

Policy: Fitness to Practise. PGCE programmes

From: Southampton Education School

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This guide explains what to do in relation to any fitness to practise situation affecting a University of Southampton PGCE trainee.

Should a partnership school have any concerns with regards to a trainee's fitness to practise, **the procedures below must be followed by the ITE Coordinator and/or Mentor in the school.**

Relevant supporting documentation is available via the Partnership webpage.

Fitness to Practise: What does it mean?

Fitness to Practise means having the **skills, knowledge, character** and **health** to practise the profession safely and effectively. As trainees are students on a programme leading to registration with a Professional, Statutory and Regulatory Body (DfE), they are expected to demonstrate that they will be able to meet the professional standards expected by the teaching profession.

Developing trainees' skills, knowledge and professional values for safe and effective practice are part of the overall programme of education they are following. Trainees receive feedback and are regularly assessed on these aspects of their Fitness to Practise, both in theory and during their Placement Experiences. However, a trainee's Fitness to Practise is not just about their skills and knowledge.

Fitness to Practise also includes issues relating to a trainee's **conduct & character**. This involves anything that they do in their professional or personal life that may impact upon the public and pupils - particularly their safety or the trust and confidence that they place in the education profession.

A trainee's own **health and well-being** are other important parts of their Fitness to Practise; therefore we have a role in supporting trainees to maintain sufficient health & well-being to practise safely and effectively. To achieve this, we work in partnership with the trainee and the University's chosen Occupational Health service, as well as with placement schools who are members of the University of Southampton School Partnership.

What issues might raise concern about a student's Fitness to Practice?

A range of issues may raise concern about Fitness to Practise amongst students. Examples of these are:

- Health or Disability Concerns
- Cheating or Plagiarising
- Inappropriate use of Social Media (in line with teacher union guidance)- reputational damage to school/uni. Respectful of school ethos . Honesty and transparency.
- Failure to comply with Programme Requirements (*non-attendance, vaccination requirements etc*)

- Breach of Confidentiality
- Dishonesty or Fraud (*DfE Student Bursary, Falsifying Qualifications or Documents etc*)
- Drug, Alcohol or Substance Misuse
- Inappropriate or Unprofessional Attitudes or Behaviour
- Aggressive, Violent, Threatening or Bullying Behaviour
- Criminal Conviction or Caution.

What is the process when there is a concern about a trainee's fitness to practice?

Anyone concerned about the behaviour, health and/or professional conduct of a student has a right to raise concern. The Fitness to Practise policy (i) protects the public and pupils; and (ii) supports the trainee in the development of their Fitness to Practise; by using a staged approach to dealing with any matters of concern.

We always start with an informal approach and the majority of concerns are managed at the Informal Stage (Stage One) of our processes.

Our process has one pre-stage and two FTP stages:

- **Pre-investigation stage** – when concerns are initially raised by a person or party with the PGCE tutor
- **Informal Stage (Stage One)** – at Southampton Education School level with the PGCE team and partners
- **Formal Investigation Stage (Stage Two)** – at faculty FTP level with partnership school representation

Whilst the ultimate goal of any Fitness to Practise processes is to protect the public and pupils, we recognise that PGCE trainees are still learning about the expectations and standards of conduct of their intended profession. Very often our recommendations to trainees emphasize what a trainee can do to promote their learning and professional development to enhance their conduct and behaviour. This is often the outcome at the Informal Stage of our processes.

Sometimes our processes recommend that there is additional monitoring of a trainee's progress. This may include initiating a Progress Alert or a Cause for Concern. In exceptional circumstances (after the Formal Stage of our process) the Fitness to Practice panel may recommend that a trainee is discontinued from their programme of study.

At all stages of the process, we advise that trainees seek appropriate support, and ask any questions that they may have at the time. Trainees and school placement staff are also asked to remember the need for confidentiality, and acting honestly in any account of any events. Trainees are reminded that acting honestly means more than simply answering questions truthfully. It would be dishonest of a trainee to allow the Committee to gain a false impression of a situation even if the trainee did not actually lie to do so. Acting honestly throughout the Fitness to Practise process demonstrates appropriate professional values, and is likely to positively influence the decisions made by the Committee.

The following pen portraits outline indicative examples of concern in relation to Part 2 of the Teachers Standards and how these might fit into our staged model described above:

Secure	Stage 1- examples	Stage 2- examples
Treats pupils with dignity, building relationships rooted in mutual respect and at all times observing proper boundaries appropriate to a teacher's professional position	<p>On one occasion, is observed intimidating a class/individual pupil or being overly aggressive</p> <p>Is noted that a student teacher swears in front of (not at) pupils</p> <p>Is noted that a student teacher is sharing inappropriate information with a pupil such as discussing details of their relationship</p> <p>Despite school protocol, a student teacher invites pupils in a sixth form class to address them by their first name</p>	<p>Hits a pupil</p> <p>Swears at a pupil, a class or a member of staff</p> <p>Manhandles a pupil inappropriately</p> <p>Arranges to meet a pupil in a social situation (out of school)</p>
has regard for the need to safeguard pupils' well-being, in accordance with statutory provisions and shows tolerance and respect for the rights of others	<p>After a pupil discloses something to a student teacher, he/she fails to report this to an appropriate person (in accordance with school guidance)</p> <p>Fails to attend a mandatory safeguarding training in school</p>	<p>Is found to have deliberately withheld information regarding a safeguarding incident.</p> <p>Is found to have put the wellbeing of a pupil at risk</p>
Does not undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs	<p>Fails to complete PREVENT training</p> <p>Is observed making a joke about the practice of wearing a hijab</p> <p>Is overheard making inappropriate indirect comments in relation religious/racist/sexist/trans or homophobic sentiment</p>	<p>Makes a direct attempt to recruit a pupil to a political or religious organisation</p> <p>Directs anti religious/racist/sexist/trans or homophobic comments at a pupil or member of staff</p>

Secure	Stage 1- examples	Stage 2- examples
Ensures that personal beliefs are not expressed in ways that exploit pupils' vulnerability or might lead them to break the law	<p>Is overheard discussing drug taking outside of an appropriate context such as a PSHEE lesson/science</p> <p>Glorifies details of their own past including moments where they had a brush with the law</p>	Discusses their own drug taking habit with a pupil
Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards of attendance and punctuality	<p>Regularly arrives late on Monday mornings for staff briefing and hasn't responded to requests that they arrive on time leaving before the end of the school day staying at least until the children have left the building</p> <p>On a number of occasions, fails to notify the appropriate person in school or university of an absence and fails to set work as required, despite being asked to do so. Or failing to notify member of staff when leaving the premises.</p> <p>Fails to adhere to school data protection policies but leaving pupil data sheets in an insecure place</p> <p>Hasn't set appropriate privacy settings on social media sites which has enabled pupils to access these</p> <p>Recognition of the business of school life and the day to day demands on teachers with whom you are on placement.</p>	Shows flagrant disregard for school data protection by sharing information about named pupils and/or staff on social media
Teachers must have an understanding of, and always act within, the frameworks which set out their professional duties and responsibilities	Fails to work within the scope of statutory guidance and has failed to respond to warnings in relation to this	Disregards legal frameworks such the Equality Act 2010

What are the stages of raising a concern about a trainee's fitness to Practice?

Pre-investigation stage - notification

- 1) The person or persons raising the concern should notify the relevant **PGCE tutor** by email or by phone.
- 2) The relevant PGCE staff, in consultation with programme leaders, will then consider the merits of the concern.

Stage 1- informal stage

In this stage, the PGCE Team review the information that we receive and decide how best to deal with the concerns raised. Remember that we successfully deal with most concerns at this Informal stage of our FTP processes.

- 1) **Informal meeting** is scheduled to discuss the concerns. Usually, this involves both the trainee **and** the Partnership School staff or concern-raiser and the relevant University tutor to discuss the matter. We will write to the trainee briefly outlining the nature of the concern so that the trainee is aware of this. This gives the trainee an opportunity to seek help and support before the meeting.
- 2) At this **Informal Meeting** we will listen to the trainee's explanation of events as well as that of the concerned party/s, and decide how to best to deal with the issues raised and how to proceed. In most cases, we suggest guidance and a range of further support (e.g. from the University Tutor, Student Hub or Disability and Inclusion Services).
- 3) If a concern is confirmed at this meeting, possible next steps may include an intervention such as a Progress Alert or a Cause for Concern.

The person or people who raise the concern must follow the FTP stage of guidance at all times.

The student will remain in placement/programme until such time that stage 1 and 2 stage of FTP investigation (Stage One below) commences. There can be no changes made to the trainee's entitlement of training programme at stage 1 or 2 of this process.

Stage 2- formal investigation stage

In some cases, we decide that we need further information in order to make a decision, or that the concern is more severe and the trainee will progress to Stage Two of Fitness to Practise process (see Stage Two below) which is an **Investigation** or **Assessment**. In this case, it will be decided at this stage whether the trainee's placement may continue, or should be temporarily halted, whilst the second stage of the FTP procedure is undertaken. **This should be a collaborative decision with the University and the placement school.**

- 1) If the concern about the trainee's Fitness to Practise is about their **health or well-being**, this will involve a referral for an Occupational Health **assessment**. The appointment details will be emailed to the trainee's University email address. This is a confidential appointment between the trainee and the chosen Occupational Health team. The outcome will be reported back to the programme leadership with the trainee's consent and we will then be able to discuss and plan for any recommended adjustments, support or other follow up to enable the trainee to practise safely.
- 2) If the concern is about a trainee's **conduct & character**, we will recommend an **Investigation**. Here, an **Investigating Officer** is identified and appointed to examine and explore the concern about their conduct and character in greater detail. The **Investigating Officer** will be an academic member of staff who has not been involved in the raising of the concern and does not have a significant relationship with the trainee.

- 3) The **Investigation** is carried out as quickly as possible and aims to minimise disruption to the trainee's programme of study, however this may not be always possible. The trainee and other relevant people will be interviewed as part of the **Investigation**. It is very important to maintain confidentiality during the **Investigation** process and for all parties to uphold Part 2 of the Teacher Standards at all times.

It is vitally important that the trainee and any other parties act honestly at all times when being interviewed by the Investigating Officer. Acting honestly means more than simply answering questions truthfully. It would be dishonest of a trainee to allow the Investigating Officer to gain a false impression of a situation even if the trainee did not actually lie to do so. Acting honestly throughout the Investigation process demonstrates appropriate professional values and is likely to positively influence the decisions made by the investigating officer

The purpose of an **Investigation** is to:

- Identify the exact nature of the concern(s)/issue(s)
- Identify, collate and analyse all relevant information exploring the concern(s)/issue(s)
- Identify whether the information gathered points to a potential risk to public safety, a breach of professional standards, or impacts upon the reputation of the profession relating to QTS (DfE).

The investigating officer will produce a report making a recommendation to an appointed chair of Fitness to Practice panel. The **Investigation Report**, along with all of the supporting evidence, will be reviewed fully by a **Fitness to Practice panel** which will comprise academic staff and Curriculum Quality Associates from across the faculty as well as an external panel member- usually a headteacher- from a Partnership school.

The trainee will be invited to attend a discussion with the Fitness to Practice panel and provided with all the relevant evidence being discussed.

Following the Fitness to Practice panel meeting:

Possible outcomes or sanctions may include the following.

That the trainee is **Fit to Practise** and is:

- permitted to continue on the programme without change
- permitted to continue on the programme in conjunction with provisos determined by the Panel
- permitted to continue with the programme under close supervision
- permitted to continue on the programme but with a formal reprimand or warning placed on the trainee's file.

That the trainee is **not Fit to Practise** and:

- is required to undertake an occupational health assessment
- the trainee's studies are suspended until such time as any undertakings, recommendations or conditions imposed by the Committee have been fully met (normally an occupational health assessment)
- the trainee is required to undertake any other action considered appropriate by the Committee to enable their successful completion of the remainder of the programme
- a recommendation is made to the Chair of the Board of Studies that the trainee's programme of study leading to a professional qualification be terminated but that the trainee be permitted to seek admission to an alternative academic qualification.

- a recommendation is made to the Chair of the Board of Studies that the trainee's programme is terminated and that they are required to withdraw from the University. Subject to the recommendation of a Progression and Award Board, the trainee may be eligible to receive any lower exit award to which they are entitled.

Trainees have the right to appeal the decision reached by a Fitness to Practice panel.

What support is available during this process?

It is important that the trainee does not go through this alone, but arranges for someone to help them prepare for, and accompany them to the Fitness to Practise formal stage

Under University regulations any trainee is entitled to be accompanied by a representative or president or full-time officer of the University of Southampton Students' Union (SUSU). These give professional, independent and confidential advice, guidance and information on student academic and welfare issues, assists and represents students at all stages of the Fitness to Practise processes and signposts to University Student Support Services.

They are likely to want to meet with the trainee beforehand, and to discuss the issues with the trainee, and it is vital that they have as much notice as possible.

If the trainee has any queries or concerns regarding the processes outline above they can contact their university tutor at any time.