**Social Work Professional Suitability Procedures**

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# Introduction

* 1. All Social Work courses are required by Social Work England (SWE)[[1]](#footnote-1), the professional regulator for Social Work, to have in place processes for dealing with concerns about students’ profession-related conduct throughout the course (ref SWE Qualifying Education and Training Standards 2021: 5.3).
	2. These procedures do not apply to cases of academic failure.

# Grounds for Concern

* 1. The grounds for concern regarding a student’s suitability for professional practice include the following:
		1. That the student is medically unfit to proceed – this might be physical or psychological; and/or
		2. Confirmation that the student’s behaviour:
			+ is damaging or dangerous to other people who use the student’s services, other students or course providers; and/or
			+ creates unacceptable risk for themselves or others; and/or
			+ there is sufficient evidence that the student is unlikely to demonstrate and promote the positive values, attitudes and behaviour expected in the professional setting (e.g. as set out in the SWE Professional Standards, or any other subsequent professional regulatory guidelines that may replace these).
	2. Behaviour that calls into question a student’s suitability for social work may relate to recent or historical issues and may arise from any area of the student’s life (within university, on placement, in employment or in the student’s private life).

# The Procedure

* 1. Concerns relating to a student’s suitability for professional practice, whether from an academic member of staff or from a practice educator, on-site supervisor or manager from an external agency, should be passed to the Director of Studies for the course. The Director of Studies will take the necessary preliminary steps to assess the nature of the issue, the evidence for concerns, and appropriate initial actions. This may involve consultation with the Social Work lead and/or SSPSSR Medway Lead/Head of School if appropriate.
	2. Minor issues may be dealt with directly by the Director of Studies through a meeting with the student (if appropriate together with another member of staff such as their Academic Advisor or the Placement Co-ordinator).
	3. Where the concerns cannot be resolved informally or are of a more serious nature, Stage 1 of the Suitability Procedure will be followed.

## **Stage 1**

* 1. The Director of Studies and another member of staff (e.g. Academic Advisor, Senior Tutor or Placement Co-ordinator) will hold a meeting with the student. The meeting will be minuted. The student may provide written information in advance and may be accompanied to the meeting. Such meetings are not legal proceedings and a student may not be accompanied by a legal representative, even if the legal representative is a member of staff or a student of the University or a member of staff of the Students’ Union or a relative.
	2. The student may be set clear targets for change, together with specific criteria and timescales for their achievement and review. A written agreement may be drawn up.
	3. If further investigation is deemed necessary, the Director of Studies, or an alternative nominee (with a relevant professional background), will investigate the issues further. This may include meeting with the person who raised the concerns, and seeking further evidence from other parties, which may include written statements.
	4. The evidence would then be reviewed by the SSPSSR Head of School/Medway Lead and Social Work Lead. A decision will be made as to whether the concerns are justified but could be resolved without progressing to a Panel hearing. If so, the student will be set specific targets for change and timescales for their achievement and review.
	5. Where concerns remain, or specified targets have not been met in the agreed timescale, or the concerns are deemed to be of a more serious nature, Stage 2 will be invoked.

## **Stage 2**

* 1. The Director of Studies will make a Suitability referral to the Head of School who will determine whether to refer the case to the Suitability Panel. Where a decision is made to refer the case to the Suitability Panel, within five working days of receiving the referral the Head of School will notify the student in writing that the matter is to be referred to the Suitability Panel.
	2. The student will be notified, within a further 28 days, of the date on which the Suitability Panel is to take place. In exceptional circumstances, if it is not possible to set the Panel date within 28 days the student will be notified of this and informed as soon as possible.
	3. The Director of Studies will compile the evidence to present to the Panel. A summary report will be prepared which will show a clear chronology of the event(s), any actions taken and outcomes, and a summary of the issues cross-referenced to accompanying supporting evidence. Supporting evidence may include practice reports, Practice Assessment Panel Intervention Service (PAPIS) report, written statements from practice educator(s)/on-site supervisors or relevant staff members, records of previous meetings, letters and emails.
	4. All evidence will be made available to the student 10 days in advance of the Panel hearing.
	5. The student may be accompanied to the Panel hearing by a member of staff or a student of the University or a member of staff of the Students’ Union. Such hearings are not legal proceedings and a student may not normally be accompanied by a legal representative, even if the legal representative is a member of staff or a student of the University or a member of staff of the Students’ Union or a relative. However, in complex cases or cases where the outcome can potentially lead to serious consequences (such as Termination of Studies), students are permitted to have legal representation.
	6. Students must give the Chair of the Suitability Panel advance notice where they intend to use legal representation, so that the University can support the Suitability Panel in obtaining its own legal advice/support. Where legal representation is required by both parties, the date of the Suitability Panel meeting may need to be amended.
	7. The student will be advised of his/her right to submit a written statement before the Panel meeting. This must be sent to the Secretary not less than three working days before the meeting is scheduled to take place.
	8. The Panel hearing will proceed if the student chooses not to attend. However, if the student is unable to attend for a good reason (such as those set out in the University’s Annex 9, section 2.1) the Chair will reconvene the Panel at a later date.
	9. The Director of Studies will present the case to the Panel. Members of the Panel may ask questions of the student and the Director of Studies. The Director of Studies, the student, and any person accompanying the student will leave the meeting before the Panel discussion and decision making process takes place.
	10. The Panel hearing should comply with the principles of the Human Rights Act 1998 (HRA)[[2]](#footnote-2), ensuring that individuals have a fair hearing within a reasonable time by an independent and impartial panel and are aware of the evidence being presented. However, it is not a formal legal procedure and its focus at all times should be on upholding social work values, the protection of service users, and the suitability of the student for professional practice. In relation to issues of fact the standard of proof will be civil, i.e. balance of probabilities, rather than beyond reasonable doubt.
	11. In the event of the Panel being unable to reach an agreement, the chair will determine the process for resolution,
	12. Membership of the Suitability Panel (to be identified by the Head of School and Social Work Lead, and approved by the Director of Division (or their nominee)):
* Chair (a member of academic staff of suitable seniority and experience who meets the requirements of the appropriate professional body where specified, and who has had no previous involvement with the case being considered).
* At least one external member who is a senior/experienced registered social work practitioner, who has had no previous involvement with the case.
* One or two senior academic staff members (i.e. senior lecturer or higher with appropriate academic or professional experience, at least one of whom with relevant professional experience).
* A member of University staff with experience of student health issues (Health Panel only), or Disability Adviser where appropriate.
* A Secretary.
* The Chair of the Practice Assessment Panel (or their deputy/representative) and a member of the Social Work Partnership Initiative group[[3]](#footnote-3) and other persons with specialist expertise where appropriate and relevant, acting as advocates for service users affected or potentially affected by the student’s actions.
* A student representative, to be nominated by Kent Union. (Where a student representative attends as a Panel member, it will not be their role to provide guidance or support to the student who is the subject of the Panel. Where such support is required it must be supplied by an individual who is not a panel member).

# Powers of the Suitability Panel

* 1. The Panel may, following consideration of the case:
1. Decide that there are insufficient grounds for concern and dismiss the matter.
2. Decide that there are grounds for concern, but not sufficiently serious to recommend termination of the course of study. In this case the Panel may decide to recommend another penalty such as a formal warning, which is placed on the student’s record. The Panel may also recommend a course of action with clear objectives and outcomes, which may include counselling and/or treatment with a defined period for review. The Panel will agree the arrangements for monitoring progress and may agree to reconvene (which may be virtual) after the review period to assess whether the matter has been concluded satisfactorily or whether further steps should be taken, including termination of the student’s course of study.
3. If the student is allowed to remain on the course the Panel may state that should a repeat or similar relevant offence occur, a recommendation will be made that the student’s studies should be terminated, as per (e) below, without recourse to a further Panel process. In the event that the student reaches Stage 2 of the suitability process again on a new matter, professional judgement should be exercised as to whether this is equivalent to a repeat offence and whether or not the student’s previous Panel hearing should be discussed.
4. Determine that there are sufficient grounds to conclude that the student is not suitable for professional social work, should not undertake further practice placements and that his/her course of study leading to a professional qualification be terminated, but permit registration for a non-accredited version of the course in question, a different non-professional course, or be awarded a non-honours alternative exit award, as appropriate.
5. Determine that its recommendation is that the student’s registration be terminated. In such a circumstance the recommendation will require confirmation by the Director of Division (or nominee).
	1. Notification of the result will be sent to the student, the Head of School and the Director of Studies within five days. Minutes will be circulated to Panel members within 28 days, with a recommendation whether these can be shared with the Director of Studies for the course.

# Appeals

If a student wishes to appeal against the judgement of the Suitability Panel they may do so through, and in accordance with, the University’s Academic Appeals Policy by submitting a Final Appeal.

1. See [Education and Training Standards](https://www.socialworkengland.org.uk/standards/education-and-training-standards/) (Social Work England) [↑](#footnote-ref-1)
2. See [The Human Rights Act](https://www.equalityhumanrights.com/en/human-rights/human-rights-act) (Equality and Human Rights Commission) [↑](#footnote-ref-2)
3. A group with personal experience of social work and social care services who work closely with the University of Kent Social Work programmes. [↑](#footnote-ref-3)