

FITNESS TO PRACTISE PROCEDURES A GUIDE FOR STUDENT TEACHERS

BACKGROUND

Student teachers on professional training programmes are expected to conduct themselves and to behave in a professional manner at all times, both at The Pimlico-London SCITT, in the workplace and in their conduct outside of work, in line with the professional codes of practice that apply to The Pimlico-London SCITT courses. Professional programmes have a duty to the public to ensure that student teachers seeking to enrol, and student teachers who are enrolled, meet the relevant standards of professional conduct.

FITNESS TO PRACTISE – THE RESPONSIBILITIES OF STUDENT TEACHERS AND OF PROGRAMMES

This document focuses on the ways a programme will respond when a student teacher's fitness to practise is called into question. However, it is critical to emphasise that The Pimlico-London SCITT would prefer to resolve issues at a stage where they can still be managed, and before they become a matter for more formal investigation. For this to happen student teachers need to feel able to come forward and discuss problems or issues with those members of staff charged with their support. In turn, the first response of programmes will usually be to discuss the matters the student teacher is raising and see if they can be resolved with appropriate management and support.

Although it is understandable that student teachers will feel worried about the consequences of drawing attention to their fitness to practise, a willingness to recognise and to try to resolve concerns is an important marker that will usually count for, rather than against, the student teacher.

The procedures outlined below apply to student teachers enrolled on teacher training programmes with The Pimlico-London SCITT.

MATTERS GIVING RISE TO CONCERN

Student teachers will be advised about the professional standards expected of them whilst studying on the course. Common examples of issues which may give rise to concern about a student teacher's fitness to practise include (without limitation):

1. Criminal conviction, caution, reprimand or penalty notice of disorder (PND) or equivalent
2. Aggressive, violent or threatening behaviour
3. Cheating or plagiarising
4. Dishonesty or fraud, including dishonesty outside the professional role
5. Persistent inappropriate attitudes or behaviour including:
 - a. Lack of commitment to academic work
 - b. Neglect of administrative tasks
 - c. Poor time management
 - d. Infrequent or non-attendance
 - e. Poor communication
 - f. Failure to accept or follow educational advice
 - g. Failure to follow health and safety requirements
 - h. Failure to follow the rules and regulations of The Pimlico-London SCITT
6. Unprofessional behaviour or attitudes including:
 - a. Exploiting the vulnerability of a pupil to establish a sexual relationship
 - b. Failure to observe appropriate boundaries in behaviour
 - c. Offences against the vulnerable, including children, the elderly and the mentally incapacitated
 - d. Breaches of confidentiality

- e. Sexual, racial or other forms of harassment
- f. Persistent rudeness, bullying
- g. Unlawful discrimination

7. Disciplinary offences within the programme:

Health concerns and particularly a lack of insight or management of these concerns, including:

- a. Failure to seek appropriate medical treatment or other support
- b. Failure to follow medical advice or care plans, including monitoring and reviews, in relation to maintaining fitness to practise
- c. Failure to recognise limits and abilities or lack of insight into health concerns and/or treatment-resistant conditions, which might impair fitness to practise
- d. Failure of treatment for a chronic and serious mental health condition
- e. Chronic drug or alcohol abuse
- f. A failure to abide by professional codes of conduct that apply to The Pimlico-London SCITT courses.

An impairment or health condition may make it impossible for a student teacher to complete their QTS and PGCE. On this basis it is important that matters affecting a student teacher's fitness to practise are managed as soon as practicable after they have arisen.

FITNESS TO PRACTISE PRIOR TO ADMISSION

Prior to admission onto a programme all student teachers are required to complete a medical form to inform the programme of any ongoing health concerns, a criminal convictions form to show any previous criminal convictions or cautions, or sanctions they have received from any professional bodies, in particular healthcare regulators. Student teachers must advise the programme of any convictions, cautions, warnings or reprimands irrespective of the reasons.

Any issues or concerns identified will be investigated by The Pimlico-London SCITT to determine whether it is appropriate or even possible for that student teacher to be enrolled on the course.

Where information comes to light prior to the commencement of the programme that was not declared, the programme reserves the right to immediately withdraw the offer of a place on the programme to the individual concerned and to notify the Institute of Education (or any other relevant Higher Education Institution) of the incident.

FITNESS TO PRACTISE FOLLOWING ADMISSION

Student teachers will be required to undergo an Enhanced Clearance with the Disclosure and Barring Service (DBS) and an occupational health check, before registration with The Pimlico-London SCITT.

Student teachers are expected to notify the Head of Initial Teacher Training as soon as is reasonably practicable if there is any subsequent change to their DBS or health status.

Student teachers are strongly encouraged to seek support for any matter before it becomes a fitness to practise concern. The student teacher should seek advice from staff charged with offering student teacher support, who can then provide appropriate and ongoing support to the student teacher.

HEALTH

In most cases health conditions (including disabilities) will not raise fitness to practise concerns, provided the student teacher receives the appropriate care and reasonable adjustments necessary to study and work safely. Certain health conditions, however, may make it impossible for a student teacher to complete their course.

Health issues identified during the self-declaration process and/or occupational health checks will be assessed independently by the occupational health services linked to the course. Information confirming health clearance or advising of concerns will be notified to the Head of Initial Teacher Training and referrals to appropriate specialist services may be agreed in consultation with the student teacher, particularly in relation to potential disabilities, so that appropriate adjustments can be identified and support established as early as possible in line with the Equality Act 2010.

Student teachers may be re-referred to the occupational health service at any point during their studies. This may be due, for example, to a period of extended sick leave, the development of a new health condition or to re-assess health needs prior to the beginning of an assignment/practice placement.

A student teacher's refusal to submit to a medical examination (for example when the student teacher is suffering from a continuing or episodic condition or a condition in remission which may be expected to recur) may in itself give rise to a concern of an impairment to the student teacher's fitness to practise and may be dealt with using the fitness to practise procedures.

The Pimlico-London SCITT encourages student teachers to register with a local GP (and other healthcare professionals as appropriate) who will be able to offer them support and continuity of care.

DISCIPLINE

It is possible that issues which give rise to concerns about a student teacher's fitness to practise may be based on incidents which could also constitute disciplinary offences under The Pimlico-London SCITT Disciplinary Code.

The Pimlico-London SCITT will investigate and address cases involving a potential overlap between disciplinary offences and fitness to practise concerns using either the student teacher disciplinary procedure or the fitness to practise procedure. This includes the right to switch procedures if it becomes apparent during the operation of one procedure that it would be more appropriate for the matter to be addressed using the other procedure, or to run the procedures in parallel. For example during a fitness to practise investigation it might become apparent that the alleged behaviour of a student teacher is sufficiently serious to warrant permanent exclusion from The Pimlico-London SCITT and the student teacher's placement school as a whole. At this point the case could be referred to the disciplinary procedure.

CRIMINAL CONDUCT

An allegation of criminal conduct will normally be reported to the police and further action under the fitness to practise procedure or the student teacher disciplinary procedure will normally be suspended until the outcome of criminal investigations and/or subsequent criminal proceedings is known.

INITIAL (INVESTIGATORY) STAGE OF THE FITNESS TO PRACTISE PROCEDURE

Any person who has concerns about a student teacher's fitness to practise may refer the matter to the Head of Initial Teacher Training for consideration under this procedure. The Head of Initial Teacher Training (along with other

members of the course team nominated to do so) will conduct an initial investigation of the concerns to decide whether there is a case to answer.

The initial investigation will be proportionate and will consider the interests of student teachers and staff against those of the student teacher. Where the investigator considers the concerns may have substance, he or she will arrange to meet with the student teacher to raise and discuss the concerns in order to ascertain the student teacher's views and/or explanation. The investigator will consider any mitigating factors as part of this initial investigation.

If concerns are substantiated, the Chief Executive (or their nominee) will determine whether referral to the formal stage of the fitness to practise procedure is appropriate.

FORMAL STAGE OF THE FITNESS TO PRACTISE PROCEDURE

When concerns have not been allayed or resolved during the informal stage of this fitness to practise procedure or the concerns have been referred straight to this formal stage, The Pimlico-London SCITT will notify the student teacher in writing that the case is to be referred to a fitness to practise panel for consideration.

SUSPENSION OF STUDIES DURING THE INVESTIGATION OF CONCERNS

The fitness to practise procedure is designed to investigate whether or not there is a concern that requires a response. On this basis it will not usually be appropriate to suspend a student teacher before these procedures have been completed (because to do so could be seen as pre-judging the issue).

There may be, however, circumstances where the concerns being investigated are considered serious enough to warrant immediate suspension of the student teacher (for example, where the student teacher's behaviour represented a clear threat to the well-being of others, or was sufficiently concerning to raise significant concerns about the programme's duty of care to the public).

CONFIDENTIALITY AND DISCLOSURE

Disclosure to the relevant professional/ regulatory body will only take place if it is necessary and proportionate in the circumstances of the case, having considered the risks associated with not disclosing the information.

The student teacher also has responsibility to disclose information regarding concerns about fitness to practise to the relevant registration/professional body when applying for registration. This will be made clear to student teachers in the letter sent to them after the Panel hearing.

The retention of fitness to practise information and the confidentiality of records relating to fitness to practise hearings will be managed in accordance with the Data Protection Act 1998.

NOTICE AND GROUNDS OF APPEAL

The grounds and procedures for appeal are outlined in the "procedure for the assessment of fitness to practise in a professional capacity".

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

This document sets out the procedures for assessing the fitness to practise of student teachers undertaking a teacher training course at The Pimlico-London SCITT.

The following procedure will provide for the arrangements for assessing any conduct, behaviour or other matters that could bear on a student teacher's suitability for fitness to practise their profession. The kind of conduct or behaviour of relevance in this context may manifest itself in misconduct falling under The Pimlico-London SCITT's Disciplinary Code and Procedure, or it may arise in circumstances of not disclosing a disciplinary offence. Student teachers may be subject to both procedures, though not simultaneously.

The Pimlico-London SCITT also reserves the right to transfer a case from one procedure to the other if it becomes apparent that it is more appropriate to the matter under investigation.

The following mechanisms and arrangements for the assessment of any conduct, behaviour or other matters that could bear on a student teacher's suitability or fitness to practise their profession, and the review of individual cases where appropriate, have been written in accordance with Article 6 of the Human Rights Act, the Equality Act 2010 and the Data Protection Act 1998 and are intended to be consistent with The Pimlico-London SCITT Regulations for Management.

PROCEDURE FOR THE INITIATION OF AN ASSESSMENT OF THE FITNESS TO PRACTISE IN A PROFESSION

In the event that the decision against a student teacher under The Pimlico-London SCITT's Disciplinary Code and Procedure is that the student teacher has breached this code, and warrants a penalty short of permanent exclusion from The Pimlico-London SCITT, then the matter may also be referred for consideration under the following Procedure for the Assessment of the Fitness to Practise.

Where the conduct does not involve a disciplinary offence as defined as misconduct under The Pimlico-London SCITT's Disciplinary Code, but is considered to bear on a student teacher's suitability of fitness to practise, the matter will be considered automatically by the programme under the following Procedure for the Assessment of the Fitness to Practise. (For example, a drink-driving offence may not ordinarily be defined as misconduct under The Pimlico-London SCITT Disciplinary Code, but would normally prompt concerns relating to fitness to practise.)

Conduct, behaviour or other matters that are sufficient to signal a need to investigate a student teacher's suitability for fitness to practise will be reported to the Head of Initial Teacher Training.

An initial investigation panel will be established comprising senior members of The Pimlico-London SCITT staff, who will consider whether a prima facie case exists for the student teacher's conduct to be the subject of further action under the Procedure for the Assessment of the Fitness to Practise in a professional capacity. The initial investigation panel will determine whether the case warrants referral to a Fitness to Practise panel, or whether there is no case and the case should be dismissed. Where, subject to the advice of the panel, the Head of Initial Teacher Training, having consulted the Chief Executive may rule that a prima facie case does not exist, such a ruling shall not preclude any remedial actions, as are deemed necessary by the initial investigation panel.

Where the student teacher is referred to the Fitness to Practise Panel, the initial investigation panel will consider whether the student teacher should be suspended from study and/or practise in order to protect the students, staff and the student teacher.

In cases where the student teacher's health gives rise to initial Fitness to Practise concerns, the Head of Initial Teacher Training should investigate these through an appropriate Occupational Health assessment. Occupational Health may seek to obtain GP records/reports and information from specialists, or the case may be supplemented if necessary by a psychiatric report. This pre-referral process may negate the need for referral to the Fitness to Practise Panel.

PROCEDURE FOR THE ASSESSMENT OF THE FITNESS TO PRACTISE

Where the Head of Initial Teacher Training considers that the conduct is a matter for referral to The Pimlico-London SCITT Fitness to Practise Panel, and has received confirmation from the Chief Executive, s/he will notify the student teacher concerned in writing that a formal representation concerning his/her conduct has been received and that the matter will be referred for consideration under the Procedure for the Assessment for Fitness to Practise. Such notification will include the particulars of the alleged conduct in question, specify how such conduct might bear on a student teacher's suitability for fitness to practise, and provide the student teacher with an explanation of the Procedure.

All other parties involved in bringing the representation against the student teacher under the Procedure for the Assessment of Fitness to Practise, including witnesses, will be notified at this time that the matter has been referred to the Fitness to Practise Panel and that they may be called to provide oral evidence at the Panel hearing.

FITNESS TO PRACTISE PANEL

The Fitness to Practise Panel shall consist of:

- A Chair, who shall normally be a member of The Pimlico-London SCITT
- An academic member of staff external to The Pimlico-London SCITT who is a member of a Fitness to Practise panel within their own institution.

Core membership may be supplemented by additional members with specific knowledge or expertise including:

- Senior Leadership from the student teacher's placement school
- A practising consultant psychiatrist
- A medical professional.

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

A member of the Fitness to Practise Panel required to give evidence in a case shall relinquish his/her membership of the Panel for the duration of that case.

No member of the Fitness to Practise Appeals Panel shall be a member of the Fitness to Practise Panel.

The quorum for a meeting of the Fitness to Practise Panel shall be the core membership.

PROCEDURE FOR A MEETING OF THE FITNESS TO PRACTISE PANEL

NOTICE

- The student teacher must be given a minimum of twenty eight days' notice of the time, date and place of the hearing and of the case against him/her.
- All documentary information concerning the case against a student teacher's fitness to practise which is submitted prior to the hearing by the Head of Initial Teacher Training, and which will be taken into consideration by the Panel during the hearing, shall be provided to the Chair no less than forty two days before the date of the hearing and to the student teacher and Panel members no less than twenty eight days before the date of the hearing. No further written evidence will be accepted unless specifically requested by the Chair of the Fitness to Practise Panel. The documented case from the Head of Initial Teacher Training should contain a detailed chronological summary of the student teacher's file/record. The reasons for referring the student teacher to the Panel, and the Head of Initial Teacher Training's concerns should be clearly outlined in the Chief Executive's summary.
- The student teacher's statement of mitigation and all supporting documentation which will be taken into consideration by the Panel during the hearing, shall be provided by the student teacher or their representative, no less than seven days before the date of the hearing. No further written evidence will be accepted unless specifically requested by the Chair of the Fitness to Practise Panel.
- In the event of the documentation above not being received within the prescribed timescale, or if further information pertinent to the case comes to light, the documentation will be considered and the hearing may still take place on the appointed day subject to the agreement of all parties.
- The Notice of the hearing shall include a copy of this Procedure.
- The student teacher will be offered the opportunity for the hearing to be held in public.

FORMAT FOR THE HEARING

- The Head of Initial Teacher Training will present the case against the student teacher. They may be supported at the Hearing by the SCITT's Coordinator / Administrator.
- The Chair of the Panel may invite witnesses of the alleged misconduct to attend the Fitness to Practise hearing. The student teacher, student teacher's representative or the Head of Initial Teacher Training may recommend appropriate witnesses to the Chair of the Panel. The witnesses will not normally be privy to the documentary information that is made available to the student teacher and Panel members.
- The Chair of the Panel may additionally invite 'expert witnesses' to the hearing. Expert witnesses are called to comment on the alleged unfitness to practise because of their professional knowledge or professional relationship with the student teacher, rather than by any necessary first-hand witness of the alleged misconduct. Expert witnesses will normally be privy to the information that is made available to the student teacher and Panel members.
- The student teacher is strongly encouraged to attend throughout the hearing and may enlist the help of one representative to present his/her case. The student teacher must inform the Chair of the Fitness to Practise panel of their representative's identity at least two weeks before the panel meets. The representative may (but need not necessarily) be a member of the legal profession. If the representative is not a member of the legal profession then s/he will normally be a member (staff or student teacher) of The Pimlico-London SCITT or the student teacher's placement school. If s/he is not a member of the legal profession or a representative from either the Pimlico-London SCITT or the student teacher's placement school, then the Chair of the Fitness to Practise Panel will decide whether the proposed friend is a suitable person to attend in that capacity.
- The Panel shall be empowered to call any person before it to clarify evidence.
- The student teacher and/or his/her representative will be entitled to cross-examine those individuals referred to above as appropriate.
- The proceedings of the Fitness to Practise Panel will normally be audio recorded in full except when the Panel withdraws to consider its decision.

DECISIONS OF THE PANEL

The Panel shall deliberate in the absence of all parties.

The Panel will normally sit between the hours of 9.00am and 6.00pm. The Hearing will normally continue and the Panel then deliberate until a decision is reached. An adjournment may take place if a decision is not reached.

At the conclusion of the hearing the Panel may:

- Dismiss the complaint, or
- Find that the student teacher is fit to practise, but that the conduct of the student teacher has been such as to warrant a formal warning, which will remain on the student teacher's file for the duration of their registration on the course, and may be taken into consideration in the event of future allegations being made about the student teacher's fitness to practise, or
- Find that the student teacher is unfit to practise. The student teacher will not be permitted to complete the course of study leading to the QTS and PGCE, or
- Find that the student teacher is unfit to practise but that the decision not to allow the student teacher to complete the course may be reviewed by a Fitness to Practise Panel within a stated period of time, or
- Make such other findings, and recommend such other action, as it deems appropriate in the circumstances of the case.

Decisions of the Fitness to Practise Panel, and the reasons for those decisions made, may be disclosed to the appropriate regulatory body, or other public authority, based on relevant regulatory requirements. All student teachers who have been subject to the Procedure for the Assessment of the Fitness to Practise and who have received a sanction are asked to disclose this information to the appropriate regulatory body as part of their application for provisional registration. Should a full transcript of a hearing be required by the regulatory body or other relevant public authority, it will be made available at cost to the student teacher.

- Findings will include recommendations by the Panel on appropriate advice and guidance to be given to the student teacher.
- The decision of a Fitness to Practise Panel shall be reached by a majority vote of the members of the Panel, and shall be announced as the decision of the Panel. The Chair shall have a second or casting vote.
- The votes of individual Panel members shall always be treated as confidential, and there shall be no disclosure either of such votes or of information showing whether the decision was reached by a unanimous or a majority vote.
- Upon completion of its deliberations the Panel shall notify its decision to the Chief Executive. The Chief Executive will then notify the student teacher, and the Head of Initial Teacher Training and other relevant parties, in writing and with reasons, within seven days of the date of the hearing.
- The written notice of the decision to the student teacher will include notice of the student teacher's rights of appeal, the time within which the appeal must be made and the grounds upon which such appeal may be made.
- The Chair may provide formal written feedback to the Head of Initial Teacher Training, the student teacher, or other parties, as necessary and proportionate, following the hearing. This may include any areas of concern raised by the panel about the case presented.
- Where a student teacher is permitted by the Fitness to Practise Panel to continue in practice, but new evidence emerges that indicates ongoing concern regarding their fitness to practice, then the programme may re-refer them to the Fitness to Practise panel, following the procedures set out above.

APPEALS

Notice of intention to appeal by the student teacher against the decision of the Fitness to Practise Panel must be made in writing to the Chief Executive within twenty-eight days of the date of the notification to the student teacher.

Such notice will include all documentation pertaining to the grounds on which the appeal is being made. No further communications of any sort will be accepted for consideration under an appeal after this time.

Such an appeal may be made only on one or more of the following grounds:

- That the proceedings of the Fitness to Practise Panel were not conducted in accordance with the above procedures.
- That fresh evidence has become available which was not and could not reasonably have been made available to the Fitness to Practise Panel.
- That the decision of the Fitness to Practise Panel was inappropriately severe.
- As soon as is practicable after receipt of such notification the Chief Executive will appoint a Chair of the Fitness to Practise Appeals Panel and will present the documentation relevant to the appeal to the Chair, who will decide on the evidence available whether or not the appeal should be proceeded with. The Chair of the Fitness to Practise Appeals Panel will be a member of the legal profession, not being a member of The Pimlico-London SCITT or of the student teacher's placement school staff.
- If it is decided not to proceed with the appeal, the Chair of the Fitness to Practise Appeals Panel shall inform the Head of Initial Teacher Training and the appellant of the decision, giving reasons, normally within seven days of the Chair having received the documentation.
- Where it is decided that the appeal shall be proceeded with, the Chair of the Fitness to Practise Appeals Panel will inform the Chief Executive who will inform all parties of the decision of the Chair of the Fitness to Practise Appeals Panel and will make the necessary arrangements for the appeal to be held as early as possible. All parties will be informed of the date of the appeal.
- Where an appeal is granted, and the student teacher has been allowed to remain in registration, the student teacher will normally be permitted to continue with his/her course until the Fitness to Practise Appeals Panel has reached its decision.

A Fitness to Practise Appeals Panel shall consist of:

- The Chair and two individuals, not being members of The Pimlico-London SCITT or staff member from the student teacher's placement school, or student teachers, to be appointed by the Chair, as and when the Appeals Panel needs to be convened; at least one of these must be a registered member of the Teaching Regulation Agency
- None of the above shall have been a member of the Fitness to Practise Panel against whose decision the appeal is made, nor a member of any department involved, nor have assisted the appellant in any way with the presentation of his or her case either for the Fitness to Practise Panel or for the Fitness to Practise Appeals Panel, or the Discipline Committee if proceedings have also been initiated under the Disciplinary Code.

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

- The quorum for a Fitness to Practise Appeals Panel shall be three including the Chair
- The secretary of the Fitness to Practise Appeals Panel shall normally be appointed from The Pimlico-London SCITT department. He or she will not have acted as secretary to the Fitness to Practise Panel

- The Fitness to Practise Appeals Panel and the student teacher will be supplied with a report of the proceedings of the Fitness to Practise Panel which will be prepared by the secretary of the Fitness to Practise Panel in consultation with all relevant parties, and with such other evidence as is considered appropriate
- The report shall contain a statement of the matters investigated, a summary of the evidence, and the reasons for the decision reached. It should also comment on the appeal case brought by the student teacher
- It will also include, where applicable, fresh evidence which was not made available to the Panel
- At any Fitness to Practise Appeals Panel, the student teacher whose case is being considered will be entitled to be present throughout the hearing, except when the Appeals Panel considers its decision, and to present his/her case personally either alone or with the assistance of a representative of his/her choice who shall normally be the person who acted in this capacity at the Fitness to Practise Panel hearing, or, if he/she so wishes, he/she may be represented by a solicitor whom he/she may pay for his/her services. The Head of Initial Teacher Training who presented the original case, and the Chair of the Fitness to Practise Panel should also be present, and have the right to comment on the student teacher's submission
- A Fitness to Practise Appeals Panel will have power to reverse or modify the decision appealed against in any way that it thinks fit, provided that it shall not normally impose any measure which is more severe than that appealed from
- In reaching its decision a Fitness to Practise Appeals Panel shall take into consideration the evidence provided above
- The decision of a Fitness to Practise Appeals Panel will be reached by a majority vote of the members of the Panel, and will be announced as the decision of the Panel. The Chair will have a second or casting vote.
- The votes of individual Appeal Panel members will always be treated as confidential, and there will be no disclosure either of such votes, or of information showing whether the decision was reached by a unanimous or a majority vote
- The Secretary of the Appeals Panel will notify the student teacher, the Head of Initial Teacher Training and other relevant members of The Pimlico-London SCITT, within seven clear days, of the decision of the Appeals Panel, together with the reasons for the decision. A report of the proceedings will be submitted to the Chief Executive.
- A decision of the Fitness to Practise Appeals Panel will be final as far as The Pimlico-London SCITT's internal procedures are concerned
- The written notice of the decision to the student teacher will include notice of the student teacher's rights of appeal to the Office of the Independent Adjudicator, the time within which the appeal must be made, and the grounds upon which such appeal may be made.

OFFICE OF THE INDEPENDENT ADJUDICATOR [OIA]'S STUDENT TEACHER COMPLAINTS SCHEME

The Office of the Independent Adjudicator for Higher Education [OIA] has been established to provide an independent scheme for the resolution of student teacher complaints. All Higher Education Institutions [HEIs] are required to comply with the Scheme which came into effect from 1 January 2005. Areas of complaints covered by the OIA include:

- A programme of study or research for which the complainant was registered
- A service provided by The Pimlico-London SCITT
- A final decision by The Pimlico-London SCITT disciplinary or appeal body.

The OIA will not, however, advise about a complaint if:

- It relates to a matter of academic judgement (which will normally be about a student teacher's academic performance)
- The matter is or becomes the subject of court or tribunal proceedings
- It concerns a student teacher employment matter.

Forms and further details on the operation of the OIA are available from the OIA website www.oiahe.org.uk.

This policy is reviewed on an annual basis.

APPENDIX

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

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