



Student Fitness to Practice Policy

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1. Purpose

Many programmes that lead to professional qualifications and / or licensure require students to engage in work placement or practical training, which may involve working in professional settings with patients, clients, children, and other service users. Atlantic Technological University (ATU) is committed to maintaining the highest standards of academic and ethical professional conduct for its students, particularly in disciplines that require professional registration and licensure.

This Student Fitness to Practice Policy outlines the principles and overarching processes that must be followed to ensure that students will be able to demonstrate the requisite levels of competency, professionalism and ethics required to work in their chosen fields. It provides a comprehensive framework for understanding our guiding principles and the general steps involved in effecting the Student Fitness to Practice policy. The procedures for student fitness to practice are documented separately (refer to Section 5 (page 11), of this document for the list of related procedures).

The policy includes the standards expected of students, the requirements for reporting and handling of issues / concerns related to fitness to practice, a comprehensive investigation and decision-making process, and a clearly defined appeals process. It is designed to provide guidance, transparency, and fairness in managing fitness to practice matters whilst upholding the integrity of the University and the professions it serves.

2. Scope

This policy applies to all students registered in programmes that have been designated by the University as subject to the Student Fitness to Practice Policy. Students enrolled in these designated programmes must satisfy all programme-specific entry criteria and must also adhere to the guiding principles and overarching processes outlined in this policy, as it serves to uphold the integrity of the professions and ensures the well-being of all parties involved in practical training and professional environments.

It is the responsibility of students to familiarise themselves with the fitness to practice requirements specific to their chosen profession, as well as any additional codes of conduct or guidelines set forth by the University and / or the relevant professional body. This policy aims to provide a consistent framework for addressing general fitness to practice concerns across all professional disciplines, while also respecting and taking into consideration the unique requirements of each field of practice.

3. External Reference Documents

- Fitness to Practice Statement(s) – (various; programme specific)
- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 – 2016
- General Data Protection Regulation EU 2016/679 (GDPR)
- Data Protection Act 2018

4. Policy

This policy is designed to provide guidance, transparency, and fairness in managing fitness to practice matters, while upholding the integrity of the University and the professions it serves. The objective is to support students in meeting the required professional standards, safeguard the well-being of all individuals involved, and maintain the reputation and credibility of both the University and the professions it prepares students for.

4.1 Key Definitions

Fitness to Practice: The ability to demonstrate the necessary skills, knowledge, professionalism, and conduct required to perform effectively and ethically in a professional context. This includes maintaining a level of personal health, resilience, and appropriate ethical conduct and disposition to meet the demands and expectations of the chosen profession while ensuring the safety and well-being of the practitioner and others.

Fitness to Practice Statement: A document detailing programme-specific criteria for student fitness to practice.

Fitness to Practice Issue / Concern: A situation where a student's behaviour, health, or performance may impact their fitness to practice.

Fitness to Practice Committee: A programme-specific committee responsible for reviewing issues or concerns within the domain of the programme.

4.2 Designated Programmes

The Head of Faculty / Head of School is responsible for notifying Academic Council of programmes that will be subject to this Student Fitness to Practice Policy. A master list of all

programmes that are subject to this policy shall be maintained by the Office of Academic Affairs.

4.3 Guiding Principles

The following principles underpin ATU's student fitness to practice policy:

- i) *Professionalism, Integrity, and ethics*: Upholding the highest standards of professional conduct and behaviour, both within the University and in professional contexts, to uphold the integrity and reputation of both the University and the professions.
- ii) *Fairness and Due Process*: Ensuring that all issues and concerns relating to workplace student practice are handled through a timely, fair and transparent process by respecting the rights of students to be treated fairly and equitably and providing them with an opportunity to respond to issues and concerns either raised against them or to raise issues and concerns of their own.
- iii) *Confidentiality and Privacy*: Safeguarding sensitive information related to fitness to practice concerns, investigations, and outcomes, by limiting disclosure of information to relevant parties only, on a need-to-know basis, and adhering to applicable data protection laws and regulations.
- iv) *Prevention and Support*: Fostering an environment that encourages students to maintain their fitness to practice by providing access to resources, support services, and guidance to address personal, academic, or health-related issues that may impact their professional conduct or performance.
- v) *Collaboration and Communication*: Ensuring open lines of communication among students, faculty, staff, and relevant professional bodies, and promoting a collaborative approach to identifying, reporting, and addressing issues and concerns relating to workplace student practice.

4.4 Fitness to Practice Statement

Each programme subject to this policy must publish a *Fitness to Practice Statement* detailing the programme-specific criteria for student fitness to practice. The Fitness to Practice Statement will serve as a guide for students, helping them understand their responsibilities and the importance of maintaining their fitness to practice standards and requirements throughout their education and professional development.

The statement must include the following:

- i) *Purpose*: Explain the rationale and purpose behind the Fitness to Practice Statement and how it relates to the professional and ethical standards associated with the programme, and the University's commitment to maintaining these standards.
- ii) *Expectations*: Outline general expectations for students' conduct, professionalism, and competence while enrolled in the programme and participating in practical training or professional settings.
- iii) *Key Programme-related Components*: Identify the essential programme-specific aspects of fitness to practice, such as knowledge, skills, health, personal resilience, conduct and disposition.
- iv) *Professional Conduct*: Describe the importance of adhering to the ethical principles, established norms, and expected behaviours associated with a specific profession.
- v) *Support and Resources*: Highlight any available support services and resources for students to address personal, academic, or health-related issues that may impact their fitness to practice.
- vi) *Reporting and Addressing Concerns*: Briefly explain the role and composition of the programme Fitness to Practice (FtP) committee and refer to the process for reporting and addressing fitness to practice concerns.
- vii) *Consequences*: Clarify the potential outcomes or consequences for students who fail to meet their fitness to practice requirements.

Programme specific Fitness to Practice Statements aligned to this policy will be reviewed by the Student Experience & Access Committee of Academic Council and then recommended to Council for adoption.

4.5 Disclosure / Student Health

Prior to registration on a programme, students must ensure that they meet the stated entry criteria for their chosen programme (this may include but is not limited to criteria relating to language proficiency, health requirements, criminal records and other appropriate academic and / or professional entry standards to ensure that students can participate in all elements of the programme). Additionally, we encourage students to continually assess their health and well-being and their ability to meet the demands of their chosen profession and programme requirements. This may help identify any health concerns or disabilities early on, allowing for the provision of necessary support, accommodations, and the coordination of support resources to help ensure student success.

By registering for their programme, students implicitly declare that they believe their health status allows them to engage in safe and effective practice. If a student's health status changes, a disability emerges, or there is a concern about their capacity for safe and

effective practice – whether declared by the student or noticed / reported by another – they may be subject to assessment under the informal and / or formal fitness to practice procedures provided for in this policy.

To receive reasonable accommodations, students with disabilities or relevant health conditions must disclose their disability, supported by appropriate expert evidence, to the University Access Office. Additionally, students have a responsibility to bring any concerns related to their Fitness to Practice to the attention of the academic staff in their programme.

Any information collected through student health self-declaration will be treated confidentially and in compliance with data protection regulations.

4.6 Roles & Responsibilities

4.6.1 Students

Students are responsible for making themselves familiar with the programme Fitness to Practice Statement and for maintaining the necessary level of fitness to practice. They must notify the appropriate University personnel if they have concerns about their own (or a peer's) fitness to practice.

Certain programmes require applicants to undergo Garda vetting in accordance with the University's *Student Vetting Policy*. A disclosure from a policing authority in respect of a student could lead to an investigation regarding their fitness to practice.

Students enrolled in programmes subject to this fitness to practice policy are required to disclose any criminal convictions or pending prosecutions. Failure to disclose this information during registration or while enrolled at the University may result in suspension, withdrawal, or termination of the student's registration.

4.6.2 Programme Board, Faculty and Staff

The Programme Board is responsible for the development and ongoing review of the programme *Fitness to Practice Statement*. Faculty and staff are responsible for monitoring and assessing student performance, providing support and guidance, identifying issues and concerns related to fitness to practice, and serving as a member of the programme *Fitness to Practice Committee*.

4.6.3 Head of Department

The Head of Department shall review all *Preliminary Report / Note of Concern (Student Fitness to Practice)* forms received and must ensure, in consultation with relevant

programme staff, that each concern is addressed under the informal or formal fitness to practice procedure, as appropriate.

4.6.4 Fitness to Practice Committee

Each programme that is subject to the University Fitness to Practice Policy must establish a *Fitness to Practice Committee* which is responsible for reviewing issues / concerns, considering investigation reports (if any), and determining appropriate outcomes and remediation measures.

Details on the composition, terms of reference, and procedures for Fitness to Practice Committees can be found in ATU procedure document, *Procedure for Fitness to Practice Committee*.

4.6.5 Vice-President Academic Affairs & Registrar

Students shall have the right to appeal a decision of the (programme) Fitness to Practice Committee. The Vice President Academic Affairs & Registrar (or their nominee) shall consider such requests and may refer a case to the Fitness to Practice Appeal Committee where there is new evidence to be presented that was not available to the Fitness to Practice Committee, or where procedural deficiencies have been identified.

4.6.6 Fitness to Practice Appeal Committee

The University will establish a Fitness to Practice Appeal Committee which is responsible for adjudicating on appeals referred to it.

Details on the composition, terms of reference, and procedures for the Fitness to Practice Appeal Committee can be found in ATU procedure document, *Procedure for Fitness to Practice Appeal Committee*.

4.7 Addressing and Resolving Student Fitness to Practice Concerns

Fitness to practice issues and concerns may be addressed and assessed informally and / or formally as follows:

4.7.1 Informal Procedure

In many cases, concerns regarding a student's fitness to practice can be effectively addressed and resolved through informal means. For minor infractions, it is generally sufficient for placement supervisors to discuss their concerns directly with the student and collaboratively agree on steps to rectify the situation.

However, when concerns are either more serious or persistent in nature, the initiation of formal procedures may be necessary.

4.7.2 Formal Procedure

The person initiating the formal procedure must document their concerns or complaints using the *Preliminary Report Template / Note of Concern (Student Fitness to Practice)* form to ensure a proper record and follow-up.

The formal procedure involves assessment of the concern by the programme *Fitness to Practice Committee*.

The formal procedure will be used:

- to address concerns considered too serious or persistent to be dealt with under the informal procedure,
- where the student has failed to comply with the outcome or recommendation of the informal procedure, and
- where the student is dissatisfied with the outcomes of the informal procedure and requests that the concern be dealt with under the Formal Procedure.

If, during student placement, there is an alleged infringement of the fitness to practice requirements (as detailed in the programme fitness to practice statement), the placement supervisor should inform the placement liaison person for the relevant programme. The placement liaison person will then notify the Head of Department, which may result in referral / escalation to the programme *Fitness to Practice Committee* for assessment (see ATU procedure document – *Procedure for Fitness to Practice Committee*), or an alternative process, such as the student disciplinary procedures attached to the *Student Code*.

All other concerns or complaints related to student fitness to practice, whether from students, staff, or members of the public, should be submitted in writing to the appropriate Head of Department using the *Preliminary Report / Note of Concern (Student Fitness to Practice)* form where possible. The procedure(s) referred to in this policy will then be followed to address the issues and concerns raised.

4.7.3 Referral to Healthcare Professional

At any stage in addressing a formal fitness to practice concern, a student may be asked to provide documentation from their healthcare professionals concerning their health status. Additionally, students may be referred to relevant healthcare professionals, including but not limited to, occupational physicians, psychiatrists, or psychologists. Such referrals will be made through the relevant Head of Faculty / School in consultation with the programme *Fitness to Practice Committee*.

Students will be required to attend medical consultations and examinations if requested under this policy and cooperate with the healthcare professional(s) involved. Failure to attend or, in the opinion of the healthcare professional, adequately cooperate with the process may be deemed a failure to comply with the University's policies and procedures.

4.7.4 Power to Suspend

The Vice-President Academic Affairs & Registrar, in consultation with the Head of Department, may temporarily suspend a student from their placement, work-based learning setting, related learning activities, and / or programme of study, and / or temporarily exclude a student from the university premises when they reasonably believe that a student for whom a Fitness to Practice concern has been reported poses a risk to:

- their own health, safety, and/or well-being or that of others,
- the professional activities of a placement provider or other professional organisation or to a practice situation,
- the property of the university and / or others,
- the reputation of the university, a placement provider, or another professional organisation and / or its functioning and / or activities.

Immediate action in the form of temporary suspension and / or exclusion may be reasonably required to mitigate or reduce the risk. This may include, but is not limited to, fitness to practice concerns related to a criminal conviction, a serious health issue, or a significant one-time incident. This neutral step is taken without prejudice and should not be interpreted as an indication of whether or not the grounds for concern are substantiated.

4.7.5 Immediate and Serious Fitness to Practice Concerns / Emergency Situations

In cases where a serious and immediate breach of the Fitness to Practice Statement or a pressing professional concern arises, a student may be suspended from their placement if the well-being of patients, clients, students, service users, or other service providers is jeopardised. The workplace supervisor, in collaboration with the manager initiating the suspension, holds responsibility for this decision. The workplace supervisor should ensure that the Head of Department is notified in writing as soon as possible, providing a clear and detailed description of the breach or risky behaviour that warranted the suspension. Following this notification, the Head of Department will inform the Vice President for Academic Affairs & Registrar of the situation. The procedure for suspension is outlined in ATU procedure document, *Procedure for Temporary Suspension (Student Fitness to Practice)*.

4.8 Student Appeal

If there is new evidence to be presented that was not available to the Fitness to Practice Committee, or where procedural deficiencies have been identified, students shall have the right to appeal a Fitness to Practice Committee's decision through a designated appeals process detailed in ATU procedure document – *Procedure for Fitness to Practice Appeal Committee*. The University's Fitness to Practice Appeal Committee is responsible for adjudicating on appeals referred to it.

4.9 Review of this Policy

This policy will be reviewed every two years and / or where necessary to align to any material change to relevant legislation or national guidelines informing this policy area.

5. Associated Documents Generated by this Policy

- *Fitness to Practice Statement (Various, Programme Specific)*
- *Procedure for Fitness to Practice Committee*
- *Procedure for Fitness to Practice Appeal Committee*
- *Procedure for Temporary Suspension (Student Fitness to Practice)*
- *Preliminary Report Template / Note of Concern (Student Fitness to Practice)*

6. Revision History

Revision No	Description of Change	Approval Date
000	New Policy Approved by Academic Council	14/6/2023