

Burden of Proof	Within this Procedure "on the balance of probability" is used by the Investigating Officer and Programme Lead when assessing documentation and determining how to proceed. In a Panel Hearing it is for the University to show to the Panel, whether, on the balance of probability (more likely than not) that the health concern or the alleged unprofessional behaviour or conduct on the part of the Student did take place and that the unprofessional behaviour or conduct impaired the Student's Fitness to Practise and the seriousness of that impairment. Where the Student presents mitigation in their defence, it is for the Student to show, on the balance of probabilities, the validity and relevance of the mitigation.
Concerns Review Panel	(Also known as a 'Case Management Conference' or 'CMC') Convened by the Policy Advisor prior to it being established that there is a case to be investigated under this Procedure. The membership is not set, but determined by the appropriate Fitness to Practise Programme Lead and will be unique to the concerns raised about a Student. This meeting is not recorded or minuted, however a determination of outcome will be recorded. This will either form a Notice of Investigation issued to the Student, or a note on their file as to why an investigation is not being pursued at this time. The University will endeavour to hold a Concerns Review Panel within 10 working days of the concerns being raised, where possible.
Conditions and Undertakings	Conditions and Undertakings may be imposed by a Fitness to Practise Lead, following their assessment of the Investigating Officer's report, or as an outcome of the Preliminary Hearing. A Fitness to Practise Panel may also decide to introduce Conditions and Undertakings unique to the student following a University Level Panel Hearing.
	Conditions and Undertakings may include restrictions on clinical placements, a requirement to undertake treatment or seek therapeutic interventions, a requirement to undertake exercises designed to promote reflection, monitoring arrangements, requirements regarding disclosure of Fitness to Practise proceedings or restrictions on future conduct.
	They are designed to ensure future and/or ongoing Fitness to Practise and are usually considered to be rehabilitative in nature.
Disclosure and Barring Service (DBS)	A body formed from the Criminal Records Bureau and the Independent Safeguarding Authority to carry out checks on individuals applying to work in specified occupations and/or places in order to establish whether an applicant, including an applicant to a Registration or Regulatory Body, has previous convictions.
	The University has a duty to make a report to the DBS where a Student is removed from a regulated activity as a result of concerns of risk of harm to children or vulnerable adults.
Documentation Bundle	A Documentation Bundle is produced in advance of a Fitness to Practise Panel and contains an identification of the Registration or Regulatory Body guidance that may be referred to, or consulted, during the hearing; membership of the Panel; a chronology of events; the allegations being considered and why they might be seen to impair Fitness to Practise; who the Panel will hear from; a list of the written evidence to be considered; copies of the documents submitted by the Faculty (or delegated School) in support of its case; and, copies of the documents to be submitted by the Student in support of their case.
Faculty Level Review	A Faculty Level Review provides the appropriate Fitness to Practise Lead with an opportunity to assure themselves that the investigation has been thorough, appropriate and has afforded the Student with sufficient opportunity to present mitigating evidence. It also enables the Fitness to Practise Lead to assess whether the Student's health or wellbeing or professional conduct is such that a University Level Panel should be convened to determine their Fitness to Practise.
Fitness to Practise	For Programmes that are linked to one or more Registration or Regulatory Bodies in each case the University follows the definition of Fitness to Practise that the relevant Registration or Regulatory Body itself follows.
Fitness to Practise Lead (FtP Lead)	Previously known as the Responsible Person, this academic member of staff is the nominated Fitness to Practise School/Department/Programme lead. They are the designated contact to receive expressions of concern about the health/wellbeing and/or conduct of students. Additionally, they take responsibility for formalising the concerns to be investigated, sign off on the Investigating Officer's report and take the decision on whether and how to proceed at three points in the Procedure. Amending the terminology here clearly reflects their role and responsibility while aligning more closely with the given name for similar positions within other institutions.
Intercalation / Intercalated Studies	A period, usually of one year, in which a medical Student can study a subject of their choice outside the Programme for which they are registered, at either Bachelor's or Master's degree level. The University of Exeter normally locates Intercalated Studies between the fourth and fifth years of a Programme in Medicine. Studies during Intercalation may be undertaken at the University or at another University with which it has a formal agreement to facilitate such an arrangement.
Investigating Officer	A member of the University's staff appointed by a Fitness to Practise Lead (FtP Lead) to investigate concerns regarding a student's Fitness to Practise. The Investigating Officer should hold strong working knowledge of the relevant Registration or Regulatory Body and have had no material contact with the student prior to the investigation commencing.
OH Professional	An accredited specialist in occupational medicine.
Material Contact	When used in this Regulation with respect to an Investigating Officer, Fitness to Practise Lead, member of a Fitness to Practise or Appeal Panel, "material contact" means any significant connection or contact, such as social contact or a direct supervisory relationship with the Student under investigation, that could lead a reasonable observer to conclude that a conflict of interest may exist.
Notification of Outcome	A letter sent to a Student after a Preliminary Hearing outlining the decision of the Fitness to Practise Lead, together with any Conditions or Undertakings imposed. Should the appropriate Fitness to Practise Lead conclude there is to be no further action under this Procedure following receipt of the Investigating Officer's report, a Notification of Outcome may also be issued at this stage.
Personal Sensitive Data and Information	In the context of this Regulation, data and information relating to physical or mental health, alleged or actual criminal offences and related proceedings, sexual life, religious or other beliefs of a similar nature.
Placement Provider	An organisation providing a placement setting in order to support a Programme of study.
Placement Setting	Any setting outside the University where the Student has been placed by the University as part of their Programme in agreement with the placement provider. Placement Settings will include but not be limited to schools and associated study centres; further and higher education Faculty (or delegated School)s; hospital, clinical and laboratory settings; surgeries; consulting rooms and diagnostic facilities whether NHS or privately provided and/or managed.
Professional Conduct	The standard of behaviour and conduct that is required of a Student following a University Programme that leads to eligibility for registration by a Registration or Regulatory Body may be published in a code of Professional Conduct. It will be consistent with the conduct required by the relevant profession, the employers of such professionals and those who provide clinical and other work placements for University Students. It is behaviour and conduct that:
	i) Does not jeopardise or put at risk the welfare, wellbeing, or safety of others, including: pupils; patients; clients; persons at risk/vulnerable adults; members of the public; fellow Students; co-workers; members of academic, professional or clinical staff.
	ii) Is consistent with professional norms of probity and trustworthiness; courtesy to all; insight into health; effective working; respect for the autonomy and privacy of individuals and the confidentiality of communications with them.

	Students who are registered to study for an award that gives them eligibility to apply to a Registration or Regulatory Body for Registration or Regulatory are reminded when they apply, when they first register to study with the University and regularly thereafter, that they are required to exhibit Professional Conduct at all times.
Programme of research	A Programme of supervised activities undertaken by a postgraduate Student that enables them to prepare to be assessed for the award of a higher degree of the University. In the specific context of this Regulation , it is a Programme of activities that includes one or more periods of clinical professional or practice-based activity, in a setting that requires them to subscribe to this Regulation or to equivalents agreed for that setting or settings. See below, "Programme".
Programme	The Student's Programme consists of the sum of the modules, courses, clinical and other learning opportunities that they follow to enable them to show that they have met the Learning Outcomes set for them and have demonstrated the necessary skills to achieve the award for which they are studying. The term "Programme" as defined above should be read as also and equally referring to a Programme of Research that leads to a higher degree of the University and that includes time spent in a clinical or practice-based setting, other than when expressly stated.
Record of Determination	A Record of Determination is produced by a Fitness to Practise Panel and outlines their Determination on the Facts, Determination on Impairment, Determination on Mitigation and Determination on Sanction. Within the Record of Determination, the Panel shall provide a rationale for each determination.
Register	The record maintained by a Registration or Regulatory Body of persons it recognises as meeting its standards for training, professional skills, behaviour and health and Fitness to Practise.
Registration or Regulatory Body	A Registration or Regulatory Body is a Body that administers a Register where entry of a person's name on the Register is necessary to enable the person to practise in that profession or hold qualified status within that profession
Registrant	A person whose name is on the Register of a Registration or Regulatory Body or Bodies.
Regulated Activity	In the context of work with children and vulnerable adults including teaching, training and instruction of children, or providing personal or health care to children or adults, Regulated Activity is 'work that a barred person must not do'. See <u>Safeguarding Vulnerable Groups Act, 2006</u> .
Reporter	A person reporting a concern about the health, wellbeing, behaviour or conduct of a Student following a Programme that is linked to a Registration or Regulatory Body or a Programme that has been designated by the University to be subject to this Regulation.
Senior Member of the University	For the purpose of this Regulation, a Senior Member of the University is defined as a member of the University's Senior Management Team, a Dean for Taught Students or Dean of Postgraduate Research or Faculty Pro-Vice Chancellor (or nominee).
Standard of Proof	The term "Standard of Proof" is used in this Regulation to describe the level of certainty that a Fitness to Practise Panel and a Fitness to Practise Appeal Panel should seek in deciding whether the case against the Student has been proven. It is that the Panel should be satisfied that the person or body on whom the Burden of Proof rests should have been able to show that it is more likely than not that the Student's Fitness to Practise is- or has been- impaired This is sometimes called the "standard of proof in civil cases" or otherwise "the balance of probabilities"
Student	For the purpose of this Regulation, the term "Student" denotes: a) A person who is registered with the University who is following a Programme that requires them to undertake a period of clinical and/or professional experience and that leads to entry on the Register of a Registration or Regulatory Body OR is following a Programme for which Senate, advised by the Faculties, has decided that this Regulation will apply. b) A person who is studying, preparing for research, or conducting research at the University through an arrangement with other Universities on a Programme or in a research area where the University has stated that this Regulation will apply. c) A person who satisfied the requirements of a) or b) but has expressed a wish to withdraw from the programme, prior to the completion of the Fitness to Practise process.
Support for Study	The University's "Health, Wellbeing and Support for Study Procedure" is normally invoked where there are "emerging concerns about a Student's health, wellbeing and or behaviour and the impact this has on his/her ability to progress" at the University. This Procedure cannot be invoked for Students studying on a Programme linked to a Registration or Regulatory Body (subject to the exceptions set out in Annex 5).
University Level Panel	This Panel maintains a role similar to that of the current Fitness to Practise Panel and that of the Hearings procedure for major offences. The name is largely interchangeable with 'FtP Panel', but has been amended to clearly differentiate between this stage and that of the Faculty Level Review.
Vulnerable adult/adult at risk	For the purposes of this Fitness to Practise Regulation the University recognises each of the above terms as co-equivalent in meaning. See also above, "Regulated Activity".