vehicle, such as using a mobile phone.
* ONE conviction for a motoring offence that resulted in a disqualification from driving for 12 months or less. Examples include being in charge of a vehicle while alcohol level is above limit, 12 or more penalty points within 3 years.

Motoring offences which result in disqualification will be considered on a case-by-case basis. These may affect a future application for registration if they are closely linked to practise, or if they are suggestive, that there may be a concern about the applicant’s health.

### 3.2.5.1 Paramedic Science

For entry to Paramedic Science, motoring convictions will be considered carefully, as most registered paramedic roles involve driving. Future employers will consider any motoring conviction and may be unable to offer employment if the maximum number of penalty points have been exceeded. The University of Stirling will advise on motoring convictions at the point of applying to the programme in relation to current Scottish Ambulance Service (SAS) Policies. However, there is no guarantee that SAS or a different employer will view these convictions differently in the future.

### 3.2.6 Sentencing

If an applicant has received an ancillary order, this is the lower end of the spectrum of sentencing, for example:

* Fine
* Compensation
* Disqualification from driving
* Penalty points
* Endorsement

The following may be viewed as minor sentences:

* Acquittal

This is the equivalent of a not guilty verdict.

* Absolute Discharge

Where the Court finds that a crime has technically been committed, but that any punishment of the defendant would be inappropriate, and the case is closed.

*Sentencing in Scotland only*:

* Admonition (declared for 5 years)

This is the least serious punishment in Scots Law and is the equivalent to a warning. It is used for minor infringements of the law, but it is recorded as a criminal conviction.

*Sentencing in England, Ireland & Wales only*:

* Conditional discharge

Where the court decides that the defendant will not be sentenced for an offence unless a further offence is committed within a stated period.

* Binding over

Where the court decides that the defendant is bound to refrain from certain activities for a period.

## 3.3 Stage 2 Procedure: PVG Check

### 3.3.1 PVG Scheme Membership

Admissions and Access are responsible for referring applicants to the FHSS for further consideration if the Disclosure Scotland PVG certificate raises concerns that the applicant’s character and/or conduct may be incompatible with undertaking a course of study leading to professional registration.

Admissions and Access are responsible for managing applications to the **PVG Scheme Membership**.

### 3.3.2 Entry on any barred list

As per PVG certificate, any barred listing will result in admission being denied.

### 3.3.3 Declared Convictions

Admissions and Access will contact those applicants who have declared a conviction on the application form and ask them to complete the **Criminal Offending Disclosure Form**

Once Admissions and Access receive the PVG Certificate, this information is shared with FHSS, along with the completed **Criminal Offending Disclosure Form** and application.

### 3.3.4 Undeclared Convictions

If the PVG certificate shows a previously undeclared conviction on the application, Admissions and Access will contact the applicant for further information and ask them to complete the **Criminal Offending Disclosure Form**.

Once Admissions and Access receive the completed **Criminal Offending Disclosure Form** this information is shared with FHSS, along with the PVG certificate.

### 3.3.5 Communication

Admissions and Access will inform the applicant that their case will be considered by an Admissions Fitness to Practise panel.

Admissions and Access may be asked by the Admissions Fitness to Practise Panel to seek further information in relation to criminal offending, and (if applicable) ask the applicant to disclosure further information from other agencies such as Further Education Colleges. The applicant will be given the opportunity to submit any supporting documentation they want the Admissions Fitness to Practise Panel to consider.

It is the sole responsibility of the applicant to provide any additional information or supporting documentation to Admissions and Access for the Admissions Fitness to Practise panel to consider.

## 3.4 Overseas Criminal Offending

For applicants who live outside of the UK or who have been resident outside the UK in the previous five years, evidence of a current criminal record check is also required from the applicant’s home country/overseas country of residence along with a Certificate of Good Conduct or Police Certification. Cautions or convictions in countries outside the United Kingdom must be declared if the offence is one that could have resulted in a caution or conviction in Scotland, England or Wales.

## 3.5 Stage 3 Procedure: Consideration of Good Health

The University will seek information about health and disability of all applicants as part of the Admissions procedure.

All applicants are required to declare to Occupational Health, prior to admission, any current or previous health issues. They must also declare any disabilities for which reasonable adjustments, within the meaning of the Equality Act (2010), may need to be made to programme arrangements.

Admissions and Access will send out a confidential Occupational Health questionnaire to all applicants who have confirmed their place on the programme. The questionnaire must be completed truthfully by the applicant.

Applicants must tell FHSS about any health conditions and/or disability which could affect their ability to practise safely and effectively. FHSS will be asked by the regulator at the point of registration to provide a supporting declaration in relation to a student’s health condition and/or disability, FHSS will check whether the student disclosed their health condition and/or disability at the point of admission or at the point of diagnosis. Failure to disclose a relevant health condition and/or disability to FHSS may result in fitness to practise proceedings.

Applicants may be contacted by Occupational Health to attend an appointment to discuss their Occupational Health questionnaire.

Occupational Health will then advise Admissions and Access when applicants are cleared for admission following Occupational Health screening.

Occupational Health can reject the applicant on grounds of disability and/or health. This information will be passed to Admissions and Access, who will inform the applicant.

**There is no right to appeal to this decision.**

If Occupational Health has identified the need for reasonable adjustments or additional support, then this information is reported to FHSS.

If there is any concern from FHSS that the applicant’s support needs cannot be met, this must be discussed with the applicant. In the majority of cases, it is expected that dialogue with the applicant will establish what adjustments can or cannot be made.

FHSS will not refuse entry on the grounds of health or disability where it can be demonstrated that an applicant undertaking a programme leading to registration as a healthcare professional is capable of practising safely and effectively without or without supervision.

If the applicant has a disability or a health condition, it will not necessarily prevent them from entering the programme. However, the applicant may need to seek advice from the FHSS about whether they can be adequately supported to with reasonable adjustments to be able to practise safely and effective with or without direct supervision. The applicant may wish to seek additional advice from their representative body or a medical professional as to what support would be suitable.

If the applicant declares a health condition or disability, the applicant should be assessed, where appropriate, with support from the occupational health department. Any assessment relating to disability should focus on if any reasonable adjustments are required to support the applicant to enter and remain on the programme.

If the matter cannot be resolved, in exceptional circumstances, FHSS can refer the matter to an Admissions Fitness to Practise meeting.

Where a disability is disclosed, the University has an obligation to make necessary arrangements to provide reasonable adjustments to enable learning where possible. However, the University can only make reasonable adjustments to learning, teaching and assessment arrangements, for example, where it knows about any specific health condition and its effects upon any particular applicant.

### 3.5.1 Exceptional Start

Applicants may exceptionally commence the programme of study, providing they are not in a practice placement, prior to full Disclosure Scotland PVG and/or Occupational Health information being available.

A list of exceptional starts will be shared with FHSS. Admissions and Access are responsible for keeping FHSS up to date with the progress of these.

However, FHSS reserves the right to refer the matter to an Admissions Fitness to Practise Panel if information becomes available from the PVG certificate that indicates that the applicant may not be fit to undertake a programme of study leading to registration with the NMC or HCPC.

Any information that is found to be untrue or is deliberately withheld from the University as part of the admission procedure will result in FHSS Fitness to Practise proceedings and is likely to lead to removal from the programme.

If an applicant fails to meet the admissions requirements of either Occupational Health and/or PVG, their place on the course will be withdrawn and they will be asked to leave the programme immediately. This will be communicated to the applicant by Admissions and Access.

# 4. Screening

Where the applicant’s fitness for practise as a prospective student on the programme is in question due to their criminal offending (Stage 1) and PVG (Stage 2) information, their case will undergo screening to decide if they will be granted entry on to the programme or whether a meeting of the Admissions Fitness to Practise Panel is required.

FHSS has the discretion to screen and make their own application decisions.

These must be made on a case-by-case basis, assessing individual risk in relation to commencing on a programme that leads to professional registration.

Admissions and Access are responsible for contacting FHSS to inform them of cases that require consideration.

The application form, PVG Certificate and Criminal Offending Disclosure Form will be made available to the FHSS for screening purposes.

## 4.1 Screening Responsibilities

The FtP Lead will have overall responsibility for the screening process.

A decision will be made at screening whether the applicant is granted admission on to the programme or if the matter must be referred to the Admissions Fitness to Practise Panel for consideration.

The FtP Lead has the authority using the **Criminal Conviction Guidance** **(6.2.6)** to accept an applicant on to the Programme without referring the matter to the Admissions Fitness to Practise Panel.

### 4.1.1 Screening Decisions

Screening means coming to a decision based on the information disclosed through the PVG, applicationand the **Criminal Record Disclosure** form.

This decision can often be undertaken for historic or minor convictions, where the decision could be to accept on to the programme with no further assessment. This is usually only appropriate for driving convictions, such as speeding, using the **Criminal Conviction Guidance (6.2.6)** to screen cases appropriately.

The decision at this point is whether an Admissions Fitness to Practise Panel meeting is necessary or not.

Full reasons for admission being granted must be given using the appropriate **Admissions Decision Form (Appendix 4)**. This must be reviewed by the FtP Lead and uploaded to the student’s admission file.

If an applicant has numerous minor offences, particularly over a short period, this must be considered in line with the character and conduct aspects of the NMC Code 2018 and HCPC standards of conduct, performance and ethics 2024.

If the applicant is not accepted onto the programme at the initial screening, then this matter **MUST** be referred to an Admissions Fitness to Practise Panel for consideration.

The FtP Lead can also decide at screening if any further information is required from the applicant prior to the Fitness to Practise Admissions Panel meeting. Admissions and Access will liaise with the applicant and the FtP Lead in relation to this.

The FtP Lead does not have the authority to refuse an applicant entry on to the programmeunless the applicant is on a barring list.

Refusal of an application based on the applicant’s criminal offending and PVG certificate can only be made by the Admissions Fitness to Practise Panel.

# 5. Exceptions to the Standard Admissions Criminal Offending Procedure

## 5.1 Relevant Programmes

The Non-Medical prescribing module is a SCQF Level 11 module with both a theoretical and practical element to it. The content meets the requirements as set out by the NMC and the HCPC.

The MSc Specialist Community Public Health Nurse (Health Visiting) Programme is a SCQF Level 11 programme with both a theoretical and practical element to it. The content meets the requirements as set out by the NMC.

### 5.1.1 Consideration of Good Health

All applicants are registered with the relevant statutory regulatory body and are therefore accountable for declaring any health condition (s) or disabilities, which may affect their ability to undertake this course of study. This is applicable upon entry and throughout the programme.

### 5.1.2 PVG Scheme Membership

#### 5.1.2.1 Employed

The applicant’s employer is responsible for checking the appropriate level of Disclosure is in place, prior to commencement of this programme.

The employer must provide assurance to the University of Stirling FHSS that an up-to-date PVG scheme membership is in place and that they are satisfied that any information on the applicant’s PVG does not preclude them from undertaking this course of study.

**The applicant’s PVG certificate and its contents should not be sent or disclosed to the FHSS**.

#### 5.1.2.2 Evidence

The following is deemed suitable evidence:

* A letter or email from the applicant’s PVG organisational counter signatory or from the applicant’s line manager, confirming the applicant is a member of the appropriate PVG scheme. This letter or email should state that they are satisfied that any information on the applicant’s PVG does not preclude them from undertaking this course of study.

*Referral to an Admissions Fitness to Practise Panel is not applicable to those applicants who are in employment.*

### 5.1.3 Self-Employed

Where the applicant is self-employed, if they are not a current member of the PVG scheme, then they must apply to join prior to commencement of the module. This will be organised by admissions and FHSS will meet the cost of this. A copy of this PVG certificate will be sent directly to admissions who will share this with FHSS Graduate and Professional Studies professional services team.

If the applicant requires further advice in relation to their PVG, they should contact Disclosure Scotland directly.

Any information in relation to criminal convictions contained within the PVG may be referred to the Admissions Fitness to Practise Panel, who will make a decision on entry to the programme.

#### 5.1.3.1 Referral

If the applicant has any criminal convictions shown on the PVG certificate, the application will be considered by an Admissions Fitness to Practise Panel.

This is only applicable to those with no employer, e.g., they are self-employed.

### 5.1.2 Documentation

When considering admission to these programmes, the Admissions Fitness to Practise Panel must have copies of the following documentation to refer to during the meeting that would be provided by FHSS:

* A completed application form, including the applicant’s date of birth, personal statement and any references
* Any relevant communication received, such as additional references, testimonials, medical reports or information provided by the applicant in relation to their case

#### 5.1.2.1 Criminal Convictions

The following additional documentation will be required in addition for cases involving criminal conviction(s):

* The applicant’s PVG certificate
* The completedCriminal Record Disclosure Form

# 6. Admissions Fitness to Practise Panel Procedure

## 6.1 Admissions Fitness to Practise Panel

### 6.1.1 Panel Role and Remit

The Admissions Fitness to Practise Panel will review applications for suitability of admission to any FHSS programme leading to professional registration with either NMC or HCPC.

The role of the Admissions Fitness to Practise Panel is to review cases and decide whether the applicant’s character and/or conduct is compatible with undertaking a course of study leading to professional registration.

The Panel has delegated authority to consider and come to a judgment on the admission of:

* Applicants who have information contained within their PVG in relation to criminal convictions, barring or regulatory information as set out by The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) 2013 Order.
* Applicants who have had a current or previous professional fitness to practise outcome by another regulatory body (or accredited register held by the Professional Standards Authority) of impairment of fitness to practise.

### 6.1.2 Panel Constitution

The Admissions Fitness to Practise Panel is quorate with **three** members. Where applicants are applying to join a programme which leads to registration with the HCPC, at least one member of the panel must have current registration with the HCPC. Where applicants are applying to join a programme which leads to registration with the NMC, at least one member of the panel must have current registration with the NMC.

Admissions Panel:

* An appointed Chair
* An NHS Practice Representative
* A Scottish Ambulance Representative

### 6.1.3 Panel Training

A register of Fitness to Practise panel members will be maintained by the FHSS.

Training will be arranged to support the Fitness to Practise team, but shadowing experiences will also be utilised to develop the knowledge and experience of the panel members.

This register will comprise of:

**Chair role**

This is usually the FHSS FtP Lead or nominated deputy. Other FHSS NMC or HCPC registered staff members can undertake this role if they have acted regularly as a Panel member for at least 12 months or have experience of regulatory and/or disciplinary hearings.

**Panel members**

**Nominated NHS Practice representatives**

* NMC or HCPC registrants at Band 8a or above, nominated on behalf of the NHS with delegated authority to make decisions on behalf of the NHS and should have experience of sitting on regulatory or disciplinary hearings.

**Nominated Scottish Ambulance Service representatives**

* HCPC paramedic registrants, Band 8a or above nominated on behalf of Scottish Ambulance Service (SAS) with delegated authority to make decisions on behalf of SAS and should have experience of sitting on regulatory or disciplinary hearings.

* In addition, any FHSS NMC or HCPC registered Senior Lecturer or above can undertake this role.

## 6.2 Admissions Fitness to Practise Panel Meeting

The Admissions Fitness to Practise panel will meet as required, in line with University admissions procedures, usually between May and September.

A meeting can only be convened once Admissions and Access have received the applicant’s PVG, application and Criminal Record Disclosure Form or other relevant documentation.

A member of the FHSS Professional Services team will be present to take a note of the meeting, but they are not part of the decision-making process.

Admissions Fitness to Practise Panel meetings will be held in private.

The applicant will not be invited to attend unless directed at screening and in agreement with the FtP Lead.

Observers will only be permitted for training and quality purposes at the discretion of the Chair.

### 6.2.1 Documentation Required

#### 6.2.1.1 Convictions

The Admissions Fitness to Practise Panel should have copies of the following documentation to refer to during the meeting:

* The application form, including the applicant’s date of birth, statement of support and academic reference.
* The completed **Criminal Offending Disclosure** Form
* The applicant’s PVG certificate
* Any relevant communication received such as additional references, testimonials, medical reports or information provided by the applicant in relation to their case

It is the responsibility of the supporting member of the FHSS Professional Services team to ensure all of this information is available to the Panel to refer to during the meeting.

Late papers available on the day of the meeting may be permitted at the discretion of the Chair of the Admissions Fitness to Practise Panel.

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#### 6.2.1.2 Previous Regulatory Proceedings

The following documentation will be required in addition for cases involving a previous or current Fitness to Practise decision by another regulatory body:

* The completed Regulatory Proceedings Declaration Form
* Any documentation from the regulator in relation to the applicant’s case including:
	+ A copy of the original determination and final reasons, including the charges found proved
	+ A copy of the determination from any review hearing
	+ Details of any current order

### 6.2.2 Chair’s Role

The Chair’s role is to facilitate a balanced discussion, ensure fairness to the applicant and make sure that this policy is adhered to throughout proceedings.

The meeting will be held in private and the appropriate Chair script used to ensure consistency across the proceedings (Appendix 3).

The Chairwill open the meeting and conduct introductions of all the panellists and others present. The Chair will verify the identity of the applicant using the documentation provided.

### 6.2.3 Overview of Proceedings

For each case:

* The Chair will check everyone has received a copy of the documents particular to the type of case
* The Chair will open the meeting and summarise the case
* The Chair will ask if any points of clarification are required
* The panel will discuss the case, including any mitigation offered by the applicant
* A majority decision is reached
* The reasons for the decision are documented

### 6.2.4 Panel Decision Making

The decision will be made based on the professional experience and judgment of the Panel and the test applied to all applicants will be:

 ‘*Is the applicant of sufficient character and conduct to be capable of safe and effective practice and display a commitment to all standards contained in the NMC Code 2018 /or the HCPC standards of conduct, performance and ethics 2024?’*

The Chair will signpost the panel to any specific guidance to be used such as Good Health Good Character Guidance and any other relevant supporting appendices to guide the discussion.

When making a decision as a panel, the correct order will be for the Chair to ask the NMC/HCPC registrant(s) first before offering a view.

The Chair will therefore announce their decision last and only after the Panel members have stated their decision.

Any discussion that takes place must be conducted in a professional manner and any differences of opinion accepted without prejudice. It is the Chair’s role to facilitate this discussion.

If the members of the Panel cannot agree, the verdict of the Panel will be that of the majority of its members. The Chair will decide when a majority has been reached and will ensure all panel members understand the rationale for this decision.

The Chair’s vote does not carry any more weight in the decision-making process, all votes are equal in weight.

In the event that the panel requires further information, Admissions and Access will contact the applicant for this information on behalf of the panel.

The supporting member of the FHSS Professional Services team will be responsible for liaising with Admissions and Access to ensure the panel reconvenes to consider any additional information.

The decision recorded will not describe if this is a majority or unanimous decision by the panel; this is inline with other professional statutory regulatory bodies including the NMC and HCPC.

### 6.2.5 Criminal Offending Considerations

A risk assessment will be undertaken by balancing the aggravating and mitigating factors to decide whether the applicant’s character and/or conduct is compatible with undertaking a course of study leading to a professional registration.

The purpose of this risk assessment is not to question the validity of the conviction or to undermine the action(s) taken by the court.

### 6.2.6 Criminal Offending Guidance

This guidance has been developed for screening and/or the Admissions Fitness to Practise Panel when considering the character and conduct of applicants.

The aims of this guidance are as follows:

* To ensure fairness and transparency in the decision-making process
* To ensure decisions about admission to the course are consistent and refer to objective criteria contained within this guidance document
* To ensure relevant factors are considered and irrelevant ones are not, when assessing applicants are of sufficient character to be capable of safe and effective practice during their course of study

When considering criminal offending the panel will consider:

– the number and nature of offence(s) or event(s);

– the seriousness of the offence(s) or event(s);

– when and where the offence(s) or event(s) took place;

– any information given to help explain the circumstances;

– the applicants character and conduct since the offence(s) or event(s);

– the likelihood of repetition;

– the relevance of the matter to the practise of the relevant profession; and

– the wider public interest, including confidence in the profession concerned and the regulatory process.

This is not a full list to decide the seriousness or significance of the issues that need to consider. An understanding of the offence or misconduct is extremely important. Someone may have a greater understanding of the importance of ‘good character’ as a result of a previous minor offence.

The types of convictions which might result in an applicant not being allowed to Register usually relate to offences of a sexual nature, violence or dishonesty.

Applicants will only be admitted on to the course if they satisfy the panel they are of sufficient character and conduct to be capable of safe and effective practice and display a commitment to all standards contained in the NMC Code 2018 /or HCPC standards of conduct, performance and ethics 2024.

The following factors should be considered in relation to the circumstances surrounding the criminal conviction, however this list is not exhaustive.

|  |  |
| --- | --- |
| **Factors** | **Considerations** |
| The age of the applicant when the conduct took place | Consideration should be given to how old the applicant was at the time. Those convicted when they were young, often do not re-offend once they have responsibilities. |
| How long ago the conduct took place | The length of time that has passed since the offence took place. Cautions or convictions that appear on a disclosure certificate may be very old, for example, dating back to when the person was growing up. Evidence that the individual has learned from their behaviour should be considered. |
| Nature of the offence  | The seriousness of any offence or allegations disclosed should be considered. This is important because all offence categories cover a very wide range of offences that vary in terms of seriousness. The name of the offence (the offence code) can often make the incident sound more serious than it was; which is why it is extremely important to gain further details of what took place and to consider the other factors listed here. |
| Whether it was an isolated incident | Whether the applicant committed a single offence, or whether there has been a pattern of offending behaviour or allegations. How long is the gap between offences?It is worth noting that people who have a pattern of offending right up to the present date may not have put their offending behind them. |
| Whether there were a range of offences or one type of offence | Any behaviour or conduct that is repeated raises questions about the risk of repetition in the future. |
| Whether the offences were linked to nursing practice or similar employment.  | Is the offence relevant to the programme?If the offence is not linked to clinical practice or similar employment, the applicant may not pose a risk. |
| Whether the conduct was disclosed by the applicant to the University on application for the course of study. | If there has been a failure to disclose a conviction, it is important to establish why. In some cases, a discrepancy may have occurred because the applicant simply did not realise that they had a criminal record or was mistaken about the type of sentence or disposal they received due to a limited understanding of how the criminal justice system works. |
| Whether the applicant’s use of drugs or alcohol was a factor in the conduct by the applicant. | If alcohol and/or drugs were a factor in the conduct, then further medical evidence may have to be provided. |

#### 6.2.6.1 Applicant Information

The panel should also take into account any information submitted by the applicant.

The following factors should be considered, however this list is not exhaustive.

|  |  |
| --- | --- |
| **Factor** | **Considerations** |
| Any apology for the conduct | Do they show remorse? Do they blame others? |
| Any reflection and insight about the conduct | What is their attitude now? How do they now feel about what happened? How do they feel about their part in what happened? Do they feel a victim of injustice? How genuine is their expression? What efforts have they made not to reoffend? |
| Any personal mitigation | The circumstances surrounding the offence should be considered, however they should not ‘go behind’ the conviction.  |
| Any references/testimonials  | Is the author aware of the conduct?Is the author qualified to comment on the conduct?Is the author registered with a professional body?Is the testimonial or reference relevant to the conduct?What was the purpose for which the testimonial or reference was written?Is it signed by the author?Is it dated and if so, how recently was the reference or testimonial written?Is it written on headed paper (where appropriate)? |
| Information about any change in circumstances  | Whether the applicant’s circumstances have changed since the offending took place. |

It is important to be aware that it can be difficult for an applicant to discuss past matters that they may feel ashamed or embarrassed about. Considering this, the applicant should demonstrate openness and honesty, rather than denial and minimisation.

The applicants’ insight into their own behaviour, any indication of changed thinking, any relevant changes in their circumstances and, where relevant, victim empathy rather than victim blame, or shared responsibility should be taken into consideration.

#### 6.2.6.2 Remorse and Insight

The Panel is responsible for more than simply looking at whether the applicant has shown any insight or not. They need to assess the quality and nature of the insight. This may be demonstrated by the applicant as detailed below.

* They have apologised for the offending (genuine remorse).
* The applicant has demonstrated sufficient insight and has taken appropriate steps to remedy any concerns.
* The offending in question arose in unique circumstances. While this does not excuse the applicant’s behaviour, this may suggest that the risk of repetition in the future is reduced.
* There is evidence of reflection on the offending and given sufficient assurance that the risk of repetition is low.

The applicant may still be deemed unsuitable for entry on to the programme, even if they have shown some insight into what happened.

#### 6.2.6.3 Information about Health

Health may be considered in relation to any criminal conviction related to alcohol or drug misuse. It is the responsibility of the applicant to provide this information. All applicants will undergo Occupational Health screening as part of the admissions procedure and this may be sufficient.

FHSS has the authority to request that the applicant provide a report from the applicant’s GP. FHSS will expect the report to comment on the applicant’s suitability to undertake the particular programme they wish to enrol on. The applicant will be required to meet any cost (s) attached to obtaining this information.

#### 6.2.6.4 Previous Fitness to Practise Proceedings

When an applicant is subject to a current or previous finding of impairment of Fitness to Practise by a regulator, the following factors should be considered, including any information submitted by the applicant. It is usually advisable for these applicants to defer admission until the conclusion of these proceedings as no guarantee can be given regarding future registration with either the NMC or HCPC.

#### **6.3 Regulatory Proceedings Guidance**

This guidance has been developed for screening and/or the Admissions Fitness to Practise Panel when considering the character and conduct of applicants.

The aims of this guidance are as follows:

* To ensure fairness and transparency in the decision-making process
* To ensure decisions about admission to the course are consistent and refer to objective criteria contained within this guidance document
* To ensure relevant factors are considered and irrelevant ones are not, when assessing applicants are of sufficient character to be capable of safe and effective practice during their course of study

Applicants will only be admitted on to the course if they satisfy the panel they are of sufficient character and conduct to be capable of safe and effective practice and display a commitment to all standards contained in the NMC Code 2018 or HCPC standards of conduct, performance and ethics 2024.

The following factors should be considered in relation to the circumstances surrounding the regulatory proceedings, however this list is not exhaustive.

|  |  |
| --- | --- |
| **Factors** | **Considerations** |
| How long ago the conduct took place, including the date of the most recent hearing | Has the order expired or been revoked? |
| The seriousness of the original charges | How serious were the charges found proved?  |
| Any repetition of the conduct | Since the hearing or were the allegations of a repetitious nature? |
| Any previous sanctions imposed | Has there been more than one Fitness to Practise hearing? |
| Any current sanction imposed | Caution and Conditions of practice are at the lower end of the spectrum.Suspension and previous strike off are more serious. |
| Evidence of remorse and/or insight | Reflection on the incident? |
| Any explanation offered for the conduct having occurred | Any personal mitigation holds less weight but can be considered alongside other mitigating or aggravating factors. |
| Up to date references or testimonials should be considered by the panel, assessed and given appropriate weight | Is the author aware of the conduct?Is the author is qualified to comment on the conduct?Is the author registered with a professional body?Is the testimonial or reference relevant to the conduct?What was the purpose for which the testimonial or reference was written?Is it signed by the author?Is it dated and if so, how recently was the reference or testimonial written?Is it written on headed paper (where appropriate)? |
| Any other information about how the time has been spent between the conduct and the application | This may include evidence of any employment (paid or unpaid) It may also include any relevant training has been completed which may address the failings identified |

#### 6.3.1 Regulatory Sanctions

When reviewing the decision of a Fitness to Practise Committee in relation to the applicant it is important to understand each sanction and the implications for practice.

Any current or previous finding by a Fitness to Practise Committee may have an impact on the applicant’s ability to practise safely and effectively.

* Even if the applicant has no current finding by a regulatory body, any previous finding of impairment of fitness to practise must be declared by the applicant to the University and shared with any practice placement area.
* This includes any sanction issued by a Fitness to Practise committee.
* Any failure to disclose this will result in termination from the programme of study.

Full information on Sanctions can be found on the specific Regulatory websites.

#### 6.3.2 Further Advice

If the Panel requires further information prior to making a decision, the Admissions Fitness to Practise Panel Chair can take the following actions:

* The relevant department at the regulator can be contacted via email.
* If the Panel has concerns relating to a previous or current Fitness to Practise decision, the relevant regulatory Fitness to Practise department should be contacted and the Case Officer for the registrant should be approached for further advice.
* If the Panel has concerns relating to previous or current registration, the Regulator’s Registrations department should be contacted for further advice.

## 6.4 Admissions Fitness to Practise Meeting Outcomes

The following outcomes are available to the panel:

* **To Admit**

 The applicant is admitted on to the course.

* **To Admit (with conditions)**

The applicant is admitted on to the course with conditions, such as they must keep in regular contact with their personal tutor, they must update the FHSS if there is any change to their circumstances.

* **Not Admit**

 The applicant is denied admission on to the course.

* **Not Admit with Recommendations**

The applicant is denied admission at this time but recommendations are made for any future application.

* **Adjourn for Further Information**

If further information is required from either the applicant or, if applicable, from other sources.

The supporting member of the FHSS Professional Services team must direct any requests for further information from the applicant to Admissions and Access. This request must clearly state what information is required, who is responsible for providing this information, and set a timescale for submission and review.

Any request for further information must be actioned by the Chair and a timescale set.

The supporting member of the FHSS Professional Services team will ensure a provisional date is set for the panel to reconvene to consider the further information requested.

## 6.5 Admissions Fitness to Practise Panel Administration

A supporting member of the FHSS Professional Services team will be present during the meeting and is responsible for taking notes and writing a summary of the decisions made by the Panel.

The supporting member of the FHSS Professional Services team **does not take part in the discussion or the decision-making process**. Their role is to ensure the Panel has the correct documentation and to make a note of the decisions made, including reasons.

All decisions must be recorded on the appropriate **Admission** **Decision** **Form** (Appendix 4).

A written decision with reasons will be produced by the supporting member of the FHSS Professional Services team and verified by the Chair of the panel prior to sending to Admissions and Access.

This information will then be uploaded by FHSS onto the relevant applicant file and spreadsheet within 2 working days of the meeting being held.

Admissions and Access will be responsible for contacting the applicant to inform them of the outcome of the Admissions Fitness to Practise Panel.

If the panel does not grant admission or does not grant admission with recommendations, Admissions and Access will share the relevant sections of the completed **Decision Form** with the applicant.

Written records of the reasons for decisions will be retained by FHSS. Information is collected, processed and retained by the University in line with the University of Stirling Privacy Notices for Applicants, Students and the General Data Protection Regulation (UK GDPR) / the Data Protection Act 2018.

## 6.6 Appeal Procedure

The applicant can appeal the outcome of the Admissions Fitness to Practise panel. Any appeal against a decision of an Admissions Fitness to Practise panel shall be sent in full, in writing by email (Ref: Appeals) to fhss.dean.pa@stir.ac.uk

The intention to appeal must be received within 7 days of the date of the notification of the Panel's decision. The evidence and full reasons for appeal should be submitted in writing by email within 14 days of the notification of this intention. Extensions to this time period may be granted at the discretion of the Dean in exceptional circumstances.

The applicant must give full reasons of the grounds for appeal. A template form can be found at **Appendix 5**.

The letter should state:

a) The name and address of the applicant and the telephone number and email address

b) The decision appealed against

c) All the grounds for the appeal; additional grounds presented at the hearing may lead to adjournment of the hearing

d) The remedy or remedies which the applicant seeks

e) The name and address of any person whom the applicant has appointed as a representative or who will accompany the applicant if a hearing is convened

### 6.6.1 Applicant position during appeal period

Once the applicant lodges their intention to appeal, the Dean of Health Sciences and Sport will decide whether they can continue to attend lectures and/or practice whilst they are awaiting the outcome of their appeal if they have already commenced the programme. This decision will be communicated to the applicant in writing via email within 10 working days of their intention to appeal being lodged.

### 6.6.2 Grounds

An appeal may be made only on the grounds that:

a) New evidence has emerged which could not reasonably have been produced to the Fitness to Practise panel

b) There has been defective procedure at Faculty level. (Evidence in the form of written statements or formal documents must be provided).

c) The disposal by the Fitness to Practise panel was manifestly unreasonable. (The applicant must state in writing the respects in which they believe that the Fitness to Practise panel erred in coming to its decision or was mistaken in that decision).

The Dean of Health Sciences and Sport will initially decide whether the appeal meets the grounds above. If it does not, then the request for appeal will be rejected at this stage and the applicant will be informed of this in writing (by email). If the grounds for appeal are accepted then the matter will be referred to an Appeals Committee for consideration.

### 6.6.3 Appeals Committee

The appeals committee will comprise of the Dean of Health Sciences and Sport (Chair), a senior NMC or HCPC registrant and a senior staff member from another Faculty within the University (for example a dean, associate dean or head of faculty). The appeal will not be heard by anyone who has had previous involvement in the case.

The applicant may be invited to attend an appeal hearing. They will be permitted to bring a representative to accompany them to this meeting, however, this is not essential. The representative can be the Student Union representative, but the Chair must be informed as to who will be in attendance.

The appeal will, where practicable, be heard no later than 28 working days after notification of the receipt of the appeal evidence.

The appeal hearing will not be a full re-hearing of the case.

The Appeals Committee may:

* Dismiss the appeal because the new evidence produced by the applicant could reasonably have been produced to the Fitness to Practise panel
* Dismiss the appeal because the disposal by the Fitness to Practise panel did not involve defective or unfair procedure or was not manifestly unreasonable
* Refer the appeal to the Fitness to Practise panel with whatever guidance or direction it considers appropriate
* Uphold the appeal and grant whatever remedy it considers reasonable and practical in the circumstances.

### 6.6.4 Decision

The Appeals Committee’s decision and the reasons for the decision, with reference to any findings of fact, shall be provided in writing to the applicant by email normally within 10 working days of the decision being determined. If it is not practicable to provide the decision and the reasons for the decision within this timescale, the applicant shall be informed of the reason for the delay and a new timescale shall be provided.

If the appeal is rejected at any stage, the applicant should be informed of their right to complain to the Scottish Public Services Ombudsman.

The decision of the appeal hearing panel will be final and binding. There is no higher internal means of appeal.

# 7. Process for monitoring convictions (PVG)

Every student becomes a member of the Protecting Vulnerable Groups (PVG) scheme on entry to a programme leading to professional registration.

Whether the student is attending classes, is on placement, on Leave of Absence (LOA) or suspended from the programme under the Fitness to Practise policy and procedure, they will remain a member of the PVG scheme.

Membership of the PVG scheme only ends if the employer (University of Stirling) informs Disclosure Scotland that the student is no longer undertaking regulated work.

If the student informs Disclosure Scotland, then they will contact University of Stirling to check this is the case.

If an offence is committed by the student, where Disclosure Scotland are considering the student for inclusion on the list of people who are unsuitable to undertake regulated work with adults and/or children, then the University of Stirling will be contacted for further information.

A letter is sent from Disclosure Scotland to the Lead Signatory for University of Stirling (Executive Director of Human Resources & Organisation Development).

The Lead Signatory will contact Admissions and Access counter signatory for Disclosure Scotland to ascertain whether further action is required by the Faculty.

Admissions and Access will contact the FtP Lead and inform them of the request from Disclosure Scotland. This information should also be communicated to the Head of Health Sciences and relevant Programme Director.

A decision will be made by the FtP Lead if an updated PVG is required. This will be communicated to Admissions and Access who will contact the student to arrange this.

The updated PVG form must be completed by the student. The student must consent for this to be sent to Disclosure Scotland. Any student who does not consent to an updated PVG being applied for will be referred to Fitness to Practise and this will result in removal from the programme.

Every student completes a self-declaration of Good Health Good Character (GHGC) on an annual basis.

If a new caution, charge or conviction is declared on the GHGC form then an updated PVG may be requested.

It is the responsibility of the FHSS Professional Services team to check the GHGC form and escalate any declaration to the relevant Programme Director and Fitness to Practise Lead.

Admissions and Access will be contacted by the FtP Lead or Professional Services to organise for an updated PVG form to be completed.

Admissions and Access will communicate directly with the FtP Lead when any updated PVG information is returned and the student may be referred to Fitness to Practise.

# Appendix 1 Criminal Offending Disclosure Form

### Instructions

Please complete the sections of this form regarding the details and circumstances in relation to your criminal offending(s).

If you have more than one instance of offending, then please ensure you complete the information required in relation to ALL offences.

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) 2013 Order states which conviction information needs to be disclosed.

A PVG will show:

* all unspent convictions
* spent convictions for offences that must be disclosed
* spent convictions for offences that are disclosed according to rules

For more information on these rules visit: https://www.mygov.scot/convictions-higher-disclosures/

You are advised to contact Disclosure Scotland directly if you require advice on disclosure of conviction information as part of the application procedure.

If you have had any previous employer or academic action taken against you as the result of the offending, please also declare this information in full using the additional information box.

Please note it is your responsibility to provide truthful, complete and accurate information to allow the University to make a decision in relation to your application.

**Section 1: About You (NEW ONLINE FORM being used in Gecko)**

|  |  |
| --- | --- |
| Name | Enter your full name here |
| Date of birth | Click or tap to enter a date. |

**Section 2: Your Application**

|  |  |
| --- | --- |
|  Student number | Enter your student number here |
| Did you declare your conviction on your application form? | Yes [ ] No [ ]  |
| Did you declare your conviction on your PVG application form? | Yes [ ] No [ ]  |
| If No please explain why not  | Enter your reasons for non-disclosure here |

**Section 3: About the Offence(s)**

|  |  |
| --- | --- |
| Date of the offence(s) | Click or tap to enter a date. |
| Type of offence(s) | State the offence you were convicted of  |
| Where were you convicted? | Which jurisdiction/country |
| Sentence or penalty imposed | Enter details of sentence here |
| Did the offence involve alcohol or drug misuse? |  Yes [ ] No [ ]  |
| If yes, what substances were involved? | Drugs [ ] Alcohol [ ] Both [ ]  |
| Please add any additional details in relation to this | Click or tap here to enter text. |

**Section 4: Barring**

|  |
| --- |
| Did the offence lead to you being listed as barred from regulatory work? Yes [ ] No [ ]  |
| If yes, please add any additional details in relation to this:Click or tap here to enter text. |

**Section 5: Additional Information**

|  |
| --- |
| What were the circumstances surrounding or leading up to the offence? Please explain how your situation has changed since the offence occurred. |
| Click or tap here to enter text. |

|  |
| --- |
| What have you learned from the experience? |
| Click or tap here to enter text. |

|  |
| --- |
| Please provide detailed information of any further evidence you are submitting which demonstrates any changes in your circumstances or actions you have taken to move forward since the offending. You may want to include employer references, character testimonials or any other reports you feel should be taken into consideration that comment on your suitability to undertake this course of study. |
| Click or tap here to enter text. |

|  |
| --- |
| Any other information you feel would be helpful for the University in relation to this matter. |
| Click or tap here to enter text. |

**Section 6: Declaration**

I confirm that the information given on this form is true, complete and accurate to the best of my knowledge and belief.

I understand any information that is deliberately withheld may result in FHSS Fitness to Practise proceedings being instigated.

**Applicants Name:** Click to insert your name here **Date:** Click or tap to enter a date.

# Appendix 2 Regulatory Proceedings Disclosure Form

**Instructions**

Please complete the information on this form in relation to the details and circumstances of your referral(s).

If you have been subject to multiple Fitness to Practise proceedings please ensure you complete all information relating to **ALL** instances.

If a review hearing has been held or is due to be held please also give details of this.

You are advised to contact the Regulator directly if you require advice on disclosure of information as part of the application procedure.

If you have had any previous employer or academic action taken against you as the result of the Regulatory proceedings, please also declare this information in full using the additional information box.

Please note it is your responsibility to provide truthful, complete and accurate information to allow the University to make a decision in relation to your application.

**Section 1: About You**

|  |  |
| --- | --- |
| Name | Enter your full name here |
| Date of birth | Click or tap to enter a date. |
| PIN/Registration number | Enter your PIN/Registration Number here  |

**Section 2: About the Fitness to Practise Proceedings**

|  |  |
| --- | --- |
| Date of the allegation(s) | Click or tap to enter a date. |
| Date of referral | Click or tap to enter a date. |
| Allegations (only include those found proved) | State the allegations here  |
| Type of sanction imposed and duration | Enter details of the sanction here  |
| Did the allegations involve alcohol or drug misuse? | Yes [ ] No [ ]  |
| If yes, what substances were involved? | Drugs [ ] Alcohol [ ] Both [ ]  |

|  |
| --- |
| Please add any additional details in relation to this: |

**Section 3: Barring**

|  |
| --- |
| Did the findings lead to you being listed as barred from regulatory work? Yes [ ]  No [ ]  |
| If yes please add any additional details in relation to this: |

**Section 4: Additional Information**

|  |
| --- |
| What were the circumstances surrounding or leading up to the allegations (if any)? |

|  |
| --- |
| Please explain how your situation has changed since the regulatory proceedings? |

|  |
| --- |
| Please provide detailed information of any further evidence you are submitting which demonstrates any changes in your circumstances or actions you have taken to move forward. You may want to include employer references, character testimonials or any other reports you feel should be taken into consideration that comment on your suitability to undertake this course of study. |
| Click or tap here to enter text. |

|  |
| --- |
| If there anything else you feel we should know, please detail using the space below: |
| Click or tap here to enter text. |

**Section 5: Declaration**

I confirm that the information given on this form is true, complete and accurate to the best of my knowledge and belief.

I understand any information that is deliberately withheld may result in FHSS Fitness to Practise proceedings being instigated.

**Applicants Name:** Click to insert your name here **Date:** Click or tap to enter a date.

# Appendix 3 Chair Script: Admissions Fitness to Practise Panel

*Good morning/afternoon, this is a meeting of the Admissions Panel.*

*I am* **Chair’s Name** *and I will be chairing today’s meeting. Can I now go round the room and ask everyone in to introduce themselves, including their role in these proceedings.*

*This meeting is being held in private however, notes are being taken to ensure an accurate record of our discussion and decision.*

*The purpose of today’s meeting is to establish whether the applicant is of sufficient character and conduct to be capable of safe and effective practice and display a commitment to all standards contained in the NMC Code 2018/ HCPC standards of conduct, performance and ethics 2024.*

*It is not the role of the Panel to go behind the conviction or to make any assumptions on the basis for the conviction.*

*This panel can decide to either:*

* *Admit*
* *Admit with conditions*
* *Not admit*
* *Not admit with recommendations*
* *Adjourn to obtain further information from the applicant*

**For each case, the Chair must state:**

*This case is that of* **Applicant Name and UCAS Number (if applicable)**

*Can I check everyone has the following documentation?*

* *The application form, including the applicant’s date of birth*
* *The PVG report*
* *The completed Criminal Record Disclosure form (if available)*
* *Any communication received from the applicant in relation to the meeting*
* *Any additional references, testimonials, medical reports or information provided by the applicant in relation to their case*

**If multiple papers are submitted and available, the Chair for ease of reference should number these.**

*The summary of the case is as follows* (**summary of case given by the Chair)**

The Chair must also refer the panel to the Conviction Guidance to outline the reasons for their decision in the case.

When making a decision as a panel the correct order will be for the Chair to ask:

1. The NHS/SAS practice representative

The Chair must ensure all panel members explain their decision first, the Chair should always announce their decision last to ensure the panel are not influenced by this.

The Chair’s vote does not carry any additional weight in these proceedings.

Once a decision has been agreed, the Chair is responsible for summarising the reasons for the final decision to allow an accurate summary of the proceedings to be recorded by the administrator using the FHSS **Admissions Decision Form**.

# Appendix 4 Decision Form: Admissions Decision Form

*Front page for Office Use* ***(only Page 2 should be sent to the applicant)***

**Chair:** Name

**Date:** Click or tap to enter a date.

**Documentation taken into account:**

[ ]  PVG

[ ]  Conviction Disclosure Form

[ ]  Application Form

[ ]  Other

|  |
| --- |
| Details: Click or tap here to enter text. |

**Type of decision:**

[ ]  Screening

[ ]  Panel

**Panel members:**

|  |  |
| --- | --- |
| Practice representative 1 | Click or tap here to enter text. |
| Practice representative 2 | Click or tap here to enter text. |

**Date of decision:** Click or tap to enter a date.

|  |  |
| --- | --- |
| Applicant name | Enter text |
| UCAS number | Enter text |
| Date of offence (s) | Click or tap to enter a date. |
| Type of offence(s) | Click or tap here to enter text. |
| Sentence(s) or penalty imposed | Click or tap here to enter text. |

**Decision**

[ ]  Admit

[ ]  Admit with Conditions

|  |
| --- |
| Details: Click or tap here to enter text. |

[ ]  Not admit

[ ]  Not admit with recommendations

|  |
| --- |
| Details: Click or tap here to enter text. |

[ ]  Adjourn for further information

|  |
| --- |
| Details: Click or tap here to enter text. |

**Reasons**

|  |
| --- |
| Is the applicant of sufficient character and conduct to be capable of safe and effective practice and display a commitment to all standards contained in the NMC Code 2018? |
| Click or tap here to enter text. |

# Appendix 5: Appeal Form

****

**Fitness to Practise Admissions Appeal Form**

**Details**

Please give full details, as we will contact you in relation to your appeal.

|  |  |
| --- | --- |
| Applicant’s Full Name |  |
| Student ID Number/UCAS Number |  |
| Phone Number |  |
| Email Address |  |
| Address |  |

**Representative Details (if applicable)**

Please give full details of any person whom you have appointed as a representative who will accompany you at a hearing, if convened.

|  |  |  |
| --- | --- | --- |
| Representative’s Name |  |  |
| Organisation |  |  |
| Phone Number |  |  |
| Email Address |  |  |
| Address |  |  |

**Grounds for Appeal**

Please cross at least one of the boxes below and give reasons for this

|  |  |
| --- | --- |
| New evidence has emerged which could not reasonably have been produced to the Fitness to Practise Panel | [ ]  |
| There has been defective procedure at Faculty level. (Evidence in the form of written statements or formal documents must be provided) | [ ]  |
| The disposal by the Fitness to Practise Panel was manifestly unreasonable. (You must state in writing the respects in which you believe the Fitness to Practise Panel erred in coming to its decision or was mistaken in that decision). | [ ]  |

|  |
| --- |
| **Please detail below your full reasons for this appeal:** |

**Supporting Documents**

Please add any supporting documents as appendices to this form and detail these below

|  |  |
| --- | --- |
| **Document Name** | **Appendix** |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

|  |
| --- |
| **What outcome or remedy are you seeking? Please detail below** |
|  |

**Send the completed form by email to:** fhss.dean.pa@stir.ac.uk (Ref: Appeals)