

Professional Misconduct Policy

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Approved by:	Academic Quality and Standards Committee
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Scope of policy (audience):	Staff and Students
Policyholder:	Director of Academic Quality and University Registrar
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1. Scope

- 1.1. This policy relates to suspected cases of Student Professional Misconduct in relation to professional curriculum placements¹, volunteering and work-based learning with a third party. It does not cover apprenticeships or other modes of study where the University's contract is primarily with the employer. In such cases, the Placement Host's conduct policies apply to learning in the workplace. Matters pertaining to student conduct of a non-academic nature outside of this policy are covered by the Student Conduct Policy and Procedure.
- 1.2. Where there is overlap within a particular case of non-academic misconduct and professional misconduct precise arrangements shall be determined by the Student Casework Office following the principles set out in the respective procedures. Such arrangements will be communicated to the student(s) and staff concerned.
- 1.3. This policy and its associated procedure will provide a framework for the investigation of breaches of acceptable professional conduct to ensure that they are treated equitably, without bias and in a fair and transparent manner. It is not intended to be exhaustive and it is impossible to provide for all conceivable instances of misconduct within such a policy or procedure. The overall aim of the policy and its associated procedure is to ensure that all students are treated in an equitable manner and that no advantage is provided to students who act without integrity or due diligence in their studies.

2. Introduction

- 2.1. This Policy and its associated procedure explain how the University undertakes its responsibility and provides guidance to all students as to what is expected of them whilst on placement.
- 2.2. The University is committed to promoting an open and diverse community where the rights and dignity of all are respected regardless of their background. This is reflected in the University's [mission, vision and values](#) and our [Equality, Diversity and Inclusion Policy](#).
- 2.3. This Policy and its associated Procedure have been developed in accordance with the QAA's [Quality Code](#) and the Office of the Independent Adjudicator's [Good Practice Framework for Disciplinary Procedures](#).

3. Definitions

- 3.1. Professional Integrity
Rooted in its Catholic foundation, Leeds Trinity University is a diverse and inclusive University welcoming students from all backgrounds and beliefs which exists to provide a transformational educational experience, forming students and learners whose lives will flourish and find wholeness in their work and word (Strategic Plan

¹Professional Placements involve any period of time where a student is engaged in a work based learning activity with an external organisation (the host) or an internal placement where the University is acting as the placement host.

2021 – 2026). The University therefore expects its staff and students to act with personal integrity, self-discipline and respect for others in their personal, professional and academic conduct.

Professional Integrity refers to conduct which consistently adheres to the values of a particular profession and may involve acting within defined codes of ethics or conduct. It also refers to acting in accordance with socially accepted professional standards such as honesty, respect for colleagues and compliance with rules.

3.2 Professional Misconduct

Professional misconduct encompasses any actions on the part of a student which might render them unsuitable to undertake/continue a professionally orientated component of their programme of study. Particular behaviours which give rise to an allegation of professional misconduct will be investigated as detailed with the associated procedure. Examples of Professional Misconduct include the following but it should be noted that this is not an exhaustive list:

3.2.1 Lack of Preparation for/engagement with a professional component

If a student does not engage adequately with the pre-placement process and does not secure a suitable placement, they will receive a Fail for the Placement Hours and will be unlikely to achieve a pass mark for the associated academic assessment. Whilst lack of engagement in the pre-placement process would not necessarily be reported as Professional Misconduct, if the reputation of the University is at risk due to engagement or lack of engagement with their placement, this may be deemed professional misconduct.

It is the student's responsibility to manage their placement experience and to communicate with the appropriate personnel at the University, as set out in the Module Handbooks/Placement SharePoint. Failure to do so poses a risk to the institution and will be deemed professional misconduct.

3.2.2 Failure to comply with an approved Code of Professional Conduct

If a student fails to comply with an approved Code of Professional Conduct, in relation to a professionally orientated programme, this will be deemed to be professional misconduct. Due regard will be paid to a distinction between a lack of professionalism, suitability for the profession, behaviour which may bring the profession or University into disrepute and professional misconduct.

3.2.3 General Inappropriate Behaviour/Actions

If a student's behaviour or actions is found to be such that it would put the reputation of the University at risk should the student undertake/continue on a professional component in their programme or is putting other students at a significant advantage/disadvantage, this may be deemed to be professional misconduct. Behaviour is found to be such that it renders them unlikely to succeed on a professional component in their module may be referred to the Head of School or nominee for action but would not be regarded as professional misconduct. It may be referred under a different policy, namely Fitness to Study, Fitness to Practise or Student Conduct Policy and Procedure, though this is not an exhaustive list.

4. Monitoring and Enhancement

- 4.1. During the investigation of cases, the Director of Graduate Outcomes and Enterprise, the Chair of the Assessment Panel or University's Student Academic and Professional Misconduct Panel (APM Panel) may identify actions that would contribute to the enhancement of the overall student experience. Actions identified by the APM Panel will be reported to the Chair of the Assessment Panel whose responsibility it is to take them forward. The APM Panel may, at its discretion, report a matter to the Head of School and ask for a response on the matter to be submitted to the Director of Academic Quality and University Registrar.
- 4.2. The outcomes for individual cases are reported to the relevant Chair of the Assessment Panel.
- 4.3. The outcomes of individual cases are reported to the Progression and Award Board so that the results can be included in its decisions on progression and award.
- 4.4. The Academic Quality and Standards Committee receives an annual report of cases, including data on student characteristics for the purposes of assessing the impact on protected characteristics described in the Equality Act. The Committee provides oversight operation of the Student Academic and Professional Misconduct Panel and has responsibility for the policy and associated procedure.

5. Guidance Notes on Case Handling

- 5.1. The University has a duty to act fairly when investigating misconduct. Four basic principles should be adhered to:
 - The right of reply – the student should be given the opportunity to put their case forward and be heard. The result of this is that the student should be given as much detail as possible about the conduct of an investigatory interview or Student APM Panel in advance and be allowed sufficient time to prepare for the meeting.
 - Investigations should operate without bias and be transparent – the investigatory interview will be overseen by an independent member of staff. Investigations that have more serious consequences will be referred to the University's Student APM Panel where all Panel members will be independent of the relevant subject area.
 - Decisions must be based on evidence – the outcome of an investigation should be based on a balanced and considered assessment of the information and evidence presented and should not be speculative.
 - A test of reasonableness in decision making – outcomes should be proportionate to any offence that is found and should be drawn from a reasonable range of options to ensure equity of treatment and consistency.
- 5.2. Outcomes will be decided on the balance of probabilities i.e., that the proposition is more likely to be true than not true.
- 5.3. The finding of whether misconduct has occurred is separate from the application of a penalty. Whilst the former should be based on the facts contained in all the evidence under consideration, the application of a penalty is a matter of procedural

fairness where extraneous factors can be taken into consideration in order to reach a fair outcome.

- 5.4 Advice on previous case law and further guidance on the nature of a case is available from the Student Casework Office.

6. Student Support

- 6.1. Students who receive an allegation of Professional Misconduct and they are studying at the Leeds City Centre or Horsforth campus can contact Leeds Trinity Students' Union for advice and support. An LTSU advisor can accompany a student studying at the Leeds City Centre or Horsforth campus to an investigatory interview or panel hearing as a companion. Students can also contact their Personal Tutor for support. If a student's Personal Tutor is also the staff member who has brought the allegation forward, the student can contact another Module Tutor/Academic Staff Member for support. For students at Partner Institutions, students can contact their College Liaison Tutor/appropriate member of LTU staff for advice as well as their own tutors.
- 6.2. Student Support Services are available for students studying at the Leeds City Centre or Horsforth campus and can be accessed and booked via the MyLTU App or via email at studentsupport@leedstrinity.ac.uk.
- 6.3. Students studying at Partner Institutions will need to contact their own institution for support and guidance.

7. Transfer of Programmes and Providing References

- 7.1. Where a student requests to transfer to a different programme of study, the Head of School should consider any recorded instances of misconduct which need to be considered so that the student may be advised accordingly on the implication for the student on the new programme. Advice on individual cases may be obtained from the Director of Academic Quality and University Registrar.
- 7.2. In providing a reference on behalf of Leeds Trinity University, a referee has a duty of care to the subject of the reference, to the recipient of the reference and to the University. References should be true, accurate and fair and not misleading overall. Matters relating to student conduct should be regarded as an internal matter and should not normally be included in a reference to a potential employer unless the matter was directly relevant to the duty of care owed to the recipient of the reference. Colleagues should contact the Student Casework Office for information on misconduct offences.

8. Procedure

- 8.1. The policy is affected by appropriate procedures and guidance which are reviewed and signed off by the relevant policyholder annually, for example:

- Professional Misconduct Procedure
- Student Conduct Policy and Procedure
- Fitness to Practise Policy and Procedure
- Fitness to Study Policy and Procedure