

Cause for Concern Process

This process applies to the following:

All programmes leading to registration with a Professional, Statutory and Regulatory Body (PSRB) e.g. Nursing & Midwifery Council (NMC), Health and Care Professions Council (HCPC), General Optical Council (GOC), British Psychological Society (BPS).

To be read in conjunction with:

- Fitness to Practise Policy
- Fitness to Study Policy
- Safeguarding Policy
- Student Learning Agreements
- Professional Codes for Regulatory Bodies
- Equality and Diversity Policy
- Student Charter
- Precautionary Suspension from Practice
- Student Conduct Guidance
- Disclosure and Barring Service Process
- Programme Handbook
- Raising and Escalating Concerns (?)

Equality and Diversity Statement

City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and culture, under its Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

Where relevant to the policy, decision making panels will ensure a reasonable gender balance (with at least one man and one woman) and will actively consider representation of other protected characteristics.

Disclaimer

The information in this Process is correct at the time of review in August 2019. The School reserves the right to make amendments to the process provided that such amendments are: (i) as a result of changes to Professional, Statutory and Regulatory Body regulations (ii) as a result of unforeseen events or circumstances beyond City's control or (iii) are deemed reasonably necessary by City.

1. About the Process

- 1.1 The purpose of the Cause for Concern Process is to ensure that staff are able to raise any issue of concern at the earliest possible stage, to ensure that a supportive action plan is agreed. This Process should be read in conjunction with the School's Fitness to Practise Policy.

2. Introduction

- 2.1 The School seeks to create:

- an open, flexible and transparent culture to resolve issues as they arise;
- an environment where mental health and other health issues can be openly discussed;
- a culture of equality and diversity in line with principles outlined by the Equality Act 2010.

- 2.2 When a student's conduct or health becomes a cause for concern it is essential that

- all parties feel confident and supported to raise issues;
- students are given the appropriate support and guidance to continue their studies.

- 2.3 This Process ensures that the student is given every opportunity and support to improve their performance whilst managing any areas of concern(s). The School will work with relevant support services within the University to ensure reasonable adjustments if feasible are in place for the student.

- 2.4 Students are required to demonstrate not only academic ability but also personal and professional commitment to their chosen profession at the point of admission to and throughout their training/academic programme.

- 2.5 Any student aspiring to gain entry to their chosen profession is required to adhere to their relevant professional code of conduct.

- 2.6 This code of conduct underpins the competencies for practice throughout the programme.

- 2.7 On occasions, student conduct may become the subject of concerns about their suitability to enter the profession and Fitness to Practise in one or more of areas.

3. Cause for Concern Referral

- 3.1 A Cause for Concern Referral is primarily a restorative measure to support students' development and to protect the public. This is to ensure that students and staff are able to raise any issue of concern at the earliest possible stage in order that a supportive action plan (clarifying what needs to change) can be agreed.

- 3.2 A Cause for Concern should refer to specific incidents and provide detail and evidence so that it is clear to follow.

- 3.3 If the concern(s) remains unresolved this may lead to a referral to a Fitness to Practise Panel for consideration. Documentation considered as part of the Cause for Concern process will form part of the evidence for consideration by the Fitness to Practise Panel.

4. Grounds for Referral to Cause for Concern

A student may be referred for the following possible areas:

4.1 Character Concerns and Professional Misconduct

- 4.1.1 Concerns of breach of conduct and character, such as: Competence issues (e.g. unsafe practice, lack of honesty and integrity), lack of professionalism (unprofessional behaviour/professional misconduct – e.g. breach of confidentiality, sexual, racial or other forms of harassment, bullying, poor timekeeping, dress, inappropriate behaviour, such as rudeness, aggression; not following instruction when appropriate, etc.).

4.2 Health and Wellbeing Concerns

- 4.2.1 A student must demonstrate that they are of good health, which means that they **are** capable of safe and effective practice either with or without reasonable adjustments. This does not mean the absence of a health condition or disability. Health concerns must be dealt with and reviewed in accordance with **O**ccupational **H**ealth guidance. Reasonable adjustments to allow students to undertake the programme should be considered at the point of admission and then during the course, as appropriate. There are certain competencies as part of the programme that must be met in order to successfully complete the programme, which may impede **or** instigating reasonable adjustments.
- 4.2.2 Interruption of Study - A student may take a negotiated break from their programme of study in line with the Interruption of Study Policy. If that student breaches PSRB requirements on good health or there are multiple interruptions of study, a referral to **the** fitness to practise process may be triggered following advice from the Dean or nominee.

4.3 There may be other referrals via different processes in the School:

- 4.3.1 Disclosure and Barring Service (DBS) Process;
- 4.3.2 Academic Misconduct Process.

5. Immediate Referral

5.1 There may be occasions when a student's conduct is deemed sufficiently serious or an individual's safety or safety of others is compromised such that it may be necessary for immediate referral to a Fitness to Practise Panel.

6. Precautionary suspension from practice

6.1 If an allegation is considered serious the Programme Director or Practice Staff may arrange a precautionary suspension from practice even at an informal stage to protect the student and/or members of the public.

7. Confidentiality

7.1 A breach of data confidentiality may be deemed necessary by a Senior Manager to protect the public.

8. Informal resolution

8.1 Where an issue or concern is identified by either an academic or practice-based member of staff, and in their sole judgement it is safe and appropriate to do so, an attempt should be made to address the issue or concern with the student in order to prevent the issue escalating and becoming a Cause for Concern. This intervention should happen at the earliest opportunity and no later than 10 working days after the issue or event has taken place.

9. Referral to Cause for Concern Process

9.1 If the staff member or practice staff deem the student's conduct to warrant formal intervention, they should raise the issue with the Programme Director (PD) using a Cause for Concern Form giving clear evidence regarding the nature of the issue. If the issue is raised by a member of the public or fellow student, a member of staff will normally act as the liaison to complete the form.

9.2 This should be done immediately after the issue or event takes place, within 10 working days. The student must be informed in writing that a concern has been raised and advised to gain support from their Personal Tutor and the Students' [Union Advice](#) (Advice Service).

10. Cause for Concern Initial Investigatory Meeting

10.1 An Initial Investigatory Meeting should normally be held between members of academic/practice staff with immediate knowledge of the concern, the student and the Programme Director (PD) or their nominee within 10 working days, following receipt of the Cause for Concern form. Students are to be encouraged to contact the Students' Union to arrange representation.

10.2 This meeting will identify the nature of the cause for concern, consider the student's response in relation to the early resolution of the issue and set out an action plan.

11. Supportive Action Planning

11.1 Action Plans should include the following aspects:

- Identify Concerns;
- Agree Action/targets;
- Explicitly state how the issues are to be resolved with specific success criteria;
- Agree on a support plan;
- A date for review (if necessary);
- Signed by the student;
- Signed by the Programme Director;
- Identified support with Personal Issues (e.g. Student Health Service; Occupational Health; Disability Support; Support for Care Leavers) <https://www.city.ac.uk/lead/learning-teaching-support/personal-tutoring/where-to-get-support>;
- Identified support with Academic Issues and Personal Development (e.g. Learning Support; Careers Service and Library) <https://www.city.ac.uk/lead/learning-teaching-support/personal-tutoring/where-to-get-support>.

11.2 Mechanisms to consider early resolution should include the possibility of referral to Occupational Health Service (where appropriate), and/or Services for Students in City. The timeframe for the action plan must be identified within it, agreed by all parties and be commensurate with the nature of the concern. A copy must be given to the student and a copy kept on the student's file.

11.3 If the student disputes the cause for concern allegation, the Programme Director and relevant Associate Dean for Programmes will evaluate the evidence and decide on the appropriate course of action.

12. Cause for Concern Initial Investigatory Meeting Outcomes

12.1 There are three possible outcomes:

12.1.1 To continue with the Cause for Concern process for this student and develop an action plan.
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12.1.2 To find the Cause for Concern unsubstantiated.

12.1.3 To undertake a further investigation into the allegation.
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12.2 There may be a maximum of two progress review meetings to monitor progress. At each meeting, the student should meet with the member of academic/practice staff with immediate knowledge of the concern and the Programme Director or their nominee.

12.3 At the first progress review meeting, progress with the initial investigatory meeting action plan should be reviewed with the following possible outcomes:

12.3.1 Where a student satisfies the action plan: the decision is made that the issue/concern has been resolved and that the Cause for Concern process should be terminated.
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12.3.2 Where a student only partially satisfies or does not satisfy the action plan and the programme specific procedures: the decision is made to issue the student with a warning that continuing failure to satisfy the action plan
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will result in referral to the Fitness to Practise Panel which could affect programme progression. A date will then be set for the second progress review meeting.

- 12.4 At the second progress review meeting, progress with the action plan from the first progress review meeting should be reviewed with the following outcomes:

12.4.1 Where a student satisfies the first progress review meeting action plan: the decision is made that the issue/concern has been resolved and that the Cause for Concern process should be terminated

12.4.2 Where a student only partially satisfies or does not satisfy the first progress review meeting action plan and the programme specific procedures: the decision is made to refer the student to the Fitness to Practise Panel.

- 12.5 Cause for concern issues will remain on the student's file for one year depending on the gravity of the concern.
- 12.6 All involved parties should be informed of outcomes at each stage. All documentary evidence will be made available to all parties throughout the process including referral to a Fitness to Practise Panel and any appeal (unless material must be excluded for data protection or other compliance reasons).

13. Referral to Fitness to Practise

Where it has not been possible to resolve the issue through the Cause for Concern process and there are ongoing significant concerns, the student must be informed in writing that they have been referred to the Fitness to Practise Panel and provided with a copy of the School's Fitness to Practise Policy.

Updated August 2019
Quality & Student Support Team