

Abbeydale Disciplinary Policy & Fitness to Practise Policy

General principals

These regulations relate to the Level 3 Diploma in Veterinary Nursing course which leads to professional registration and/or a license to practise in a professional context and are characterised as being practice-centred/patient-centred and directed towards the achievement of professional competence and/or professional registration. Abbeydale will have a responsibility to deal with such apprentices to ensure that they do not qualify to practise in a profession when they are deemed fit to do so

The policy aims to ensure that a working environment, conducive to learning, for staff and apprentices, is provided and maintained. Criminal conduct or disciplinary offences whilst an apprentice of the training provider may also lead to action under these regulations, as well as unprofessional behaviour which may also contravene the RCVS code of professional conduct as applied to apprentices.

Abbeydale has a duty under the Counter-Terrorism and Security Act 2015 to prevent apprentices from being drawn into non-violent extremism, violent extremism and/or terrorism and to ensure they are being given appropriate advice and support. If a member of staff or an apprentice has reasonable grounds for concern that an apprentice is being drawn into or is drawing others into, activities which may lead to acts of non-violent extremism, violent extremism and/or terrorism they should raise the matter with one of the directors in the first instance.

The policy will endeavour to ensure consistent, fair and equal treatment for all apprentices when the college Commitment to Study, Learning Agreement or Academic Misconduct Policy is broken.

Abbeydale will, when necessary, take action under its Fitness to Practise Regulations to:

- protect present or future patients, service users or clients (i.e. public protection)
- protect Abbeydale against a legal suit brought by someone claiming to have suffered loss or harm as a result of an apprentice proving after qualification to be unfit to practise
- ensure apprentices do not waste time and money seeking a qualification for which they are not suited
- comply with the requirements of the RCVS.

The directors may arrange an investigation into an apprentice's fitness to practise at any time during an apprentice's programme of study. He or she will then decide how to deal with the matter and which procedural route should be followed.

In implementing these regulations, Abbeydale will ensure that the apprentice is informed of the case against him/her and is given a proper opportunity to reply to that case before any decision as to his/her fitness to practise is made.

Abbeydale has overall responsibility for the operation of the Fitness to Practise Regulations

BEHAVIOUR EXPECTATIONS

The Apprentice Agreement, Commitment Statement, Memorandum of Agreement and Apprentice Handbook clearly explain the standards of conduct, attendance, behaviour, and performance expected from all apprentices.

The Commitment Statement behavioural expectations are always applicable whenever apprentices are involved or engaged in college activities irrespective of where those activities take place. Failure to observe the college behavioural expectations laid out in this policy may lead to disciplinary action being taken.

Each apprentice will be provided details of the RCVS requirements including those relating to the eligibility to register with the RCVS and to the Abbeystead obligation concerning declaring them fit to practise. Apprentices are also directed to a copy of the RCVS Code of Professional Conduct

[Code of Professional Conduct for Veterinary Nurses - Professionals \(rcvs.org.uk\)](https://www.rcvs.org.uk)

GROSS MISCONDUCT

An apprentice suspected of behaviour deemed as gross misconduct will be suspended from the college immediately pending an investigation unless violent behaviour of any kind has been witnessed, in these cases, the immediate exclusion will be implemented. The following are indicative examples of gross misconduct, the list is not exhaustive:

- a. Deliberate or reckless behaviour that endangers others
- b. Bullying and harassment of others, including harassment via electronic means
- c. Threatening behaviour towards, or assault upon, staff, apprentices or members of the public on college grounds, including sexual, racial and verbal abuse or threats
- d. Misusing, damaging or vandalising college property
- e. Theft
- f. Owning an offensive weapon (as defined by the 1996 Offensive Weapons Act)
- g. Fraud and falsification of college records and data
- h. Cheating in examinations and plagiarism
- i. Committing any criminal offence whilst on a college site, college transport or during any offsite college activity
- j. Seriously unruly or disruptive behaviour in a classroom, refectory, learning centre, workshop, etc.
- k. Repeated disregard of the Commitment to Study
- l. Being under the influence or in possession of alcohol, illegal drugs or other nonprescribed mood or behaviour-altering substances
- m. Abuse of car parking facilities, including dangerous and reckless driving on college grounds

CRIMINAL OFFENCES

If a member of staff has a genuine reason to believe that an apprentice has committed a criminal offence, he/she should refer such issues to a senior post holder who will decide if the Police will be called. The college will then suspend the apprentice until the outcome of the police enquiry is available. However, the college is not bound by the results of any criminal proceedings against apprentices in terms of the way it implements its disciplinary procedures.

COLLEGE ROLES

Directors will become involved at any stage in the disciplinary process, including the issuing of warnings, suspending, and excluding apprentices. All recommendations for permanent exclusion are made to the Directors who make the final decision.

Directors are responsible for safeguarding matters where apprentices under 19 (or vulnerable adults) are at risk of serious harm as defined in the Safeguarding Policy. The Directors will take the lead at the exclusion stage and undertake investigations where violence has been witnessed and apprentices recommended for permanent exclusion. The Directors will issue written permanent exclusion letters supported by the evidence collated.

Directors: Have responsibility for issuing verbal and written warnings and working with apprentices to ensure that further or more serious disciplinary incidents do not occur. They are also responsible for setting and reviewing behavioural targets. Directors also have the responsibility of ensuring that the necessary staff receive appropriate information. Directors can suspend apprentices and chair disciplinary meetings.

All Members of Staff: Have responsibility for issuing reprimands and for compliance with the procedures outlined in this document.

Stages- Investigating Issues

One of the directors may arrange for an investigation into an apprentice's fitness to practise at any time during an apprentice's programme of study. They will need to decide:

- a) whether it should be dealt with under the Fitness to Practise Regulations or the Professional Conduct Regulations, and
- b) whether it should be dealt with by the Fitness to Practise Committee

If there is any doubt whether it is appropriate to consider a misconduct issue within the Fitness to Practise Regulations, or there is a need for further advice regarding the level the RCVS should be consulted.

Cases, where apprentices may face expulsion (for reasons of fitness to practise), must be referred to the Fitness to Practise Committee.

Issues surrounding professional behaviour will be dealt with initially by a director in consultation with the Training Practice Principle. When an issue concerning an apprentice's fitness to practise arises, the director will be an investigating officer. Any meetings with the apprentice will be held at Abbeydale unless, due to the nature of the allegations, this is inappropriate.

As part of the investigation, an apprentice may be required to agree that a medical report should be requested in respect of his/her medical condition by the investigating officer. The apprentice will also be required to agree to the disclosure of any such report to the extent necessary for the proper conduct of the investigation and any subsequent proceedings. This requirement may extend to other reports, including reports from social workers, probation officers and the police. Abbeydale will bear any costs of such reports.

The investigating officer will investigate the allegations within 30 working days. The timescale may be extended by agreement with the individual(s) who is (are) the subject of the allegations or, in

exceptional circumstances, by Abbeydale.

The investigating officer will prepare a report on the investigation that will be presented to the other director, who will be responsible for deciding whether there is a *prima facie* case to answer the apprentice. If so, the case will be referred to the Fitness to Practise Committee. If there is no case to answer, the apprentice will be informed accordingly.

Stages- Suspension for Investigation

Training practice may suspend an apprentice from attending work, under its procedures, if it asserts that the apprentice is not fit to practise.

Abbeydale will be informed immediately and the case presented to the Fitness to Practise Committee which may decide that:

- a) The apprentice may continue with the taught element of their studies, pending the outcome of the Training practices internal investigation, or
- b) The case against the apprentice is sufficiently serious to warrant a suspension from the course, in which case the procedures under 4.3 should be followed.

Where a case has been investigated by the placement provider, the outcome will be presented to the Fitness to Practise Committee.

Where an allegation is of sufficient seriousness, Abbeydale may approve the suspension of an apprentice from their course until the hearing takes place and a conclusion has been reached. Such suspension should only be instituted in exceptional circumstances where it is deemed necessary to protect patients, service users/clients or apprentices/staff of Abbeydale.

Advice and guidance

When a Fitness to Practice concern has been raised we will also signpost apprentices to organisations that can offer advice and guidance, depending on the concern. This could include the following:

- RCVS professional conduct department
- BVNA helpline (members only)
- VetLife
- ACAS

Paperwork Required for Hearings

When an apprentice is referred to the Committee on Fitness to Practise, the following information will be requested:

- the investigation report
- any additional written comments on the apprentice's conduct and/or health, explaining why there is a concern as to the apprentice's fitness to practise
- information about the apprentice's professional progress on the course, and
- any other relevant documentation.

All documentation will be sent to the chair of the Fitness to Practise Committee.

The chair will send to the apprentice a copy of all documentation received and will notify both parties of the date of the Fitness to Practise Committee hearing as soon as possible and in any event, not less than 10 working days before the hearing.

The apprentice will be invited to set out his or her case in writing before the hearing. Copies of any relevant documentation should be enclosed. These should be sent to the chair of the Fitness to Practise Committee not less than 5 working days before the hearing. The apprentice must also send the chair details of any witnesses he/she is preparing to bring to the hearing in support of his/her case. The apprentice is responsible for ensuring that any witnesses he/she wishes to call are notified of the date, time, and venue for the hearing.

Written material, submitted by the apprentice, will be circulated by the chair at least 3 working days before the hearing.

The committee will not receive written material that has not also been made available to Abbeydale and the apprentice.

Any written communication to the apprentice will be sent by e-mail to the apprentice's e-mail address and separately by recorded delivery first class mail to the registered training practice address last supplied by the apprentice, and to his or her home address. It is the apprentice's responsibility to ensure that his or her current addresses are made known to Abbeydale.

Stages- Attendance at Hearings

The apprentice will be required to attend the hearing of the Fitness to Practise Committee in person. Apprentices will be provided with a date for their hearing. Should the apprentice require a revised date the hearing will be rearranged once only. Apprentices should inform Abbeydale at least 48 hours in advance of the original hearing if they require a revised date. Should an apprentice not attend a hearing, it will take place in their absence; in that case, however, apprentices are strongly advised to provide a written submission for the committee.

Members of staff and any other persons relevant to the case may be required to attend the hearing if appropriate.

At the Fitness to Practise Committee, the Abbeydale case will be presented by a director.

The apprentice is allowed to be supported at the hearing, for example by a friend or a representative of the training practice. At least 24 hours before the hearing, the apprentice should advise the chair of the name and status of the person accompanying them and the name of any witnesses. Although Abbeydale would not anticipate the attendance of a legal representative, the chair of the hearing may exercise discretion should the apprentice indicate that they wish to bring someone with a legal background.

It is the apprentice's responsibility to ensure that any witness(es) they wish to call attends the hearing.

Stages- Committee on Fitness to Practise

Composition

Fitness to Practise Committee

The committee will comprise a chair appointed by Abbeydale; one member drawn from the teaching staff who has had no involvement with the case; one member drawn from the teaching staff of

another training provider, and one Registered Veterinary Nurse (in an advisory capacity only) from outside Abbeydale but practising at a senior level. Nominations for this external member will be sought from an appropriate training practice.

Committee functions

The committee has the following functions:

- (a) To consider cases of apprentices, who have enrolled on the Level 3 Diploma in Veterinary Nursing, which is referred to the committee on either of the following grounds:
- any conduct which may call into question an apprentice's fitness to be admitted to and practise that profession; or
 - any health problem which may call into question an apprentice's fitness to be admitted to and practise that profession.

Powers of the Fitness to Practise Committee and possible outcomes

Following consideration of the case the committee which considered the case may:

In the case of an enrolled apprentice:

- Permit the apprentice to continue with the programme
- permit the apprentice to continue with the programme under close supervision and/or specified conditions
- suspend the studies of the apprentice for a specified time with a conditional return
- recommend any other action considered appropriate by the committee to enable the apprentice's successful completion of the remainder of the programme
- require that the apprentice studies the course

Timescales

The Fitness to Practise Committees will be convened within 20 working days of confirmation of the decision to refer the case to the committee. This timescale may be extended by agreement with the apprentice who is the subject of the allegations or, in exceptional circumstances, by Abbeydale.

The outcome of the Fitness to Practise Committees will be provided to the apprentice within 5 working days of the hearing.

Apprentices' Rights of Appeal

The purpose of the appeal hearing is to consider whether the procedures have been followed during the initial investigation and hearing. Where it is found that the procedures have not been followed the appeal panel may re-hear the case.

Appeals against decisions of the Fitness to Practise Committee

Apprentices have the right to appeal against decisions made by the Fitness to Practise Committee. Such appeals will be heard by Central Qualifications.

Notice of the appeal should be made in writing to the training practice and should be received no later than 10 working days after the formal notification of the decisions made by the Fitness to Practise Committee.

Appeal hearings

The apprentice may make representations about his or her case (including oral representations for which purpose s/he may be accompanied by a chosen representative) to the committee considering the appeal.

The decision of the committee considering the appeal will be final and will be notified to the apprentice within 5 working days following the hearing by e-mail, by first-class post and separately by recorded delivery to the last known address of the apprentice. Such despatch will be deemed to be a sufficient and complete discharge of the duty to inform the apprentice. If the appeal is successful, Abbeydale will ensure, so far as possible, that the apprentice has not been disadvantaged by any disciplinary action or suspension.

Informing Awarding and Regulatory bodies

If the outcome affects the apprentices' position on the registered course, then CQ will be notified.

The RCVS requires Abbeydale to inform them once the outcome has been reached if it is serious enough to potentially cause issues with registration

Our Ref: Initials/ pathway where document is saved

Day, Month, Year

Private & Confidential

Name

Address

Dear Name

I am writing to inform you that you have been suspended from college with immediate effect (or date if different from the date of the letter), for your reason e.g.

- Suspected breach of the Assessment Misconduct Policy
- Persistently disruptive behaviour
- Poor attendance and/or punctuality
- Failure to make sufficient progress on the study programme
- Failure to meet targets set

You are required to attend a formal disciplinary meeting on date at time. Please report to reception on your arrival. The hearing will be chaired by an appropriate member of staff and you must be accompanied by a parent or guardian. If your parent/guardian is not present you may bring a suitable supportive adult or advise us if you would like a member of staff to be present, subject to their availability.

Please note that if you fail to attend this meeting, you will be given one opportunity to attend a re-scheduled hearing. However, if you fail to attend the re-scheduled hearing, then a decision will be made in your absence. Following the disciplinary hearing, you will remain suspended until you receive formal notification of the outcome which will be confirmed in writing.

Whilst you are suspended you must not attend any Abbeydale Vetlink Veterinary Training sites, other than for your disciplinary hearing.

Please find enclosed a copy of the apprentice disciplinary policy.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Parent / Guardian

Our Ref: Initials/ pathway where document is saved

[Day, Month, Year](#)

Private & Confidential

[Name](#)

[Address](#)

Dear [Name](#)

I am writing to inform you that you have been suspended from college with immediate effect ([or date if different from the date of the letter](#)), for your [reason e.g.:](#)

- [Suspected breach of the Assessment Misconduct Policy](#)
- [Persistently disruptive behaviour](#)
- [Poor attendance and/or punctuality](#)
- [Failure to make sufficient progress on the study programme](#)
- [Failure to meet targets set](#)

You are required to attend a formal disciplinary meeting on date at time. Please report to reception on your arrival. The hearing will be chaired by an appropriate member of staff and you may bring a suitable supportive adult or advise us if you would like a tutor to be present, subject to their availability.

Please note that if you fail to attend this meeting, you will be given one opportunity to attend a re-scheduled hearing. However, if you fail to attend the re-scheduled hearing, then a decision will be made in your absence.

Following the disciplinary hearing, you will remain suspended until you receive formal notification of the outcome which will be confirmed in writing. Whilst you are suspended you must not attend any Abbeydale Vetlink Veterinary Training sites, other than for your disciplinary hearing.

Please find enclosed a copy of the apprentice disciplinary policy.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Our Ref: Initials/ pathway where document is saved

Day, Month, Year

Private & Confidential

Name

Address

Dear [Name](#)

I am writing to inform you that you have been suspended from college with immediate effect ([or date if different from the date of the letter](#)), for your [reason e.g.:](#)

- [Involvement in a violent incident whilst on college premises on DATE](#)
- [Suspected breach of the Assessment Misconduct Policy](#)
- [Persistently disruptive behaviour](#)
- [Poor attendance and/or punctuality](#)
- [Failure to make sufficient progress on the study programme](#)
- [Failure to meet targets set or to comply with conditions](#)

You are required to attend a formal disciplinary meeting on date at time. Please report to reception on your arrival. The hearing will be chaired by a Director and you must be accompanied by a parent or guardian. If your parent/guardian is not present you may bring a suitable supportive adult or advise us if you would like a tutor to be present, subject to their availability.

Please note that if you fail to attend this meeting, you will be given one opportunity to attend a re-scheduled hearing. However, if you fail to attend the re-scheduled hearing, then a decision will be made in your absence.

Following the disciplinary hearing, you will remain suspended until you receive formal notification of the outcome which will be confirmed in writing.

Whilst you are suspended you must not attend any Abbeydale Vetlink Veterinary Training sites, other than for your disciplinary hearing.

Please find enclosed a copy of the apprentice disciplinary policy.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Parent / Guardian

Our Ref: Initials/ pathway where document is saved

[Day, Month, Year](#)

Private & Confidential

[Name](#)

[Address](#)

Dear [Name](#)

I am writing to inform you that you have been suspended from college with immediate effect ([or date if different from the date of the letter](#)), for your [reason e.g.:](#)

- [Involvement in a violent incident whilst on college premises on DATE](#)
- [Suspected breach of the Assessment Misconduct Policy](#)
- [Persistently disruptive behaviour](#)
- [Poor attendance and/or punctuality](#)
- [Failure to make sufficient progress on the study programme](#)
- [Failure to meet targets set or to comply with conditions](#)

You are required to attend a formal disciplinary meeting on date at time. Please report to reception on your arrival. The hearing will be chaired by a Director and you may bring a suitable supportive adult or advise us if you would like a tutor to be present, subject to their availability.

Please note that if you fail to attend this meeting, you will be given one opportunity to attend a re-scheduled hearing. However, if you fail to attend the re-scheduled hearing, then a decision will be made in your absence.

Following the disciplinary hearing, you will remain suspended until you receive formal notification of the outcome which will be confirmed in writing. Whilst you are suspended you must not attend any Abbeydale Vetlink Veterinary Training sites, other than for your disciplinary hearing.

Please find enclosed a copy of the apprentice disciplinary policy.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Our ref: initials/ pathway where document is saved

Day, Month, Year

Private & Confidential

Name

Address

Dear Name

Following your disciplinary meeting on date, this letter is to confirm that you have been issued with a written warning. This is due to your (reason i.e. unacceptable attendance rate)

The conditions attached to this written warning are as follows:-

- There must be a significant and immediate improvement in your behaviour.
- You must attend every timetabled session and be punctual.
- Your behaviour in and around the college must adhere to the Commitment to Study agreement.

If there is a breach of these conditions the college will have to consider taking further disciplinary action which will lead to you being withdrawn from the course. However, I am confident that you will be able to put this matter behind you and continue to make progress on your course.

If you wish to appeal against this decision you should write to insert name, Director at Abbeydale. This should be received no later than 10 working days from the date of this letter and should state the reasons for your appeal.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Parent / Guardian (if applicable)

Our ref: initials/ pathway where document is saved

Day, Month, Year

Private & Confidential

Name

Address

Dear Name

Following your disciplinary meeting on this date, this letter is to confirm that you have been issued with a final written warning. This is due to your (reason i.e. unacceptable attendance rate)

The conditions attached to this final written warning are as follows:-

- There must be a significant and immediate improvement in your behaviour.
- You must attend every timetabled session and be punctual.
- Your behaviour in and around the college must adhere to the Commitment to Study agreement.

If there is a breach of these conditions the college will have to consider taking further disciplinary action which will lead to you being withdrawn from the course. However, I am confident that you will be able to put this matter behind you and continue to make progress on your course.

If you wish to appeal against this decision you should write to insert name, at the college. This should be received no later than 10 working days from the date of this letter and should state the reasons for your appeal.

Yours sincerely

Name of Director

Job Title

Copy: Employer

Parent / Guardian (if applicable)

Our ref: initials/ pathway where document is saved

Day, Month, Year

Private & Confidential

Name

Address

Dear Name

You were invited to attend a disciplinary hearing on date, to discuss your involvement in a violent incident on date. Abbeydales' Disciplinary Policy and the Commitment statement set out the expectations the college has of learners. [CCTV footage clearly shows your excessive violent behaviour towards another apprentice and you also admitted your involvement in your disciplinary hearing](#). This constitutes Gross Misconduct and due [to this level of violence](#), your continued presence on the campus would, therefore, represent a serious threat to the safety and security of staff and apprentices.

The exclusion does not mean that you will never be re-admitted to Abbeydale Vetlink Veterinary Training but you will not be able to re-apply until [insert date](#) at the earliest and you will need to be interviewed by [insert name](#).

As an excluded apprentice you must not enter any college premises or car parks. Failure to conform to this requirement may lead to further action being taken. If you feel that you have been unfairly treated, you have the right to appeal. This appeal must be submitted in writing to the Directors, and this must be received no later than 10 working days from the date of this letter. Your letter must clearly state the grounds on which you are making your appeal.

Yours sincerely

Director

Copy: Employer

Parent / Guardian (if applicable)