

Procedure for Investigating Student Conduct Concerns

1. Introduction

All students of the Tavistock and Portman NHS Foundation Trust (the Trust) are expected to conduct themselves at all times in a manner that is not harmful to themselves or fellow students, to maintain a professional and courteous approach to their dealings with others and to comply with the law, both on site and on placement

If a concern is raised about a student's behaviour where the Trust considers the learning of the student or other course students may be at risk, or where the student or any other person may be at risk of physical and/ or psychological harm, or where the reputation of the Trust may be undermined then the Trust will follow the procedure below to investigate the concerns and, where necessary, take appropriate action. A concern may be raised by members of the Trust staff, by other students or by members of the public.

If a student is an employee of the Trust then the matter will be dealt with under the procedures that relate to their position as employees.

2. Procedure

2.1 Responsibility for implementation

Responsibility for implementing this policy lies with the Department of Education and Training and is overseen by the Dean of Postgraduate Studies.

2.2 Minor concerns/infringements

In cases of minor concerns or infringements of expected conduct, the Course Tutor and Cluster Lead will meet with the student and seek in

the first instance to resolve the matter with the student concerned and any other party that may be affected. The Cluster Lead will write to the student summarising the outcome of the meeting. A copy of the letter will be retained on the student's file.

The student will be advised at this stage that there is a procedure for investigating concerns about student conduct

2.3 Serious concerns

2.3.1 If the matter cannot be resolved informally, or if the misconduct is of a more serious or repeated nature, then a panel of normally two senior education and training members of staff will conduct a formal investigation.

2.3.2 All correspondence and the administration of the process will be handled by the Assistant to the Dean of Postgraduate Studies. They will write to the student inviting them to an investigation meeting with the panel to discuss the concerns.

2.3.3 The student will be given the opportunity to respond to the concerns in writing before the meeting. The student may be accompanied to this meeting by a representative if they wish; the representative cannot be a member of a legal profession

2.3.4 The panel at its discretion may:

- review the student's file and previous incidents
- talk to other parties concerned with the alleged behaviour
- talk to any other parties that the panel feel is relevant to the case
- seek relevant professional advice, e.g. a mental health assessment.

2.3.5 The panel will reach a provisional conclusion concerning the alleged conduct and write to the student informing them of this conclusion

2.3.6 The panel will determine whether there has been an infringement of expected conduct on the part of the student and, if there has, will also determine an appropriate sanction.

2.3.7 The student will be written to normally within 5 days of the decision having been taken and informed of the determination and sanction where there is one.

2.4 Sanctions

2.4.1 Sanctions or actions that follow an investigation may include but are not limited to:

- no action taken
- a written warning to the student indicating the consequences of future misconduct, that will be entered into the student's file that will normally be removed any time up to three months after the completion of the students' programme, the time to be determined by the panel, provided there are no further instances of misconduct;
- requiring the student to compensate for or make good any damage caused to Trust property;
- requiring the student to make appropriate recompense or apology for any offence or harm caused, or any damage done;
- suspending or excluding the student with immediate effect from their course
- setting personal targets to be achieved before being allowed to progress with their course.

3.0 Suspension during an investigation

In exceptional cases the panel may take the decision that the allegations being investigated are so serious that the student will be suspended from the course during the investigation.

A student who is the subject of a complaint of misconduct and against whom a criminal charge in relation to that misconduct is pending or who is the subject of police investigation may be suspended or excluded pending the investigation or the trial.

In the event that the investigation determines that the allegations are unfounded the student who has been suspended will not be further penalised in respect of completing their course of study.

4.0 Appeal

The student may appeal, within 15 working days of receipt of the outcome, to the Dean of Postgraduate Studies on one or more of the following grounds:

- that failure to follow this procedure properly may have had a material effect on the finding and/or the sanction
- that a piece of evidence that was not reasonably available at the time of considering the matter investigated and which may have had a material effect on the finding and/or the sanction
- that the sanction is not proportionate to the finding and/or is unjust.

The Dean will consider the grounds of the appeal and conduct any enquiries as deemed appropriate. The outcome of the appeal normally will be communicated to the student within one month. The Deans' decision either to uphold or to vary the sanction or actions is final.

5.0 Office of the Independent Adjudicator (OIA)

The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the Trust's internal procedures for dealing with complaints and appeals have been exhausted, the Trust will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within three months of the issue of the Completion of Procedures letter. Full details of the scheme are

available on request and will be enclosed with the Completion of Procedures letter.