

REAch Teach SCITT Fitness to Practise process

Fitness to practise is defined as the “ability to meet professional standards; it is about character, professional competence and health” (Office of Independent Adjudicators). Concerns about a trainee’s fitness to practise may arise at any time once a trainee has accepted a place on the REAch Teach training programme, and the purpose of this document is to share clear procedures for dealing with concerns raised by REAch Teach staff, partnership schools or a Trainee themselves about the individual’s fitness to practise.

As an accredited provider of ITT, REAch Teach “has a duty to:

- ensure that trainees are fit to practise in the profession, or will be when they complete the course;
- protect present or future pupils, colleagues and members of the public;
- safeguard public confidence in the profession;
- comply with the requirements of professional/regulatory bodies; and
- ensure that students are not awarded a qualification that permits them to practise a profession if they are not fit to do so”

Office of Independent Adjudicators

This process should be read in conjunction with REAch2 policies including:

- Safeguarding, including Safer Recruitment
- Disciplinary
- Health and Safety
- Complaints

And REAch Teach policies:

- Admissions
- Trainee Progress and Assessment
- Trainee Attendance and Engagement

Trainees must agree to adhere to the *professional* requirements of the course prior to commencement, outlined in the Trainee Contract and the Code of Conduct which are agreed and signed by the trainee at the start of their training. The requirements that pertain to Fitness to Practise include (but are not limited to):

- Disclosure of any relevant previous convictions. The relevance of a conviction will be determined based on the nature of the course, the conviction itself, and the time elapsed since the conviction;
- Past instances where the trainee may have been deemed not fit to practise or unsafe to work with children;

- Physical, mental, or cognitive impairments or health conditions that might impact their ability to meet the professional standards required by the course;
- Failure to seek help or engage with appropriate services in relation to health issues
- Relevant aspects of personal history

Please see examples of specific behaviours that may lead to fitness to practise concerns in Appendix 2.

Fitness to practise covers 3 key elements:

1. Health (physical or mental) disclosure or concerns raised by others
2. Safeguarding disclosures or concerns raised by others (guided by REAch2 Disciplinary policy)
3. Other disclosure or concerns (including misconduct, guided by REAch2 Disciplinary policy)

Supporting the trainee to achieve fitness to practise

A question over a trainee's fitness to practise may arise at any time throughout the trainee's studies. It is always REAch Teach's aim to support trainees to achieve fitness to practise, in ensuring that trainees understand why the professional standards are important and what this means for them.

REAch Teach provides trainees with clear guidance about what they need to disclose at the point of recruitment and at induction. Trainees are made aware at the earliest opportunity, and always before they attend schools, of the expected standards of behaviour, and the consequences of breaching those standards. This is clearly laid out in the Trainee Code of Conduct and Trainee Contract.

Trainees are expected to behave professionally and competently at all times, but those who fall short of the expected standards of professionalism and competence early in their studies are more likely to have the chance to improve their behaviour than those nearing the end. It is the responsibility of REAch Teach to teach, train, mentor and support trainees towards the standards that apply at each point in the programmes.

Health and disability

Sometimes fitness to practise concerns are related to the trainee's mental or physical health, or to a disability. REAch Teach endeavours to always make reasonable adjustments for disabled trainees in relation to a provision, criterion or practice other than a competence standard.

A competence standard is defined in the Equality Act as "an academic, medical or other standard applied for the purpose of determining whether a person has a particular level of competence or ability".

REAch Teach embraces its responsibility to ensure that trainees are properly supported during placements and training. The REAch Teach team will agree with the trainee before the placement starts what information can be shared with the placement to make sure that support is in place.

REAch Teach will consider what evidence, if any, it requires from the trainee so that it can properly assess their fitness to practise and support them in their studies. At recruitment, this will include a medical questionnaire and possibly meeting with Occupational Health, and through the year may include medical evidence and/ or a occupational health management referral.

REAch Teach has an anticipatory duty to make reasonable adjustments for disabled trainees. It will work with disabled students and disabled people's organisations when considering how best to remove barriers to learning. Where trainees think that they might need additional support it is important for them to tell the REAch Teach team who will ensure there is a supportive environment that encourages trainees to disclose and that trainees understand the need for insight into their condition. The REAch Teach team will explain to trainees that they need to tell their Lead Mentor or Regional ITT Lead if there is anything that might affect their ability to study or fulfil competence and for which they might need additional support, even if they don't want to give details of what it is.

It should be noted that, in some cases, REAch Teach may be able to give a disabled trainee more support than might be available in the workplace. This might mean that REAch Teach can support the trainee to achieve the necessary professional and academic standards, but that they might not be able to practice because their support needs cannot be met in the workplace. If this is known to be a possible issue, REAch Teach will explain to the trainee at the application stage (or as early as it becomes apparent) that there is a risk they may not be able to practise their profession, so that they can make an informed choice about whether to begin their training.

Good fitness to practise procedures

- All documentation is written in straightforward language, accessible to trainees with external links updated regularly.

Procedures are fair and will follow the principles of "natural justice", which means that:

- No one should be a judge in their own cause" – decision makers must come to matters without bias or a reasonable perception of bias;
- "Hear the other side" – each party must have a fair hearing;
- "Justice delayed is justice denied" – the process must be completed without delay. In addition, decision makers must make reasonable decisions, and give reasons for their decisions.

Additionally REAch Teach is always mindful that;

- Trainees understand any allegations and/or concerns, and how they relate to the relevant professional standards and the trainee's fitness to practise;
- Reasons should be given for decisions reached about the trainee's health or behaviour, and what to do about it;

- There should be a route of complaint about an outcome (see REAch2 Complaints policy) and the investigation, any hearing and any complaint should occur as quickly as possible, consistent with fairness.
- The National ITT Lead has authority to suspend a trainee, pending investigation, with immediate effect from all or part of a programme where the trainee alleged conduct, health or character is such that it is inappropriate for the trainee to remain on the programme.
- Where a decision has been made that a trainee's fitness to practise may be impaired, the fitness to practise process should normally involve a hearing before a specialist panel.
- If the facts have not already been established (for example in criminal proceedings or disciplinary proceedings), the hearing should be a two-step process. The panel must first establish the facts and allow the trainee an opportunity to put forward their defence. A series of steps outlined later in this document will be followed.

Confidentiality and anonymity

Information about trainees who are subject to fitness to practise proceedings will be kept confidential as far as possible. The information will be disclosed to as few people as possible, and only to those involved in investigating or deciding the matter. Sensitive information will not be disclosed to panel members until

their membership has been confirmed (so that the trainee has had an opportunity to object to a panel member, for example on grounds of bias, before they have seen the sensitive information). In rare cases data may also be shared with the employer or Local Authority Designated Officer.

If a person makes an anonymous complaint about a trainee, for example under whistleblowing procedures, REAch Teach will take extra care to ensure that it investigates the concerns carefully. Those investigating the concerns will normally need to know the identity of the person making the complaint so that they can rule out the possibility that the report is made maliciously.

Witnesses who are giving their professional opinion are not expected to be anonymous. If the witness does not agree to the student knowing their identity it may not be appropriate to rely on their evidence. Where evidence comes from schools during a placement, the placement provider will need to protect the confidentiality of school staff or pupils, particularly where those are children. In these cases, REAch Teach will obtain as much information and evidence from the school as possible. This may include a summary of allegations made by staff or pupils, or anonymised witness statements. In every case the trainee needs to have enough information about the concerns raised to be able to respond to them.

Process after disclosure/concern

Fitness to practise may be considered on the basis of a broad range of disclosures or concerns (see Appendix 1) which are considered and investigated as appropriate either under the REAch2 Disciplinary policy (for misconduct related concerns including Safeguarding) or through Phase 2 of the Fitness to Practise process (health concern).

Preliminary stage: Concern Raised (*if the concern has not originated as the outcome of a disciplinary process*)

- Where a concern has been raised to any member of the REAch Teach team, or school staff, this should be escalated to the National ITT Lead at the earliest possible time to determine whether the concern is connected to misconduct (including Safeguarding) or health.
- Where the National ITT Lead and/or the Head Teacher of the trainee's school and/or other suitable expert colleagues consider that the trainee appears to be, prima facie, unfit to practise, an informal meeting will be arranged with the trainee to discuss the concerns and next steps under the Fitness to Practise processes. They will be made aware that the consequence of non-compliance may be the early termination of the training. The trainee will be notified of this in writing within five working days of the meeting.
- Trainees need to be able to demonstrate that they have the necessary insight into their behaviour or the issues leading to concerns about their fitness to practise. As part of this process, the National ITT Lead may ask the student to complete a piece of work to reflect on their practice. It will be made clear to the trainee what the purpose of this work is, how it will be assessed and the resulting consequences if the trainee doesn't complete it to a satisfactory standard.
- As part of the commitment to teaching, training, mentoring and support, REAch Teach will tell the trainee if concerns have been raised about their practice or behaviour, even if no action is taken. If a record of the concerns about the student is kept then the trainee will be allowed to respond to them if they wish.

REAch Teach may bypass the "cause for concern" part of procedures if the issue leading to the fitness to practise concern is sufficiently serious or has originated as an outcome of a Disciplinary investigation. This may also be appropriate for example if the trainee has harmed or is at risk of harming others, or if fitness to practise concerns have arisen following a criminal conviction. It may also be appropriate to move to the more formal stages of the procedure if the trainee disputes the events or behaviour giving rise to the cause for concern. This is to ensure that the trainee has a fair opportunity to present their case.

When immediate action is required during a fitness to practise investigation

Where a trainee may be a danger to themselves or others, REAch Teach has a responsibility to do what it can to protect their trainees, staff, schools, and members of the public. In some cases, REAch Teach may need to take immediate action, particularly where a trainee is undertaking a placement.

These may include, but are not limited to:

- cases involving a threat of serious harm to the trainee and/or others;
- cases involving gross misconduct/serious incidences of unprofessional behaviour;
- cases where a trainee has demonstrated unsafe practice;
- cases where the trainee's mental health is at risk; or
- cases raising serious safeguarding concerns.

The National ITT Lead has the authority to temporarily remove a trainee from placement but may allow them to continue to attend academic teaching, if appropriate. On occasion, trainees may be suspended from both aspects of the training.

Phase 1: Investigation

Where the investigator believes that the student's fitness to practise may be impaired, the matter should be referred to a fitness to practise panel hearing. The investigator may present the case to the panel but will not be involved in the panel's decision making.

Phase 2: Fitness to practise panel hearing

Hearings will be held by an independent.

Where the fitness to practise concerns relate to something that has not been proven (e.g. a serious health concern), the panel must first establish the facts and allow the trainee an opportunity to put forward their case.

Once facts have been ascertained, the role of the panel will be to consider whether the established facts lead to a genuine fitness to practise concern and, if so, what action should be taken.

All panel members will be properly trained so that they have a clear understanding of the process, the remit of the panel, the possible outcomes, relevant professional requirements and equalities legislation. The panel should include at least one professional with relevant expertise in fitness to practise issues.

The Panel will comprise the National ITT Lead, at least one member of the SCITT Oversight Board with the remaining members relevant expert colleagues from within REAch2 (e.g. Safeguarding, HR, Health and Safety). If the panel were unable to agree a majority vote may be used to reach a decision.

The trainee may be accompanied by a friend or Trade Union representative. If the trainee chooses not to attend meetings without good reason, it is important to note that the meetings may be held in their absence.

The hearing or meeting will be arranged promptly, and the trainee should be given adequate notice of it. This includes informing the student of the purpose of the meeting or hearing; of their right to attend; how to access advice and support; their right to be accompanied and/or represented and what role any representative or companion is permitted to play in the hearing or meeting.

The trainee will be provided with information about who will be on the panel and who will attend and what their role will be. Trainees will be given a copy of the information to be considered before the hearing (evidence bundles and addendums).

REAch Teach has a responsibility to ensure a balance of panel members and those members should have had no previous involvement in the fitness to practise concerns for the trainee. The panel should include some members who are completely independent and occasionally it may be

necessary to invite staff from other institutions. The trainee will have the right to object to a panel member before information about their case has been disclosed to panel members.

Fitness to practise procedures are internal and will not be unduly formal. It will not normally be necessary for a trainee or the provider to be legally represented at a fitness to practise hearing, but it is permitted where there are good reasons with the agreement of REAch Teach.

A written record will be kept of any meeting or hearing, setting out who attended, a brief outline of the proceedings and the reasons for the decisions taken, including the outcome for the trainee and/ or any conditions applied. The reasons given will be detailed enough to enable the trainee to understand the reasons for the decision. For complex cases, REAch Teach may make a recording or full transcript of the meeting or hearing to support comprehensive minutes. The trainee will not be permitted to make any recordings of the meeting.

The written record will include details of any disciplinary decision or criminal conviction that led to the fitness to practise concerns.

Sometimes it is relevant for the panel to consider a trainee's previous disciplinary and fitness to practise record and, if relevant, their health record, when determining their overall fitness to practise.

Decision Making

Panel members must exercise their own personal and professional judgment in coming to a conclusion regarding the decision and sanction. They must ensure that any recommended sanction is proportionate to the behaviour causing concern, and that it will deal effectively with the fitness to practise issue(s).

If the trainee has a conviction or caution the relevance, seriousness and circumstances in which the offence was committed must be taken into account. For example:

- Whether the conviction or caution was disclosed
- The relevance of the offense to the chosen profession
- The degree of risk posed to children/public
- The circumstances surrounding the offence
- The trainee's explanation of the offence
- The trainee's commitment to work safely and effectively, upholding the trust and confidence of pupils/public.

Outcomes and conditions imposed by the fitness to practise panel

A finding that a trainee is not fit to practise may result in the trainee being removed from their course, with little chance that they will be able to train elsewhere. The list of possible outcomes is in the box below.

Where a panel puts in place conditions that the trainee needs to meet, those conditions will be proportionate, carefully explained to the trainee, and have a clear and demonstrable outcome. If the conditions are related to the trainee's health the panel should tell the trainee what evidence

they will need, for example a satisfactory occupational health report, before they can resume their studies.

The decision as to what action to take when a trainee's fitness to practise is found to be impaired will usually require professional judgment. The panel will explain the reasons for the action or actions it has decided to take, especially in cases where the action has serious consequences and may prevent the trainee from starting or continuing with their intended career.

Before reaching a decision about what action it should take, the panel considers each option, starting with the least serious. The intention is not to punish the trainee, but to act proportionately where there is a need to protect schools, REAch Teach or preserve public confidence in the profession. The panel has the responsibility to explain what they have decided to do, why remedial action is not considered to be possible and how the decision relates to the relevant professional requirements.

The panel will also consider mitigating and aggravating factors, such as the level of insight the trainee has shown, evidence of good practice, personal circumstances and previous disciplinary concerns or patterns of behaviour. The trainee should be given the opportunity to put forward any mitigating factors before the panel decides what action it should take.

If the panel concludes that the trainee is currently unfit to practise, but that they may become fit to practise in the future, it will explain to the trainee what steps they may be able to take to resume their studies.

If the panel concludes that the trainee is unfit to practise and should be terminated from the programme, the panel should consider whether the trainee can be given an exit award.

REAch Teach may have to report to the professional body or regulator that the trainee has been withdrawn from their course because they are not fit to practise. This will be explained to the student and whether the outcome will also need to be disclosed by the trainee when applying for other regulated courses.

Where the case has been found against the trainee, the Panel decision and sanctions will be conveyed in writing to the relevant QTS Assessment and University Examination Boards. The Chair of the panel will be responsible for communicating the outcome and sanctions to the trainee (as outlined below) and all relevant parties, including regulatory bodies and other organisations as required.

In the event that the panel comes to a view where it is felt that wider public interest may be involved, guidance and assistance will be requested from REAch Teach's solicitors.

Outcomes and sanctions made by the Panel will be clearly documented and will be attached to the relevant trainee file. Any subsequent incidents may be considered in light of earlier warnings.

Possible Outcomes

There are two possible outcomes:

1. No case to answer – The trainee receives no warning or sanction as there is no case to answer. However the trainee is supported to reflect on their situation and experience.

2. Case to answer and the Panel recommends a specific outcome as detailed below. More than one outcome may be imposed:
 - Securing an apology from the trainee
 - The trainee receives a warning if there is evidence of misconduct but the trainee fitness to practise is not impaired to a point of requiring any of the actions listed below
 - The trainee receives a sanction – beginning with the least severe and proportionate to the risk as follows:
 - a. Requiring a successful fitness to teach assessment by Occupational Health
 - b. Additional training to be undertaken
 - c. Requiring the trainee to retake part of the programme, which may incur an extended timeframe to achieve recommendation for QTS
 - d. Withdrawal from the professional programme with the ability to re-register in the future

Concluding the formal stage

The chair of the panel will write to the trainee setting out the outcome of the formal stage, giving a clear explanation of, and setting out the reasons for its decision and any conditions in straightforward language. The decision letter will give information about:

- a. the trainee's right to appeal and the grounds on which they can do so
- b. the time limit for submitting an appeal
- c. the appropriate procedure; and
- d. where and how to access support.

If the trainee does not appeal within the time limit for doing so, REAch Teach will close the matter. A Completion of Procedures Letter will be issued at this stage if the trainee asks for one, which will explain that the trainee has not completed the REAch Teach internal processes.

Grounds for Appeal

There is no right of appeal by the trainee against the professional judgment of the panel. Complaints against the decision of the panel can be made on four grounds;

- a. there is evidence of procedural irregularity, where the trainee can evidence that the REAch Teach Primary Partnership has failed to adhere to its own stated policy and procedures.
- b. the trainee has new information to present which, had it been available at the time, might have affected the panel's decision. It should be noted that if this information was available at the time of the investigation, but was not disclosed for any reason, it will not be considered as new information.
- c. there is evidence of bias or prejudice in the decision
- d. that the action the panel has decided to take is disproportionate, or not permitted under the procedures.

The Appeal Stage

The trainee is permitted to appeal against a fitness to practise decision, including the action the panel has decided to take. Notice of any appeal must be given in writing to the National ITT Lead within five working days of the written notification to the trainee of the outcome of the panel, clearly stating the grounds upon which the appeal is made.

REAch Teach may decide to reject an appeal without assembling an appeal panel if the trainee's appeal submission does not fall within one of the grounds set out above, or if it is submitted out of time without a good reason. The person making a decision not to assemble an appeal panel should not have had any previous involvement in deciding the trainee's fitness to practise (or, if relevant, in any related disciplinary proceedings). It is important that the decision maker understands the parameters of their role, and maintains the distinction between deciding whether the trainee may have grounds for an appeal, and establishing whether the appeal the trainee is making should be upheld. If the appeal is rejected without being put to an appeal panel, REAch Teach will issue a Completion of Procedures Letter at this stage, explaining its decision.

An appeal may be considered at a hearing or only on the basis of written submissions. The appeal stage may involve a review of the formal stage or a complete rehearing of the case. The appeal panel cannot overturn the outcome of the formal stage and the matter would be referred back to the formal stage for reconsideration. The appeal panel will consist of members who have not been involved at a previous stage.

Trainees may access support and advice from their Regional ITT Lead during the appeal process. If the appeal is not upheld, or is not permitted to proceed under the grounds of appeal, a Completion of Procedures Letter will be sent to the trainee within 28 days. This will include an explanation of the decision reached and the reasons for it, in straightforward language. This will help the trainee to decide whether to pursue the matter further.

The decision should also advise the trainee about:

- their right to submit a complaint to the OIA for review;
- that the time limit for doing so is 12 months from the date of the Completion of Procedures Letter.
- where and how to access advice and support, especially where the panel has set conditions that the trainee must meet before they can continue with their studies.

Where an appeal is upheld, REAch Teach will give the trainee a written outcome that explains what action they will take. A Completion of Procedures Letter should be issued if the trainee asks for one.

If the outcome involves referring the case back to the formal stage for reconsideration the reconsideration will be concluded as soon as possible and, where practical, within a 90-day timeframe.

Guiding Principles

If the facts have not already been established (for example in criminal proceedings or disciplinary proceedings), the hearing will be a two-step process. A panel will be convened who will establish the facts and allow the trainee an opportunity to put forward their defence. This will be informed and guided by the steps and principles outlined in the Disciplinary procedures section of the OIA Good Practice Framework.

Once the facts giving rise to the fitness to practise concerns have been proven, either through a separate disciplinary procedure or a criminal conviction, or during the fitness to practise hearing, the panel will need to consider whether the established facts lead to a genuine fitness to practise concern and, if so, what action should be taken.

All procedures are underpinned by two key principles:

1. Burden of proof: The “burden of proof” determines whose responsibility it is to prove an issue. In a fitness to practise case the burden of proof should be on the provider, that is, the provider must prove that the student has done what they are accused of doing. For example, if a trainee is accused of being rude to colleagues during a placement, the provider will need to produce evidence to prove this and explain how this impairs the student’s fitness to practise.
2. If REAch Teach has produced evidence to prove an allegation, if the trainee disputes the allegation they will need to provide evidence to rebut it. Trainees will also need to prove any mitigating factors that they wish to rely on.
3. Standard of proof: The “standard of proof” is the level of proof required. In legal proceedings the standard of proof in criminal cases is normally “beyond reasonable doubt”, which is a very high standard. In civil cases it is normally “the balance of probabilities”, that is, it is more likely than not that something happened. Although the “balance of probabilities” standard is lower than “beyond reasonable doubt”, decisions must still be supported by evidence. The standard is higher than simply believing that something is likely to have happened.

Behaviour that amounts to a criminal offence

If the police or courts are involved, REAch Teach will normally wait for the outcome of the investigation or proceedings before conducting an internal investigation, keeping in touch with the trainee(s) involved and with the police where appropriate during this process.

REAch Teach may need to take some form of temporary action against the trainee, in order to protect other trainees, staff members and schools, e.g. a trainee may be suspended from their placement. REAch Teach will consider each case individually, weighing up the risk to others against the potential disadvantages to the trainee of what might be a long suspension while the criminal investigation is happening.

Where a trainee is acquitted of a criminal offence, or where the criminal investigation has been dropped, REAch Teach may still take action under disciplinary and/or fitness to practise processes.

If the trainee is convicted of a criminal offence, the role of the fitness to practise panel is to determine whether what the trainee has done impairs their fitness to practise.

Record Keeping

REAch Teach will ensure that they keep proportionate records of fitness to practise proceedings and outcomes. Records will be kept even when the proceedings don't result in any action being taken against the trainee as behaviour or concerns that are not considered serious enough to need any action may be relevant in later proceedings if the trainee behaves in a similar way again or other concerns are raised. REAch Teach will keep a record even if the trainee is completely exonerated in case a dispute later arises about the proceedings or outcome. Such records will be kept in line with REAch2 Data Retention protocols, and they might be disclosed to other bodies if it is related to safeguarding concerns or if ordered to do so by a court.

Wellbeing of trainees

Wellbeing of the trainees on the REAch Teach programme is of paramount importance at all times. It is acknowledged that involvement in the Fitness to Practise process may also unavoidably cause the trainee stress. Programme staff will seek to manage and minimise this as much as possible through a commitment to clear communication of expectations, timescales and possible outcomes, and the right to a fair and respectful process, which includes an efficient process.

Right to be accompanied

Trainees have the right to be accompanied at meetings (e.g. by a Trade Union representative or supportive other) held as part of this process. REAch Teach reserve the right to veto the choice of supportive friends if their presence would prejudice proceedings or where there might be a conflict of interest (e.g. it is unlikely to be permitted that the representative would be another trainee on the programme). The representative cannot interact with proceedings or answer questions on behalf of the trainee, but is present to support the trainee's wellbeing. Trainees are not able to bring legal representation to proceedings unless proceedings are deemed sufficiently complex and agreement is given by REAch Teach.

It is the responsibility of the trainee to make arrangements for their representative to attend. Trainees who are unable to attend any formal meeting because their representative cannot also

attend, may offer a reasonable alternative date for the meeting to be held. The proposed alternative date must be within five working days of the original date.

Wellbeing support

All trainees have access to the REAch2 wellbeing support package at all times, including access to the Employee Assistance Programme and online wellbeing resources. Trainees also have access to the university Support Services through Bath Spa University, which includes a comprehensive package of wellbeing support.

In addition, trainees are encouraged to discuss any wellbeing concerns with their Lead Mentor or Regional ITT Lead so support can be provided.

Reasonable Adjustments

Each case will be considered on its own merits. In cases where the trainee is not well enough to participate they will be offered time away from their studies until their health is improved sufficiently to participate in the process. The fitness to practise process will start again when the trainee is ready to return.

Fitness to practise is not disciplinary in nature and is distinct from the REAch Teach Support Process which is linked to progress and development. A disciplinary matter might lead to fitness to practise proceedings if the behaviour that led to disciplinary action against the trainee calls into question the trainee's fitness to practise.

If a separate disciplinary process is conducted before fitness to practise proceedings, the trainee will be given the opportunity to complain about the outcome of the disciplinary before the fitness to practise panel is invoked. If the trainee is disputing the facts of the case, fitness to practise proceedings will not usually be started until the internal disciplinary procedure is concluded. It may be necessary to take immediate action to protect the trainee or others.

Where a trainee submits a complaint during fitness to practise proceedings, it may be appropriate to pause the fitness to practise process while the complaint is being investigated. This will depend on the nature of the fitness to practise concerns and the nature of the complaint, and how they relate to one another. Where the issues are closely related, it will normally be appropriate for REAch Teach representatives to consider the issues raised in the complaint as part of the fitness to practise process. REAch Teach will keep trainees informed about which process is being followed, what is likely to happen next and likely timeframes.

Appendix 1

Examples of issues that may lead to fitness to practise concerns, if the student's ability to meet professional standards may be impaired, include (but are not limited to):

- health and safety breaches;
- failure to disclose convictions or other information that the student is required to disclose;
- inaccurate or falsified documentation;
- unsafe practice, incompetence or requiring too much supervision;
- academic misconduct (for example plagiarism, cheating in examinations, forging records); safeguarding concerns;
- poor mental or physical health or serious physical impairment that interferes with the student's ability to practise safely (see section on Health and disability issues);
- failure to seek help or engage with appropriate services in relation to health issues;
- poor communication or language skills.
- ongoing 'low-level' disciplinary offences on or outside the programme (for example antisocial, abusive or threatening behaviour, sexual misconduct, violence, bullying or harassment, damage to property, internet access abuse, substance/alcohol abuse); one-off grave instances of these may also be considered under the REAch2 Disciplinary policy

Unprofessional behaviour, including:

- lack of respect, aggressive or poor attitude, laziness;
- indiscipline, failure to follow dress code, inappropriate use of mobile phone, poor time keeping, poor attendance;
- Persistent failure to self-reflect, lack of insight;
- failure to engage with investigations into unprofessional behaviour;
- poor self-management, lack of personal accountability;
- dishonesty;
- breach of confidentiality
- behaviour away from the training programme, including:
 - o criminal conviction e.g violent offence; offence of dishonesty
 - o disruptive behaviour in the community;
 - o inappropriate use of social media;