

# Student Fitness to Practise Policy

{Nursing, Health Sciences and Wellbeing  
Programmes}

As Approved by the Academic council on 15<sup>th</sup> May 2020  
and by the Governing Body on 26<sup>th</sup> November 2020

## Version History

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November 2016	Version 2	Mayo Mental Health Services and Mayo Univeristy Hospital
November 2016	Version 2	Social Care Placement Coordinatr
November 2016	Version 2	Nursing Allocation Officer
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April 2017	Version 3	Vice President of Academic Affairs and Registrar
June 2017	Version 4	Mayo Mental Health Services and Mayo Universtiy Hospital
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October 2017	Version 5	General and Psychiatric Nursing Programme Board
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April 2018	Version 6	Mayo Mental Health Services and Mayo Univeristy Hospital
December 2018	Version 6	Student health doctors, admissions, Heads of Department, Data Protection Officer.
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## **1.0 Introduction**

This Student Fitness to Practise Policy is developed in recognition of the Institute's duty of care to the public as well as to support students in fulfilling programme requirements and helping to prepare students for future professional practise in the discipline areas of Nursing, Health Sciences and Wellbeing. For a list of programmes that are subject to this policy please see Appendix 1.

This policy document with embedded procedures is intended to be followed in instances where student fitness to practise concerns have been formally raised. It also describes the roles and responsibilities of relevant parties in managing student fitness to practise concerns. This document should be read in conjunction with the necessary policies in GMIT's Quality Assurance Framework (QAF).

## **2.0 Scope**

Programmes with Student Fitness to Practise requirements will normally fall into one or more of the following categories:

- Programmes that prepare students for a particular profession and where employment in that profession will be dependent on meeting 'Fitness to Practise' criteria.
- Programmes which lead to the award of a professional qualification/membership of a professional body where meeting 'Fitness to Practise' criteria is required as part of achieving that professional qualification/becoming a member of that professional body.
- Programmes with mandatory placements involving contact with the general public, patients, children, vulnerable adults.

This policy will only be applied to students who are registered to a programme that is identified in Appendix 1.

### **3.0 Definition of Student Fitness to Practise**

The Student Fitness to Practise Policy describes fitness to practise as students possessing “the skills, knowledge, health and character necessary to undertake and complete a programme with professional practice, experiential learning or clinical work safely and effectively, fulfilling their responsibilities with their scope of practice in their chosen field”. (UCD Fitness to Practise, 2012)

Programmes subject to the Student Fitness to Practise Policy will describe in detail what fitness to practise means within the context of the specific programme or discipline in Programme Fitness to Practise Statements (Appendix 2). Examples of areas of concern or circumstances that might render a student unfit to practise include, but are not limited to:

- substance misuse
- aggressive, violent or threatening behaviour; belligerent behaviour, inappropriate language
- persistent inappropriate attitude or behaviour which is significantly distressing to others and which is impacting on the learning, working or living experience of others
- failure to accept and follow direction and advice
- unexplained deterioration in academic/practise performance
- failure to follow health and safety requirements or the regulations
- failure to meet minimum attendance requirements as specified by programme board
- lack of competence
- having health concerns and lack of insight or management of the following:
  - Failure to seek medical treatment or other support
  - Refusal to follow medical advice or care plans including monitoring and reviews, in relation to maintaining fitness to practise
  - Failure to recognise limits and abilities or lack of insight into health concerns

‘Behaviour’ is intended to include behaviour which is face-to-face and in public as well as expressed in written or on line communications in print or via social media, text messaging or by other electronic means

### **3.1 Student Fitness to Practise and Student Discipline**

It is acknowledged that some of the behaviour described above may constitute a breach of the GMIT Code of Student Conduct. It is intended that where any alleged breaches of the code shall normally be dealt with under the Institute’s student disciplinary procedures or programme specific policies,

procedures or guidelines. Where there is more than one procedure (and/or policies) of the Institute applicable to any one matter, the Registrar shall decide which of the Institute's procedures (and/or policies) should have priority or be the most appropriate in the circumstances, and may direct the continuation of some procedure(s) (and/or policies) and the suspension of others pending the outcome of the former. There may be programme specific disciplinary policies that are specific to the programme of study, it is the students' responsibility to read and be familiar with their own programme standards.

This Fitness to Practise Policy may be activated prior to students undertaking placement where a member of academic staff has a concern in relation to the student attending a practise placement.

### **3.2 Student Fitness to Practise and Student Health**

In this context of the policy ill health means a long term illness, acute ill health or unacknowledged physical or mental health condition that impairs a person's ability to practise without supervision. Good health means that person is capable of safe and effective practise without direct supervision<sup>1</sup>. It does not mean the absence of any disability or health condition.

### **3.3 Student Fitness to Practise: Students with Disabilities**

Disability (Medical, Social and Legal) is defined for the purpose of this policy as:

- The total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body
- The presence in the body of organisms causing, or likely to cause, chronic disease or illness
- The malfunction, malformation or disfigurement of a part of a person body
- A condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- A condition illness or disease, which affects a person's thought processes, perception or reality, emotions or judgement or which results in disturbed behaviour.

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<sup>1</sup> Supervisor is defined differently by each programme, this should be captured in the Programme Handbook.

A student with a disability undertaking a professional course may apply for and be provided with such reasonable accommodation as is necessary to enable the student to participate in all aspects of the course unless the provision of such reasonable accommodation entails more than nominal costs or reduces the standard of care required or interferes with the provision of care by others, where applicable.

Assessment of the students needs shall be carried out by the Institute's Access Service which, following consultation with the student, the relevant school/discipline and, where appropriate, work based placement staff shall produce a Learning and Education Needs Summary document detailing the student's needs and the manner in which such needs should be reasonably accommodated.

GMIT is committed to equal opportunities and the support of students with disabilities. Students with disabilities are welcome and reasonable accommodations will be made available where practicable. However, for some programmes leading to professional qualifications, students must have the ability to perform skilled tasks safely, smoothly and rapidly (FtoP Definition). Where additional support is necessary, it must be practicable within the current sphere of professional practise. It is therefore possible that, regrettably, some persons otherwise qualified to undertake certain programmes of study may be unable to complete elements of the programme required for professional registration for reason of health or physical ability. Where a programme of study has placement elements that are measured in hours in order to proceed in the programme, it is the case that students cannot progress where this requirement is not achieved.

Reasonable accommodation in GMIT is illustrative and not comprehensive and may include the provision of:

- Assistive technology
- Human/personal supports (such as note-takers, readers, Irish Sign Language interpreters etc.)  
For health & social care professions, personal assistance is considered appropriate provided that the individual's knowledge and skill are assessed rather than that of the assistant. In nursing it would not be feasible that a nursing student would have a personal assistant while on practise placement.
- Additional time e.g. in exams or additional time to learn specific skills
- Information in alternative formats
- Physical access to required areas and /or timetabling of course elements into accessible locations

- Alternative forms of assessment where this is possible.
- Alternative or specifically selected practise education experiences that enable the student to demonstrate core competences in an environment with fewer barriers. Some programmes may be excluded due to regulatory and professional body requirements.

### **3.4 Student Fitness to Practise Concerns may be Temporary**

Fitness to practise issues can occur at any stage during a student's time at the institute. The role of the policy is to establish an Institute-wide approach for dealing with such issues and facilitate Programmes and Schools in providing students experiencing difficulties with the appropriate supports and opportunities to remedy any problems that they experience. It is important to note that fitness to practise issues can arise and be satisfactorily dealt with during a student's programme of study and outcomes of a formal fitness to practise procedure reflect a judgement on a particular issue, at a particular moment in time, and is not necessarily intended to be a judgement about a student's fitness to practise in the future.

### **4.0 Fitness to Practise Programme Statements**

This policy requires that programmes clearly articulate and communicate to their students what constitutes a failure to meet fitness to practise requirements. Each programme subject to this policy will publish fitness to practise programme criteria in the student handbook regarding fitness to practise statements. **Department / Programme specific statements must be written within 1 year of activation of this policy document.**

**The purpose of the Fitness to Practise Programme Statement is to:**

- Ensure that students have a clear understanding of the standards of professional attitudes and behaviour required of them and that they are supported in their continuous attainment of these standards;
- Create awareness among staff of their responsibility in detecting issues and following procedures articulated in this policy.
- Safeguard the well-being of members of the public, service users, placement providers and other students.

## **5.0 Fitness to Practise Procedures**

In most instances student fitness to practise concerns can be addressed and resolved informally. For minor infringements the existing practice of placement supervisors discussing their concerns directly with the student to agree steps to remedy the situation will usually be sufficient. Serious or persistent fitness to practise concerns are likely to warrant the initiation of formal procedures. Supervisors should formally report their concerns or complaint using the preliminary report template and any other relevant documentation.

### **5.1 Fitness to Practise Committee**

This policy requires that an appropriate Committee should be established to consider reported student fitness to practise concerns.

#### **5.1.1 Responsibilities**

The responsibilities of the Fitness to Practise Committee are to:

- Consider student fitness to practise matters referred to it
- Ensure a fair, clear and consistent approach to dealing with student fitness to practise matters

#### **5.1.2 Composition (Programme specific compositions are detailed in the statement section)**

The composition of each fitness to practice committee is detailed in each fitness to practice statement. The membership of the fitness to practise committee will be approved by the Registrar on the recommendation of the Head of Department. The membership will normally consist of a Chair (member of Academic Council); two staff members nominated by the Head of Dept; and an external advisor with expertise in the discipline area.

Details in relation to the operation of the Fitness to Practise Committee are contained in Appendix 5.

### **5.2 Referral to a Health Care Professional**

A student may be referred at any stage by reference to this policy to a relevant healthcare professional to include, but not limited to, the Student Medical Officer, an Occupational Health Physician, Psychiatrist and/or a Psychologist. Any such referral will be made through the relevant Supervisor in Practise/Head of School/Academic Unit or relevant Fitness to Practise Committee (as appropriate). The Student shall be obliged, under this Policy, to attend such a medical consultation and examination as is required and shall cooperate with the healthcare professional concerned. Failure to attend or failure,

in the opinion of the healthcare professional, to cooperate with any such healthcare professional shall be deemed to be a failure to cooperate with the Institute's procedures.

Reports from healthcare professionals under, and for the purposes this policy, shall be made available to the Fitness to Practise Committee, Head of School/Academic Unit as appropriate when considering matters which come before him/her/them for consideration and/or decision. Any costs associated with this referral will be borne by the student.

### **5.3 Self-Declared Concerns (Prior to Practise Placement)**

The Institute shall require all students subject to this policy to make a declaration as to any concerns the student may have as to their own Fitness to Practise that arises from a health and/or a criminal matter at the point of admission or as soon as the issue becomes manifest. These shall be investigated and managed as follows:

**Health Matter:** If the self-declared concern(s) relate(s) to a health matter, the student will be required to fill out a Health Disclosure Form - Appendix 3. The form should be completed by the student and his/her regular GP. The returned completed Health Disclosure Form details will be reviewed the Head of Department for further management. The Head of Department will then write to the Head of School/Academic Unit recommending; (a) that no further Fitness to Practise action is necessary or (b) the concern can be addressed through informal/local supports/action; (c) the Head of School/Academic Unit activates a Fitness to Practise Committee (d) refer to another healthcare professional for further evaluation (any costs associated with this is borne by the student).

**Criminal Matter:** If the self-concern relates to a criminal conviction (or prosecution pending), the matter will be notified to the Institutes Admissions Officer who will ensure that the concern is considered under the Garda Vetting procedures for students, the outcome of which will be sent to the Head of School/Academic Unit/Head of Placement. If the Head of School/Head of Placement is still of the opinion that there is prima facie evidence that the student's Fitness to Practise may be impaired, the Head of School/Head of Placement may decide to activate a fitness to practise Committee.

### **5.4 Initiation of Procedure – During Practise Placement**

- If the student is not engaging on placement or if any infringement occurs during placement the placement supervisor/head of placement must inform the GMIT placement contact person for the relevant programme as soon as is practical. They in turn will inform the Head of Department, this may result in activation of the Fitness to Practise Process or an alternative process e.g. student discipline policy.

- If it is decided to initiate formal fitness to practise proceedings, a written report will be forwarded to the Head of Placement by the Practise Supervisor. The Head of Placement will notify the Head of Department.
- Reported misconduct that represents a breach of the Student Code of Conduct may be dealt with under the GMIT student disciplinary procedures of the Student Code of Conduct.. There may be programme specific policy documents in relation to appropriate behaviour which will apply.

## **5.5 Immediate and Serious Fitness to Practise Concerns (emergency situation)**

In the instance where there is a serious and immediate breach of the Fitness to Practise Statement or a professional concern, a student may be temporarily suspended from placement if the well-being of patients/clients/students/service users or other service providers is put at risk. Details of the temporary suspension process are included in Appendix 4. The supervisor in conjunction with the manager initiating the suspension is accountable for the decision the line Manager will ensure the Head of Department is notified in writing within 24 hours and clearly detail the breach or at risk behaviour necessitating a suspension. The Head of Department will notify the Vice President for Academic Affairs & Registrar.

## **6.0 Fitness to Practise Appeal Committee**

### **6.1 Responsibilities**

The Registrar may refer an appeal to an appeals committee. The responsibilities of the Fitness to Practise Appeal Committee are to:

- Consider student fitness to practise cases referred to it by the Vice President for Academic Affairs & Registrar
- Ensure a fair and consistent approach to dealing with fitness to practise appeal cases.

### **6.2 Composition of the Fitness to Practise Appeal Committee**

The Fitness to Practise Appeal Committee shall be convened on a case-by-case basis.

The Fitness to Practise Appeal Committee for each case shall consist of three members with administrative support.

- One member of the Committee shall be appointed to Chair by the VP for Academic Affairs & Registrar (this is a member of Academic Council not affiliated to the programme)
- One staff member from the relevant subject or discipline area.
- One staff member nominated by the Head of Department. A member of the administrative staff shall be appointed as a non-voting secretary of the Committee
- The membership of the Fitness to Practise Appeals Committee will be approved by the registrar on the recommendation of the Head of Department.

Details of the operation of the Fitness to Practise Appeal Committee is included in Appendix 6.

### **6.3 Further Appeal**

If the student feels there were any procedural irregularities in the conduct of the appeal they have a further right of appeal to the Office of the Ombudsman.

### **7.0 Reference List**

University College Cork Fitness to Practise Policy available from

[https://www.ucc.ie/en/media/support/academicsecretariat/ftp/Fitness to Practise Policy Nov 2016 web.pdf](https://www.ucc.ie/en/media/support/academicsecretariat/ftp/Fitness_to_Practise_Policy_Nov_2016_web.pdf)

University College Dublin Student Fitness to Practise Procedures and Guidelines. August 2012, Version 1. Available from: [https://www.ucd.ie/registry/academicsecretariat/docs/sfp\\_pr.pdf](https://www.ucd.ie/registry/academicsecretariat/docs/sfp_pr.pdf)

Nursing and Midwifery Board of Ireland (2014) Code of Professional Conduct and Ethics for Registered Nurses and Registered Midwives.

## **Appendix 1 List of programmes to which this policy applies.**

- BA. (Ordinary) in Applied Social Care
- BA. (Honours) in Applied Social Studies
- BSc. (Honours) in Medical Science
- BSc. (Honours) in Sport and Exercise Science
- BA. (Ordinary) in Outdoor Education and Leisure
- BA. (Honours) in Outdoor Education
- BA. (Ordinary) in Outdoor Education and Leisure with Geography
- BSc. (Honours) in General Nursing
- BSc. (Honours) in Psychiatric Nursing

## Appendix 2 Fitness to Practise Programme Statements

### Fitness to practise sample statement 1

#### Fitness to practise sample statement 1

#### BSc Honours in Nursing

A student on the BSc Honours Degree in General and Psychiatric Nursing must be Fit to Practise. The Department of Nursing, Health Sciences and Social Care of the GMIT expect that all students conduct themselves professionally at all times in order to engage in the clinical practise placement element of the programme which offers a position of trust with the public. The Nursing and Midwifery Board of Ireland is clear where it states that every nurse has a responsibility to uphold the values of the professions to ensure their practise reflects high standards of professional practise, this is extended to students undertaking the degree in General and Psychiatric Nursing.

The Code of Professional Conduct and Ethics<sup>2</sup> is based on five principles. They govern:

- Respect for the dignity of the person
- Professional responsibility and accountability
- Quality of practise
- Trust and confidentiality
- Collaboration with others.

#### Aims of the Fitness to Practise Statement

The Fitness to Practise statement aims to:

- Ensure students understand the level of professional attitudes and behaviour required of them throughout their programme of study.
- Safeguard members of the public and patients with whom the students have contact during their programme.

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<sup>2</sup> [https://www.nmbi.ie/NMBI/media/NMBI/Code-of-Professional-Conduct-and-Ethics-Dec-2014\\_1.pdf](https://www.nmbi.ie/NMBI/media/NMBI/Code-of-Professional-Conduct-and-Ethics-Dec-2014_1.pdf)

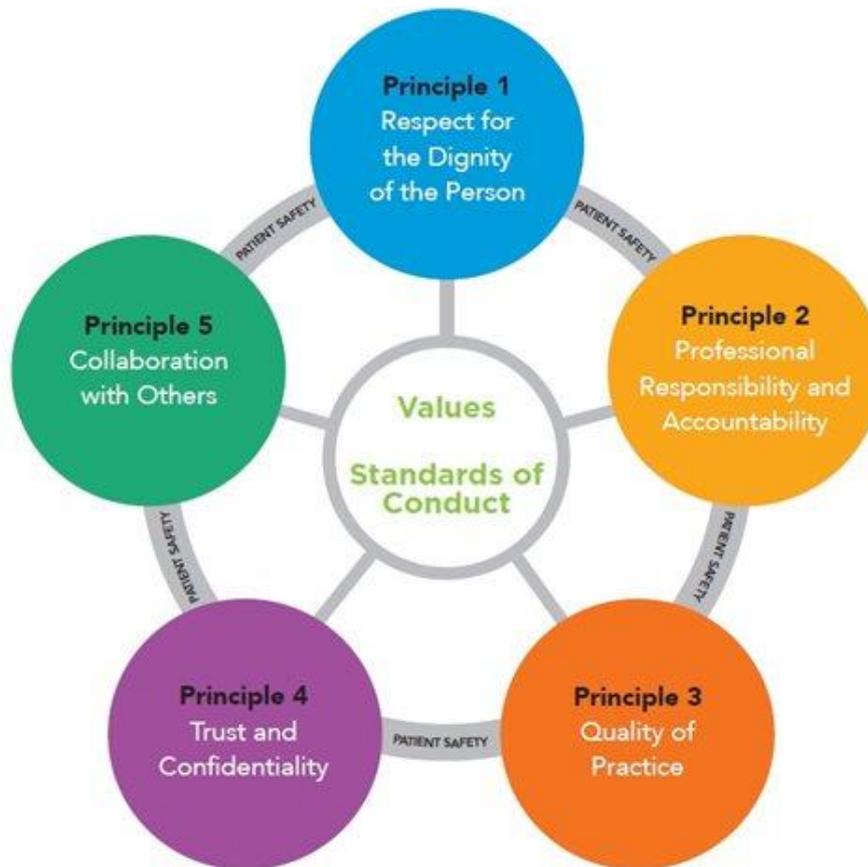
## **Definition of Terms**

- **Practise Placement Supervisor (nursing programme only):** For the purpose of this document a supervisor may include any of the following:- clinical nurse/midwife manager, designated person in charge of the practise placement, Clinical Placement Co-ordinator, Allocations Liaison Officer, or Nurse Practise Development Co-ordinator.

## **Fitness to Practise Principles**

Four core principles underpin the fitness to practise policy:

1. The primacy of the patient experience; making patient care and that of their significant others the primary concern, treating them as individuals and respecting their autonomy and dignity.
2. Work with others in a spirit of mutual respect, collegiality and partnership to protect and promote the health and wellbeing of those being cared for, their families, carers, and the wider community.
3. Provide a high standard of practise and care at all times.
4. Be open and honest, act with integrity and uphold the reputation of the professions.



Each principle underpins the Code’s ethical values and related standards of conduct and practise and guides the relationships between nurses, midwives, patients and colleagues. The Department of Nursing, Health Sciences and Social care have extended this further for the use of student on the undergraduate nursing programme.

**Principle 1. Respect for the dignity of the Person**

Students shall:

- Use an evidence-based approach to the care they provide.
- Provide care in accordance with agreed multidisciplinary team decisions.
- Familiarise themselves with local policies and procedures and practise accordingly.
- Maintain accurate records.
- Avoid identifying patients or clinical colleagues in assessment.

- Maintain the dignity of person and not engage in discussing individual experiences through social media.

## **Principle 2. Professional Responsibility and Accountability**

Students shall:

- Seek medical help if they have a concern about their personal health.
- Not place colleagues or patients at risk because of personal health problems.
- Undertake treatment regimens if diagnosed with a particular health problem.
- Not engage in the misuse of alcohol and/or drugs, placing others at risk.
- Be properly immunised.
- Demonstrate appropriate communication with peers, patients and families, clinical colleagues and staff of GMIT.
- Be honest and trustworthy in all recording care delivered and experience obtained.
- Be honest and trustworthy in all aspects of the academic work they undertake.
- Respect and uphold local healthcare policies.
- Respect and uphold the law, informing the Head of Department immediately if they accrue any caution or criminal conviction.

## **Principle 3: Quality of Practise**

Students shall:

- Work within the limits of their competence with regard to their stage of education and training. This includes seeking and accepting supervision when unsure whether clinical tasks are within their scope of competence
- Respect the rights of patients and their families, including respecting diversity and not discriminating against any patient or family member
- Clearly identify themselves as students whilst on placement and ensure patients provide consent before providing care

- Maintain the safety, autonomy and dignity of patients at all times
- Take responsibility for their own learning and attend all lectures, clinical skills laboratories and clinical placements
- Submit coursework which they have completed, on time and not pass off others' work as their own

#### **Principle 4: Trust and Confidentiality**

Students shall:

- Respect persons' rights to confidentiality
- Engage in appropriate conduct and behaviour outside of the workplace, for example on social network sites, in student accommodation.
- Adhere to local policy in relation to confidentiality
- Sign and submit the confidentiality clause

#### **Principle 5: Collaboration with Others**

Students shall:

- Work in a collaborative manner with patients and their significant others
- Work effectively and appropriately within a multidisciplinary team
- Be aware and respectful of the work and contributions of others in the healthcare environment
- Have a responsible attitude towards time keeping and respect for colleagues
- Demonstrate positive team working skills whilst respecting personal, professional and sexual boundaries
- Engage in open, positive and constructive interaction with members of the public, patients and their families, research participants, supervisors, other staff on placement, classmates, the course team, and GMIT Staff
- Adopt the dress code of their host organisation whilst on placement

- Be open to new learning experiences and demonstrate the ability to receive and respond to feedback in a constructive and non-defensive manner

### **Composition of the Fitness to Practise Committee for the Undergraduate Nursing Programme:**

The Fitness to Practise Committee shall comprise voting members as follows:

- A member from the Programme Board and an Academic Council Member outside the programme who will chair the Committee, the Nurse Practise Development Coordinator (or nominated deputy) from Mayo Mental Health Services or Mayo University Hospital as appropriate and an Assistant Director of Nursing.
- The Outcome of the Committee will be notified to the Vice President for Academic Affairs & Registrar, the Head of Department and the relevant Director of Nursing.
- In the event of an appeal a representative from the profession must be present in order to advise the Committee.

### **Appeals Committee**

If the fitness to practise concern is in relation to an issue arising from practise, the student will be required to write to the relevant Director of Nursing & Midwifery/Director of Nursing (DONM/DON) and submit the grounds for the appeal in writing within 7 working days of being notified of the original outcome. The student shall forfeit his/her right of appeal if the appeal is not submitted within the prescribed period.

- The DoNM/DoN will convene an Appeals Body to deal with the appeal.
- The appeals body will consist of the following:
  - HSE Senior Manager who shall act as chair of the appeals body.
  - One nominee from the Director of Nursing Midwifery MUH.
  - One nominee from the Area Director of Mental Health Nursing.
  - One member of Academic Council (who has not previously partaken in the process).
  - A GMIT Registrar's nominee.
- The Appeals body shall receive all documentation relating to the matter and may hear any evidence it deems appropriate.
- Whilst the appeal shall not be a rehearing of the original complaint, it shall address specific issues the student feels has received insufficient consideration namely:
  - Procedural deficiencies

- Severity of the sanction/outcome imposed
- The Appeals Body will:
  - Allow the appeal.
  - Decrease or increase the sanction/outcome or nature of the sanction
  - Or a combination of 13.6.1 & 13.6.2
  - Reject the appeal.

## **Fitness to practise sample statement 2**

### **Fitness to practise sample statement 2**

#### **BA and BA Honours Degree in Applied Social Care**

CORU, the National Health & Social Care Professions Regulator, which was established by the 2005 Act's core aim is "to protect the public by promoting high standards of professional conduct, education, training and competence through statutory registration of health and social care professionals". (CORU, 2018). In addition, The Department of Nursing, Health Sciences and Social Care of the GMIT expect that all students conduct themselves in a professional manner at all times in order to engage in the practise placement element of the programme which offers positions of trust with the public. In Ireland, the minimum per-requisite qualification to practise as a Social Care Worker in the publicly funded health sector is a 3-year Level 7 degree in Social Care, with an embedded 800 hrs of placement. Therefore, the value and importance of placement and the students fitness to practise on placement is paramount to the values of this institution and to the social care profession.

The core values of social care work, as highlighted in the Social Care Workers Registration Board's professional code of conduct and ethics<sup>3</sup> are;

- Respect for the inherent dignity, worth and rights of persons
- Pursuit of social justice
- Integrity of professional practise
- Confidentiality in professional practise
- Competence in professional practise

These values have been used to inform this fitness to practise statement. All behaviour which appears to be a breach of the Student Code of Conduct may be considered under the Student Code of Conduct and as a disciplinary matter.

### **Aims of the Fitness to Practise Statement**

The Fitness to Practise statement aims to;

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<sup>3</sup> (CORU, 2018)

- Ensure students understand the level of professional attitudes and behaviour required of them throughout their programme of study.
- Safeguard members of the public and service users with whom the students have contact during their programme.

### **Aim of the Fitness to Practise Policy for the Applied Social Care Programme**

A Fitness to Practise Policy is developed in recognition of a college's duty of care to the public, as well as fulfilling professional programme requirements. In the BA Ordinary & Honours Degree in Applied Social Care programme, the 'fitness to practise policy' is there to protect vulnerable service users/ students and ensure a safe practise relationship and learning environment.

By registering annually for their programme, students are in effect declaring that they believe their health status is such as to allow them to undertake safe and effective practise. In the event that a student's health status changes or a disability or a level of disability emerges that causes concern as to their capacity for safe and effective practise, whether declared by the student or noticed/reported by others, they may be subject to assessment of their Fitness to Practise under this Policy.

In order to avail of reasonable accommodation, all students with disabilities or relevant health conditions or educational issues, are required to disclose their disability (supported by appropriate expert evidence) in the first instance to the Access Office. There is also an onus on students to bring any issues of concern relating to their Fitness to Practise to the attention of academic staff involved in their programme in a timely manner.

### **Standards of Proficiency**

CORU specifies standards of proficiency that individuals must possess in order to enter the register. They are the threshold standards deemed necessary by the registration board at the level of entry to practise. These standards and values are embedded in this Fitness for Practise document.

CORU sets out the standards of proficiency for Social Care Workers under five domains:

1. Professional Autonomy and Accountability.
2. Communication, Collaborative Practise and Team working.
3. Safety and Quality.

4. Professional Development.

5. Professional Knowledge and Skills.

While we appreciate students will have to learn these competencies through the course of their study, it is important that each student demonstrates the ability to engage with and progress their professional competencies and are aware of the CORU 'Standards of Proficiency' document.

### **Fitness to Practise Principles**

In line with IASCE (2011, P1) *Social Care Placement Policies* a Social Care student 'is not automatically entitled to undertake placement' by virtue of commencing the programme. All students will be required to complete a Garda Vetting Application Form. Applicants will be provided with the relevant forms and documentation for Garda vetting upon registration. It is expected that students must also attend 80% of classes in order to undertake placement. This is to ensure that students have the necessary knowledge and understanding with respect to ensuring a safe learning environment for themselves and their service users. Failure to attend may result in the student being denied access to placement. Relevant stakeholders, including the practise educator, need to be satisfied of a students readiness, satisfactory Garda Clearance and all matters that affect fitness to practise before commencing placement.

### **The following principles, outlined by IASCE should be adhered to at all times while on placement;**

1. Each student should ensure that they are physically, mentally and emotionally prepared to undertake your placement.
2. Each student should recognise the limits of their competence but, in consultation with the academic and practise educators, seek to explore and develop new skills and understanding.
3. Each student has a responsibility to be open and honest in relation to all aspects of the practise programme.
4. Each student should be prepared to engage fully in the supervisory process, to accept constructive criticism and to reflect critically on their own practise.

5. Each student must observe the norms and regulations of the working environment. As a student if you disagree with any aspect of these, you must bring this to the attention of your practise educators for discussion.
6. Each student has a responsibility to be sensitive to and to respect the organisational culture (ethos) of the agency, its service users and employees.
7. Each student should respect and understand the importance of confidentiality in all aspects of the placement and adhere to this principle in practise.
8. Each student should always be aware of boundary issues, in particular between personal and professional engagement, and demonstrate this awareness in your practise.
9. Any form of physical, verbal, emotional or sexual abuse of service users by a student on placement is regarded as most unprofessional and may be grounds for removal from placement and/or referral under the code of conduct.
10. If a student is involved in any research practise while on placement, the research lead must ensure that the student is informed and adheres to ethical research principles if asked to be part of the delivery of a research project.

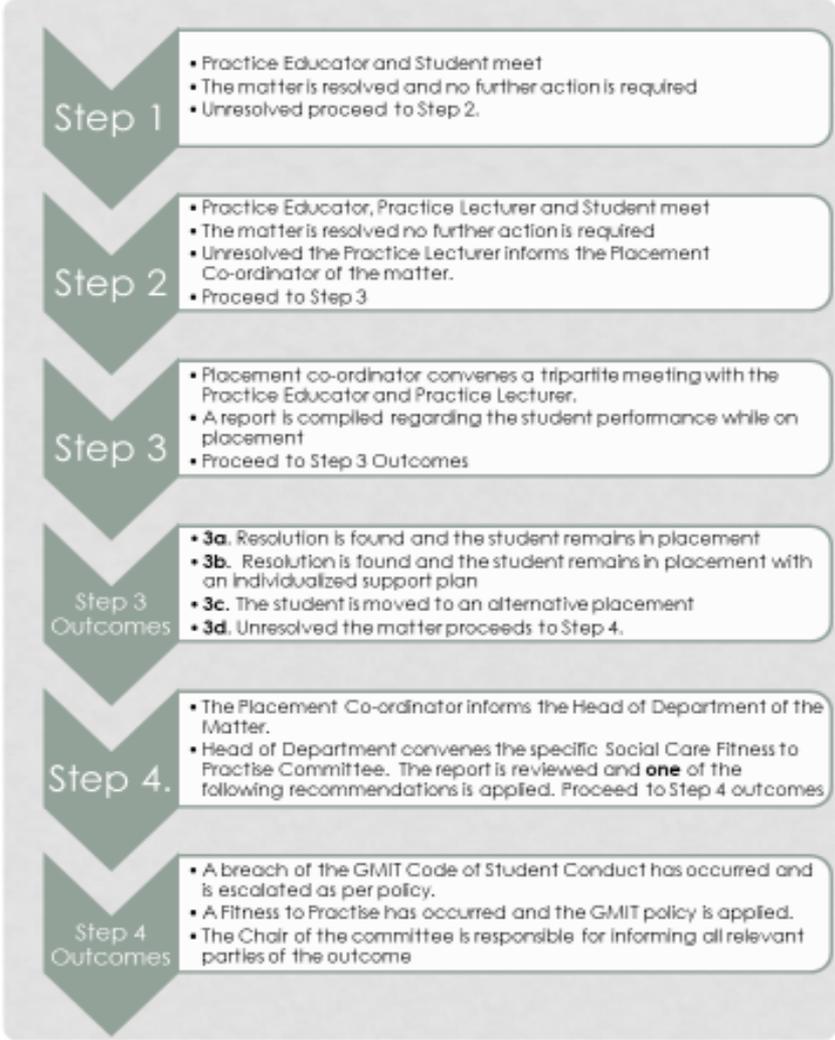
Based on the Irish Association of Social Care Educations (IASCE) 'Practise Placement Manual' 2011.

Infringement of these principles by a student may result in a review under the Fitness to Practise or Code of Conduct policy.

### **Procedures if Problems Arise & Process Relating to Fitness to Practise**

In the case of any difficulties or problems that arise in relation to fitness to practise the steps shown in Figure one: Procedure for Fitness to Practise Issues should be followed.

Figure one: Procedure for Fitness to Practise Issues



1. The practise educator will, in the first instance, address any issues or problems arising with the performance of the student directly with the student.
2. If the above approach fails to resolve the situation, the Practise Lecturer will meet with the Practise Educator and Student to discuss issues arising that affect the students’ performance on placement.
3. If these interventions fail to remedy the situation the Practise Lecturer and Placement Co-ordinator will meet with the Practise Educator to compile a report regarding the student’s performance. Based upon the report it will be decided to; (a) resolution is found and student remains; (b) implement the learning support plan; (c) transfer the student to another site may be appropriate depending upon the circumstances or (d) refer to Fitness to Practise Committee.
4. The Placement Co-ordinator will notify the Head of Department of the situation. The Head of Dept. will convene a meeting of the Fitness to Practise Committee if deemed appropriate to

consider the report contents and to recommend a course of action. The Student and Practise Educator will be notified at this point and placement will be suspended.

5. The Fitness to Practise Committee may form the opinion that a reported misconduct that represents a breach of the student Code of Conduct has occurred, they will refer the case directly to the Vice President for Academic Affairs & Registrar where it may be dealt with under the GMIT student disciplinary procedures of the Student Code or programme specific disciplinary policy's. There may be programme specific policy documents in relation to discipline which will apply and these should be furnished to the relevant parties. The student shall be kept informed of developments at all times.

### **Composition of the Fitness to Practise Committee for the Applied Social Care Programme:**

The Fitness to Practise Committee shall comprise voting members as follows:

- A Social Care Fitness to Practise Committee will be established at the start of each academic year. The Committee will comprise of Programme Chairs; two members from the Programme Board, Placement Coordinator and an Academic Council Member outside the programme who will chair the Committee. It is required, where possible, to have a gender mix.
- From time-to-time, the Committee may wish to co-opt additional members to provide required expertise or specific representation and advice to the Committee, in particular a representative from the practise educators may be required.
- The Outcome of the Committee will be notified to the Vice President for Academic Affairs & Registrar, the Head of Department, the relevant Practise Educator and the student.
- In the event of an appeal by the student in accordance with the policy a representative from the profession must be present in order to advise the Committee. The appeal will be in accordance with the Fitness to Practise Policy.

### **Definition of Terms**

- **Practise Educator:** The practise educator within the placement organisation who is responsible for student learning and organisational welfare on placement.
- **Placement Coordinator:** Coordinate all student supervised professional placement modules in the Applied Social Care Degree Programme
  - Provide appropriate support, guidance and supervision to the Practise Educator whilst on placement to accommodate students on placement
  - Provide support to placements in relation to any issues which may arise in relation to the practise placement module

- Provide support to students in relation to any personal or professional issues which may arise in relation to this module. If appropriate refer to students to additional supports to respond to their support needs.
- Liaise with the student and the link lecturer any issues arising during the placement as necessary.
- **Practise Lecturer**
  - Providing support and guidance to the student and the practise educator on progression of practise and any issues that arise during the course of the placement
    - Arranging the review meeting(s) to monitor the student's progress on placement
    - Assessing student's progress in reaching the requisite learning objectives
  - Gathering information on any dispute that may arise between the student and the practise educator and/or the agency and informing the placement co-ordinator should to expedite a resolution.
  - To participate in a tripartite meeting with the placement co-ordinator and practise educator if required
  - Liaise with the placement co-ordinator as needed.

- **Practise Education Team**

'Persons who are responsible for a student's education during the period of practical placement. This includes the practise educator on site in the placement providers' (Coru, p.12, 2017). The Practise Education Team is designated to support students' transition to placement, they are the link between all parties. They have been integral in the development of a robust, fair and transparent process for all students who wish to progress to professional placement learning experience. This team play a key role in the monitoring, approval and communication with placements.

## **Fitness to practise sample statement 3**

### **Fitness to practise sample statement 3**

#### **Higher Certificate, BA and BA Honours in Early Childhood Education and Care**

A student on the Higher Certificate, BA and BA Honours in Early Childhood Education and Care must be fit to practise. The Department of Nursing, Health Sciences and Social Care in GMIT expect all students to conduct themselves in a professional manner at all times with the public.

The Minister for Children and Youth Affairs established a National Forum for the Early Years Sector in 2016. A subgroup of the National Early Years Forum was established to examine the issues that impact on professionalisation of the Early Years workforce. The Professionalisation Sub Group of the Early Years Forum published a Code of Professional Responsibilities and Code of Ethics for Early Years Educators in January 2020.

The Code of Professional Responsibilities and Code of Ethics<sup>4</sup> outlines the standards and values for the Early Years sector and this includes students on practice development in an early years setting. Therefore, the fitness to practise statement will include the standards and values for students as set out in the Code of Professional Responsibilities and Code of Ethics for Early Years Educators.

The Model Framework for Education, Training and Professional Development in Early Childhood Education and Care sector (DJELR 2002) recommend practice development hours for students at each level, Higher Certificate (500 hours), BA (800 hours) and BA Honours (1000 hours). Therefore, the values and importance of practice development and the students' fitness to practice on practice development is paramount to the values of the institution and the Early Years profession.

The Code of Ethics for Early Years Educators in Ireland outlines the values and ethics underpinning the work of early year's educators regardless of position. The values are:

- Every child is unique and has inalienable rights as set out in the United Nations Convention on the Rights of the Child.
- Early childhood is a significant and distinct time in life that must be valued, respected, nurtured and supported in its own right.
- The young child is innately driven to learn and is an active agent in her/his own development through her/his interactions with the world. The young child is a competent and confident learner.
- Early childhood education and care takes place in the context of family, community and culture.
- Children thrive best in caring and democratic communities.
- Play is a key means of supporting young children's learning and development.

Students on practice development in an early years setting and throughout their studies will seek to promote and maintain these values.

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<sup>4</sup> (Professional Sub-Group of the Early Years Forum 2020)

## **Aims of the Fitness to Practise Statement**

The Fitness to Practise Statement aims to:

- Ensure students understand the level of professional attitudes and behaviour required of them throughout their programme of study.
- Safeguard children, families, early year's educators and members of the public with whom the students have contact during their programme.

## **Aims of the Fitness to practise policy for the Early Childhood Education and Care Programme**

A Fitness to Practise Policy is developed in recognition of a college's duty to care to the public, as well as fulfilling professional programme requirements. In the Higher Certificate, BA and BA Honours in Early Childhood Education and Care, the Fitness to practise Policy is there to protect children, families and students and ensure a safe practise relationship and learning environment.

By registering with GMIT annually for their programme, students are in effect declaring that they believe their health status is such as to allow them to undertake safe and effective practise. In the event that a student's health status changes or a disability or a level of disability emerges that causes concern as to their capacity for safe and effective practise, whether declared by the student or noticed/reported by others, they may be subject to assessment of their Fitness to Practise under this policy.

In order to avail of reasonable accommodation, all students with disabilities or relevant health conditions or educational issues, are required to disclose their disability (supported by appropriate expert evidence) in the first instance to the Access Office. There is also an onus on students to bring any issues of concern relating to their Fitness to Practice to the attention of academic staff involved in the programme.

## **Fitness to Practice Principles**

Prior to practice development all students are required to complete a Garda Vetting Application Form with the GMIT Student Vetting Office. Students will also be required to complete any mandatory requirements as outlined in the regulations for the early year's sector<sup>5</sup>. Students must also attend 80% of classes in order to undertake practice development. This is to ensure that students have the necessary knowledge and understanding with respect to ensuring a safe learning environment for themselves, children, families and the Early Years setting.

The following principles outlined in the Code of Professional Responsibilities and Code of Ethics for Early Years Educators<sup>6</sup> should be adhered to at all times while on practice development:

- The child's individuality, strengths, needs and rights are central in the provision of quality early childhood education and care settings. Children have the right to be listened to and appropriately responded to.

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<sup>5</sup> (Tusla 2016)

<sup>6</sup> (Professional Sub-Group of the Early Years Forum 2020)

- Parents are the primary educators of the young child and have a pre-eminent role in promoting her/his health, well-being, learning and development. Open honest and respectful partnership with parents is essential in promoting the best interest of the child. Implicit to this is the need to support parents and families in that role.
- Positive relationships, which are secure, responsive and respectful and which provide consistency and continuity over time, are the cornerstone of the child's well-being.
- Equality, as articulated in Article 2 of the UN Convention on the Rights of the Child (1989) and in the Equal Status Acts 2000 to 2004, is a fundamental characteristic of quality early childhood education and care provision.
- Early years educators respect diversity and ensure that all children and families have their individual, personal, cultural and linguistic identity valued.
- The health, well-being, safety, welfare and education of all children must be protected and promoted in all early childhood environments.
- Early years educators understand the role of play as central to the well-being, development and learning of the young child.
- Throughout childhood, care and education are inseparable and early years educators express this by curricula or programme of activities which take a holistic approach to the development and learning of the young child.
- Early Years educators will respect a service user's right to confidentiality. It is the duty of the early years educator to ensure that the nature and limits of the privacy inherent in their relationship are clearly understood and applied.
- Early years educators actively promote children's citizenship in their local, regional and national communities.

#### **Composition of the Fitness to Practise Committee for the Higher Certificate, BA and BA Honours in Early Childhood Education and Care**

The Fitness to Practise Committee shall comprise voting members as follows:

- An Early Childhood Education and Care Fitness to Practise Committee will be established at the start of each academic year and will comprise of Programme Chairs/Two members of the Programme Board and an Academic Council Member outside the programme who will chair the committee. It is required, where possible, to have a gender mix.
- From time to time, the Committee may wish to co-opt additional members to provide required expertise or specific representation and advice to the Committee, especially from the Early Years sector.
- The Committee shall consider the Fitness to Practise in line with the Code of Professional Responsibilities and Code of Ethics for Early Years Educators<sup>7</sup>
- The outcome of the Committee will be notified to the Vice President for Academic Affairs and Registrar, the Head of Department, the relevant Early Years setting and student.
- In the event of an appeal a representative from the early years sector must be present to advise the committee.

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<sup>7</sup> (Professionalisation Sub-Group of the Early Years Forum 2020)

## References:

Professionalisation Sub-Group of the Early Years Forum (2020) *Code of professional Responsibilities and Code of Ethics for Early Years Educators*.

Department of Justice, Equality and Law Reform (2002). *Quality Childcare & Lifelong Learning: The Model Framework for Education, Training and Professional Development in Early Childhood Care and Education*. Dublin. Available online at: <https://www.education.ie/en/Schools-Colleges/Information/Early-Years/Model-Framework-for-Education-Training-and-Professional-Development-in-the-Early-Childhood-Care-and-Education-Sector.pdf>.

TUSLA (2016) the Child and Family Agency. *Child Care Regulations (The Child Care Act 1991 (Early Years Services) Regulations 2016*. Available at: <https://www.tusla.ie/uploads/content/20160510ChildCareActEarlyYrsRegs2016SI221of2016.pdf>.

## Appendix 3 Student Self Declaration Form

Adopted from UCC Fitness to Practise Health Disclosure Form

### CONFIDENTIAL - Health Disclosure Form

#### Introduction

In order to meet with the Institute's duty of care obligations, all students in programmes subject to GMIT's Fitness to Practise policy, and who participate in professional experience placements, laboratory or field activities are required to establish and maintain their medical, physical, and psychological capacity to do so safely.

Galway Mayo Institute of Technology (GMIT) is committed to ensuring equality of opportunity for students with impairments and health conditions. It is our responsibility to ensure that any barriers to our courses are removed and one way in which that can be achieved is to find out about you and your requirements.

We also have to be assured that we can help you participate safely in training and we wish to begin this process by asking you to complete this Health Disclosure Form.

#### Confidentiality

Your personal information is being collected by the Institute for the sole purpose of establishing your capacity to participate safely in your practise placement. Your personal information will be kept within your confidential file and will only be used for the sole purpose for which it is collected and disclosed only to the following persons or organisations:

- The Student Health Unit
- GMIT's Consultant Occupational Health Specialist
- The Head of School in GMIT
- Fitness to Practise Committee

The Student Health Department will inform the Head of School or a designated Occupational Health Specialist of your health information, only if such a disclosure would be relevant to your educational needs, in order to recommend on support or adjustments which could be of assistance to you.

Your personal information will be managed in accordance with the Data Protection Acts 1988 -2018. You have the right to request access to your personal information. The Institute will ensure that

your personal information is not used for another purpose or work placement provider without your consent unless such a disclosure is required or permitted by law.

## **Outcomes**

The Institute will provide all reasonable support to enable students with impairments and health conditions to complete their studies. Appropriate support can be provided for almost all circumstances even if the effects of impairment or ill health are substantial. However, because of a requirement to ensure patient/client/service users are not harmed through involvement in your education, if you have a condition which would make it impossible for you to work safely with patient/client/service users or to acquire the skills necessary to complete your education requirements, even with adjustments and support, then you may be deemed unable to complete the programme under Fitness to Practise requirements.

In this circumstance, the Institute will endeavour to offer you a place on an alternative course. However, you should not assume that your impairment or health condition will prevent or inhibit you in completing your course, and we would be pleased to speak with you at the earliest opportunity about any concerns you may have.

Please answer each of the following questions, providing brief detail on any questions answered 'yes'. You should then complete the Declaration in Section 3 and then arrange for your General Practitioner, or usual doctor, to complete Section 4. Once you have completed all sections, you should then send the form to the Head of Student Health.

Students should send completed form to their Head of Department.

You are advised to keep a copy of your completed form for your own records.



### Section 3: Declaration

Please tick the relevant boxes and sign below

The information I have provided on my impairment or health condition is correct to the best of my knowledge and belief (*Tick*)

I have read and understood the GMIT "Fitness to Practise" Policy. I consent to my information being held and processed by the Head of School/Department for the purposes as described above, and if necessary to a designated Occupational Health Specialist as may be required under the procedure described above under 'Confidentiality' above

(*Tick*)

I consent to information from this form being used in discussions with potential placement agencies. I agree to advise the School's designated contact immediately of any change to my circumstances which are likely to impact upon my ability to practise safely throughout my period of study.

(*Tick*)

I consent to being medically examined for the purposes of Fitness to Practise.

(*Tick*)

I acknowledge that the Institute Consultant Occupational Health Specialist ~~will~~ may be in contact with the Institute to discuss the medical review.

(*Tick*)

I consent for the Institute Consultant Occupational Health Specialist to contact my own General Practitioner to discuss medical issues which may be of relevance to my Fitness to Practise.

(*Tick*)

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Student Number: \_\_\_\_\_

**Section 4: Doctor's Certificate**

Your patient has registered to study in Galway Mayo Institute of Technology on a programme that is subject to Fitness to Practise requirements.

All students enrolling on programmes in GMIT that are subject to Fitness to Practise requirements are required to make a declaration of their health status at registration annually. This enables the relevant School to identify students who may require additional support or reasonable accommodations to ensure that the student will be able to undertake the course successfully, and to ensure that the student is fit, on health grounds, to work in practise placements areas including working with patients/clients/service users/ during their programme.

**We are not asking you for your opinion about their competence to practise, as this will be assessed during the course.**

However, we do require you as the student's doctor to verify health information and/or details of the impairment/disability disclosed by the applicant on the basis of your knowledge of the patient.

(Circle as appropriate)

- 1. Are you the applicant's usual doctor? Yes No
- 2. Are you a relative of the applicant? Yes No
- 3. Do you hold the applicant's medical record? Yes No
- 4. According to your records and knowledge of the applicant,  
do the answers to questions in Section 2 appear correct? Yes No
- 5. Are you aware of any additional medical information which may be relevant to this  
application? Yes No

*A medical examination is not required. Any fee required for completion of the form is the responsibility of the student. Please comment below if necessary.*

GP Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 4 Temporary Suspension<sup>8</sup>

Where it is the case that there is an immediate and serious Fitness to Practise concern (emergency situation), an immediate suspension from placement is required in the best interest of the public or the student and there are grounds for concerns about a student's Fitness to Practise. The practise supervisor having sought such advice as he/she deems appropriate, shall be entitled to suspend a student on the following basis: -

1. That suspension is temporary and necessary to protect the Institute community, service users, the student and/or general public and that, on balance, the most senior supervisor is of a view that this duty of care is overriding in the particular circumstances.
2. A suspension may be verbal and takes effect as the most senior supervisor deems appropriate and shall be confirmed in writing as soon as is practicable.
3. The Head of Department/Academic Unit/Registrar is notified in writing within 24 hours of the suspension, by the placement supervisor.
4. That suspension shall not be regarded as an indication as to whether or not the grounds for concern are proven.
5. That suspension may be limited to certain premises, placements or Institute activities or modules of studies.
6. That every reasonable effort is made to continue to support the student's academic studies, so that, in so far as possible, the student is not disadvantaged academically.
7. That suspension shall be for no longer than is unduly necessary in terms of the completion of the process under the Fitness to Practise Policy.

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<sup>8</sup> Adopted from University College Cork Fitness to Practise Policy available from:  
[https://www.ucc.ie/en/media/support/academicsecretariat/ftp/Fitness\\_to\\_Practise\\_Policy\\_Nov\\_2016\\_web.pdf](https://www.ucc.ie/en/media/support/academicsecretariat/ftp/Fitness_to_Practise_Policy_Nov_2016_web.pdf)

## Appendix 5 Operation of the Fitness to Practise Committee

### Conduct of Business

- Meetings will be convened as required by the Chair of the Committee.
- Decisions of the Committee shall be taken by a simple majority in the event of a tie the Chair will have the casting vote.
- Reports and recommendations are drafted as soon as possible after the meeting and forwarded to the Head of Department (see Fitness to Practise Statements for additional communications structures)
- A member of the administrative staff shall be appointed as a non-voting secretary of the Committee.
- In attendance will be the student, the supervisor/the person having a concern. Notice will be given in advance to the Committee as to who will be in attendance. The student may be accompanied at the hearing by a person of the student's choice, such as the President of the Students' Union, a college chaplain, student counsellor or a parent.
- The Fitness to Practise Committee shall report to Academic Council annually
- The Fitness to Practise Committee may consider a variety of material in its deliberations (Appendix 5)

### Procedures

1. On receipt of a Fitness to Practise Report from the Head of Dept and having decided that the matter requires the initiation of a formal procedure, a Fitness to Practise Committee is to be convened as soon as practicable by the Head of Department. A copy of the Fitness to Practise Report and any other relevant documentation should be circulated to the members of the Committee in advance of the meeting.
2. The Committee shall normally comprise 4 members as specified earlier.
3. Students should be informed in writing that the Fitness to Practise procedure has been initiated and that the Committee has been convened. The student will be given appropriate notice of the date / time of the meeting.
4. A copy of the Fitness to Practise Report, and any other relevant documentation that has been supplied in respect of the case, should be provided to the student in advance of the meeting. The Fitness to Practise Committee may seek and be provided with any other relevant

information on the student's professional conduct during the programme. This information will be evaluated judiciously and compassionately by the Committee as appropriate.

The student is expected to attend the meeting and should advise if they intend to be accompanied by one other individual such as a friend, parent, student advisor or Student Union representative.

- i. At the meeting the Chair of the Committee should outline the procedures of the meeting.
- ii. Members of the Committee may seek the attendance of other relevant parties to provide a verbal account of incidents or behaviour that have called into question the student's fitness to practise.
- iii. Members of the Committee may ask the student questions relating to the concerns raised in the Preliminary Report and other relevant documentation.
- iv. The student will receive copies of all documents relating to the matter and shall be permitted to make their own written succinct submission in advance of the meeting regarding the concerns.
- v. When all of the documentation and oral evidence had been considered, the Committee will decide in the absence of the student whether there has been a breach of the Programme's Statement on Fitness to Practise and which of the available outcomes, as outlined below is appropriate.
- vi. The Fitness to Practise Committee may meet and make decisions in the absence of the student if the student is absent without just cause.
- vii. The Committee will notify the Registrar's Office of the outcome. The Registrar will officially communicate the outcome to the student.

## Outcomes

1. The case can be dismissed with no further action.
2. On the recommendation of the Committee, it may be required that the student is to undertake a second attempt for certain elements of the programme of study.
3. On the recommendation of the Committee it may require that the student is to interrupt her/his programme of study for an unspecified period of time or to resolve a specifically identified problem.
4. On the recommendation of the Committee it may be advised that an exit strategy be followed by the student.
5. The Committee may refer the matter to the Vice President for Academic Affairs & Registrar or their nominee to be dealt with by the Institute disciplinary Committee or Department specific policies.
6. The student may be allowed to continue, subject to review under certain specified conditions such as careful mentoring by a named academic member of staff / or placement staff.
7. On the recommendation of the Committee the student may be requested to undergo medical, psychiatric, and/or psychological testing at the student's expense. The student is not to reengage with their placement until the appointment concludes. A student failing to comply with this requirement is required to withdraw until such time as s/he is certified by an appropriately qualified person to be fit to proceed with their studies. The qualified person must have a high level of expertise in the health area concerned and currently work in this area.
8. On the recommendation of the Committee the student may be suspended from participating in their programme of study subject to the satisfactory fulfilment of specified conditions.
9. In exceptional circumstances, where the committee consider expulsion as a recommendation, the case can be referred to the Registrar to convene a Disciplinary Committee.
10. The outcome of the Committee shall be communicated to the student with a copy to the Head of Department. The student shall be informed of their right to appeal a decision to the Registrar within seven days of receiving the decision.

## **Material considered by the Committee**

When assessing a student's Fitness to Practise, the Fitness to Practise Committee(s) may consider the following Information:

- Medical information or psychological reports provided by the student and/or subsequent health examinations.
- Other information provided by the student, the Institute or other professional organisations/institutions.
- Criminal and disciplinary records.
- Findings against a student by a professional body regulator either in this country or overseas.

### **Health**

When assessing a student's health the following may be taken into consideration:

- The nature and seriousness of any condition and how it might impact on the student's ability for safe and effective practise.
- How it is managed and controlled by the student.
- Any reasonable adjustments to the degree programme or assessments which can be made.
- The risk to the public, colleagues or the profession.
- Any supporting information about the student condition and its impact on future practise.
- The report and/or opinion of a relevant healthcare professional of GMIT's choosing, e.g. Consultant Occupational Physician, Consultant Psychiatrist, Consultant Psychologist or other as deemed necessary by the Committee.

### **Conduct**

When assessing a student's conduct or behaviour, the following may be taken into consideration:

- Conduct relevant to the professional codes of conduct
- Potential harm to the reputation of the Institute and the profession.
- Pattern of previous behaviour or any series or sequence of acts of behaviour, misbehaviour, inaction or omission

The Committee may also consider the evidence with regard to:

- Safeguarding vulnerable groups
- Child protection and safety

- Public protection and safety
- Professional codes of conduct
- The student's academic progress on the programme
- Any potential risk to the Institute, staff or students, or other individuals.
- The standards required in the Core Competencies, where applicable

## **Appendix 6      Operation of the Fitness to Practise Appeal Committee**

### **Conduct of Business**

- The Fitness to Practise Appeal Committee will be convened as required on a case by case basis
- The student and the Head of Dept will be invited to attend.
- A simple majority shall take decisions of the Fitness to Practise Appeal Committee
- Proceedings shall be recorded
- The Fitness to Practise Appeal Committee shall report outcomes to the Vice President of Academic Affairs and Registrar
- The Fitness to Practise Appeal Committee shall report to Academic Council annually

### **Procedures**

Whilst the appeal shall not be a rehearing of the original complaint, it shall address specific issues that the student feels has received insufficient consideration. The Registrar (or their nominee) will convene a meeting of the Fitness to Practise Appeal Committee under the following circumstances: A student has requested that their case be referred to a Fitness to Practise Appeal Committee on the grounds that:

- There is new evidence to be presented that was not available at the time of the original Committee hearing.
- Procedural deficiencies were evident during the operation of the hearing.

The appeals Committee will

- Allow the appeal.
- Decrease or increase the outcome or nature of the outcome
- A combination of above
- Reject the appeal.

The student will be notified in writing that a Fitness to Practise Appeal Committee had been convened. The student should be given appropriate notice of the date / time of the meeting. A period of 10 days' notice should be provided to students, however, a student may choose to waive this period should the Institute be able to convene a Committee earlier.

- A copy of the Fitness to Practise Report, or where relevant the report of the Committee, and any other related documentation that has been supplied in respect of the case should be provided to the members of the Committee and the student in advance of the meeting.

- The student should confirm their availability to attend the meeting with the Committee Secretary and should advise in advance of the meeting if they intend to be accompanied by a friend, parent, student advisor, Student Union representative or legal representation.
- Members of the Committee may seek the attendance of other relevant parties to provide verbal evidence and accounts of incidents or behaviour that have called into question the student's fitness to practise.
- At the meeting the Chair of the Committee should outline the procedures of the meeting.
- Members of the Committee may ask the student questions relating to the Fitness to Practise Report.

Possible Outcomes:

- Require the student to undergo medical, psychiatric, and/or psychological testing at the student's expense. A student failing to comply with this requirement may be required to withdraw until such time as s/he is certified by an appropriately qualified person to be fit to proceed with their studies. The qualified person must have a high level of expertise in the health area concerned and currently work in this area;
- Suspend the student from participating in their programme of study subject to the satisfactory fulfilment of specified conditions;
- Terminate the student's programme of study but allow the student to transfer to another programme of study or exit strategy, with the permission of the relevant programme board and subject to compliance with the Institute's transfer regulations and policy;
- Recommend the case be heard by the Disciplinary Committee on the basis that expulsion may be considered.

The decision of the Fitness to Practise Appeals Committee should be communicated to the student within 5 working days.