



Student Fitness to Practise Policy

Policy owner

University Secretariat

Approval date and body

28 April 2011, Academic Council

1. Introduction

The University's expectations regarding student conduct and behaviour are articulated in the UCD Student Code. However, some University programmes that may lead to a professional qualification and/or a licence to practise often require students to undertake practical training that entails working in a professional environment with patients, clients or other service users. The University, in conjunction with professional bodies, has a duty to ensure the student is fit to practise while undertaking education and training.

The University promotes professional conduct and competence throughout programmes that may lead to professional qualifications and endeavours to ensure that its students are fit to practise while undertaking professional placements, education and training.

2. Definitions

Fitness to practise means having 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.

3. Purpose

The purpose of this policy is to

- protect the public, students, placement providers and the University;
- instil in students the qualities and competences required for professional practise and to support and guide students who experience issues that may affect their ability to practise;
- provide a suitable framework for the effective management of fitness to practise issues that may arise, either prior to or during a student's programme of study.

4. Scope

- 4.1 This policy applies to all students registered to programmes that are subject to the University Fitness to Practise Policy. A list of programmes for which the Fitness to Practise Policy applies is available [here](#).
- 4.2 This policy should be read in conjunction with the UCD Student Code, Garda Vetting and Infectious Diseases and General Health Screening procedures and relevant programme

regulations or guidelines, as students on programmes subject to the Fitness to Practise Policy may also be subject to these additional conditions of registration.

- 4.3 Fitness to practise issues may arise at both undergraduate and graduate levels of study that may lead to professional qualifications
- 4.4 This policy is supplemented by programme specific requirements which are appended as supporting documentation to provide additional detail and guidance.

Principles

- 5.1 Programme Boards, in consultation with Schools, will specify the programmes for which the Fitness to Practise Policy applies and notify the University accordingly. A schedule of programmes subject to the Fitness to Practise Policy will be approved and maintained by Academic Council.
- 5.2 Where the Fitness to Practise Policy applies, the relevant Programme Board, in consultation with Schools shall establish and publish a Programme Fitness to Practise Statement which is drawn up in the light of this policy and guidance and is subject to endorsement by Academic Council. This policy shall include establishment of a Fitness to Practise Committee which will be a sub-committee of the relevant Programme Board, with appropriate representation from clinicians and Schools. The sub-committee will be responsible for implementing the policy.
- 5.3 Determination as to what constitutes failure to meet fitness to practise requirements in specific programmes must be clearly articulated, documented and well communicated in advance to the student as it is a breach of these stated criteria that will constitute the grounds on which fitness to practise procedures will be followed.
- 5.4 Applicants to programmes with any concerns about their ability to complete the programme are recommended to seek advice from the relevant programme co-ordinator, the Admissions Office or the Office Access and Lifelong Learning prior to application.
- 5.5 Successful applicants to relevant programmes should again be made aware of the Fitness to Practise Policy along with any other conditions of registration such as healthcare screening and Garda Vetting.
- 5.6 The University will endeavour to promote student understanding of the importance of professional standards and an awareness of the provisions of the Fitness to Practise Policy.
- 5.7 Students registered to programmes subject to the Fitness to Practise Policy are required to sign or electronically indicate consent to a fitness to practise statement at the start of each academic session.
- 5.8 Staff and students can discuss any concerns they have about fitness to practise issues relating to their own conduct or the conduct of others with their placement/clinical supervisor, School or Programme.
- 5.9 Fitness to practise procedures are based on the principle of fairness and are informed by professional codes of conduct.
- 5.10 Students and staff shall be mindful of the importance of confidentiality both in relation to clinical matters and in relation to fitness to practise matters. In cases where there is a reasonable belief that a student's fitness to practise has been called into question and this requires discussion of the matter with other relevant parties, this will not be considered a breach of confidentiality but will be taken as in the public interest. Such information is

sensitive information and is subject to FOI standards for storage, access, dissemination and disposal.

- 5.11 Fitness to Practise Committees, Schools and the University will deal with fitness to practise issues with sensitivity and in a timely manner.
- 5.12 Where possible and appropriate fitness to practise issues should be discussed and addressed informally between students and supervisors, with the student receiving advice on how best to improve conduct and competence so that fitness to practise issues do not arise again.
- 5.13 Fitness to practise matters are referred to the Programme Board sub-committee when they fall outside the remit of the Student Code or academic progression regulations. Where an alleged breach of the Student Code is reported the Registrar, or their nominee, may decide to refer the matter to the relevant fitness to practise sub-committee if it is deemed a more appropriate way to deal with the case. Where a fitness to practise issue arises in the context of an Examination Board, the Board may decide to refer the case to the fitness to practise sub-committee if it is considers it to be a more appropriate way of dealing with the case.

6. Process

6.1 Fitness to Practise Procedures

Where it is decided to refer a matter to the Programme Board Fitness to Practise sub-committee (hereafter the sub-committee), procedures will be aligned to the University Fitness to Practise Policy and follow the principles outlined below:

- The sub-committee should specify how fitness to practise concerns can be raised or reported;
- Roles of support, investigation and review are kept separate;
- Time frames for resolution, investigation and hearing are clearly set out and honoured, with extension being allowed where fairness requires it;
- Confidentiality must be respected and where information is collected from students, staff or others in relation to fitness to practise it must be made clear to them that it may be shown to others in the case and may be passed to third parties such as the Gardaí or professional bodies if necessary;
- The student must provide advance notice in writing to the sub-committee if they are to be accompanied and/or legally represented at any meeting. Students may be accompanied by a UCD Student Adviser, family member, friend, or an officer of the UCD Students Union. Where legal representation is sought by the student the matter shall be referred directly to the University Fitness to Practise Committee;
- Students should be informed that they may choose to refer the matter to the University Fitness to Practise Committee at any stage during the process;
- The sub-committee will keep a record of any formal fitness to practise proceedings, which may be used to report the matter to the University Fitness to Practise Committee;
- The sub-committee will submit annual summary reports to Academic Council;
- A Sub Committee shall act with full delegated powers of the relevant Programme Board/ Graduate School Board and may make decisions on behalf of the Programme Board/Graduate School Board regarding the fitness to practise cases referred to it. This delegation of function shall be in accordance with Programme Board/Graduate School Board terms of reference.

6.2 Possible Outcomes of Fitness to Practise Procedures at Programme Level

- 6.2.1 The case can be dismissed with no further action.

- 6.2.2 On the recommendation of the sub-committee the Programme Board may require the student to undertake a second attempt for certain elements of the programme of study without academic penalty.
- 6.2.3 On the recommendation of the sub-committee the Programme Board may require the student to interrupt her/his programme of study for an unspecified period of time or to resolve a specifically identified problem.
- 6.2.4 On the recommendation of the sub-committee a Programme Board, on the recommendation of the sub-committee may suspend a student from a placement with immediate effect if the well-being of patients/clients/students or other service providers is put at risk. If this occurs, then the fitness to practise procedures must be expedited to enable a review to be activated within 2 working days of the suspension. The programme Fitness to Practise Policy will need to indicate what constitutes 'at risk' in the context of the programme.
- 6.2.5 The Programme Board, on the recommendation of the sub-committee may specify an exit strategy to be followed by the student.
- 6.2.6 The sub-committee may refer the matter to the Registrar or their nominee to be dealt with by the University Fitness to Practise Committee.
- 6.2.7 The student may be allowed to continue, subject to review under certain specified conditions such as careful mentoring by a named senior academic member of staff.

6.3 University Fitness to Practise Committee

- 6.3.1 The University Fitness to Practise Committee shall be convened by the Registrar or their nominee from an Academic Council appointed panel of senior academic staff of the university (senior lecturer or professor). The following shall be ex officio members of the panel: Vice-Presidents, Principals, Vice-Principals, Deputy Registrars, Programme Deans, Chairs of Programme Boards, Directors of Graduate Schools and Heads of Schools.
- 6.3.2 The Committee shall consist of 3 members of the panel, and should ensure gender balance. The following ex officio members of the panel are eligible to chair a University Fitness to Practise Committee: Vice-Presidents, Principals, Vice-Principals, Deputy Registrars, Programme Deans, Chairs of Programme Boards, Directors of Graduate Schools, Heads of Schools. No member from the relevant Programme Board can be a member of the committee. One member should be from a Programme or School with students subject to fitness to practise policies. A member from the relevant subject or discipline and a clinical representative shall be invited to attend to provide advice and guidance.
- 6.3.3 A member of the administrative staff shall be appointed as a non-voting secretary of the Committee.
- 6.3.5 The University Fitness to Practise Committee shall report to Academic Council annually.

6.4 Procedures of the University Fitness to Practise Committee Hearings

The following procedure shall be followed by the University Fitness to Practise Committee:

- 6.4.1 Students will be notified in writing that their case has been referred to the University's Fitness to Practise Committee;
- 6.4.2 A minimum of 10 days notice of the date of the hearing will be provided, but the student may choose to waive this if the University can convene a hearing in advance of the notice period;

- 6.4.3 Students are entitled to be accompanied to a hearing by a family member, friend, student advisor or member of the UCD Students' Union and may be legally represented at Fitness to Practise Committee hearings. Where a student intends to be accompanied to and or legally represented at the hearing notice must be provided by the student to the Committee in advance of the hearing;
- 6.4.4 Decisions of the Committee shall be taken by a simple majority;
- 6.4.5 A record, written or otherwise, of the proceedings shall be made;
- 6.4.6 Students will be formally notified, in writing, of the outcome of the hearing and their right to appeal.

6.5 Outcomes of the University Fitness to Practise Hearings

- 6.5.1 University Fitness to Practise Hearings may result in any of those outcomes available to the Sub-committee on Fitness to Practise under 6.2 above or one of the following:
- 6.5.2 The Fitness to Practise Committee may determine that resolution be under the University's student disciplinary procedures;
- 6.5.3 If the Fitness to Practise Committee establishes serious fitness to practise concerns, the following may be applied in whole or in part:
- Require the student to undergo medical, psychiatric, and/or psychological testing at the University'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 University's transfer regulations and policy;
 - Expulsion from the University.

6.6 Appeal

- An appeal may be made to the Governing Authority within two weeks from the date of issue of the decision of the Fitness to Practise Committee.
- The student shall submit in writing the grounds for appeal.
- The date of issue of the said decision shall be the date on which the decision is posted to the student or the date on which the said decision is handed to the student.
- An appeal should adduce new evidence not available to the Fitness to Practise Committee; an appeal against the penalty imposed may be made on the grounds of extenuating circumstances.

7. Related Documents

- UCD Student Code (available [here](#))
- Academic Regulations (available [here](#))
- Student Garda Vetting Policy
- Infectious Diseases and General Screening Procedures (available [here](#))
- Student Fitness to Practice Procedures and Guidelines (available [here](#))

8. Version History

Version	Date	Summary	Changed by
V1 –V.1.4	23/11/10	Draft developed through working group deliberations, and review of professional codes of conduct, Irish university policy approaches and some U21 Institutions examples of good practice.	Drafted by Prof. Imelda Maher and Ms Lynn Foster using working group inputs
V2	15/02/11	Draft revised based on feedback from local consultation process led by working group members, including relevant schools, programme boards, student representatives and SU officers	Drafted by Prof. Imelda Maher and Ms Lynn Foster based on consultation outputs
V3	15/03/11	Draft revised based on working group feedback and discussions. Draft endorsed by working group.	Prof. Imelda Maher and Ms Lynn Foster
V3	13/03/11 and 14/03/11	University Undergraduate Programme Board (UUPB) and University Graduate Programme Board for recommendation (UGPB)	Lynn Foster
V4	15/04/11	Revisions based on inputs from the Office of Corporate and Legal Affairs and the Office of Access and Lifelong Learning	Lynn Foster
V5	13/09/12	Revision based on legal advice, approved by ACEC (12/09/2012)	Lynn Foster