

MIDDLESEX UNIVERSITY
SCHOOL OF HEALTH AND EDUCATION
FITNESS FOR PRACTICE POLICY AND
PROCEDURES

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1.0 Introduction

In situations where there is a cause for concern for a student, the University has established a procedure to direct staff to the most appropriate route for consideration of further action:
http://www.mdx.ac.uk/data/assets/pdf_file/0019/250534/GPS9-Cause-for-concern-procedures.pdf

The Cause for Concern Procedure comprises three stages and acts as an over-arching procedure directing staff, following referral, to the most appropriate University policy or procedure, namely:

- Fitness to Study Policy;
- Fitness for Practice Policy and Procedures;
- Student Conduct and Discipline Procedure;
- Safeguarding Policy/Procedure

For example, breaches of the regulations in relation to student conduct, discipline and behaviour will normally be considered within the auspices of the regulations, together with any specific academic programme policy. This includes any referral and/or complaint from an external party

This document forms the Fitness for Practice Policy and Procedure of the School of Health and Education.

The School has responsibilities to ensure that students on professionally recognised programmes meet certain expectations and are 'Fit for Practice' (FfP). This is particularly the case for programmes leading to registration or enhanced status with a professional body. For some disciplines there is a statutory obligation to consider FfP and in many subjects there is also a contractual responsibility to ensure that our students, on registration, are employable at an appropriate level of practice. Thus there are occasions when we are required to exercise professional judgement, outside of the normal assessment and/or disciplinary processes of the University, on whether an individual meets FfP requirements. Such decisions need to be made either at recruitment, or during the programme when concerns might be raised and bring into question an individual's FfP.

There may be occasions when serious breaches of conduct or discipline expectations are referred to the FfP process directly. Such information is provided in the annexes to this document as relevant to each professional discipline. This may be additional to a University process. It should be noted that whilst the FfP panels will respect the outcomes of the University's processes, issues of FfP may well take precedence and result in additional or alternative action.

In order to manage this process the School of Health and Education has established various panels to consider FfP issues (see section 3.0):

- The School ***Fitness for Practice Panel*** (FfPP) which considers strategic issues across the disciplines and receives regular reports of FfP cases.
- Professional discipline ***Sub-panels*** which allow for interpretation of professional requirements and expectations at a discipline level.
- ***Case-panels*** which consider individual student cases.

This policy and associated procedures cover a diverse range of programmes at undergraduate, postgraduate, CPD and doctorate levels, including:

- Education – initial teacher training
- Nursing and Midwifery
- Social Work
- Veterinary nursing

The policy and procedures includes a main section that provides guidance as to how FfP issues are managed, monitored and audited within the School and annexes (attached A to C) which are discipline and professional area specific. Issues of FfP for registered practitioners of a non-academic nature, including those of post qualifying courses, should be dealt with through the relevant employer professional body's FfP arrangements, where applicable, If non-academic related FfP issues arise, the relevant professional representatives within the School may refer the matter to the partner/employer or professional body.

These policies and procedures also cover partners and sub-contracted organisations engaged in delivering University, professional recognised programmes.

2.0 Related processes and practices

2.1 Recruitment

In many cases, programmes will assess aspects of a student's FfP prior to admission to a qualifying programme of study. This might include, but not exclusively, an assessment of:

- a self-affirmation or self-declaration (as appropriate) of health and criminal record (which may also be required on an annual basis),
- references in support of an application,
- an interview,
- a subsequent Disclosure and Barring Service (DBS) and occupational health clearance which may form part of any offer of entry to a programme.

The School has adopted the guidance 'Principles for Recruiting to Professional Programmes' (Appendix 1) which sets-out an overview of our approach. In addition, there is further guidance available for each professional discipline area, including the relevant 'Student Code of Practice' which will be referred to in each Programme Handbook and is attached within the accompanying annexes to this document for each discipline area. Each 'Code' is likely to refer to additional guidance on expectations of students, including in some cases external binding professional obligations which go beyond those considered within the University's own regulations. Each professional programme area may also have separate guidance on dealing with disciplinary issues. Students will be made aware of these 'Codes' through the most appropriate communication route at enrolment, 'welcome' and during their studies. Certain programmes have strict requirements for admission as specified in the programme's web site. In respect of an existing criminal record, these must be declared and the programme team will make a judgement. Failure to declare a criminal record that is subsequently revealed post enrolment on a DBS check could lead to disciplinary action and, in certain circumstances, result in discontinuation from the relevant programme.

Students on professional programmes are expected to alert the University to any changes in their criminal record during their studies and a professional judgement will then be made on whether the student can continue on the programme. Some programmes require an annual reaffirmation of good health and good character (Please see attached discipline related annexes for further information).

When there is a requirement for occupational health screening by an Occupational Health Practitioner (OHP), a report will be sent to the University confirming the student's clearance status. This report will detail any adjustments that need to be made in order to enable the student to undertake the programme. These issues are covered by separate policy statements for each professional programme area.

2.2 Assessment

In the context of this policy and procedures guide, the three main categories of FfP concerns are:

- **Competence** – this is, in the main, judged through the assessment process. If issues of competency and/or safety occur within a practice placement prior to, or after, the final point of assessment, then a FfP investigation may be required.
- **Conduct** – if students do not follow their professional body code of conduct they may be guilty of misconduct – this may be reflected in a criminal conviction or caution, disciplinary action or complaint from service users, placement provider staff, university staff or other students.
- **Health** – for some programmes good health is necessary to undertake practice in a way that is safe and effective. Concerns may be raised if there is a long-term untreated or unacknowledged physical or mental health condition, including abuse of, or dependence on, drugs and alcohol.

FfP will be assessed on an on-going basis as an integral part of professional programme assessments. There will be specific requirements for the assessment of practice placements. Academic staff and information provided in the programme handbooks will clarify the precise requirements as practice assessments are usually built into the normal assessment process. Information provided to students will identify the circumstances where assessment issues may lead to referral on FfP issues. When concerns are raised about a student's FfP that lead to termination of their placement by the placement provider, this may result in an investigation in order to collate evidence for any FfP proceedings. (Please see the relevant annexes for more discipline related information).

It should be noted that breaches of relevant professional programme codes of conduct related to assessment will be reported to the appropriate FfP panel for a decision regarding whether there is an issue of professional suitability of the student for continuation on their programme. For cases of plagiarism, such evaluation will take place following any investigation and a ruling by Academic Registry.

3.0 Principles on which the FfPP and its sub-panels operate

The FfPP has a strategic overview of all FfP issues raised across its professional programme portfolio. Given that there are many specific, discipline and profession related requirements within that portfolio, the FfPP will delegate responsibility to investigate and determine referrals on its behalf to FfP Sub-panels who will consider FfP issues at an operational level specific to a particular professional area. The Sub-panel will establish 'Case-panels' in order to consider individual referred cases. Sub-panels and Case-panels will normally be chaired by the relevant designated professional lead or a nominee from the relevant professional programme.

The purpose of the FfP procedures is to:

- Allow a proper investigation of any FfP concerns that may be raised.
- Promote, uphold and ensure compliance with appropriate codes of conduct for students.
- Provide the opportunity for referral of a student to an established FfP process or for the provision of advice and guidance from the relevant FfP Sub-panel.
- Protect users within clinical/practice settings (and users of the future).
- Maintain public confidence in the profession.

The FfPP, the discipline related FfP Sub-panels and Case-panels will operate to the following principles in that they will:

- Be transparent, fair and consistent in the way in which professional judgements on FfP are made.
- Work in conjunction with the Regulations of the University.
- Make judgements with the assistance of representatives of the academic community and stakeholder partners where possible.
- Make judgement on the basis of any externally published guidance on professional conduct for students from specific professional bodies.
- Utilise as a standard of proof 'balance of probability' in that a fact will be established if it is more likely than not to have happened.
- Enable decisions to be made in a timely manner.
- In normal circumstances allow any disciplinary processes to be complete before considering FfP issues.
- Allow for students to receive appropriate advice and guidance throughout any FfP procedures and, where appropriate, allow for an appropriate appeals process. (See student guidance in Appendix 2).

4.0 Membership of the FfPP

- Deputy Dean as Chair
- Chair of each FfP Sub-panel
- At least 1 and no more than 3 stakeholder partner representatives
- A service user representative

- Contract Operations Manager
- School Executive Administrator
- MdXSU Representative
- Up to 2 academic staff may be co-opted as necessary

The FfPP will meet twice per year to review the work of the Sub-panels, discuss policy issues and make policy decisions. Meeting arrangements for Sub-panels will vary according to need. Case-panels, as appointed by Sub-panels, will meet as necessary to consider FfP referrals.

4.1 Membership of Sub-panels and Case-panels

The Sub-panels will be required to reflect the needs of a professional area, including the requirements of professional bodies if these are specified. Each Sub-panel will appoint a Chair and at least one deputy Chair. The appointment of the Chair may be determined by the requirements of a professional body. Membership of Sub-panels and Case-panels will vary according to professional requirements. Details of such membership can be found in the attached annexe.

As a matter of principle, investigators and referrers to a FfP panel will not be part of any further decision making process, save for their report, statements and recommendations submitted as evidence.

4.2 Terms of reference

With the support of key colleagues with responsibility to professional bodies for student FfP, the FfPP and Sub-panels together are responsible for:

- Providing professional judgements on applicants'/students' fitness for practice where issues falling outside of existing admissions, assessment and disciplinary procedures are identified.
- Recording and monitoring the cases that are dealt with by the panel and sub-panels.
- Advising on policy and/or procedural amendments as appropriate.
- Providing professional advice on FfP issues to School staff.

Additionally, the FfP Sub-panels will be required to report and review on their activities to the FfPP. The FfPP will then use these reports to undertake a review of the appropriateness of this policy and procedures, normally for September of each year.

As an annexe to this document, each FfP Sub-panel shall provide a separate document which clarifies further:

- Details of membership of the FfP Sub-group and how Case-panels are constituted.
- any additional Terms of Reference required by relevant professional bodies (as approved by the FfPP),.
- Any specific modes of operation as required by professional bodies.
- Arrangements for reporting and review of activities, as required by professional bodies or internal good practice. Copies of such reviews should be included within the Departmental Action Plans.

- Who within the professional area is responsible for determining whether a referral falls under the auspices of the FfP arrangements and guidance as to how such decisions are made.
- Any particular additional requirements of the professional body in assessing FfP (e.g. plagiarism within Nursing and Midwifery).
- A copy of the relevant Student Code of Conduct.

4.3 Mode of operation

Students may be passed on to the FfP process from a variety of sources (academic staff, clinical staff, administrative support staff, members of the public, fellow students etc.). Information alleging a FfP matter will not normally be accepted if made on an anonymous basis.

FfP matters will be considered according to a number of phases (see Appendix 3 for a flow-chart of the process)

Screening

Initial screening will be undertaken by the Cause for Concern team of the University who will make an initial decision as to whether the referral constitutes a FfP matter.

If a FfP matter is not confirmed, the Cause for Concern team, in conjunction with the Programme Leader (PL), will advise the student of the matter and provide any guidance in terms of future conduct as appropriate. Any written informal guidance that has been provided will be retained for the duration of the student's studies.

Investigation

If a FfP matter is confirmed, the programme PL will undertake a full investigation (or allocate a named individual to do so), obtaining appropriate statements and other forms of evidence as appropriate.

Prior to the commencement of the investigation a 'Raising Concerns' letter will be sent to the student advising them that a concern has been raised regarding their FfP. This will outline the concern, the next steps and include guidance and support that will be available to the student (see Appendix 2).

The investigation may include interviewing of students and witnesses. The PL will arrange for a note-taker at interviews who will provide a summary for agreement between the parties. Students will be given reasonable time to agree to the content of the notes of any meeting/interview. A nil response will be taken as acceptance that they are a true record.

Students may be accompanied at any interviews by a friend, representative of a professional body or a representative of MdxSU. Legal representation is not normally allowed.

As part of the investigation, any statements obtained must include the full name of the witness, their role, a concise but detailed explanation of their evidence and be signed and dated. A pro-forma Statement of Evidence is provided in Appendix 4 and guidance on a useful investigative approach is provided in Appendix 5 (a).

The investigator will then supply an evidence report (Report template in Appendix 5(b)) normally to the relevant DoP (or other appropriate person as detailed in the relevant discipline appendix), who will not have been engaged in the investigation and who will review the report and make a decision as to whether to refer to the relevant FfP Sub-panel.

The intent will be to complete the screening, investigation and review by the DoP within 20 working days of the initial notification to the student of the matter whereupon the student will be informed of the next steps. Certain complex cases, or where there are circumstances beyond the control of the investigator, may require longer. If there is a delay, the student will be notified of the expected date of completion of this stage.

Referral

Upon receipt of a referral, the FfP Administrative Officer for the relevant FfP Sub-panel will liaise with the Chair to establish a suitable Case-panel. The FfP Administrative Officer will collate the evidence to be reviewed, normally within 5 working days of receipt, before sending a letter to the student (the 'notification') which will clearly state the matters that constitute the FfP referral linked to the appropriate professional codes and guidance and will request;

- A reflective statement and any evidence that he/she wishes to be considered.
- Identification of any evidence that will be challenged.
- Identification of any supporting witnesses that could give evidence.
- Confirmation of acceptance of any evidence that is not being challenged.

If appropriate, and on a case by case basis, the student may be removed from attending practice pending the outcome of any determination.

Once the evidence from both parties has been collated it will be sent electronically and password protected to the student and members of the Case-panel.

Hearing

The Chair of any panel will not have been involved in the investigation process. The investigator will set-out the University's position in terms of the FfP matter. The investigator will then be available for factual evidence enquiries but will not be part of any deliberations nor the decision-making process.

The Case-panel will consider the evidence provided against the standards, Codes of Practice and any additional guidance as indicated in the annexe to this document which might be professional/discipline specific. (Particular arrangements exist for plagiarism in Nursing, Midwifery, Social Work and Veterinary Nursing where reviews could be undertaken electronically)

Where there is a need for a panel to meet, the student will be invited to attend and may wish to be accompanied by a representative who may be a friend, a representative of a professional union or a representative of the MdxSU. Legal representation is not normally permitted. (The guidance in Appendix 2 provides further information on the nature of

support that can be sourced). A date will be set for the student to respond, not less than 10 working days from the notification letter as sent to their University e-mail account. A panel will not normally accept further evidence from the student following this date.

If a student chooses not to attend a hearing it will proceed to a conclusion in their absence. The student can apply for a deferral by providing reasons to the FfP Administrative Officer at least 48 hours prior to the hearing. It will be at the Chair's discretion whether to grant a deferral.

For all panels, virtual and actual, members and students will be provided with the same information and documentation which will be circulated in advance of any hearing. The hearing will consider evidence provided related to the referral but may also consider new evidence that emerges and that has a bearing on the FfP of the student. The student will be given an opportunity to address any such emergent evidence.

It will not be expected for witnesses to an alleged FfP issue(s) to attend the panel hearing, unless there has been notification that their evidence has been challenged. Normally, their signed statements will suffice. A panel meeting will be held within 15 working days of their receipt of the case documents but this is subject to member availability and witness management arrangements should the student contest the case. Students will be advised if this period needs to be extended. Following a panel hearing, a formal outcome letter will be issued to the student within 5 working days.

The Chair will retain a casting vote should the panel be unable to agree a unanimous or majority decision.

All case outcomes are reported back to, and monitored by, the FfP Sub-panel to aid consistency of approach.

5.0 Outcomes of referrals to FfP

Panels will follow the general principle of proportionality for decision making, imposing sanctions on the basis of the nature of any FfP determination.

A FfP Case-panel who is considering whether the FfP of an applicant for a professional programme is impaired can make one of 2 decisions:

- To recommend that a place on a professional programme is offered, this offer will be made conditional on all other entry requirements being met.
- To recommend that a place on a professional programme is refused.

A FfP Case-panel, who is considering whether the FfP of an student who has not yet fully met the conditions of their offer is impaired, can make one of 2 decisions:

- To recommend that the conditional offer of a place on the professional programme is withdrawn. In this case the applicant/student will be invited to discuss their options for transferring to another non-professional programme.

- To recommend that the conditional offer of a place on the professional programme is upheld. In this case the applicant may enrol, or the student may continue with their programme of studies. There may be conditions attached to this decision.

A FfP Case-panel who are considering:

- Whether the FfP of a student who has been referred to the panel is impaired on the grounds of inappropriate conduct and/or competence or other reasonable grounds such as are covered by this policy and accompanying annexes.
- Whether the FfP of a student is impaired due to health/disability, and have had independent verification of that health or disability issue.

can make one of following decisions based on the principles of proportionality and with sanctions considered on a stepped approach increasing in severity according to the nature of the determination:

- That the student may continue without any further action.
- To recommend that the student is allowed to continue on the professional programme with specified conditions and review dates.
- To suspend and/or interrupt the student pending specified conditions are met within a defined time-line.
- To recommend that the student is withdrawn from the professional programme. In this case the applicant/student will be invited to discuss their options for transferring to another non-professional programme.

In certain circumstances, when conditions have been attached to continuation on the programme, students may be asked for their permission to share these conditions with a placement provider. If such permission is not granted, the student should be aware that they may not be able to continue on the programme at the discretion of the placement provider.

Where it is in the student's interest, following completion of the panel procedure, the Chair of the Case-panel may choose to provide a brief verbal summary of the determination of the hearing but is not obliged to do so. A determination letter will follow, normally within 5 working days of the panel meeting which will provide detail of the panel's findings related to the relevant professional codes and guidance, providing reasons for their judgements.

Case-panel Chairs should provide a summary of the outcome of their deliberations to the Chair of the relevant FfP Sub-panel. The FfP Administrative Officer of the FfP Sub-panel will notify all necessary parties within the University as appropriate, particularly in the case of discontinuation (e.g. Academic Registry).

The FfP Sub-panel Administrative Officer should also keep due records of all decisions and actions taken. The FfP Sub-panel will be required to provide a formal annual report to the School FfPP on the number, nature and decisions made by Case-panels under its remit.

Students will have the right of appeal against any determination of FfP (in accordance with guidance in section 6.0 below).

The letter sent to the student advising them of a Sub-panel decision should provide further information regarding rights of appeal.

6.0 Appeals

A student has the right to appeal against a decision of a FfP Case-panel. The Chair of the School FfPP, or a member of the School Executive, will determine if the grounds for appeal are justified. All appeals must be made through the FfP Sub-panel Administrative Officer of the FfPP. An appeal must be submitted within 15 working days of the date that the outcome letter was e-mailed/sent to the student.

An appeal against a decision of a FfP Case-panel can only be made on the grounds that:

- I. The FfP process, including any consideration of proportionality in the determination, was not run in accordance with the agreed policy.
- II. There was an administrative error affecting the outcome.
- III. There is additional and relevant evidence that was not seen or was not available at the time the decision was made.

In the case of an appeal being allowed by the School Executive member, the relevant FfP Sub-panel will convene an appeals panel to review the original decision in the light of any new information. The membership of the appeals panel will include those with appropriate professional knowledge, external parties, a chair of a non-professionally relevant Sub-panel and one representative of the original Case-panel responsible for the decision who will be expected to provide clarification for that original decision.

Documentation from the first FfP Case-panel will be reviewed alongside any new evidence. The student will be invited to attend, but attendance is not mandatory. The student may be accompanied by a friend, professional union representative or representative of MdxSU. Legal representation is not normally permitted. If the student chooses not to attend, then the panel will make a decision based solely on the evidence submitted. It should be noted that an appeal panel may uphold the original decision.

Where there is any potential conflict of interest, the FfP Sub-panel for the appeal process will be independently chaired by the Chair of the FfPP or an equivalent senior academic manager.

Following the outcomes of the appeal, unless there are further outstanding matters to consider under the University's regulations, a Completion of Procedures letter will be provided as required by the Office of the Independent Adjudicator (OIA).

Information regarding the role and support provided via the OIA can be found at <http://www.oiahe.org.uk/>

July 2018

(Date for review – July 2019).

Appendices:

Appendix 1: Principles of Recruitment to Professional Programmes

Appendix 2: Guidance for Students about whom Fitness for Practice Concerns Have Been Raised

Appendix 3: Fitness for Practice Flow-chart

Appendix 4: Pro-forma Statement of Evidence

Appendix 5:

5(a): Possible investigative approaches

5(b): Template for investigation report

Subject-specific annexes

Annexe A: Annexes Relevant to Education Students

Annexe B: Annexes Relevant to Nursing, Midwifery, Social Work and Veterinary Nursing students

Appendix 1

Principles for Recruiting To Professional Programmes

1.0 Introduction

Recruiting to programmes that prepare students for professional practice require that professional as well as academic requirements are met when selecting students, to ensure that all students on professional programmes are fit to practise. Each programme needs to specify the underpinning Recruitment Policy and the Recruitment Process informing the way in which selection decisions are made. These can be seen to fall into 5 clear stages, information available to applicants, short-listing, testing, interviewing and selection:

2.0 Information available to applicants

In addition to the information available to students across all programme clear information must be provided to students applying for professional in relation to the following:

- Academic requirements for entry to the programme (and whether this is specified by any professional body)
- Requirements for University testing of applicants
- Requirement for full disclosure of criminal record
- Requirement for enhanced disclosure through the Disclosure and Barring Service (DBS, formerly CRB) and Overseas police checks
- Requirement to meet professional standards of conduct, and where these are not specified by a professional body they must be articulated by the programme team
- Requirement for health screening
- Opportunity to discuss these requirements in confidence

3.0 Short-listing

Clear criteria for short-listing must be set and documented. A consistent process for short-listing must be clearly stated in the Recruitment Policy.

4.0 Testing

If there is a requirement for pre-interview testing the process must be clearly stated in the Recruitment Policy, and should include:

- The type of test, when and where it will be carried out and who is responsible for co-ordinating this
- Any requirement for involvement of service providers and service users
- The development and renewal of test papers

- Clear marking criteria and identification of pass mark
- Provision of feedback to applicants

5.0 Interviewing

This should be preceded by the applicant completing a disclosure form (accompanied by guidance for disclosure) which will be provided to the interviewer/s. The Recruitment Policy should clearly identify:

- The type of interview e.g. individual/group/both
- Who will be involved in the interview e.g. academic/service providers/service users
- Development and renewal of interview guidelines and person specifications

6.0 Selection of students

The Recruitment Policy should state how selection decisions are made and documented, to include:

- The method of selection e.g. interviewers or panel decision
- Recruitment of ex-offenders – acceptability criteria – what cases require referral to Fitness for Practice
- Health screening – process and adjustments
- Making conditional offers
- The point at which a conditional offer becomes unconditional
- Penalties for non-disclosure e.g. withdrawal of offer

7.0 Post-enrolment

On some programme students may be allowed to enrol before all conditions are met, and the Recruitment Policy must state how this is followed up to completion of the recruitment process. Fitness to practice issues are investigated in relation to university and professional body requirements as required.

Appendix 2

Guidance for students when concerns have been raised about their fitness for practice

1.0 Introduction

The University's expectations regarding student conduct is clearly outlined in the University Regulations, but additional requirements apply to students on professional programmes such as nursing, veterinary nursing, midwifery, teaching, integrative medicine and social work. Students on these programmes must also meet the requirements of the relevant professional body – for example, the Nursing and Midwifery Council (NMC) for nursing and midwifery students, the Health Care Professions Council (HCPC) for social workers, Royal College of Veterinary Surgeons (RCVS) for Veterinary Nurses and the National College for Teaching and Leadership (NCTL) for trainee teachers. The School of Health and Education has established a 'Fitness for Practice' panel that oversees the fitness for practice of students on professional programmes. A sub-panel of this committee is responsible for managing fitness for practice concerns raised about students studying on professional programmes. The aims of the Fitness for practice process are to:

- Protect the public
- Uphold professional standards
- Maintain public confidence in the profession
- Support the student

2.0 Categories of Fitness for practice concerns

The three main categories of Fitness for practice concerns are:

- Competence – this is, in the main, judged through the assessment process. If issues of competency and/or unsafe practice occurs within a practice placement prior to the final point of assessment, then a fitness for practice investigation may be required.
- Conduct – if students do not follow their professional body code of conduct they may be guilty of misconduct – this may be reflected in a criminal conviction or caution, disciplinary action or complaint from service users, placement provider staff, university staff or other students.
- Health – good health is necessary to undertake practice in a way that is safe or effective. Concerns may be raised if there is a long-term untreated or unacknowledged physical or mental health condition, including abuse of or dependence on drugs and alcohol.

3.0 The Fitness for Practice Process

3.1 Screening

Any Fitness for Practice (FFP) issues that have been raised will be considered within the University's Cause for Concern procedures. If it is considered that a FFP investigation is appropriate, rather than another University procedure, the details will be passed to the relevant Programme Leader for their consideration. In such cases, a 'Letter of Concern' will be sent to you which will provide information as to the next steps in the process and further information about help that can be sourced.

If a concern has been raised regarding your Fitness for practice, you will be told exactly what that concern is.

3.2 Investigation

The investigation will be undertaken, usually by your programme leader, but possibly another member of the academic team or as appropriate to the professional discipline. If there are any concerns about your health, this may require an occupational health assessment. You will have the opportunity to discuss the concerns that have been made, provide your own statement and/or any supporting evidence you wish to be considered. You will be advised on the sources of support you can access during the investigation and will be given a copy of the report. In almost all cases you would be allowed to continue on your programme during the investigation. In exceptional cases, we may require you to defer your placement if there is a risk to you or others.

The investigation report will be reviewed, normally by a relevant Director of Programmes or another academic as appropriate. At this stage it will be confirmed whether the reviewer considers the investigation report confirms a FFP matter or whether it should be dealt with by an alternative process e.g. complaints or disciplinary procedures. You will be informed of the decision by the reviewer. We aim to complete both investigation and screening within 20 working days, but if this is not possible, we will write to you and inform you when we expect the investigation and screening stages to be completed, and inform you of the next steps.

3.3 Referral

If a formal referral is made to the FFP Sub-panel you will receive a formal notification within 5 working days, from the Administrative Officer to the Sub-panel outlining the matter, the evidence that will be considered and identifying the date of your case-panel meeting and the panel members. You will be asked to submit a reflective statement, any other evidence you wish the panel to review and to confirm if you wish to challenge any of the evidence you have been sent, by a date to be set by the University, not less than 10 working days after the referral notification being made via your University email account. We will also send a letter by post to the address we have recorded for you. You will also be advised on the sources of support available to you to prepare for the panel meeting and present your case, either in writing or in person. The relevant policy will be enclosed with this notification letter, and you will be informed of your right to be represented by your union, or be accompanied by a friend, or representative of the MdxSU. Legal representation is not normally permitted. In certain cases, when the referral has been made following either an upheld allegation of academic misconduct or a disciplinary, you will have already had the opportunity to present your case and you will not need to attend the panel, although you can still submit any documentary

evidence you wish the panel to consider. However, you have the right to request that you attend the panel in person and if you wish to do so you must state this at the time you respond to your notification letter.

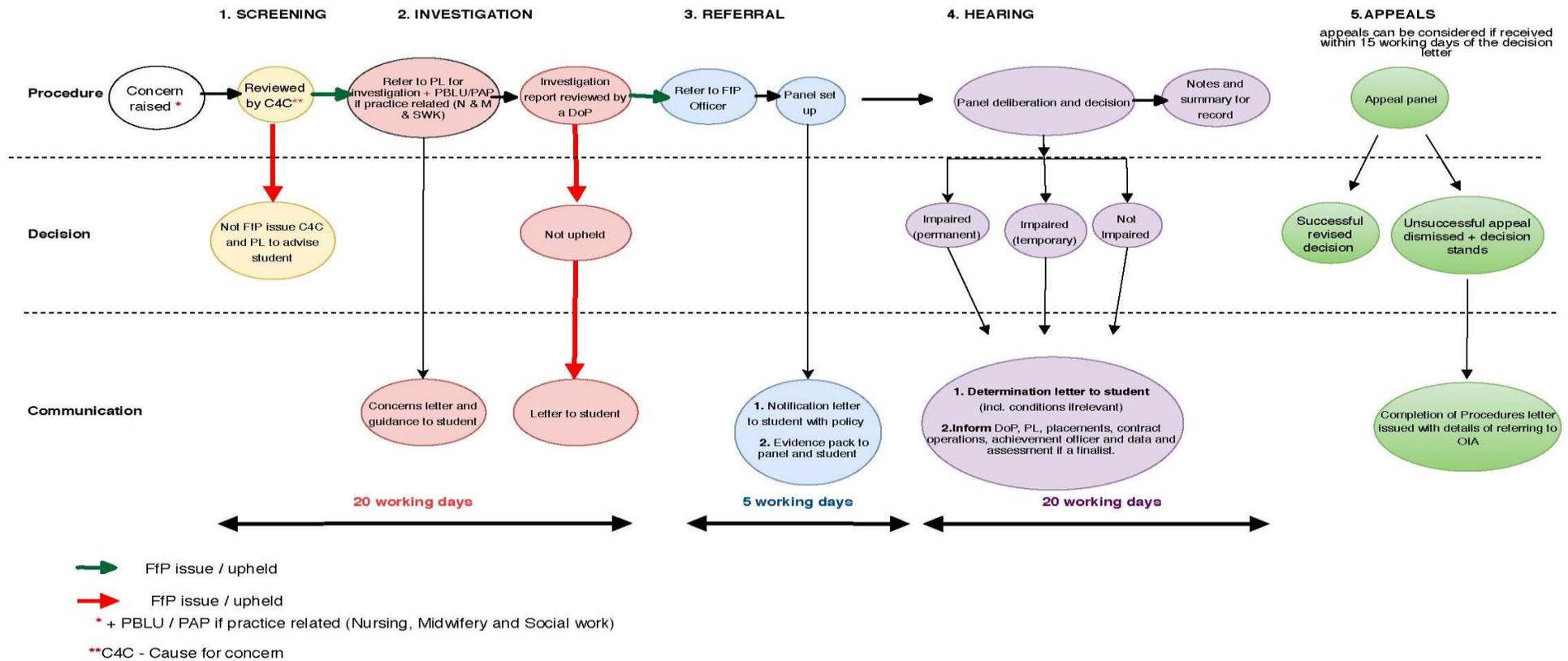
3.4 Panel hearing

If a panel hearing is arranged, and should you choose to attend, you will be introduced to the panel members, and the investigator will outline the cause for concern and the evidence to support this. You will be given the opportunity to state your case, and your representative can support you in doing this. The panel members will ask questions to explore and clarify issues relating to the cause for concern. Following the panel meeting the panel will make a decision which will be explained to you in a determination letter that will be sent as soon as possible, no longer than 5 working days after the panel meeting. The possible outcomes of any Fitness for Practice panel meeting are:

- Your Fitness for Practice is not impaired, and you will continue on your programme. In some cases there may be conditions to be met within a given timescale.
- Your Fitness for Practice is temporarily impaired, this may require a temporary interruption from your programme, with conditions to be met prior to your return to the programme.
- Your Fitness for Practice is permanently impaired, and you will be discontinued from your programme. You will be advised on options for transferring to a non-professional programme.

In certain circumstances, when conditions have been attached to continuing on the programme, you may be asked for your permission to share these conditions with a placement provider, and if permission is not granted, then you may not be able to continue the programme.

Appendix 3
Fitness for Practice Process



Appendix 4

Fitness for Practice – Statement of Evidence

Student name to which this evidence refers:

Middlesex University Student Number (if known):

Full name of witness making statement:

Position/role:

Contact e-mail and telephone number:

The ‘Statement’

(Please provide a concise statement of your evidence focusing on the Fitness for Practice issue of concern. Please be aware that this statement could be used in any Fitness for Practice case).

Signature:

Date:

Appendix 5

5(a) Investigative approach

(With acknowledgement to Manchester University and Fieldfisher law firm)

The following key stages of **ASPIRIN** are recommended as part of any investigation:

A – Assess the situation and gather initial evidential materials

S – Subject interviews – establish first hand evidence if possible

P- Pose appropriate questions – seek to establish both evidence for and against the matters being of relevant for a FfP referral

I – Information collection

R – Review the information that has been collected and re-investigate as needed

I – Initiate a referral

N – Notify relevant people in the organisation

5 (b) – Investigation Report Template

The following headings could be used to create an investigation report;

1. An outline of the student, their programme stage of study, past results, attendance and other relevant academic background.
2. Details of the alleged Fitness for Practice matter
3. A review of the evidence collated, witnesses interviewed and statements received with a summary of the key elements
4. Contributory and mitigating factors on behalf of the student which may be considered as part of any determination.
5. The implications for the student's study pathway
6. Recommendations to the case-panel
7. Suggested communication process to all interested parties

Annexe A – Education Department

Annexe A.1 – Education Fitness for Practice Sub Panel

Annexe A.2 – Health & Disability Panel Terms of Reference

Annexe A.3 – Code of Conduct for Initial Teacher Trainees

Annexe A.4 – Dress Code for Professional/Educational Settings

Annexe A.1 – Supplementary Information relevant to the operation of the Education Fitness for Practice sub-panel

1.0 Standards of professional conduct

Programme	Conduct guidance
Primary ITT Programmes BA Primary PGCE Primary School Direct Primary Pg Teacher Apprenticeship	Teachers' Standards http://www.education.gov.uk/schools/teachingandlearning/reviewofstandards Code of Conduct and link to Fitness for Practice Policy and Education Annexes can be found in Programme Handbooks and on UNIHUB
Secondary ITT Programmes PGCE Secondary (all subjects) School Direct Secondary Pg Teacher Apprenticeship	Teachers' Standards http://www.education.gov.uk/schools/teachingandlearning/reviewofstandards Code of Conduct and link to Fitness for Practice Policy and Education Annexes can be found in Programme Handbooks and on UNIHUB
Early Years Teacher Routes (EYITT)	Code of Conduct and link to Fitness for Practice Policy and Education Annexes can be found in Programme Handbooks and on UNIHUB

2.0 Education Professional Programmes - Fitness for Practice sub-panel membership. A case panel would be convened from this membership to consider a case identified as a FfP matter.

- Head of Education (Chair) and/or member of the School of Health and Education Leadership team to act as chair
- Head of ITT (Deputy Chair)
- 2 members of academic staff from professional programmes (minimum) and/or member of the Education Leadership team
- Partnership representative (in attendance where possible)
- Administrative Officer, Education – Officer to sub-panel

3.0 Arrangements for reporting and review of activities

A report of the activities of the Education Fitness for Practice sub-panel will be undertaken at the end of each academic year and reported in the relevant quality monitoring reports and to the Partnership Steering Group. Reports will also be submitted to the School of Health and Education Fitness for Practice Committee. A summary report will be extracted from the various reports and held in readiness for 2 day notice Ofsted Inspections.

4.0 Authority for determining whether a referral falls under the auspices of the FtP arrangements

Students will be recommended for referral to the Fitness for Practice sub-panel following a referral to the Cause for Concern Team by either an Assessment Board or by a Director of Programmes / Programme Leader if the concerns arise in between assessment periods.

5.0 Requirements of the Department for Education and National College for Teaching and Leadership (executive agency) in assessing Fitness for Practice

The Initial Teacher Training Criteria (2012) states that all accredited ITT providers must ensure:

C1.3 Suitability

All accredited ITT providers must ensure that all entrants, as part of the provider's selection procedures, have taken part in a rigorous selection process designed to assess their suitability to train to teach.

Health and physical capacity to teach. Providers have a responsibility to ensure that trainees have the health and physical capacity to teach and will not put children and young people at risk of harm. The activities that a teacher must be able to perform are set out in the Education (Health Standards) (England) Regulations 2003. Providers are responsible for ensuring that only trainees who have the capacity to teach remain on the programme.

C3.3 That they comply with all current legislation relevant to ITT.

C3.4 That they monitor, evaluate and moderate all aspects of provision rigorously and demonstrate how these contribute to securing improvements in the quality of training and the assessment of trainees.

Annexe A.2 – The Suitability to Teach (DBS/Health and Disability) Panel Terms of Reference (Education)

1.0 Introduction

The Suitability to Teach Panel functions as a sub-committee of the Education Fitness for Practice sub-panel and is established to provide a consistent approach across programmes with regard to the management and support for students with a disability or health issue (as identified by Occupational health) and for consideration of any recorded information on a DBS certificate

2.0 Principles of Operation

The Health and Disability Panel aims to ensure that:

- The University complies with its duty of care to students and to those with whom they come into contact
- The University complies with the requirements of the Disability Discrimination Act
- Students with health and disability issues are not disadvantaged, nor put at risk
- Students with health and disability issues are treated with transparency and fairness

3.0 Terms of reference

- To ensure that students with health and disability issues are given appropriate support and all reasonable adjustments are made to support them on their programme.
- To regularly review students with health and disability issues affecting their programme, and maintain confidentiality of such discussions.
- To support programme leaders with the monitoring of individual students.
- To ensure parity and fairness of approach to all students
- To consider occupational health reports that make recommendations and require adjustments in their programme, including practice placements, taking Fitness for Practice into consideration.
- To refer cases to the Fitness for Practice Panel where occupational health report recommendations cannot be accommodated.

4.0 Mode of Operation

The Chair convenes a sub-committee of members of the Education FfP sub-panel to review any Occupational Health and DBS Reports that require consideration. The panel meets as required to review all cases but the majority of the work will happen as part of the recruitment cycle, during induction and following annual re-affirmation for (undergraduates only).

5.0 Membership (Chair)

- Head of ITT
- A Director of Programmes
- Programme Leaders of the person(s) concerned
- A member of the Education Leadership Team (in addition to the Chair)
- Members may also be co-opted for specific advice, e.g. from the University Disability Support Unit.

Annexe A.3 - Code of Conduct for Initial Teacher Trainees

1.0 Introduction

As a student of Middlesex University what you do as a trainee teacher will have a big impact on the pupils and staff in the schools, colleges and settings where your training takes place.

This code of conduct has been agreed across the University in consultation with the partnership and it sets out the standards that you are expected to work to during your training programme.

This code is based on the guiding principle of protecting pupils and it mirrors the standards that are expected of all the teachers that you will work alongside.

2.0 Teachers' Standards Part Two: Personal and Profession Conduct

The Teachers' Standards (DfE 2012) set a clear baseline of expectations for the professional practice and conduct of teachers and define the minimum level of practice expected of teachers in England. This code of conduct is based on Part Two of the Teachers' Standards which states:

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

3.0 What this code means for you

All trainee teachers must do their utmost to comply with this code, and any breach of this code whilst training will be investigated and dealt with by the Programme Leaders and school Mentors who are required to deal with this under the University Regulations (section on student conduct and discipline) and where appropriate under the Fitness for Practice Policy of the School of Health and Education. The Fitness for Practice Policy can be found in your Programme Handbook. Please also note the Dress Code for trainee teachers (Annexe 4).

Annexe A.4 - Dress Code for Professional/Educational Settings

Policy: Middlesex University imposes no dress code on its students. It welcomes diversity of appearance in general terms. However, education students and trainee teachers do need to consider the teaching context in which they will work in terms of health and safety and professional appropriateness.

Guidance for trainees on Initial Teacher Training Programmes: Appearance is one part of ensuring other professionals, parents and pupils can have confidence in you in the work-place. As a general rule in an educational setting, clothing should be of a smart-casual, conservative nature and should not restrict easy movement. Clothing should cover the body (bare midriffs, for example, are not acceptable). In some settings jewellery or facial piercing are not appropriate. The face should be uncovered when working in educational settings.

Guidance to ensure health and safety for teaching Physical Education: Trainees are expected to change their clothing and footwear when teaching Physical Education and for the university training sessions held in a local school. Further guidance is provided by the Association for Physical Education publication 'Safe Practice in Physical Education and School Sport'. This document was revised and reprinted in 2008. In particular, students should ensure that:

Any clothing worn to comply with a faith commitment is appropriate to the activity being taught. It should be comfortable and allow for freedom of movement. Clothing that is loose or free flowing is generally not suitable for most physical activities and may compromise both safety of the wearer (e.g in gymnastics) and others in close proximity (e.g. invasion games). Headscarves where worn, are tight, secured in a safe manner and unlikely to catch on anything that may put the wearer at risk.

If there is any reason why you may not feel able to comply with any of the above you must discuss this with your Programme Leader immediately. Students or trainees who breach this dress code should be aware that they may be referred to the Fitness for Practice Panel should they refuse to comply.

Sub-panel Nursing and Midwifery, Social Work and Veterinary Nursing

1.0 Standards of professional conduct

Programme	Conduct guidance
Nursing	http://www.nmc.org.uk/standards/code/read-the-code-online/
Midwifery	http://www.nmc.org.uk/standards/code/read-the-code-online/
Social Work	http://www.hpc-uk.org/assets/documents/10002C16Guidanceonconductandethicsforstudents.pdf
Graduate Mental Health Practitioner	http://www.skillsforhealth.org.uk/about-us/news/code-of-conduct-and-national-minimum-training-standards-for-healthcare-support-workers/
HCSW/AP	http://www.skillsforhealth.org.uk/about-us/news/code-of-conduct-and-national-minimum-training-standards-for-healthcare-support-workers/
Veterinary nursing	http://www.rcvs.org.uk/advice-and-guidance/code-of-professional-conduct-for-veterinary-nurses/pdf/

2.0 Nursing, Midwifery, Social Work and Veterinary Nursing Fitness to Practice Sub-panel membership

- Chair 6 members of Nursing, Midwifery and Social Work academic staff (minimum, 2 appointed to act as Deputy Chairs)
- Contract Operations Manager
- 4 Placement Provider representatives (minimum)
- Supervisor of Midwives
- Independent member
- Service user
- Student Conduct and Complaints officer

Nursing, Midwifery and Social Work Fitness to Practice case-panel membership

- Chair or Deputy Chair of the sub-panel, or Deputy Dean – to chair the case-panel
- Minimum of 4 panel members
- Normally at least one member will reflect the area of practice of the student
- A maximum of one co-opted member may be part of the case-panel

3.0 Terms of Reference Health and Disability

The Health and Disability Panel functions as a sub-committee of the Fitness for Practice Nursing, Midwifery and Social Work sub- Panel (Annexe 2).

4.0 Arrangements for reporting and review of activities

A report of the activities of the Nursing, Midwifery and Social Work FfP sub-panel will be undertaken at the end of each academic year and reported in the relevant AMR. A separate report dealing only with the pre-registration nursing and midwifery students will be reported to the NMC in the AMR submitted at the end of the calendar year.

5.0 Authority for determining whether a referral falls under the auspices of the FtP arrangement

The Chair of Cause for Concern panel, the Chair of the FfP Sub-panel or the Deputy Chair

6.0 Arrangements for electronic review of plagiarism cases

Given that the majority of cases follow proven plagiarism or a disciplinary hearing, and in order to support an efficient facilitation of the appeals process so that students are notified of the result in a reasonable timeframe, the review may be carried out electronically and there is no requirement for the student to attend a meeting as the University may well have already made a determination on those matters through other procedures. The student will be informed that they have the right to attend a meeting in person, should they so choose. In cases where the student has not already had an opportunity to present in person, a full hearing will be arranged for that purpose in order to consider the evidence.

In cases where the Case-panel chair and the student agree to an electronic review the Case-panel will normally be expected to complete the review and notify the Administrative Officer of their recommendation within 5 working days of receipt of the case documents. The feedback from the Case-panel will be reviewed by the Chair and, within not later than 5 working days, a letter will be sent electronically and in hard copy to both the student and the referrer detailing the outcome of the panel's determination.

7.0 Additional requirements of the professional body in assessing FtP

In accordance with NMC code, plagiarism after year 1 upheld by the Academic Registry, should be reviewed by a FfP case panel

Where applicants disclose a criminal record at interview the Head of Recruitment to Professional Programmes will review, request a reflective statement and submit to the FfP panel to make a recommendation in regards to entry. In such cases a case-panel will convene electronically and report their recommendation to the Head of Recruitment to Professional Programmes

Discontinuation due to a Fitness to Practice Panel decision will mean the academic exit award made will reflect academic credit achieved, but have a non-professional title of:

- Cert HE Combined Studies or Healthcare Practice
- Dip HE Combined Studies or Healthcare Practice
- BSc Combined Studies
- BSc Hons Combined Studies

Annexe B.2 - Health and Disability Panel Terms of Reference (Nursing, Midwifery, Social Work and Veterinary Nursing)

1.0 Introduction

The Health and Disability Panel functions as a sub-committee of the Fitness for Practice Nursing, Midwifery and Social Work sub- Panel and is established to provide a strategic direction across nursing, midwifery and social work programmes with regard to the management and support for students with a disability or health issue (as identified by Occupational Health).

2.0 Principles of Operation

- The Health and Disability Panel aims to ensure that:
- The University complies with its duty of care to students and to those with whom they come into contact
- The University complies with the requirements of the Disability Discrimination Act, or equivalent legislation outside of the UK
- Students with health and disability issues are not disadvantaged, nor put at risk
- Students with health and disability issues are treated with transparency and fairness

3.0 Terms of reference

- To ensure that students with health and disability issues are given appropriate support and all reasonable adjustments are made to support them on their programme.
- To regularly review students with health and disability issues affecting their programme, and maintain confidentiality of such discussions.
- To support programme leaders with the monitoring of individual students.
- To ensure parity and fairness of approach to all students
- To consider occupational health reports that make recommendations and require adjustments in their programme, including practice placements, taking Fitness to Practice into consideration.
- To refer cases to the Fitness to Practice Panel where occupational health report recommendations cannot be accommodated.

4.0 Mode of Operation

The Chair convenes a sub-panel of members of the panel to review any Occupational Health Reports that require consideration. The panel meets as required to review all cases.

5.0 Membership

- A Director of Programmes (Chair)
- Programme Leaders from adult, child and mental health nursing, midwifery and social work
- PBLU/PAP representative
- Contract Operations Manager
- Practice colleague x 1 (E.g. Educational Lead)

- Members may also be co-opted for specific advice such as University Disability Service, Clinical Practice Facilitator from a specific speciality.

Annexe B3: RCVS Fitness to Practise - A Guide for UK Providers of Veterinary Nursing (www.rcvs.org.uk)

1.0 Introduction

Student veterinary nurses need to be prepared for life as a registered professional in a public-facing role with responsibilities for animal welfare.

Fitness to practise is not just about achieving academic qualifications; it is about being of good character, being responsible and being worthy of the trust and confidence of the public and your peers. Those found not fit to practise may face sanctions, possibly even removal from the professional register.

2.0 Recognising fitness to practise concerns and addressing them appropriately

The concept of fitness to practise is not easily defined, and it can be difficult to know when something could be a fitness to practise concern. It can help to consider whether any one or more of the following is compromised by a student's behaviour:

- Protection of animal welfare
- Protection of the public
- Proper standards of conduct
- Compliance with relevant legislation e.g. animal welfare legislation, equality and discrimination legislation
- Public confidence in the profession, as represented by its student members
- The reputation of the profession, as represented by its student members
- The wider public interest

With reference to these principles, where there is a serious or repeated concern about a student's ability to continue their course or their ability to practise after graduation, the university is required to consider instigating a fitness to practise investigation.

- **Fitness to practise is about minimum standards**
Fitness to practise is about meeting the minimum standards required to practise safely and effectively.
- **Insight**
When conduct or behaviour raises potential fitness to practise concerns, the student in question may not understand or accept the implications of what they have done. They may have little or no insight into their actions. A failure to understand why something calls fitness to practise into question can be of concern itself, as it may indicate an inability to appreciate risk and, in turn, a potential for repetition of the behaviour.

- **The public element**

Public trust and confidence is a key part of professional regulation.

What would the ordinary member of the public think about what student X has done?

What would the ordinary member of the public think if we decided not to investigate the concerns? Could we defend that decision?

What would the ordinary member of the public think if we did decide to treat this as a fitness to practise matter? Would they think that was a fair decision?

- **Deliberate or reckless behaviour**

Deliberate or reckless behaviour, whether or not it causes harm or adverse consequences, is perhaps more likely to undermine the public's trust and confidence than an incident that simply involves an accident. In cases of deliberate or reckless behaviour, it may be difficult to justify not instigating a fitness to practise investigation, especially where the behaviour is serious or repeated.

3.0 Graduation

Academic achievement and practical competence do not guarantee the award of a veterinary nursing qualification; a student must be able to demonstrate fitness to practise in all respects at the point of graduation.

A student may not be able to graduate until the conclusion of any fitness to practise investigation.

4.0 Health Concerns

Student veterinary nurses should take responsibility for their own physical and mental health; part of being fit to practise is recognising when your own health has the potential to jeopardise your ability to practice safely and effectively.

5.0 Disclosure to the RCVS

Those applying to be registered as veterinary nurses must disclose to the RCVS any caution or conviction, including absolute and conditional discharges, or adverse finding which may affect registration, whether in the UK or overseas (except for spent convictions and minor offences excluded from disclosure by the RCVS). See the RCVS *Protocol on Handling Convictions* for more details (www.rcvs.org.uk/convictions).

Student veterinary nurses should be aware of this disclosure obligation and the potential significance of the outcomes for student fitness to practise investigations. They should also understand that to fail to make a declaration may be an issue in itself, particularly as adverse findings may come to light at a later stage.

The RCVS has a Health Protocol (see www.rcvs.org.uk/health/). The RCVS recognises that sometimes it will be in the public interest to deal with registered veterinary nurses suffering from adverse health without referring a case to the Veterinary Nurse Disciplinary Committee (VN DC) for a formal hearing.

5.1 Principles

- Honesty and integrity
- Independence and impartiality
- Client confidence and trust

5.2 Behaviours

You can demonstrate you are fit to practise by:

<ul style="list-style-type: none">• Communicating effectively with clients, the public and professional colleagues; listen carefully and responding appropriately, using language appropriate to the audience and the context.
<ul style="list-style-type: none">• Being open and honest, including with clients, and respect clients' needs and requirements.
<ul style="list-style-type: none">• Ensuring that you do not disclose information about a client to a third party, unless the client gives permission or there is an appropriate justification.
<ul style="list-style-type: none">• Working effectively as a member of a multi-disciplinary team in the delivery of services to clients.
<ul style="list-style-type: none">• Respecting the skills and experience of your qualified colleagues and working under their direction and supervision as required by Schedule 3 of the Veterinary Surgeons Act 1966.
<ul style="list-style-type: none">• Understanding and respecting that clients must be free to give or withhold consent to treatment.
<ul style="list-style-type: none">• Recognising diversity and respecting the cultural differences, values and beliefs of others, including fellow students, colleagues and staff at your training provider.
<ul style="list-style-type: none">• Treating others courteously, with consideration and respect.

<ul style="list-style-type: none"> • Recognising that other people may question your fitness to practise, and demonstrating insight and engagement with associated investigations.
<ul style="list-style-type: none"> • Taking responsibility for your own physical and mental health, seeking treatment and limiting practice if necessary, and communicating with your training provider.
<ul style="list-style-type: none"> • Abiding by the rules and regulations of your training provider and other organisations linked to your studies.
<ul style="list-style-type: none"> • Honouring commitments and taking responsibility for your work.
<ul style="list-style-type: none"> • Attending mandatory teaching sessions or making alternative arrangements with your training provider.
<ul style="list-style-type: none"> • Submitting academic work on time.
<ul style="list-style-type: none"> • Co-operating with formal investigations about you or others.
<ul style="list-style-type: none"> • Working under direction and supervision as required by Schedule 3 of the Veterinary Surgeons Act 1966.
<ul style="list-style-type: none"> • Making sure that colleagues and clients know that you are a student.
<ul style="list-style-type: none"> • Making animal health and welfare your primary consideration when attending to animals.
<ul style="list-style-type: none"> • Taking responsibility for your working practices.
<ul style="list-style-type: none"> • Understanding the professional responsibilities and legal obligations relevant to veterinary practice, including the legislation relevant to the welfare of animals and legislation related to veterinary medicines.
<ul style="list-style-type: none"> • Working within the limits of your competence and being aware of personal limitations; demonstrating awareness of when and from where to seek advice, assistance and support.
<ul style="list-style-type: none"> • Ensuring that you are appropriately supervised.
<ul style="list-style-type: none"> • Providing care that is appropriate and adequate.
<ul style="list-style-type: none"> • Reporting any concerns about patients.
<ul style="list-style-type: none"> • Reporting errors or mistakes (including your own) to an appropriate senior member of staff.
<ul style="list-style-type: none"> • Having the confidence to speak up when you have concerns about matters affecting patients, clients, staff and the practice – recognising that speaking up and taking advice from your superiors is generally more appropriate than taking matters into your own hands.
<ul style="list-style-type: none"> • Ensuring that infection control protocols are adhered to and maintain high standards of cleanliness, hygiene and asepsis.

5.3 Concerns

Failing to demonstrate the below behaviours may raise questions about your fitness to practise. In addition, the following are examples of particular concerns that may affect your fitness to practise:

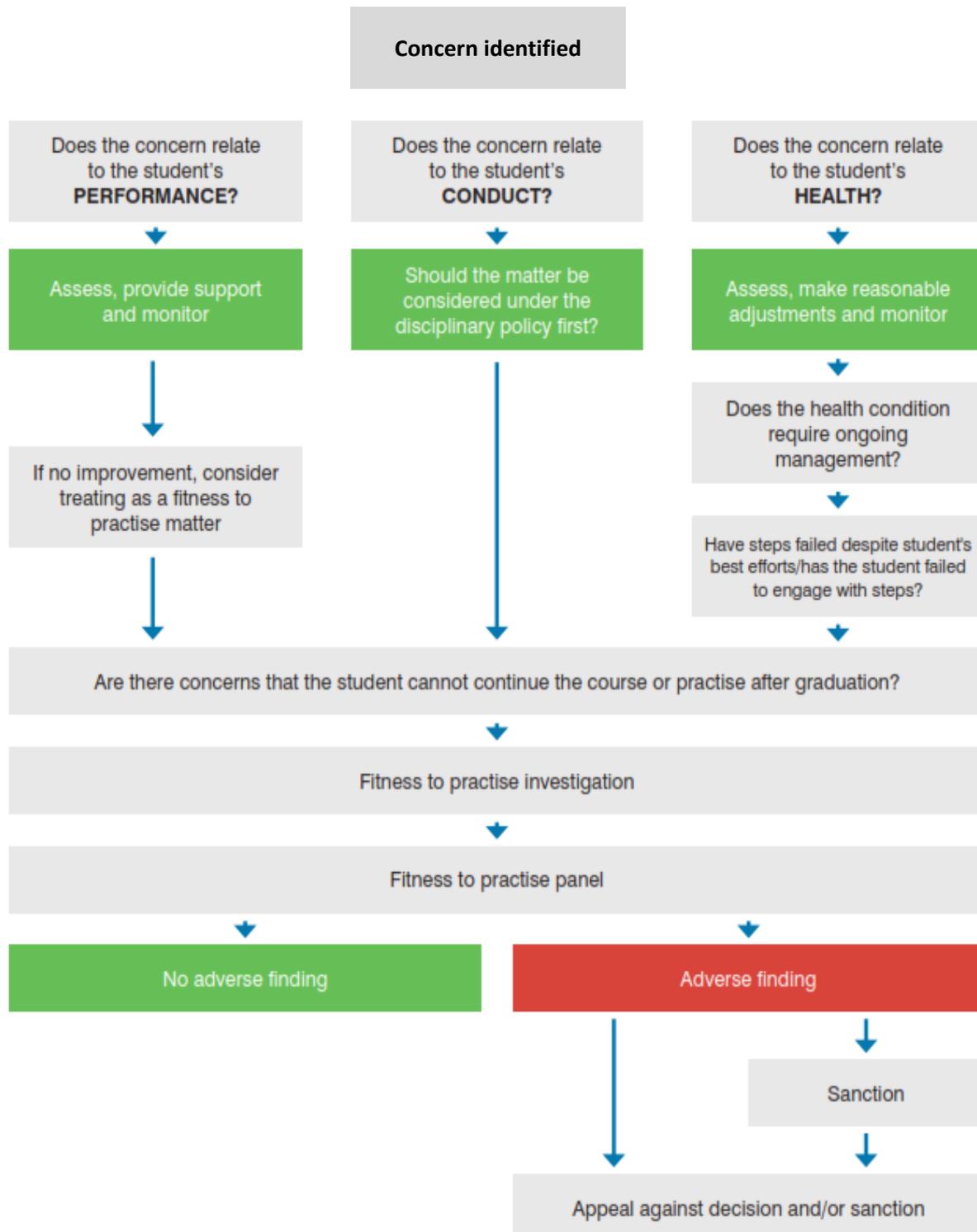
<ul style="list-style-type: none"> • Breaching client confidentiality without proper justification, including the posting of comments, pictures, x-rays and videos on social media.
<ul style="list-style-type: none"> • Persistent rudeness and general lack of courtesy when dealing with clients, colleagues and staff at your training provider/ training practice.
<ul style="list-style-type: none"> • Inappropriate or offensive behaviour towards fellow students, colleagues or clients, including bullying.
<ul style="list-style-type: none"> • Making disparaging comments about fellow students, colleagues or clients.
<ul style="list-style-type: none"> • Aggressive, threatening or violent behaviour.
<ul style="list-style-type: none"> • Failure to follow a colleague's instructions or client's requests.
<ul style="list-style-type: none"> • Going beyond the scope of client consent.
<ul style="list-style-type: none"> • Dishonesty, including dishonesty outside the professional role.
<ul style="list-style-type: none"> • Substance misuse e.g. drugs and alcohol.
<ul style="list-style-type: none"> • Criminal convictions or cautions.
<ul style="list-style-type: none"> • Cheating in examinations, plagiarising coursework and assessments, and passing off other people's work as your own.
<ul style="list-style-type: none"> • Forging a clinical coach's signature on clinical assessments or online logs.
<ul style="list-style-type: none"> • Forging a veterinary surgeon's signature on registration documents.
<ul style="list-style-type: none"> • Submitting fraudulent CVs, application forms and employment references.
<ul style="list-style-type: none"> • Misuse of social media
<ul style="list-style-type: none"> • Failure to seek medical treatment or other support.
<ul style="list-style-type: none"> • Refusal to follow medical advice or treatment plans.
<ul style="list-style-type: none"> • Undertaking medical treatment or minor surgery independently, without direction or supervision.
<ul style="list-style-type: none"> • Undertaking acts of veterinary surgery beyond the scope of Schedule 3 e.g. non-minor surgical procedures and surgical procedures that involve entry into a body cavity.
<ul style="list-style-type: none"> • Lacking insight into your limitations and lack of experience.
<ul style="list-style-type: none"> • Deliberately ignoring instructions or advice.
<ul style="list-style-type: none"> • Taking unnecessary risks and compromising animal welfare.
<ul style="list-style-type: none"> • Independently prescribing, supplying or administering medicines.
<ul style="list-style-type: none"> • Accessing the controlled drugs cabinet without permission.
<ul style="list-style-type: none"> • Purporting to have qualifications you do not have.
<ul style="list-style-type: none"> • Falsely completing/signing documentation.

5.4 Use of Social Media

When using social media:

- The *Code* must be followed at all times, even under the anonymity of social media, for example, do not make disparaging comments about another person or practice.
- Maintain and protect client confidentiality by not disclosing information about a client or a client's animal that could identify them on social media, unless the client gives explicit consent (NB in certain circumstances,
- It may be possible to have online discussions about anonymised cases.
- Be respectful of and protect the privacy of others.
- Be proactive in removing content that could be viewed as unprofessional.
- Comply with any internet or social media policy set out by the University or employer.
- Are offensive, false, inaccurate or unjustified (remember that comments which are damaging to an individual's reputation could result in a civil claim for defamation for which you could be personally liable.)
- Avoid contravening any internet or social media policy set out by the University (remember that comments or statements made or facilitated by you may reflect on your training provider and the wider profession as a whole.)
- Cause undue distress or provoke anti-social or violent behaviour.
- Are offensive, false, inaccurate or unjustified (remember that comments which are damaging to an individual's reputation could result in a civil claim for defamation for which you could be personally liable.)
- Abuse, bully, victimise, harass, threaten or intimidate fellow students, colleagues, staff or others.
- Discriminate against an individual based on his or her race, gender, disability, sexual orientation, age, religion or beliefs, or national origin.

6.0 MANAGING DIFFERENT TYPES OF CONCERN



■ Finding that may affect registration and which the student must disclose to the RCVS on registration