



## **SCHOOL OF HEALTH AND LIFE SCIENCES**

### **Fitness to Practise Policy and Procedure**

This document outlines the School of Health and Life Sciences' Fitness to Practise Policy. Students should be provided with a copy of the policy before their programme commences. Every year, students will be asked to confirm their agreement with this policy. Staff and students should familiarise themselves with this policy and these procedures. Students should seek guidance from their Academic Adviser or their Programme Leader should they be unsure of any aspect of the policy, procedures or guidance notes. Staff are also asked to ensure they are fully conversant and to seek guidance from their Assistant Head of Department and/or the Head of Department should they require clarification.

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## **1. Introduction**

- 1.1. Students in the School of Health and Life Sciences (SHLS) at Glasgow Caledonian University are viewed as student professionals subject to University, professional and statutory body requirements relating to their area of study and practice.
- 1.2. The University has a responsibility to ensure that all students undertaking a course of study leading to registration as a health or social care professional requiring registration with a professional or regulatory body have the skills, knowledge, health and character to work effectively and safely.
- 1.3. This policy explains how the University undertakes this responsibility and provides guidance to SHLS students as to what is expected of them throughout the course of their study.

## **2. Policy objective**

- 2.1. The aims of the SHLS Fitness to Practise Policy are as follows:
  - 2.1.1. To set out the principles concerning health, character and conduct underpinning the requirement that SHLS students are fit to practise;
  - 2.1.2. To explain the standard of professional conduct required from students in order to ensure that they are, and remain, fit to practise;
  - 2.1.3. To explain the University's approach to addressing concerns raised in relation to a student's fitness to practise;
  - 2.1.4. To set out a student's rights of appeal in relation to any decision taken about their fitness to practise;
  - 2.1.5. To provide additional contact information in relation to this policy

## **3. Scope of policy**

- 3.1. This policy applies to all SHLS students undertaking a course of study leading to registration as a health or social care professional requiring registration with a professional or regulatory body.
- 3.2. GCU may review and change the terms of this policy from time to time for the following reasons:
  - 3.2.1. if those changes assist the University to maintain or improve good governance, good order and efficient operations;
  - 3.2.2. to comply with the requirements of law or a governmental authority, regulator or accrediting body; or
  - 3.2.3. the change is otherwise in the interests of staff and students following consultation with relevant staff and student representatives.

## **4. General principles**

- 4.1. The purpose of assessing an individual's fitness to practise is to determine if they have the skills, knowledge, health and character to be able to work safely and effectively in the area of practice related to their programme

- 4.2. An assessment that an individual is not fit to practise is not intended to apply as a penalty or sanction on that individual. Rather, the assessment is made to ensure protection of the public, colleagues and the student and the maintenance of the integrity of the profession through ensuring only those who are able to work safely and effectively, having regard to the nature of the work involved, are permitted to do so.
- 4.3. As such, while all SHLS students are subject to the general rules and regulations, such as the Code of Student Conduct, applicable to all GCU students, additional requirements are placed on pre-registration students. These additional requirements are to ensure that:
  - 4.3.1. students are fit to undertake any practise placement work required as part of their training; and
  - 4.3.2. students meet the standards of conduct, performance and ethics required by the professional and regulatory bodies governing the profession, qualification to which their course leads.
- 4.4. In applying this policy, the University must ensure that all students are treated fairly and are provided an equal opportunity to meet the standards required under the policy. This includes making appropriate reasonable adjustments to ensure there is an equal opportunity for all students.
- 4.5. This policy will apply to determine a student's fitness to practise having regard to that student's health, character and conduct.

## **5. Fitness to Practise – Health and disability**

- 5.1. The University is committed to providing a culture and environment which is inclusive of all sections of society and responsive to the needs of individuals. Staff, students and other stakeholders should be free from any form of unlawful discrimination, enabling them to participate fully in all aspects of University life and make a valuable contribution to the success of the institution and the communities of which they are part. The University particularly welcomes students experiencing disability, recognising and valuing the positive contributions and perspectives offered by these individuals.
- 5.2. In the interests of the health and safety of students and the wider public, the University must also ensure that all students are medically fit to undertake a programme and are safe practitioners, able to undertake skills in a safe and effective manner in order to meet the needs of service users, as required by the relevant professional and regulatory bodies.
- 5.3. Where a student has a disability or health condition that prevents that student from being able to undertake work on the programme in a safe and effective manner for the purposes of demonstrating that they meet the standard of proficiency required, the University may determine that the student is not fit to practise and may withdraw the student from that placement or programme in accordance with this policy.
- 5.4. Students should advise their programme leader, as soon as possible, of any disability or health condition that compromises, or is likely to compromise, their ability to carry out their work in a safe and effective manner.
- 5.5. A health condition may refer to either a physical health condition or a mental health condition.

- 5.6. In making any assessment about the fitness to practise of any student on the grounds of health or disability, the University will take into account any reasonable adjustments which can be made to enable a student to participate fully in all aspects of the programme.
- 5.7. Additional factors taken into account may include, but are not limited to:
- 5.7.1. whether a condition is a recurring or relapsing condition;
  - 5.7.2. whether the condition could affect the individual's judgement or performance;
  - 5.7.3. whether the condition is one which could pose a risk to the public
  - 5.7.4. the date of any diagnosis;
  - 5.7.5. any action taken by the individual since the diagnosis was received;
  - 5.7.6. the length of time that a condition may have been in remission;
  - 5.7.7. the treatment and/or management advised for the condition;
  - 5.7.8. the level of insight the individual has into the condition and/or disability
  - 5.7.9. evidence that the individual has proactively disclosed the condition and/or disability and sought support/treatment;
  - 5.7.10. recent evidence from the individual regarding the effective management of the condition;
  - 5.7.11. a report from an occupational health practitioner regarding the diagnosis and/or management of the condition as it relates to the capability of the individual for safe and effective practice;
  - 5.7.12. whether the health condition has led to conduct falling below the standard required under this policy.
- 5.8. Further detail about the specific health requirements and considerations relating to relevant programmes are outlined in **Appendix 1** to this policy.
- 5.9. A link to the Pre-Placement Health Declaration Form can be found at the following link:  
<https://hdf.ohiosystems.co.uk/>

## **6. Fitness to Practise – Character**

- 6.1. The University must ensure that all students to whom this policy applies are of good character. This requires the University to consider any matters in relation to a student that may indicate that they are not of good character.
- 6.2. Matters that may indicate an individual does not meet the requirement to be of good character include, but are not limited to:
- 6.2.1. The individual has been convicted of a criminal offence;
  - 6.2.2. The individual has received a police caution or conditional discharge for a criminal offence other than a protected caution or discharge;

- 6.2.3. The individual has been subject to disciplinary action either by the University, another further or higher educational institution, a professional or regulatory organisation or their employer;
  - 6.2.4. The individual has had civil proceedings (other than divorce or civil partnership dissolution proceedings) brought against them;
  - 6.2.5. There is evidence the individual has engaged in conduct that would bring into question their integrity or character or which might otherwise bring the University or the profession, within which they are working as part of their studies, into disrepute.
- 6.3. For the purposes of this policy, references to a criminal conviction include convictions, cautions, admonitions, reprimands, final warnings, bind over orders or similar.
  - 6.4. A criminal conviction includes a conviction issued by a court outside of the United Kingdom where that conviction would not be considered a protected conviction under the Rehabilitation of Offenders Act (1974) (Exclusions and Exceptions) (Scotland) Order 2013.
  - 6.5. Importantly, for the purposes of checks for these programmes, the Rehabilitation of Offenders Act 1974 does not apply and criminal convictions will not be considered spent, unless they are considered protected convictions or are otherwise not required to be disclosed pursuant to the Rehabilitation of Offenders Act (1974) (Exclusions and Exceptions) (Scotland) Order 2013 (as amended in 2015).
  - 6.6. Convictions, cautions, warnings or reprimands which are deemed 'protected' under the Rehabilitation of Offenders Act (1974) (Exclusions and Exceptions) (Scotland) Order 2013 (as amended in 2015), are not required to be disclosed. Guidance on when a conviction is required to be disclosed can be found on the [Disclosure Scotland website](#).
  - 6.7. In considering the impact of any criminal convictions, the following matters will be taken into account:
    - 6.7.1. The number and nature of offences
    - 6.7.2. The seriousness of the offence
    - 6.7.3. When the offences occurred
    - 6.7.4. Any information provided by the applicant in mitigation
    - 6.7.5. The applicant's character and conduct since the offence occurred.

## **7. Fitness to practise – Conduct**

- 7.1. A student's conduct, both on their programme and outside of the University or practice placement environment, is a relevant consideration when determining whether a student is, or remains, fit to practise under this policy.
- 7.2. All students are expected to have read, understood and agreed to adhere to the rules and regulations governing student conduct at the University, in particular the Code of Student Conduct.
- 7.3. Any determination by the University that the student has contravened the Code of Student Conduct may also be considered relevant to determining whether a student is fit to practise on the relevant

programme on the basis of that determination. Conduct that may breach the Student Code of Conduct may be considered by the School under this policy, in consultation with the Department of Governance, as such conduct may have a bearing on a student's fitness to practise and/or may raise questions about their suitability to be placed on a professional register after qualification.

- 7.4. Examples of conduct which may breach the Code of Student Conduct and which may also be considered under the Fitness to Practise Policy are outlined in **Appendix 3** to this policy.
- 7.5. Conduct which would not constitute a breach of the Code of Student Conduct may still fall short of the standards of conduct required of students on relevant programmes. The standards of professional conduct that students **must** adhere to when studying on a relevant programme are outlined at **Appendix 2**. This information has been adapted from the guidance on conduct and ethics for students provided by the Health and Care Professions Council.
- 7.6. In considering whether a student meets the standards of conduct, performance and ethics required for their programme, the University may have regard to the relevant professional and regulatory requirements governing the profession, qualification to which their course leads.

## **8. Fitness to practise procedure - application and admissions stage**

- 8.1. Offers made for programmes to which this policy applies may be subject to satisfactory occupational health screening, a satisfactory local police check from a student's home country and a PVG check following a student's acceptance of an offer on the programme. The University may withdraw an offer should the outcome of any of these checks indicate that a student does not meet the standards of health and character required to undertake the programme.
- 8.2. Applicants will be provided with a copy of the Fitness to Practise Policy when an offer of a place is made and will be provided with further guidance on the checks to be undertaken prior to commencing their programme.
- 8.3. Any student who has been subject to a criminal conviction or caution after completing and submitting the Protection of Vulnerable Groups (PVG) form but prior to commencing study at the University is required to notify his/her admissions tutor or programme administrator in writing, before commencing study at the University. This enables determination of any possible implications in relation to academic and/or practice education to be considered.
- 8.4. On receipt of an application where a relevant criminal conviction has been declared, the application will initially be assessed against academic and other standard programme entrance requirements. If the applicant does not meet the entrance requirements of the programme a reject decision will be processed in the normal manner. If the applicant is deemed to be eligible to receive an offer for the programme, the offer will be processed subject to a satisfactory disclosure check. All applicants, whether or not they have declared a relevant criminal conviction, are required to make an application to the Protection of Vulnerable Groups (PVG) Scheme with applicants residing outside Scotland also requiring to submit a local police check (for England & Wales: Disclosure and Barring Service (DBS)/Northern Ireland: AccessNI)
- 8.5. For applicants who have declared a relevant criminal conviction and then go on to accept their offer with the University, once all disclosure forms have been received they will be referred to the Criminal Convictions Panel for consideration, seeking the advice of the Chair of the Fitness to Practice Committee as required.

- 8.6. Where an applicant has not declared a criminal conviction and a subsequent PVG or other disclosure check discloses that the individual does have a criminal conviction, these individuals circumstances will be referred to the Criminal Convictions Panel for consideration under the Criminal Convictions Policy, seeking the advice of the Chair of the Fitness to Practise Committee as required.
- 8.7. If an applicant for a position on a programme declares that they have a criminal conviction when submitting their application to the University, the Programme Team will consider the impact that criminal conviction may have on the applicant's future registration with a professional and regulatory body. This may involve seeking advice from the relevant professional and regulatory body. If the conviction is of a serious nature, the applicant will be invited to a meeting with members of the Programme Team to discuss the matter further.
- 8.8. A failure to declare a relevant conviction that is subsequently made known to the University through PVG checks or through some other manner is a matter that may impact on a student's fitness to practise and may be considered further under this policy. All students that accept an offer to study on a relevant programme will be required to complete and submit a health declaration form and will be invited to attend an occupational health immunisation appointment, prior to commencement of the course.
- 8.9. In the interests of the health and safety of students and the public, the university must also ensure that all students are medically fit to undertake a programme. A student may be asked to provide medical certification from an occupational health physician of their fitness to undertake study on a programme which includes working with clients in practice settings and within laboratories.
- 8.10. The purpose of pre-admission health assessment is not only to ensure that all students are fit to undertake the programme for which they have applied to study, but also to assist the School in facilitating students' learning by making identified reasonable adjustments and/or providing additional appropriate support. Students who have any health condition or disability that may impact upon their ability to carry out their work safe and effective manner are expected to declare this in order that their requirements can be assessed as early as possible to allow for timely implementation of reasonable adjustments and/or other appropriate support. Impairment of Fitness to Practise is considered on an individual basis. The School works closely with the applicant/student, the School and university student support services, practice placement providers and with outside agencies appropriate to the needs of the student.
- 8.11. Failure to return the pre-admission health assessment form or making a false declaration may result in the withdrawal of the offer of a place on a programme and failure to return the form on time or to give full information may hinder the University putting in place reasonable adjustments and therefore adversely affect the student's learning experience.
- 8.12. Further detail about the specific health requirements and considerations relating to relevant programmes are outlined in **Appendix 1** to this policy.

## **9. Fitness to practise procedure - student agreement to the Fitness to Practise Policy**

- 9.1. Programmes must provide a briefing session on fitness to practise for all students starting their programme of study and a follow up session at the beginning of each successive academic session as part of the induction for each level of the programme

- 9.2. Additional materials concerning fitness to practise will be issued at the session. Programme Leaders will ask students to sign a class register indicating that they have read, understood and agree to abide by the terms of the fitness to practise regulations and understand what action may be taken by the university should they not adhere to the policy.
- 9.3. Attendance at these designated briefing sessions is mandatory for all students. Non-attendance will not be considered an excuse for any failure to abide by the terms of the policy.
- 9.4. Information regarding fitness to practise and Professional Codes of Conduct is available on the SHLS Student and Staff Portals. Where a student has not attended the designated briefing session, students will nonetheless be taken to have read, understood and agreed to abide by the Fitness to Practise Policy.
- 9.5. Students who do not agree to abide by the Fitness to Practise Policy may be required to withdraw from the programme of study.
- 9.6. Each programme should ensure that students are made aware of the support services available to them.
- 9.7. If a student has a break in an approved programme (time will be defined by School/programme), they should be assessed on their return. They should self-declare their good health and good character and the programme staff should consider whether there is a need to refer the student for further assessment and support. If necessary, the student should be referred to occupational health, or additional verification of good character should be obtained through for example, references or a CRB or PVG check.

## **10. Fitness to practise procedure - matters arising during programme**

### **10.1. Health matters arising on the programme.**

- 10.1.1. Where a previously undisclosed health condition or disability arises during the course of a programme, the affected student should notify their Programme Leader as soon as possible in order that any appropriate support can be put in place for the student to enable them to work safely and effectively on the programme.
- 10.1.2. The University may request that a student provide medical certification from an occupational health physician of their fitness to undertake study on a particular programme where a particular degree of medical fitness is a requirement of the programme. Examples may include, but are not limited to, where students are required to work with clients in practice settings or within laboratories.
- 10.1.3. The University reserves the right to refer the student to the University's student occupational health service for an independent assessment of a student's fitness to practise.
- 10.1.4. Where a student notifies their Programme Leader of a matter referred to in paragraph 10.1.1, or the University otherwise becomes aware of circumstances raising concerns over the health of a student and their fitness to practice, then the Programme Leader will notify the Assistant Head of Department of this matter.
- 10.1.5. The Assistant Head of Department will consider, having appropriate regard to any reasonable adjustments, whether the student is capable of carrying out their work safely and effectively.

10.1.6. Where the Assistant Head of Department considers that the student may not be able to carry out their work safely and effectively, a referral will be made, in writing, to the Head of Department who may refer the matter to the Fitness to Practise Committee.

## 10.2. Character and conduct matters arising during the programme

10.2.1. Students must notify their Programme Leader in writing if, at any stage throughout their programme, they are subject to police investigation or to criminal charges. Students must also advise if they have received any criminal convictions at any stage throughout their programme.

10.2.2. Students must notify their Programme Leader in writing if, at any stage throughout the course of their programme, they are the subject of disciplinary proceedings by any professional or regulatory body, other educational institution or practical placement provider.

10.2.3. Students must notify their Programme Leader in writing if, at any stage throughout the course of their programme, they engage in conduct that that may breach any University policies or regulations or may otherwise fall short of the standards of conduct required under this policy.

10.2.4. Where a student notifies the Programme Leader of a matter referred to in paragraphs 10.2.1 to 10.2.3, or where the University otherwise becomes aware of any such matter, a referral will be made to the Assistant Head of Department.

10.2.5. Where the Assistant Head of Department considers that the conduct complained of is only minor in nature and does not raise sufficient concerns about a student's fitness to practise, the Assistant Head of Department shall document the issues and an appropriate course of action may be agreed following discussion with the student. A record of the decision and reasons for the decision will be kept in the student personal file and the Studies Adviser will be informed. The Head of Department will be notified of the matter.

10.2.6. Where the Assistant Head of Department considers that the conduct complained of does raise sufficient concerns about a student's fitness to practise, a referral will be made, in writing, to the Head of Department.

10.2.7. The Head of Department, the Assistant Head of Department and, if required, the Programme Leader, will consider the circumstances of the particular case and will decide whether to refer the matter to the Fitness to Practise Committee. Where it is decided not to refer the matter to the Fitness to Practise Committee, the Assistant Head of Department shall document the issues and an appropriate course of action may be agreed following discussion with the student. A record of the decision and reasons for the decision will be kept in the student personal file and the Studies Adviser will be informed.

10.2.8. A failure by a student to notify the University of any matters in paragraphs 10.2.1 to 10.2.3 may also be taken into account in considering a student's fitness to practise.

10.2.9. For programmes to which this policy relates, all members of the programme staff have a responsibility to report any student conduct they consider may raise concerns about a student's fitness to practise.

### 10.3. Code of Student Conduct and Fitness to Practise

- 10.3.1. Notwithstanding paragraphs 10.2.1 to 10.2.6, where any conduct matter referred to the School falls within the scope of both the Code of Student Conduct and this policy, the matter will be considered under the Code of Student Conduct in the first instance.
- 10.3.2. If sufficiently serious, the matter will be referred to the DVC Academic under the Code to consider whether an interim suspension is necessary in the circumstances. Advice will be sought from the Dean of the School of Health and Life Sciences and the Clerk of the Fitness to Practise Committee as to whether an interim suspension would be required under this policy;
- 10.3.3. Where the matter is not required to be considered by the Senate Disciplinary Committee (SDC), the matter will be remitted to the School to handle as appropriate under the Code of Student Conduct, in the first instance, with any outcome reported in accordance with the Code. Consideration of the student's fitness to practise may then be considered further in accordance with this policy following the consideration of the matter under the Code of Student Conduct.
- 10.3.4. Where the matter is required to be considered by the SDC, an investigation under the Code of Student Conduct will be undertaken in the normal way by the School, to determine findings of fact. The case will then be considered by the SDC and an outcome agreed in line with the Code of Student Conduct;
- 10.3.5. Following the SDC deciding on an outcome for the matter, and subject to the student exercising appeal rights under the Code of Student Conduct, the Fitness to Practise Committee may consider the impact of the Code outcome on the student's fitness to practise and take any further appropriate action in accordance with this policy.

## 11. Fitness to Practise Committee hearing procedure

### 11.1. Referral to the Fitness to Practise Committee

- 11.1.1. A referral to the Fitness to practise Committee will be made by the Head of Department. The written referral will specify the issue that needs to be addressed and include any relevant documentation. The Head of Department shall seek guidance from the Disability Team when assessing Fitness to Practise matters in relation to health or disability.
- 11.1.2. The Head of Department shall also write to the student, informing him/her that the matter has been referred to the School Fitness to Practise Committee for consideration, explaining the reasons behind the referral, enclosing a copy of the report and explaining the Fitness to Practise procedure to the student.

### 11.2. Composition of the Committee

- 11.2.1. As a minimum composition the School Fitness to Practise Committee shall include:

- 11.2.1.1. an external member registered in the professional area of practice related to the student's programme;
- 11.2.1.2. an experienced academic within the student's discipline;

- 11.2.1.3. an experienced academic outwith the student's discipline;
- 11.2.1.4. one Head of Department outwith the student's discipline;
- 11.2.1.5. a student association representative drawn from a pool of suitably trained and approved student representatives; and
- 11.2.1.6. an appropriate member of the GCU academic staff from out with the School.

11.2.2. A proportion of the panel will have received disability and equality training.

11.2.3. The Assistant Dean, Learning and Teaching Quality will also be in attendance at any FTP Committee Hearing.

11.2.4. The Head of Department from outwith the Student's discipline shall chair the Committee. None of the members of the Committee shall have previously been involved with the matter or have a personal interest. Five members constitute a quorum. The Chair has the casting vote if necessary. The Clerk to the Committee will ensure that appropriate legal advice is obtained through the Department of Governance if required.

### 11.3. Procedure for Conduct of the Meeting

11.3.1. The written referral will be considered by the Chair and the Clerk of the Fitness to Practise Committee. The Chair has authority to decide if it is appropriate for a student to remain on the programme while Fitness to Practise procedures are taking place or if the student should be suspended on a temporary basis pending the outcome of the hearing. Advice maybe sought from other members of the Committee if required. The student and the Head of Department/Subject Lead will be informed immediately in writing of the decision taken.

11.3.2. A decision to temporarily suspend a student under paragraph 11.3.1 will be taken on the basis that the suspension is required in order to ensure the health and safety or service users, University and placement staff and the student themselves. In deciding whether to temporarily suspend the student, the Chair will take into account the nature of the matter raised in the written referral and any other material available at the time that is relevant to the matters in the written referral.

11.3.3. The Fitness to Practise Committee must meet to hear the student's case as soon as practicable but should be no later than three weeks from submission of the written referral. The Clerk to the Fitness to Practise Committee shall arrange for the case to be heard by the Fitness to Practise Committee.

11.3.4. The Clerk to the Fitness to Practise Committee will write to the student, providing the student with a copy of the written referral, inviting the student to submit a statement and any additional supporting material. The student will also be invited to submit a list of any individuals who the student would like to present information or other material at the meeting of the Fitness to Practise Committee. The date specified for the response to be received must be at least ten days from the date of the Clerk's notifying letter.

11.3.5. The Clerk to the Fitness to Practise Committee shall arrange for the case to be heard by the Fitness to Practise Committee. The Clerk will send details of the date, time, venue and membership of the committee to all attendees, including the student and members of the

committee, along with a copy of all the documentation concerning the case, including the student's statement and any additional supporting statements provided.

11.3.6. The student shall be provided with information regarding the procedures and advised as to who may accompany them to any meetings. At each stage of the process, the student should be reminded of the support services available to him/her through the School, the rest of the University, and the Students' Association.

11.3.7. If a student is unable to or chooses not to attend, the Fitness to Practise Committee may, if it is considered appropriate in the circumstances, decide to postpone the hearing until the student is able to attend or to proceed in the student's absence.

11.3.8. The student may be accompanied by a person of their choice at the hearing. At the hearing the Head of Department shall present the report and any further relevant information. The student or his or her representative may make a statement. The Fitness to Practise Committee may then ask questions. Where any questions are directed to the student, only the student may respond to these questions and not any person on their behalf.

11.3.9. Both the Head of Department and the student may request the attendance of individuals to present information or other material to the Committee relevant to the submissions made by each. These individuals may be asked questions by the student and / or the School Fitness to Practise Committee. These individuals cannot be compelled to attend.

11.3.10. At the conclusion of evidence the student or his or her representative shall have the right to address the Fitness to Practise Committee.

11.3.11. The Head of Department/ Assistant Head of Department, the student and the student's representative shall then be required to leave so that the Fitness to Practise Committee can deliberate and come to a decision.

11.3.12. Before deciding on an outcome for following the hearing, the Fitness to Practise Committee shall decide whether the nature of the matter raises specific concerns regarding Fitness to Practise that require consultation with a statutory or professional body and/or to seek legal advice. In that event the Committee may adjourn to consult the relevant professional or statutory body and/or University legal advice before determining the outcome of the hearing.

#### 11.4. Possible outcomes following a fitness to practise hearing

11.4.1. If the Fitness to Practise Committee, acting by majority (the Chair shall have a casting vote in the event of an equality of votes) and taking into consideration the processes, protocols and services available within the University, finds that a student is not fit to practise or that the student's conduct otherwise falls short of the standards expected of a student on that programme, then the Fitness to Practise Committee may decide to take one or more of the following actions:

- Allow the student to continue studying on their programme;
- Allow the student to continue studying on their programme and issue the student with a reprimand;
- Allow the student to continue on their programme subject to such conditions that the Fitness to Practise Committee considers appropriate;

- suspension of the student from practice education;
- suspension of the student from membership of and/or attendance at the University for a specified period not exceeding one year
- withdrawal of the student from the Programme

11.4.2. The Fitness to Practise Committee may suspend these outcomes, subject to agreed conditions. The student may also, at any point following the proceedings, request a review of any outcome by the Fitness to Practise Committee if there is a material change in his or her circumstances since the date of the decision of the Fitness to Practise Committee. The request should be made in writing to the Clerk of the Fitness to Practise Committee. Where the Fitness to Practise Committee decides to maintain its previous decision, the student may appeal this decision in accordance with this policy.

11.4.3. A record of the proceedings and any outcome shall be kept in the student's personal file.

#### 11.5. Physical or Mental Illness

11.5.1. If it appears to those considering an allegation of misconduct that the student in question is or has been suffering from a mental or physical illness or mental instability, the proceedings may be adjourned for the preparation of a medical report.

11.5.2. If there is medical evidence that the student is suffering from mental or physical illness or mental instability, those dealing with the case may suspend the proceedings, if it is felt appropriate to do so. It may be made a condition of suspension of the proceedings that the student seeks medical treatment and produces evidence subsequently to confirm that this is being/has been received.

11.5.3. Where proceedings are suspended or terminated pursuant to paragraph 11.5.2, the Fitness to Practise Committee may suspend the student from their programme of study or attach such other conditions to the student's ongoing study until such time as the proceedings may be concluded.

#### 11.6. Recording/Documentation/Follow Up

11.6.1. At the termination of the proceedings, the Clerk to the School Fitness to Practise Committee will write a short report. The report will set out the issue that was addressed by the Committee, a brief summary of evidence received, the grounds for the Committee's findings, the decisions taken, and the factors taken into account in deciding any penalties or other actions. A copy of the report shall be sent to the Committee members, to the student, the Dean and to the Head of Department. Placement provider(s) and /or professional body and /or statutory body may be notified as appropriate.

11.6.2. A copy of the report will be placed in the student's personal file.

11.6.3. Any failure by a student to adhere to and co-operate with the hearing procedures outlined in this policy (other than for reasons beyond his or her control) may be considered by the Committee in assessing the student's fitness to practise on the grounds of character.

11.6.4. A failure to comply with the final outcome determined by the Fitness to Practise Committee may be considered by the Committee in assessing the student's fitness to practise on the grounds of character and may be referred to the Senate Disciplinary Committee.

11.6.5. Upon completion of any fitness to practise hearing, the Department of Governance will be advised of the final outcome and this will be recorded centrally. The Fitness to Practise Committee will provide an annual report to the Department of Governance on the number of cases considered by the Fitness to Practise Committee including, but not limited to, details of the subject matter and outcome of those cases.

## **12. Procedure on Appeal from the Fitness to Practise Committee**

12.1. A student may appeal in writing within 20 working days of the issue of the written decision of the Fitness to Practise Committee.

12.2. An appeal of a decision of the Fitness to Practise Committee may only be appealed on the following grounds:

12.2.1. Evidence becomes available which was not available, or could not reasonably have been made available, at the time of the original decision;

12.2.2. The decision was not reasonable in the light of the evidence submitted by the student, and/or the decision was unduly harsh;

12.2.3. There was a material procedural irregularity which was prejudicial to the student.

12.3. The composition of the Appeal Panel shall be:

12.3.1. Dean of the School of Health and Life Sciences (Chair);

12.3.2. Senior member of academic staff from the student's discipline;

12.3.3. The President of the Students' Association or his or her nominee, to be drawn from a pool of suitably trained and approved student representatives;

12.3.4. an experienced academic outwith the student's discipline;

12.3.5. an external member registered in the professional area of practice related to the student's programme;

## **13. External appeal rights**

13.1. Where a student is dissatisfied with the outcome of the internal Fitness to Practise Process, they may wish to refer their complaint to the Scottish Public Services Ombudsman (SPSO) for further consideration. Further information and guidance in relation to the SPSO can be found at <http://www.spsso.org.uk/>.

## **Appendix 1 – Health-related considerations**

### **1. Immunisation and Health Clearance for Serious Communicable Diseases**

- 1.1. National Health Service guidance on standard health clearance checks recommends that all new health care workers having direct clinical contact with NHS patients, including students, are offered occupational health checks and immunisations to ensure immunity to specified infectious diseases. There are placements that do not accept students who have not had the recommended immunisations. Practice placements for social work students are likely to include environments where they may be exposed to any of the infectious diseases noted and/or may involve work with children or adults who are particularly vulnerable to infectious diseases. Therefore, although it is not necessarily a requirement, the School of Health and Life Sciences recommend that social work students are protected against these infections.
- 1.2. It is recommended that all student health professionals be immunised against Hepatitis B, a potentially serious blood borne infection which can be passed between health care workers and patients. Evidence of immunisation status will be required by the School before clinical work is undertaken. In the rare event that a student who is a non-carrier of Hepatitis B does not respond to two of the conventional 3 dose courses of the standard vaccine, he or she will be asked to see an occupational health physician who will explain what he/she will need to do in case of a needle stick injury or other accident involving contact of broken skin or mucous membrane with body fluids. The student will then need to sign to confirm that he/she understands this and also understands the need for regular antigen status checks if working on exposure prone procedures. Students who are found to be carriers of the Hepatitis B virus, or any other serious transmissible blood borne viral infection, such as the human immunodeficiency virus (HIV), will be informed of any placement provider regulations that may impact on their access to placements and will be directed to appropriate sources of advice and support.
- 1.3. If there are students who are not already immune to TB, polio, diphtheria, tetanus, varicella (chicken pox/herpes zoster), measles, or rubella (German measles), or if their immunity cannot be confirmed (e.g. because of incomplete/missing medical records), or if they are experiencing difficulty getting immunisations from their GP, then the occupational health (OH) team may administer the required immunisations for a stated fee, unless such immunisations are not required for whatever reason.
- 1.4. In the case of students from outside the UK, health checks for serious communicable diseases should be carried out in their own country before they apply for training at the School of Health and Life Sciences. Written confirmation will be required. The university's student OH service will carry out the necessary tests to confirm the results of these tests for those overseas students who are admitted to a pre-registration programme at the School.

### **2. Infection Control Practices**

- 2.1. During the pre-registration programme student health and biomedical science professionals are likely to come into contact with; for example, patients who have open wounds, severely compromised immune systems, and/or serious transmissible diseases and/or tissue/blood samples. Recognised practices such as hand washing and wearing of gloves, masks and other protective clothing are required to maintain a safe environment for all. A student who is unable to take part in such practices poses a risk to themselves and others, and may be unable to meet the requirements of the programme.

### **3. Vision**

- 3.1. In order to complete the requirements for registration Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to fulfil their professional functions using practicable means, which may include technological and personal support to supplement or replace visual inputs.
- 3.2. Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to observe service users, their living and working environments, their movements and their responses in detail in order to accurately plan, implement and assess therapeutic interventions.
- 3.3. Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to respond accurately to written instructions for diagnostic or therapeutic interventions including administration of medication. They must therefore have sufficient vision, or an assistant, to read hand written and typed text. They must also be able to recognise small-scale changes in a patient's condition at a reasonable distance. Podiatrists have to be able to carry out surgical procedures safely.

### **4. Hearing**

- 4.1. In order to complete the requirements for registration, Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to function successfully in a hearing world, by lip reading, using fitted hearing aid(s) and/or other adaptations or assistance if required. They need, for example, to understand what is said by a softly spoken person in a busy environment and/or to be supported by a language service professional.

### **5. Speech**

- 5.1. In order to complete the requirements for registration Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to communicate effectively with service users, and/or carers and/or colleagues.

### **6. Dyslexia and Other Learning Difficulties**

- 6.1. In order to complete the requirements for registration Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians need to be able to access and interpret Standard English written information, including words and numbers. The ability to accurately select and administer medication or treatment and/or use potentially hazardous substances is essential to patient safety. Students also need the ability to present intelligible written and/or printed records and reports in English. Accurate recording/reporting is crucial to service user safety and records/reports may be challenged in court.
- 6.2. Support for students who have dyslexia, or other learning difficulties, is available at both University and School level.

## **7. Mobility and Manual Dexterity**

- 7.1. In order to complete the requirements for registration student health professionals may need to undertake a range of activities which may involve whole body mobility and manual dexterity such as:
- Basic Life Support procedures.
  - Safe moving and handling techniques which comply with health and safety requirements.
  - Professional diagnostic or therapeutic interventions.
  - Manual techniques.
  - Management of aggression and violence.
- 7.2. Students with limited mobility or dexterity are advised to consult the programme admissions tutor for information about the specific requirements of their programme of choice.

## **8. Chronic or Recurrent Medical Conditions such as Diabetes, Epilepsy, Asthma, Skin Conditions (e.g. psoriasis, eczema)**

- 8.1. Students with medical conditions which are controlled with medication and/or avoidance of circumstances which aggravate the condition and adoption of behaviours that help to keep the condition under control will not normally find it difficult to meet the requirements for registration and practice. However, timely discussion with academic and placement support staff is advised to ensure that where adjustments are required to support such students in the management of their condition these can be reasonably accommodated.

## **9. Mental Health**

- 9.1. Biomedical Scientists, Clinical Physiologists, Counselling Psychologists, Nurses, Midwives, Allied Health Professionals, Social Workers, Optometrists and Dispensing Opticians undertake work requiring them to take safe, rapid and accurate decisions and actions. They also need to be able to use judgement in listening to and communicating with vulnerable and distressed people and to maintain stable, acceptable behaviour in stressful circumstances. Those who have serious mental health or personality disorders may be unable to demonstrate safe and effective practice without supervision and hence meet these requirements.

## **10. General Health**

- 10.1. Student health professionals undertake work placements requiring physical activity for several hours a day. Those who have serious disorders of major organs such as the heart, lungs, kidneys, liver or who have a systemic illness that undermines their physical stamina, may be unable to meet this requirement. Exposure to illness environments might also be detrimental to some students' general health.
- 10.2. Study, exams, work, placements and/or the associated travel may be stressful to some students and potentially could exacerbate medical/mental health conditions. Students experiencing difficulties need to be proactive if this is the case and seek help/support without delay.

## **11. Additional Sources of Advice and Support**

Skill National Bureau for Students with Disabilities: <http://www.skill.org.uk>

Royal National Institute for the Blind: <http://www.rnib.org.uk>

Royal National Institute for the Deaf: <http://www.rnid.org.uk>

Scottish Association for Mental Health: <http://www.samh.org.uk>

World of Dyslexia: [http://www.dyslexia-parent.com/world\\_of\\_dyslexia.html](http://www.dyslexia-parent.com/world_of_dyslexia.html)

Glasgow Caledonian University Disability Service: <http://www.gcu.ac.uk/student/disability/index.html>

## **Appendix 2 – Standards of conduct and ethics for students**

### **1. Promote and protect the interests of service users and carers**

- You should treat service users and carers as individuals, respecting their privacy and dignity.
- You should make sure that you have consent from service users or other appropriate authority before you provide any care, treatment or other services.
- You should follow your education provider’s or practice placement provider’s policy on consent.
- You should make sure that before you provide any care, treatment or other services, the service user is aware that you are a student.
- You should respect a person’s right to have their care, treatment or other services carried out by a professional and not a student.
- You should treat everyone equally and not discriminate against anyone because of your personal views.
- You should keep relationships with service users and carers professional.

### **2. Communicate appropriately and effectively**

- You should be polite and considerate to service users, other students and staff at your education provider and practice placement provider.
- You should listen to service users and carers and take account of their needs and wishes when carrying out any care, treatment or other services.
- You should take all reasonable steps to make sure that you can communicate appropriately and effectively with service users and carers.
- You should communicate effectively and co-operate with members of staff at your education provider and practice placement provider to benefit service users and carers.
- If you are experiencing any difficulties or other issues which may affect your learning or ability to successfully participate in your programme, you should tell your education provider and practice placement provider.
- You should use all forms of communication appropriately and responsibly, including social media and networking websites.

### **3. Work within the limits of your knowledge and skills**

- You should make sure that you are appropriately supervised for any task that you are asked to carry out.
- You should ask for help when you need it.
- You should be aware of any restrictions which apply to you in carrying out certain tasks and follow any relevant policies of your education provider or practice placement provider.
- You should recognise that opportunities for carrying out any unsupervised tasks will vary during your programme and may depend on your knowledge, understanding, skills and experience.
- You should only carry out an unsupervised task if you feel that you have the appropriate knowledge and skills to do so safely and effectively.
- You should take responsibility for your own learning.
- You should be aware of and follow any guidance issued by your education provider or practice placement provider for working with service users and carers.
- You should ask for, listen to, think about and respond proactively to feedback you are given.

### **4. Delegate appropriately**

- You should recognise that the opportunities for delegation will vary during your programme depending on your knowledge, understanding, skills and experience.

- You should discuss the delegation of tasks with an appropriate member of staff at your education provider or practice placement provider before you take any action.
- You should follow local policies or guidelines on delegation and working with others produced by your education provider or practice placement provider.
- If you give tasks to another person to carry out on your behalf, you should make sure that they have the knowledge, skills and experience to carry out the tasks safely and effectively. The education provider or practice placement provider should support your decision to delegate.
- If you give tasks to another person to carry out on your behalf, you should make sure that they have the appropriate information to carry out the tasks safely and effectively.
- You should explain to service users and carers when you have asked another person to provide any care, treatment or other services.

## **5. Respect confidentiality**

- You should keep information about service users and carers confidential, and only use it for the purpose for which it was given.
- You should follow local policies or guidelines on confidentiality produced by your education provider or practice placement provider.
- You should remove anything that could be used to identify a service user or carer from information which you use in your assessments or other academic work related to your programme.
- If any confidential information raises concerns about the safety or wellbeing of someone, you should discuss this promptly with an appropriate member of staff at your education provider or practice placement provider.

## **6. Manage risk**

- You should make sure that you take all appropriate steps to limit the risk of harm to service users, carers and others.
- You should not do anything that you think will put someone in danger or at unacceptable risk.
- You should follow your education provider's or practice placement provider's policy on managing risk.
- You should be aware that you may put your service users or yourself at risk if your performance or judgement is affected by your physical or mental health.
- You should ask for appropriate support and adapt your study or stop studying if your performance or judgement is affected by your physical or mental health and could put service users, yourself or others at risk.
- You should get advice from a doctor or other appropriate professional if you are worried about your physical or mental health.

## **7. Report concerns about safety**

- If you are worried about the safety or wellbeing of service users, carers or others, you should speak to an appropriate member of staff at your education provider or practice placement provider promptly.
- You should put the safety and wellbeing of service users before any personal concerns, for example, about assessments, marks, other work related to your programme, employment prospects or other personal gain.

## **8. Be open when things go wrong**

- You should tell an appropriate member of staff at your education provider or practice placement provider if something has gone wrong in any care, treatment or other services you have carried out involving a service user.
- You should co-operate with members of staff at your education provider and practice placement provider if something has gone wrong in any care, treatment or other services you have carried out involving a service user. You should learn from this experience.
- You should tell an appropriate member of staff at your education provider or practice placement provider if a service user or carer wants to raise concerns about any care, treatment or other services they have received.

## **9. Be honest and trustworthy**

- You should make sure that your conduct and behaviour does not damage public trust and confidence in your profession.
- You should be aware that your conduct and behaviour outside of your programme may affect whether or not you are allowed to complete your programme or register with us.
- You should not claim that you have knowledge, skills, qualifications and experience which you do not.
- You should be honest about your role with service users, carers and others.
- You should make sure that your personal appearance is appropriate for your practice placement environment.
- You should follow your education provider's or practice placement provider's policy on attendance.
- You should follow your education provider's policies on ethics when carrying out research.
- You should make sure that all attendance, achievement and assessment records are completed accurately and truthfully.
- You should reference other people's work appropriately and not pass it off as your own.
- You should provide constructive feedback on the quality of your teaching and learning experience in both the education and practice placement setting.
- You should provide, as soon as possible, any important information about your conduct, competence or health to your education provider and practice placement provider.
- You should tell your education provider, as soon as possible, if you are charged with, convicted of, or accept a caution for, any offence.
- You should co-operate with any investigation into your conduct or competence.

## **10. Keep records of your work with service users and carers**

- You should make sure that the records you keep are clear and accurate.
- You should help to protect records from being damaged, lost or accessed by someone without permission.
- You should follow your education provider's or practice placement provider's policy on record keeping.

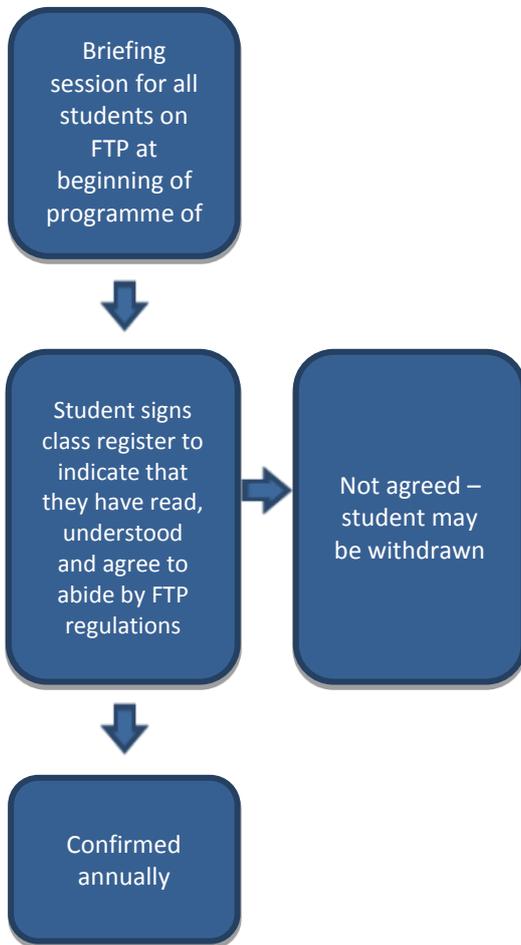
### **Appendix 3 – Conduct which breaches the Code of Conduct and may impact on fitness to practise**

The following is a non-exhaustive list of examples conduct that **may** breach the Code of Student Conduct and that may also be referred to the Fitness to Practise Committee, following an investigation under the Code of Student Conduct.

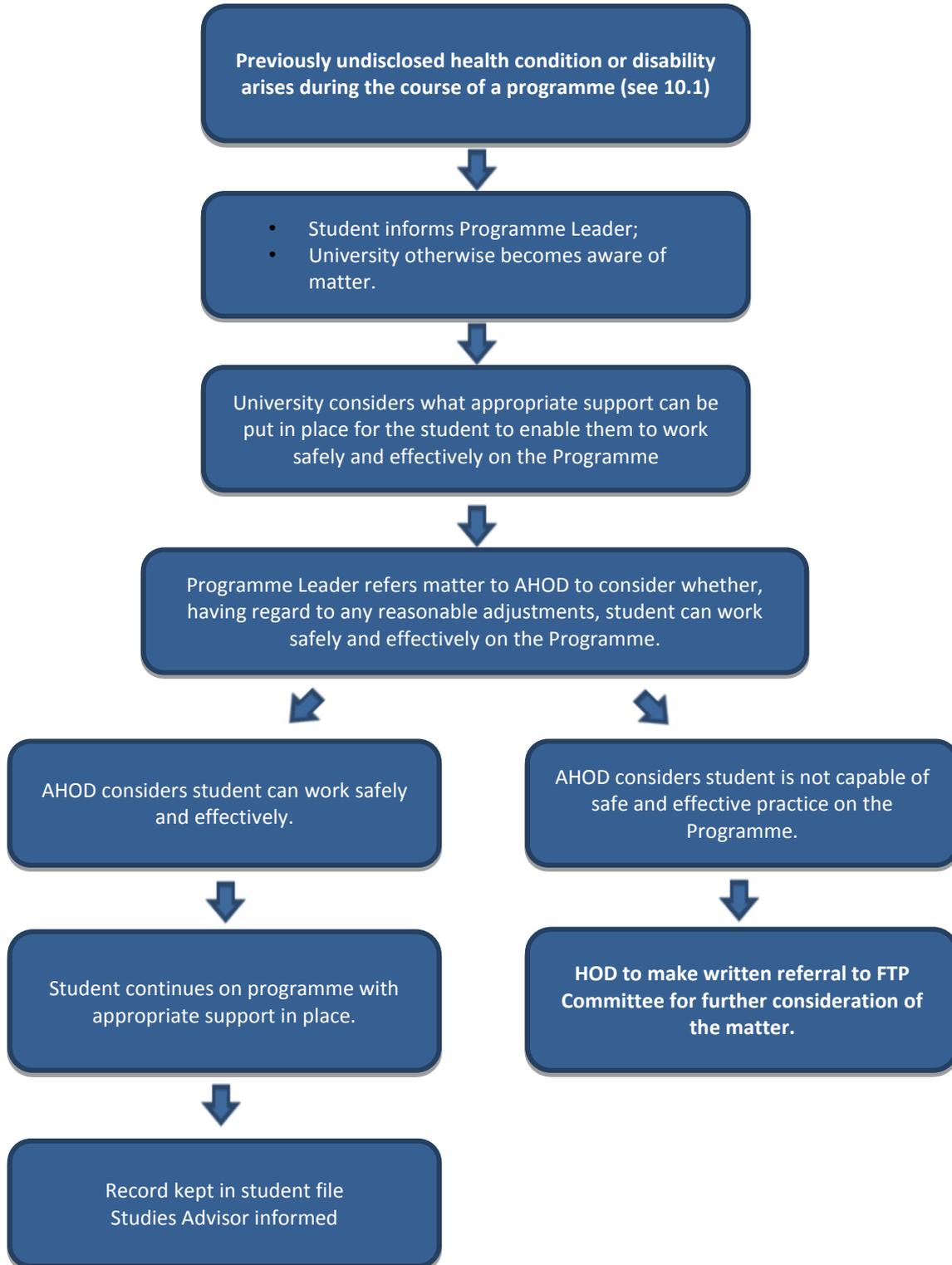
- Any criminal conviction under the law of Scotland, or elsewhere
- Conduct giving rise to a police investigation
- Theft, fraud or unauthorised possession of funds or property
- Violent, indecent, disorderly, threatening, offensive or anti-social behaviour
- The publication of inappropriate, threatening or offensive material, including the posting of inappropriate, threatening or offensive material on social networking and media sites
- Dishonesty in any dealings and correspondence with the University
- Misuse, or unauthorised use, of University computing equipment or the University computing network including breaches of the University's IT Policy
- Harassment, discrimination or incitement to harass or discriminate on the grounds of race, gender, sexual orientation, national origin, ethnic origin, religious, political or philosophical belief or lack of such belief, disability (including physical or mental impairment), age, married status, or any other grounds
- The possession, supply, use or sale of controlled substances
- Intentional or reckless damage to University property, the property of other members of the University community or the property of visitors to the University
- Contravention of the Copyright Licensing Agency Photocopying and Scanning HE Licence
- Non-return of any equipment or property loaned from the University
- Failure to engage with the disciplinary process or to comply with any sanction(s) imposed by a HoD, Plagiarism Assessor, Dean, the Senate Disciplinary Committee or the ACUC
- Failure to comply with the University's policies and procedures and working practices
- Failure to comply with legislative requirements, e.g. health and safety legislation, fire safety procedures
- Any other conduct or activity, of any nature, which may bring the University into disrepute
- Offences in connection with examinations or assessments which allow and/or are intended to allow the student to obtain an unfair advantage, for example:
  - Plagiarism
  - Breach of the Regulations for the Conduct of Examinations
  - Research misconduct
  - Falsification
  - Personation

## Appendix 4 – Flowcharts of Fitness to Practise Procedures

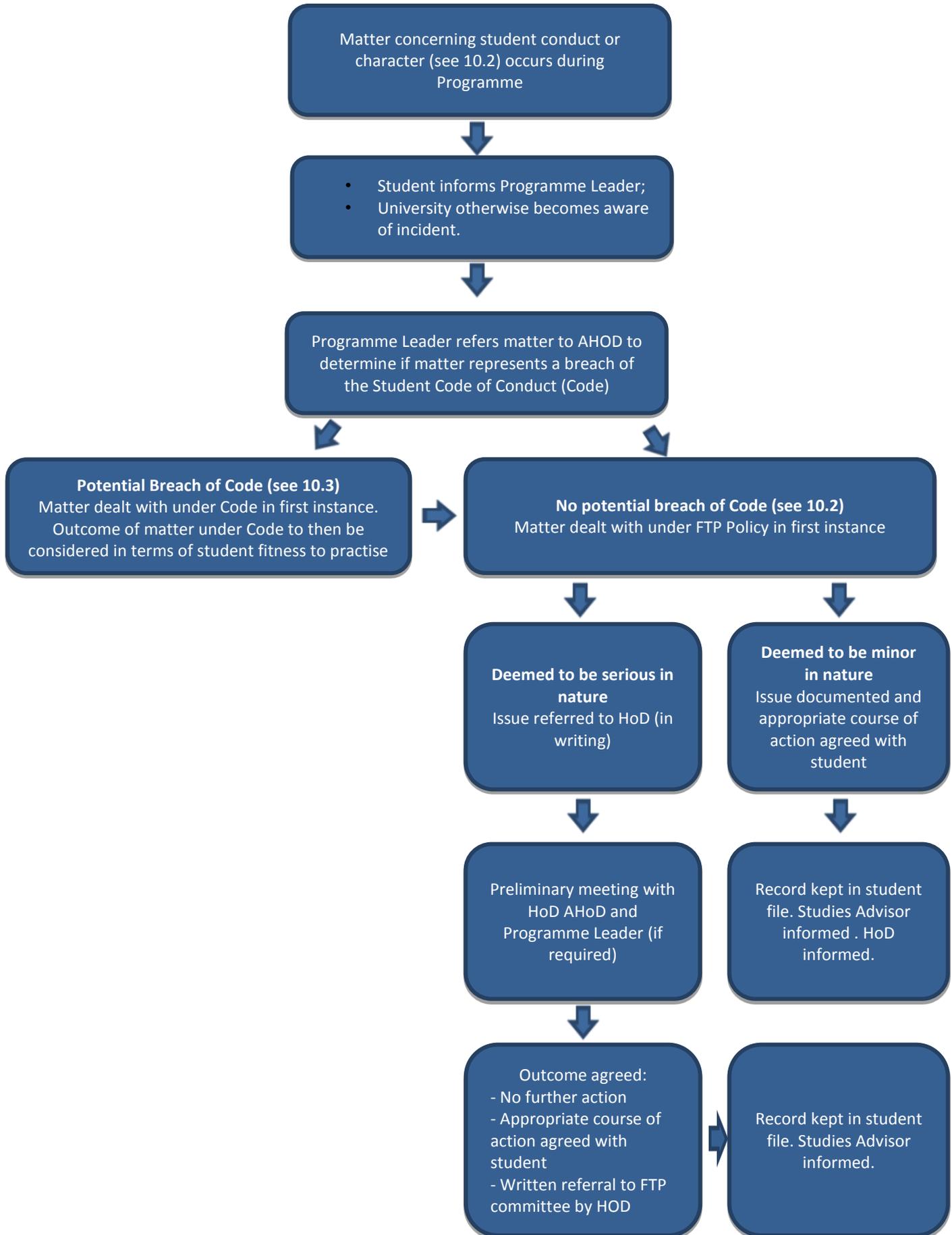
### Process for Annual Declaration



## Health matters arising during Programme



**Character or conduct matters arising during Programme**



**Procedures upon receipt of written referral concerning Fitness to Practise**

