

## Fitness to Practise Policy

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## Section 1: Overview

### 1.1 Purpose and scope

- 1.1.1 The programme (specifically year 1, the Postgraduate Diploma in Social Work for Approach Social Work and the 120 year 1 qualifying credits for the Frontline programme) is validated by Social Work England (SWE), and as the regulatory body they require courses to have procedures to deal with concerns raised about fitness to practise, in order that they can be assured that the award of a qualifying Diploma or Masters degree is made only to participants who are considered fit to practise (i.e., that their “conduct, character and health remains suitable for the practice of social work and that they can interact safely with people with lived experience of social work and others”: see the [SWE Education and Training Standards, 2021](#) for further information). SWE may seek additional information from Frontline or from Lancaster University before making their assessment of the participant’s eligibility to register as a social worker.
- 1.1.2 Participants are involved in providing a service to the public under supervision on their practice placements in year 1, prior to registration with SWE, and as qualified social workers in years 2 and 3 (for Approach Social Work). Further to the regulator’s requirements, it is therefore also incumbent on the programme to ensure that participants are fit to practise in social work, to provide safeguards to the public and to meet Frontline’s aim of transforming the lives of children and families who have social workers. This process is aligned with Office of the Independent Adjudicator for Higher Education '[The Good Practice Framework: Fitness to practice](#)' [October 2019](#).
- 1.1.3 Frontline recognises the definition of fitness to practise published by SWE: [What we mean by fitness to practise - Social Work England](#). The programme has been validated by SWE as providing learning opportunities for participants to gain the knowledge and skills necessary to practise as social workers. This policy sets out the procedure which will be followed when a participant’s actions or conduct give rise to concerns regarding their fitness to practise.
- 1.1.4 There are a number of issues that might lead to concerns about a participant’s fitness to practise. The Office of the Independent Adjudicator notes examples of issues that may lead to fitness to practise concerns which are not exhaustive, but may include:
- academic misconduct (for example plagiarism, cheating in examinations, forging records);
  - other disciplinary offences (for example antisocial, abusive or threatening behaviour, sexual misconduct, violence, bullying or harassment, damage to property, internet access abuse, substance/alcohol abuse);
  - health and safety breaches;
  - failure to disclose convictions or other information that the student [participant] is required to disclose;



- inaccurate or falsified placement documentation;
- unsafe practice, incompetence or requiring too much supervision;
- 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;
- failure to self-reflect, lack of insight;
- failure to engage with investigations into unprofessional behaviour;
- poor self-management, lack of personal accountability;
- dishonesty;
- breaking service user confidentiality
- behaviour away from the student's studies, including:
  - criminal conviction e.g. violent offence; offence of dishonesty
  - disruptive behaviour in the community;
  - inappropriate use of social media;
- safeguarding concerns;
- poor mental or physical health or serious physical impairment that interferes with the student's ability to practise safely;
- failure to seek help or engage with appropriate services in relation to health issues;
- poor communication or language skills.

1.1.5 This policy is not intended to replace any disciplinary or fitness to study procedures. However, the outcome of these policies may lead to a fitness to practise issue progressing under this policy.

1.1.6 This policy applies to Frontline and Approach Social Work participants in all years. If concerns are raised about the fitness to practise of an applicant or offer holder who has not yet joined the programme at the start of year 1, they will be investigated via the Suitability for Professional Training policy. In year 1, following the raising of concerns as in section 2.2, Frontline is the only party which can refer a participant to a fitness to practise process. In years 2 and 3 (for Approach Social Work) participants are also employees of local authorities or children's trusts. Depending on the circumstances, a year 2 or 3 (for Approach Social Work) participant may be the subject of their employer's fitness to practise process, Frontline's fitness to practise process or both (see section 3 below). There are some differences in the process for participants when they are not registered with Lancaster University (i.e. during year 2 for Approach Social Work) and these are set out where applicable in sections 2.5 onwards.

## 1.2 General principles

1.2.1 Frontline is committed to ensuring its fitness to practise procedures are carried out fairly and are proportional to the matter under consideration.



- 1.2.2 Information relevant to fitness to practise procedures will be kept confidential, unless there is a risk to the participant, other participants, staff members, children and families or the general public.
- 1.2.3 If a concern has been raised by children or families the participant has been working with, or they have provided evidence, Frontline will ensure their confidentiality is maintained.
- 1.2.4 Participants subject to the fitness to practise process may be accompanied at meetings or hearings by a friend, other supporter, or Students' Union or Union representative. This person will be present to support the participant during the hearing and, while it is expected that the participant will answer questions at meetings or hearings, their supporter will be able to represent them and/or address the panel.
- 1.2.5 Fitness to practise concerns can arise from other procedures, whether internal to Frontline (for example, academic integrity), or external (for example, police or court proceedings). In either case, where an alternative procedure is being followed to establish the validity and extent of a concern, these procedures should normally be completed prior to instigating the fitness to practise policy.
- 1.2.6 Participants are not permitted to graduate from Lancaster University until a determination has been reached in relation to concerns under consideration under this policy.

### **1.3 Responsibilities**

- 1.3.1 The chief social worker is accountable for the effective implementation of the policy.
- 1.3.2 The admissions & support manager is responsible for:
  - chairing fitness to practise panels
  - informing Frontline's Academic Registry and, for participants who are registered with Lancaster University, Lancaster University's Director of Studies for Frontline, of the outcome of a hearing.
- 1.3.3 The heads of delivery or principal practice tutor are responsible for:
  - the overall management of a case;
  - conducting or initiating an investigation or activity to establish the facts of fitness to practise cases;
  - deciding which stage of the Fitness to Practise policy to action;
  - seeking appropriate support and advice on procedural and policy matters;
  - keeping the academic registrar informed when initiating and progressing action under this policy.
- 1.3.4 The academic registrar is responsible for:
  - Informing LU of the initiation and status of any cases in stage 2 of the policy
  - Tracking all Fitness to Practise cases at all stages



- Holding all documents relating to fitness to practise procedures and, for participants who are registered with Lancaster University, sharing relevant information with Lancaster University

1.3.5 The participant is responsible for:

- Engaging with the process openly and honestly
- Providing any mitigating information

## **1.4 Structure of the Policy and Fitness to Practise process**

1.4.1 The policy and fitness to practise process is divided into 2 stages.

1.4.2 Stage 1 is the preliminary stage of the policy and process and is designed to address concerns and support the participant to improve their practise with the support of the practice tutor and consultant social worker through the use of Participant Support Plans (PSPs). This process should also identify any barriers to learning and progression. See section 2.3.

1.4.3 Stage 2 is the formal stage of the policy and process, where concerns about a participant's fitness to practise have reached the threshold in 2.2.4. This stage involves a formal investigation and gathering of evidence which may lead to a fitness to practise hearing. See section 2.5.

## **1.5 Participants with disabilities**

1.5.1 Frontline will consider adjustments participants involved in Fitness to Practise procedures may require.

1.5.2 Where there are sufficient concerns relating to their health, a participant will be asked to undertake an occupational health assessment. Its purpose is to advise Frontline on the fitness of the participant to take part in the fitness to practise process and to advise Frontline of any adjustments that may be required to the fitness to practise process as a consequence of the participant's health.

## **Section 2: Policy and procedures**

### **2.1 Initial assessment of fitness to practise concerns**

2.1.1. When a report or correspondence is received that raises concerns about a participant's fitness to practise the head of delivery (or nominee) will initially assess the concern(s).

2.1.2. The head of delivery (or nominated representative) will record all decisions about any concerns. All such records will be maintained and made available to the participant (although this may be restricted, taking into account data protection and/or confidentiality requirements).

2.1.3. An assessment of concerns may take place following information received by any person at any



time, including (but not limited to) Frontline staff, Local Authority staff, Lancaster University staff, participants, members of the public and professionals from other organisations such as the police, health or education. Concerns may be raised through any medium, including (but not limited to) written reports, email and phone calls. Concerns may also be included in referrals arising from other Frontline procedures including Participant Discipline, Fitness to Study, Academic Integrity, or arising from feedback on assessments.

2.1.4. The head of delivery (or nominated representative) shall conduct whatever enquiries they consider necessary, including but not limited to a review of documentation; obtaining data from the participant's record relating to attendance and to previous concerns (e.g. conduct, academic malpractice, previous fitness to practise); interviewing relevant people (including the participant) and seeking other relevant information in order to more fully understand the concern(s).

2.1.5. The consideration of concerns will be fair, robust, and timely. Due to the dynamic and unpredictable nature of collecting information for the assessment, a time constraint will not be set for this process. It will be completed as quickly as possible: with a target time of within 6 weeks, although it may be longer for complex cases. Following the head of delivery (or nominated representative)'s consideration of concerns, they may determine:

- that there are no causes for concern, or that the report is unsubstantiated, and that no further action is required under this policy.
- that the report should be referred for action under another appropriate Frontline policy.
- that none of the threshold criteria have been reached, but that sufficient concern has been raised in relation to the participant's fitness to practise that a Participant Support Plan (PSP) should be put in place under Stage 1 of this policy.
- that the concerns meet or exceed the threshold for a full investigation and hearing under Stage 2 of the Fitness to Practise policy. The criteria for reaching the threshold for direct referral to stage 2 include, but are not limited to, the following:
  - alleged behaviour which breaches the relevant Social Work England or British Association of Social Workers codes of conduct and ethics;
  - an ongoing behavioural concern which contravenes or undermines the upholding of the SWE Professional Standards;
  - a failure on the part of the participant to meet the necessary standards of proficiency for the profession, to the extent that there are significant concerns about risk to participants, people who use services, or staff members;
  - alleged behaviour which poses a threat to the reputation of the profession;
  - alleged behaviour which presents a risk of harm to people who use services, to other participants or to staff members.

2.1.6. As part of Frontline's duty of care to the participant, where there are any concerns relating to their physical or mental health, a participant will be asked to undertake an occupational health



review at stage 1 and again at stage 2 if appropriate. A participant may refuse to undertake such a review, but would need to be aware that not only would the panel then lack information regarding any mitigating factors that might have been identified by such a review, but also that the panel may be concerned that the participant was reluctant to ensure that their health was not impeding their fitness to practise. For stage 2 cases, depending on the outcome of the occupational health review, a decision will be made by the chair of the Fitness to Practise panel as to what evidence from the occupational health review should be forwarded to a formal hearing. The participant will receive a full copy of the occupational health report.

## **2.2 Stage 1**

- 2.2.1. Stage 1 is for cases that do not meet the threshold for a stage 2 Fitness to Practise investigation. At stage 1 it is intended to put measures in place to address concerns via a Participant Support Plan (PSP). It offers participants the opportunity to improve their practice, as well as allowing staff to better explore the barriers that may be inhibiting participants' progression and their ability to practise effectively.
- 2.2.2. Participants will be informed by their CSW or practice tutor of any concerns raised as soon as possible. They may be asked to reflect on their practice via a verbal and/or written reflective account which will be discussed with them at a Participant Support meeting along with the concerns that have been raised about their fitness to practise. The format and expectations of this meeting will be made clear to the participant prior to it commencing.
- 2.2.3. If participants do not engage with the Participant Support Plan, for instance, by failing to attend a meeting, the head of delivery or their nominated representative may decide to move directly to stage 2.
- 2.2.4. Where improvement measures are agreed at the Participant Support meeting, these should be clearly set out in a Participant Support Plan for the participant along with associated timescales for improvement and review, and the consequences for the participant of not meeting these. Over the agreed timescales, the CSW and practice tutor will monitor whether the participant is meeting the agreed improvement measures culminating in a review. Following the review, the CSW and practice tutor will make recommendations to the head of delivery as to the following outcomes:
  - the participant has made improvements and met all the actions set in the PSP, with no further action required;
  - the participant is making improvements but requires more time to fully address the concerns. The practice tutor will agree a further period of monitoring and arrange a further PSP meeting, after which further recommendations will be made to the head of delivery or nominated representative;
  - that it is more appropriate for the matter to be referred to an alternative Frontline policy (such as Supported Study & Fitness to Study, or the Participant Discipline Policy);



- the participant is making insufficient progress and/or the situation is deteriorating such that the circumstances now meet or exceed threshold criteria therefore the participant's case should proceed to stage 2 of the Fitness to Practice policy.

2.2.5. The head of delivery (or nominated representative) will usually accept and action the recommendation of the CSW and PT, but may also ask them to reconsider, or may determine an alternative outcome, with a record of their reasons for so doing being forwarded to Academic Registry to be stored on the participant's record.

2.2.6. The participant will be notified of the agreed outcome and any further steps under the policy.

2.2.7. The participant's file will be updated with a record of all decisions, and a copy will be shared with [academic.support@thefrontline.org.uk](mailto:academic.support@thefrontline.org.uk) so that this can be stored on the participant's record. The information will be made available to the participant (although this may be restricted as a consequence of data protection and/or confidentiality requirements).

## 2.3 Suspension while the fitness to practise process is pending

2.3.1. At any point during stage 1 or stage 2 of the process, if the fitness to practise concerns indicate a risk to the participant, other participants, staff members, children and families or the general public then the participant may be suspended from the programme either temporarily or until the process has been completed.

2.3.2. The chief social worker (or nominated representative) is responsible for making this decision and will consider each case individually.

2.3.3. Where participants in year 1 are suspended pending the outcome of fitness to practise investigations, the duration of the suspension will often mean that it becomes difficult for them to complete the requirements of the practice learning experience (minimum 200 days in placement) in the time remaining, even if a placement extension (normally a maximum of 30 calendar days) is granted. In such cases, even where the outcome of the process is that the participant may continue on the programme, they may be required to intercalate and return to the programme at an appropriate point in the following year.

## 2.4 Stage 2

2.4.1 Stage 2 is for cases that meet the threshold for an investigation (see 2.2.4) and involves an investigation followed by a fitness to practise panel hearing.

2.4.2 If a participant is directly referred to stage 2, the head of delivery (or nominated representative) will provide the participant with access to all the information on which this decision has been based, unless this needs to be restricted as a consequence of data protection and/or confidentiality requirements. If such restrictions apply, amended





information which gives sufficient detail to allow the participant to defend themselves without contravening the relevant information governance regulations must be provided.

- 2.4.3 Within five working days of the decision that the threshold has been reached, the head of delivery (or nominated representative) will appoint an independent investigating officer to review the participant's fitness to practise. The investigating officer will be someone who is social work qualified with no prior involvement with the case.
- 2.4.4 The head of delivery (or nominated representative) will inform Academic Registry and the chief social worker that an investigator has been appointed under stage 2 of this policy.
- 2.4.5 The investigation includes gathering of evidence and statements, interviews, and writing of an investigation report. Information gathered under stage 1 of this policy may be included where relevant; those interviewed under an earlier gathering of information may be asked to contribute again if it is felt that additional information is needed from them.
- 2.4.6 During the investigation, the investigating officer would normally conduct interviews with and/or request statements from the following parties:
- the participant;
  - any witnesses (this can include, but are not limited to, participants, LA or Frontline staff, members of the public);
  - practice tutor;
  - consultant social worker;
  - Any other relevant persons deemed appropriate.

Notes will be taken of any interviews held which will be part of the evidence provided to the Fitness to Practise panel.

- 2.4.7 As set out in clause 2.1.6, where there are sufficient concerns relating to the health of the participant, they will be asked to undertake an occupational health assessment. A participant may refuse to undertake the assessment, but would need to be aware that not only would the Fitness to Practise panel be unable to access any mitigating factors that might be identified by such an assessment, but also that the Fitness to Practise panel may be concerned that the participant was reluctant to ensure that their health was not impeding their fitness to practise. Depending on the outcome of the occupational health assessment, a decision will be made by the chair of the Fitness to Practise Panel as to what evidence from the assessment should be forwarded to a Fitness to Practise hearing. The participant will receive a full copy of the occupational health report.
- 2.4.8 The investigating officer will compile and review all relevant evidence and shall review relevant guidelines on fitness to practise matters issued by the professional body to write an investigation report.



2.4.9 The investigation should normally be completed and the report written within a maximum of 6 working weeks following the decision to proceed with stage 2. If further time is required, the investigator will advise the impacted parties of the revised timeline and reasons for the delay.

2.4.10 Following the conclusion of an investigation, a fitness to practise panel is convened to hear the case, normally within 15 working days of the conclusion of the investigation. The date of the fitness to practise panel is to be set in consultation with Lancaster University's Director of Studies for the Frontline Partnership to align with the timing of the panel hearing with the next appropriate Examination Board.

## 2.5 Fitness to Practise panel: preparation and principles

2.5.1 The fitness to practise panel will include as a minimum:

- a **chair person**, who will be the admissions and support manager or nominated representative, with no significant prior involvement with the participant. The chair will:
  - lead the proceedings and facilitate decision making;
  - inform relevant parties of the meeting's outcome;
  - approve the minutes taken by the panel administrator;
  - check that due process has been followed.
- At least one member of Frontline staff who is a registered social worker and has had no significant prior involvement with the participant, normally a staff member eligible to serve as an internal examiner
- At least one **independent practising social worker**, who has had no prior involvement with the participant.

2.5.2 **Another member of Frontline staff** will be in attendance at the fitness to practise panel hearing to take minutes.

2.5.3 The **investigating officer** will normally be in attendance at the fitness to practise panel hearing to present the case. If the investigating officer is not available the panel can proceed in their absence.

2.5.4 The participant will be sent a letter of invitation to attend the fitness to practise panel, normally allowing at least 10 working days' notice, outlining:

- (1) the reason the participant has been referred to the fitness to practise panel;
- (2) the time and date of the fitness to practise hearing;
- (3) the membership of the panel;



- (4) the date by which the participant will be sent the evidence and material that will be presented to the panel;
- (5) that the participant has the right to make further written submissions and provide any evidence in support of their case to the panel, which should be received at least 2 working days prior to the date of the hearing. The participant will be informed of the person to whom this should be sent;
- (6) that the participant may be accompanied by someone to support them. The participant should inform the panel administrator who this will be and ensure there are no conflicts of interest;
- (7) where the participant is to be accompanied by a legally qualified representative, the participant must inform Frontline at least 5 working days prior to the hearing.  
Frontline reserves the right to have their own legal representative at the hearing.

2.5.5 The participant is usually required to attend a fitness to practise hearing, though the chair may consent to them being absent if they judge there to be a reasonable explanation. Whether or not they are in attendance, the participant may make written submissions in their defense and/or mitigation.

2.5.6 In the event that a participant who has been required to attend a hearing under these regulations fails to do so at the appointed time without reasonable explanation, then the panel will normally proceed with the hearing in the participant's absence. The fact of their non-attendance may also be included in the consideration of their fitness to practise if it is relevant to the case being made.

2.5.7 The participant can request to postpone the hearing if they have exceptional circumstances with supporting evidence. Exceptional circumstances may include, but are not limited to:

- serious short-term illness, medical treatment or accident;
- bereavement caused by the death of a close relative or other significant person;
- caring responsibilities which could not reasonably have been anticipated;
- serious domestic events which could not reasonably have been anticipated and which have had a severe impact;
- a short-term exacerbation of a long-term health condition.

The panel chair will make the decision whether to grant a postponement or proceed in the participant's absence and must be fair and reasonable in making this decision. A participant who cannot attend can make written submissions.

2.5.8 Every participant referred to a fitness to practise panel has the right to attend and present information in support of their case. Participants are entitled to be accompanied and/or represented by a person of their choosing (those currently registered as students of



Lancaster University are encouraged to engage with the Students' Union Advice and Representation Centre; however they may, if they prefer, be accompanied by a friend, relative or other representation). Frontline must be given five working days notice if the participant wishes to bring a legal representative, and three working days notice for any other representative. Frontline reserves the right to refuse a representative to accompany a participant if a conflict of interest can be demonstrated.

- 2.5.9 The panel may ask witnesses to attend a hearing (normally via a mutually agreed online meeting platform) or to provide a written statement where the facts leading to the fitness to practise concern are disputed or to seek clarification after hearing the participant's account. Witnesses will be given reasonable notice should they be asked to participate in the formal hearing and their role will be fully explained.
- 2.5.10 The fitness to practise panel will usually hold an oral hearing. However, it may at its discretion and in exceptional circumstances, choose to deal with the matter via correspondence where the panel chair deems it appropriate to do so.
- 2.5.11 All documents to be considered by the fitness to practise panel will be distributed by the panel administrator to all panel members and the participant normally no later than ten working days in advance of the panel, to allow time to ready and consider the evidence
- 2.5.12 Minutes of the hearing will be taken and following chair's approval, shared with the participant, Examination Board, and the head of delivery. Minutes will be passed to Academic Registry to be kept as part of the participant's student record.
- 2.5.13 The panel may choose to seek support from legal or other external advisers prior to the hearing, at their discretion. This would be arranged through the panel chair.

## **2.6 Fitness to practice panel hearing**

- 2.6.1 The chair will outline the procedure that the hearing will follow, including:
- that the hearing is confidential and professional standards will be observed. If the hearing involves discussion of practice, then any service users or third parties will be referred to by pseudonyms to preserve confidentiality;
  - the names and roles of each member of the fitness to practise panel and their role in the proceedings;
  - whether the investigating officer (or nominee) will be in attendance to present the evidence that relates to the fitness to practise concerns, address the panel and/or represent the



participant;

- that when a witness is in attendance, that they may be asked questions by the panel and the participant;
- the structure of the hearing and its possible outcomes.

2.6.2 The investigating officer will outline the cause for concern, the process of their assessment and the conclusions drawn. The investigator may if appropriate call on witnesses to give evidence, if previously agreed by the chair. The panel may ask the investigator questions.

2.6.3 The participant (or representative) will present their response. The participant may if appropriate call on witnesses to give evidence, if previously agreed by the chair. The panel may ask the participant questions.

2.6.4 There will be an opportunity for final questions or points of clarification. Once the Chair is satisfied that all parties have had the opportunity to convey information to the panel, the participant (and any representative), the investigating officer and witnesses (if in attendance) will be asked to withdraw.

2.6.5 The panel will reach a decision based on the facts and on the evidence presented. The standard of proof will be the civil standard, which is that 'on a balance of probabilities' the facts of the allegation are more likely than not to have happened.

2.6.6 Where the Fitness to Practise Panel considers that a participant's disability is preventing them from attaining the relevant competence standard(s) and/or complying with the professional body requirements, the Committee will have due regard for any reasonable adjustments that have been made and will consider whether there is scope for further reasonable adjustments, in deciding on the appropriate outcome.

2.6.7 Following its deliberations the panel will determine the outcome of the case and make a recommendation regarding any penalty or course of action. In the case of participants who are currently registered with Lancaster University, this recommendation will be addressed to the Lancaster University Examination Board. In the case of participants who are not registered with Lancaster University, the recommendation will be made to the chief social worker at Frontline. The details and outcome of the hearing should be recorded and forwarded, along with the panel's recommendation, to the Examination Board or chief social worker as applicable.

2.6.8 The participant will normally be advised of the recommendation of the hearing at the conclusion of the Fitness to Practise panel's deliberations within one working day of the hearing, usually verbally (i.e. by telephone or video call). The participant will be sent a letter detailing the recommendation of the panel and the rationale for this recommendation within five working days of the formal hearing. The participant will also be sent the formal minutes of the hearing.



- 2.6.9 The minutes of the hearing and the outcome letter sent to the participant will be kept by Academic Registry in the participant's record.

## 2.7 Possible outcomes

- 2.7.1 The recommendations possible following a Fitness to Practise hearing are as follows:
- a) That the hearing be adjourned because further investigation is necessary.
  - b) That there are no fitness to practise issues and the participant is able to continue on the programme (unless a period of suspension means that they are no longer able to complete the programme requirements without intercalation, as under 1.4). This outcome does not require ratification, although it will be reported to the Lancaster University examination board (participants currently registered with Lancaster University) or chief social worker (participants not currently registered with Lancaster University).
  - c) That there is evidence to reach a finding that a participant has not met professional expectations but that this falls short of a decision that the participant is irredeemably unfit to practise. With this decision, the participant is able to progress on the programme (unless a period of suspension means that they are no longer able to complete the programme requirements without intercalation, as under 1.4), although the fitness to practise concerns remain and are noted and recorded on the participant's personal file. In any future referrals through the fitness to practise procedure, these will be taken into account. A Participant Support Plan and additional requirements to support the participant will be put in place if deemed appropriate. This plan will describe in detail the targets that the participant has to meet to provide evidence that the concerns have been addressed and progress has been made. This will be considered within a developmental context, e.g., an action plan may be more demanding for a participant close to finishing the programme, in comparison to a participant at the start of their course. Monitoring or supervision for a defined period may be required. Frontline also has a responsibility to communicate these concerns and the attendant action plan to all practice placement providers contributing to the training of the participant in question. This outcome does not require ratification, although it will be reported to the Lancaster University examination board (participants currently registered with Lancaster University) or chief social worker (participants not currently registered with Lancaster University).
  - d) That the participant is deemed not fit to practise at this stage. The participant may be required to intercalate from the programme for a fixed period of time (including recommendations for the conditions of return) and/or be required to repeat/restudy/ be reassessed in an element of the programme to establish their fitness to practise. A recommendation will be made to the Examination Board (participants currently registered with Lancaster University) or chief social worker (participants not currently registered with Lancaster University) that the participant be required to intercalate from the programme.
  - e) That the participant is deemed not fit to practise. The participant cannot redeem the situation



and is unable to progress on the programme. Having been found not fit to practise, the participant's professional education and training will be terminated and a recommendation made to the Examination Board (participants currently registered with Lancaster University) or chief social worker (participants not currently registered with Lancaster University) that the participant be permanently excluded from the programme. Exclusion means the participant will not be eligible for the full final award (though they may be eligible for an exit award, depending on the academic assessments completed prior to exclusion) and may not be eligible to apply for professional registration.

## **2.8 After a fitness to practise hearing: participants currently registered with Lancaster University**

- 2.8.1 The outcome of the hearing and the recommendation of the fitness to practise panel will be considered at the next appropriate Lancaster University Examination Board.
- 2.8.2 The Examination Board will consider the recommendation of the Fitness to Practise hearing. The role of the Examination Board is to consider and ratify the recommendation made in respect of the panel outcomes for the participant. The Board must also confirm, to its satisfaction, that due process has been followed at the hearing and that all relevant information has been fully considered.
- 2.8.3 The Chair of the Fitness to Practise panel will be in attendance at the examination board to present the case and answer any questions from examination board members. If the Chair is not available, then they may nominate another member of the panel to attend in their place. Other members of the Fitness to Practise panel would not normally attend the examination board meeting. They may, however, attend if, in exceptional circumstances, the Chair of the Examination Board determines that their attendance would contribute information of the hearing beyond that which can be provided by the Panel Chair (or their nominee).
- 2.8.4 If the Board either fails to ratify the recommendation of the Fitness to Practise panel or considers there to be new or additional information available that would potentially impact the recommendation made by the panel then the Board can request that the original Fitness to Practise panel is reconvened.
- 2.8.5 The participant will receive formal notification of the Examination Board's decision. A copy will be retained in the participant's file by Frontline and Lancaster University.
- 2.8.6 Where the Examination Board ratifies a recommendation that a participant is not fit to practise, with any of the consequent actions listed in 2.7.1, this action will be implemented with effect from the date of the Examination Board.
- 2.8.7 In the case of a participant lodging an appeal against the decision of the Examination Board requiring the participant to withdraw from the programme on grounds of fitness to practise, the



appeal will be dealt with under the Academic Appeals chapter of Lancaster University's Manual of Academic Regulations and Procedures (MARP). If the participant appeals on the basis of consequent termination of their contract of employment with the employing Local Authority or Children's Trust, this will be dealt with by the relevant procedures within that trust or local authority.

2.8.8 In cases where a participant is required to intercalate following a Fitness to Practise panel, details of the return to study process can be found in the intercalation policy. Frontline will make reasonable efforts to place the participant into a local authority upon their return. However, placements are provided at the discretion of local authorities or trusts and there are limitations to what Frontline can facilitate. In a case where no suitable placement can be found the participant will be unable to continue on the programme as detailed in the intercalation policy.

2.8.9 Once the recommendation has been ratified by the Lancaster University Examination Board, where the participant is deemed not fit to practise and cannot redeem the situation, Frontline will inform other parties of the outcome if doing so is deemed necessary to safeguard children or families with whom the participant may work with in future. This may include Social Work England; the participant's employer where the nature and outcome of the case raises questions about the participant's suitability for practice / employment, and or matters of safeguarding; the Disclosure and Barring Service (DBS) where required by the DBS guidance; and/or third parties who request a reference.

## **2.9 After a fitness to practise hearing: participants not currently registered with Lancaster University**

2.9.1 The outcomes of the fitness to practise hearing will be reported to the chief social worker. No ratification is needed, and the outcome will be implemented with effect from the date on which it is received by the chief social worker.

2.9.2 Participants whose fitness to practice has been found to be impaired, leading them to be excluded from the programme, may appeal this outcome by sending their grounds for appeal, with any supporting evidence, to the chief social worker within two weeks of receiving the written outcome of the hearing. The chief social worker will consider their appeal, seeking further information where necessary from the participant and the chair of the fitness to practise panel. The chief social worker can conclude:

- A) That the appeal should be dismissed, and the original decision upheld;
- B) That there is significant new information which might reasonably affect the outcome, and the original panel should be reconvened to consider it;
- C) That there is evidence of significant procedural irregularity at an earlier stage of the procedure, and the relevant part of the procedure should be repeated. This might require a fresh investigation, or a new hearing with the same or different panel





members.

- 2.9.3 Where the participant is deemed not fit to practise and cannot redeem the situation, Frontline will inform other parties of the outcome if doing so is deemed necessary to safeguard children or families with whom the participant may work with in future. This may include Social Work England; the participant's employer where the nature and outcome of the case raises questions about the participant's suitability for practice / employment, and or matters of safeguarding; the Disclosure and Barring Service (DBS) where required by the DBS guidance; and/or third parties who request a reference.

## **Section 3: Participants who have qualified as social workers: years 2 and 3**

- 3.1 After qualifying as social workers, participants are also employees of local authorities or children's trusts, which will have their own fitness to practise policies/procedures. With the exception noted in 3.6, participants will not be subject to both their employer's and Frontline's fitness to practise process for the same incident, events or concerns.
- 3.2 In the case of a qualified participant, where a potential fitness to practise issue is identified by Frontline it is Frontline's head of delivery (or nominated representative)'s responsibility to liaise with the participant's employer to agree whether the issue will be considered under Frontline's or the employer's fitness to practise policy/procedures.
- 3.3 In the case of a qualified participant, where a potential fitness to practice issue is identified by the participant's employer, it is the responsibility of the participant's line manager to contact Frontline's head of delivery (or nominated representative) to inform them of the issue. The head of delivery (or nominated representative) will then be responsible for liaising with the participant's employer to agree whether the issue will be considered under Frontline's or the employer's fitness to practise policy/procedures.
- 3.4 Once agreed whose fitness to practise policy/procedures will consider the issues, the agreement should be confirmed in writing and should record that both the employer and Frontline agree to respect the outcome as being authoritative. The agreement will be held in the participant's file.
- 3.5 In cases dealt with under the participant's employer's fitness to practise policy/procedures, it will be Frontline's head of delivery's responsibility to ensure that there is sufficient coverage to ensure Frontline's fitness to practise requirements are covered.
- 3.6 In cases dealt with under Frontline's fitness to practise policy/procedures, it will be the



nominated employer's representative's responsibility to ensure that the procedure has sufficient coverage to ensure the employer's requirements are covered.

- 3.7 If both Frontline and the employer are investigating the case (which may occur either because agreement cannot be reached on which procedures should be followed, or because there are aspects of the case which will not be covered by one of the procedures), Frontline reserves the right to consider in its investigation any relevant information disclosed by the employer. Frontline may accept as fact aspects of the case which it finds to have been established as part of robust and fair procedures followed by the employer.
- 3.8 Frontline's fitness to practise policy will normally be used if the fitness to practise issue is related to academic issues and attendance at Frontline teaching sessions. Employers' policy/procedures will normally be used for employment-related issues (e.g. not regularly attending work and where issues related to the safety of the participant's practise are raised).
- 3.9 The reasons why Frontline's fitness to practise policy, the employer's fitness practise policy/procedures or, as set out in clause 3.7, both parties' policies/procedures are to be used will be explained to the participant, normally in writing, by the Frontline's head of delivery.
- 3.10 If Frontline's fitness to practise procedures are used in any instance for a qualified participant, the procedures outlined in this document will be followed.

## Section 4: Relevant references

### 4.1 [Frontline policies and documents](#)

4.1.1 This policy should be read in conjunction with the following policies and guidance:

- Fitness to Study
- Participant Discipline
- Suitability for professional training
- Participant's practice learning agreement
- SWE Professional Standards