

Fitness to Practise Policy

STU 33

Issue	Date of 1st Issue	Last Reviewed	Date of Next Review	Responsibility of
01	Aug 23	Aug 2023	Aug 2025	Head of Student Experience

This document can also be produced in alternative formats upon request.

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Fitness to Practise Policy

1. Introduction

All training makes high academic and personal demands on students. Students are required to demonstrate not only academic ability but also personal suitability, fitness to practise and a commitment to their chosen profession at the point of admission as well as throughout their programme of study.

Any programme of study which may lead to a professional registration will be governed by a requirement that students demonstrate their 'Fitness to Practise'. At the heart of the 'Fitness to Practise' is recognition of the College's duty of care to all students and stakeholders. All decisions around Fitness to Practise must be made in good faith and with cognisance to the Disability Discrimination Act and the Rehabilitation of Offenders Act.

The responsibilities in relation to suitability and fitness to practise are not confined to the process and content of the academic programme but have a broader scope and application. They encompass all behaviour including that outside the academic or work-based learning placement setting which may reflect negatively on the profession, College, University or Awarding Organisation.

Suitability and fitness for professional work include qualities such as patience, honesty, integrity, resilience and the ability to help people face difficult situations. Evidence of clear thinking, sound judgement, sensitivity and tolerance is required, together with the ability to establish and maintain appropriate personal and professional boundaries. This demands sound interpersonal and communication skills as well as both physical and mental ability to carry out the role appropriately.

On occasions, students may be the subject of concerns about their suitability and fitness to practise in one or more of these fields. It must be clear to all parties (e.g. students, academic staff, placement supervisors) what kinds of concerns or information will trigger formal action on behalf of the College, how the formal action will be implemented and what

are the possible outcomes. There is also a clear professional obligation laid down by regulating bodies to have robust processes that encourage the disclosure of matters that may affect suitability and fitness to practise.

Examples of relevant professions where Fitness to Practise apply include:

- Chiropractic services
- Clinical Physiology
- Counselling
- Dental Nursing
- Dietetics
- Early Years Education
- Education
- Health and Social Care
- Health Visiting
- Nursing
- Occupational Therapy
- Optometry
- Physiotherapy
- Podiatry
- Radiography
- Social Work
- Speech and Language Therapy
- Sports Studies
- Youth and Community Work

NB This list is not exhaustive and it may be added to by the College at any time.

A list of qualifications offered by the College where Fitness to Practise applies are included in the Fitness to Practise Procedure – Appendix 1. The list will be reviewed and updated annually.

2. Purpose

The purpose of this Policy, and associated procedure, is to give effect to the College's duty to ensure that such students are fit to practise, in order to protect present or future patients, pupils, clients or service users and to comply with the requirements of professional/regulatory bodies and to maintain public confidence.

This Fitness to Practise Policy, and associated procedure, exists to protect:

- the public interest, by safeguarding client/patient well-being;
- the student's interests by ensuring that students do not proceed into a career for which they may well not be suited or for which a regulatory body may not register them.

This 'Fitness to Practise Policy' is distinct from the College's general disciplinary procedures. There may be situations, however, where more than one set of College procedures are utilised to consider the Colleges position and professional implications of a student's behaviour or fitness to practise.

Key aspects of this Policy:

- 2.1. Students registered on a programme of study that requires them to undertake practical training in a professional role in relation to patients, pupils, clients or service-users, or where the end qualification provides a direct license to practise or is a requirement for a license to practise, are subject to this Policy.
- 2.2. If students registered on a programme of study are subject to the 'Fitness to Practise Policy', this shall be stated on admission and in the Course Regulations and within information provided during admissions processes.
- 2.3. Students whose courses are covered by the 'Fitness for Practise Policy' must disclose any criminal convictions to the College before entering the course or immediately such a conviction occurs during the course. This will enable the student to be provided with guidance about entry requirements for registration within the profession concerned. If a student fails to disclose this information and it subsequently comes to light, the student may be removed from the course.

- 2.4. Issues relating to professional practise may arise as a consequence of behaviour associated with diagnosed or suspected mental health or from addiction. In such circumstances this Policy and associated Procedure will only be invoked if medical and counselling interventions have not successfully addressed the behaviour or if the student has refused all such interventions.
- 2.5. If any student subject to this Policy is the subject of alleged or proven academic misconduct or disciplinary offence; this shall be disclosed without prejudice to the CAM, so that any implications regarding fitness to practise may be considered.
- 2.6. The basis for any determination or action concerning the fitness to practise of a student shall be the relevant professional requirements and code of behaviour. The standard of proof required shall be the balance of probabilities.
- 2.7. Anyone making a fitness to practise disclosure, must identify his or herself. Anonymous disclosures will not be accepted. In exceptional circumstances the discloser's identity may remain confidential, provided this is consistent with natural justice.
- 2.8. Boards of Examiners, Achievement and Progressions Boards, and the College Disciplinary procedures may also refer students to the CAM under the 'Fitness for Practise Policy'.
- 2.9. The CAM may precautionarily suspend a student pending a full investigation of the circumstances reported. This power may be used when a student displays inappropriate behaviour while on clinical placement /work-based practise or when about to go on clinical placement/ work-based practise.
- 2.10. When action at 2.9. is necessary, the CAM will prepare a report on the circumstances of the case, normally within 3 working days of the disclosure. The CAM will make this report available to a 'Fitness for Practise Panel'. Please refer to the 'Fitness to Practise Procedure' for full details on the Panel.
- 2.11. During a period of precautionary suspension, the student will be entitled to access the College's student support services and will be offered any pastoral support required.
- 2.12. In line with the work of the 'Fitness to Practise Panel', the student may be interviewed. The student may be accompanied at the interview by a member of staff of the College, by another student, by a representative of the Students' Union

or by a member of the professional organisation. Legal representation will not be permitted.

2.13. The 'Fitness to Practise Panel' will have the following powers when considering the student's behaviour and conduct:

- no action may be required;
- the student may be required to provide written confirmation from his/her General Practitioner that they are fit to practise. If this is not forthcoming it may result in a period of leave of absence by the student;
- recommend to the College's Senior Management Team that the student discontinue studies on the course with or without possibility of transfer to another course;
- if the student is at an appropriate stage in his/her programme, he/she may be offered an alternative award which does not lead to a professional qualification;
- the student may be referred to the Colleges Disciplinary procedures;
- other action as deemed appropriate to the situation

2.14. Should the Panel take the decision to refer a student to the College Disciplinary procedures, it will state in writing the reasons for its recommendation and supply any evidence it may have.

3. Scope

This Policy is for students, academic staff, and placement supervisors where Fitness to Practise applies. Please refer to section 1 within this document regarding the professional areas the Policy may be applied to.

4. Responsibilities

Anyone, including College teaching staff and academic support staff involved in student placement, who become aware of evidence of health, behavioral or academic unsuitability which may preclude a student from completing the course of study or from undertaking the required professional practise should report the facts in writing to the CAM at the earliest opportunity – please refer to the 'Fitness to Practise' procedure for full information.

5. Quality Assurance

Comments and complaints regarding this document will be handled through the College's comments and complaints mechanisms. If you have a comment or complaint, or require further information regarding the process, please e-mail quality.improvement@nrc.ac.uk.

This Policy will be monitored on an ongoing basis and subject to a full review at least every two years. It may also be updated if changes or improvements in processes or procedures are identified. In monitoring and reviewing this policy/strategy, the following will be taken into consideration:

- feedback regarding the content and format of the policy/strategy;
- uptake and usage;
- comments or complaints regarding the policy/strategy;
- Equality information and monitoring data.

6. Links to other Documents

6.1. Internal Documents:

- [Fitness to Practise Procedure \(STU 34\)](#)
- [Student Criminal Convictions Policy](#)
- [Student Positive Behaviour Policy](#)
- [Safeguarding Policy](#)

6.2. External Documents

- Awarding organisation information regarding Fitness to Practise

