STANDARDS OF CONDUCT: Fitness to Practise

Foundation Degree in Health and Social Care Students

This document is normally reviewed annually and all new students will be issued with a hard copy on admission to the programme. All students will be notified of any changes during their programme. A current version of this document can always available on the College Moodle site.
Table of Contents

1 INTRODUCTION........................................................................................................1
2. PRACTICE BASED LEARNING AND FITNESS PRACTISE.............................................2
3. GENERAL STANDARDS OF CONDUCT .....................................................................2
4. SPECIFIC EXAMPLES OF STANDARDS OF CONDUCT ...........................................2

4.2 Disclosure and Barring Service (DBS) clearance [Formerly Criminal Records Bureau (CRB)] 3
4.3 Occupational Health Clearance ...............................................................................3
4.4 Health and Safety Policies/Programme specific requirements ..................................3
4.5 Dress and appearance .............................................................................................3
4.6 Performance .............................................................................................................4
4.7 Attendance/Sickness .................................................................................................4
4.8 Acceptance of gifts and hospitality ..........................................................................4
4.9 Employment whilst a student ....................................................................................5

5 QUESTIONING FITNESS TO PRACTISE ....................................................................5
6. SUSPENDING FITNESS TO PRACTISE .....................................................................6
7 INVESTIGATING & DETERMINING FITNESS TO PRACTISE ....................................7
8 REVIEWING WITHDRAWAL OF OR RESTRICTION ON FITNESS TO PRACTISE ..........10
9 GROUNDS FOR APPEAL AND THE APPEAL PROCESS ...........................................11

Appendix 1: Relationship between the College Student Conduct Regulations and these Standards of Conduct: Fitness to Practise ..........................................................................................................................13

Appendix 2: Guidelines for professional behaviour/suitability Foundation Degree in Health and Social Care students ..................................................................................................................................................14

Appendix 3: Disclosure and Disbarring Service (DBS) and Occupational Health (OH) clearance processes ..................................................................................................................................................30

Appendix 4: Letter of Fitness to Practise ........................................................................31

Appendix 5: Process for notification of withdrawal of Fitness to Practise (student) ..........32

Appendix 6: Time-out from practice ................................................................................33
Including: ......................................................................................................................33

Appendix 7: Occupational Health Information ................................................................34

Appendix 8: Process for addressing change or potential change in student’s DBS status POST admission ..........................................................................................................................35
Standards of Conduct

Fitness to Practise

1 INTRODUCTION

This document will be referred to throughout as the ‘Standards of Conduct Fitness to Practise’ and refers to the Standards of Conduct of students on the Foundation Degree in Health and Social Care, in relation to their practice learning experiences.

1.1 Throughout this document:
(a) the term supervisor means to the person supporting students learning in practice;
(b) the CAM means the Curriculum Area Manager for Health and Social Care
(c) the CAM and the Academic Registrar may each nominate a senior member of their staff to act on their behalf at any stage of these procedures.
(d) Investigating Officer means the person with responsibility for investigating alleged breaches of the Fitness to Practise as defined in 7.4.
(e) Disciplinary Officer means the person responsible for investigating and determining alleged breaches of the College’s Student Code of Conduct and Disciplinary Policy

1.2 In order to meet the stringent requirements of conduct required within the health and social care sector the University and College has approved a procedure relating specifically to alleged breaches of the practice requirements for Foundation Degree in Health and Social Care students. The procedure is set out within this document and is implemented by the CAM, subject to the relevant appeal processes, on behalf of the University and College. It can result in the temporary or permanent removal of, or restrictions being placed upon, a student’s Fitness to Practise.

1.3 Additionally, Swindon College has a disciplinary procedure that applies to all College students and relates to alleged breaches of the College’s Student Code of Conduct and Disciplinary Policy Regulations (hereafter referred to as the Student Conduct Regulations). These Student Conduct Regulations are implemented by an appropriate Disciplinary Officer who, in certain circumstances, may also be the CAM. It can result in the imposition of a wide range of financial, academic and other penalties but cannot affect a student’s Fitness to Practise.

1.4 Some alleged behaviours if substantiated, will be breaches of the Fitness to Practise but not the Student Conduct Regulations; some will be breaches of the Student Conduct Regulations but not the Fitness to Practise; others will be breaches of both, and it is important that every allegation against a student is considered for its relevance in relation to both the Fitness to practise and the Student Conduct Regulations. Whether or not an allegation should be progressed under the Fitness to Practise is solely for the CAM to decide; whether or not an allegation should be progressed under the Student Conduct Regulations is solely for the Disciplinary Officer to decide.

1.5 When the CAM is not the relevant Disciplinary Officer, this will require effective liaison between the CAM and the Disciplinary Officer in order to ensure that the information necessary for both investigations is gathered in a timely manner but without requiring the student to duplicate what is bound to be a stressful process for them. When the CAM is the relevant Disciplinary Officer, this will require them to be clear about and keep separate the differing procedural requirements, criteria and potential outcomes of the two procedures.
1.6 Further guidance on how the operation of the two procedures should be integrated is set out in Appendix 1. Advice on any professional aspects of the operation of this procedure or the application of it to a specific case should be sought from the CAM; advice on any procedural aspects of the operation of this procedure or the application of it to a specific case should be sought from the CAM or the Academic Registrar, as appropriate.

2. PRACTICE BASED LEARNING AND FITNESS PRACTICE

2.1 Students on the Foundation Degree in Health and Social Care require experience with patient and service users in order to fulfil the programme requirements. This experience is gained through, and these programme requirements apply during placement experiences, which may take place in an external practice setting, but which may also include practice based elements of the programme taught in the classroom or skills laboratory for which consent procedures apply. Successful completion of appropriate practice requirements is a condition of the award of the College and University.

2.2 Students undertaking courses requiring access to patients and service users must obtain Fitness to Practise authorisation from the College which allows them to participate in health and social care practice learning. Without such authorisation, students will not be entitled to practise or enter practice areas. The responsibility for giving, withholding, suspending or withdrawing a student’s Fitness to Practise lies with the College, on behalf of the placement partner, and this responsibility is exercised by the CAM.

2.3 Before being issued with their Fitness to Practise card, students are required to complete and sign their self-declaration, acknowledging that they have read and confirming that they will be bound by these Standards.

3. GENERAL STANDARDS OF CONDUCT

3.1 Students are expected to:

a. observe or undertake practice in accordance with arrangements negotiated with the relevant practice and College staff;

b. conduct themselves and undertake agreed work in a manner appropriate to their student status and with concern for the feelings of others, including colleagues and managers but, especially, patients and members of the public. Guidance to help students learn professional behaviour can be found in Appendix 2 Guidelines for professional behaviour/suitability.

4. SPECIFIC EXAMPLES OF STANDARDS OF CONDUCT

4.1 This section sets out specific examples of standards expected of students in their behaviour and conduct and is not exhaustive:

N.B – If a student (or potential student’s) DBS check is not completely clean, then this will be discussed confidentially by a Fitness to Practise panel. If the panel concludes that giving the student or potential student access to health or social care placement provider premises is not in the best interests of the placement provider organisation then that person shall not be permitted to continue on the programme.
4.2 Disclosure and Barring Service (DBS) clearance [Formerly Criminal Records Bureau (CRB)\(^1\)]

(a) Students will have enhanced DBS clearance during the admissions process as part of being accepted onto Foundation Degree in Health and Social Care \(^2\).

(b) It is possible that a student may commit an offence after the admissions process or during the course of their education. Students will therefore be required to complete their self-declaration prior to each annual placement attendance (e.g. at the end of their first year of their programme).

(c) Students must declare all incidents that potentially may appear on any subsequent DBS disclosure form as and when they occur following the ‘Process for addressing change or potential change in student’s DBS status POST admission’ – see appendix 8.

4.3 Occupational Health Clearance

a) Students will have Occupational Health clearance during the admissions process as part of being accepted onto a Foundation Degree in Health and Social Care programme \(\text{(See footnote 2)}\).  

b) It is possible that there may be a change to a student’s psychological or physical health after the admissions process or during their course. Students will therefore be expected to complete their annual self-declaration.

c) Students must declare all changes to their psychological or physical health by notifying the relevant Occupational Health Department contracted to provide this service for the College, as and when they occur.

4.4 Health and Safety Policies/Programme specific requirements

(a) The policies of the practice areas apply and it is the responsibility of students to ensure that they:

(i) are fit to practise;

(ii) do not undertake work unsupervised with patients/service users for which they do not feel competent;

(iii) take every reasonable care to ensure they carry out work in a manner that is safe to all concerned;

(iv) must attend relevant compulsory Health & Safety lectures organised by the College and placement provider as part of the curriculum;

(v) conform to the Occupational Health Policies of the relevant practice area, including obtaining vaccinations where required.

(vi) have met the placement specific requirements. E.g. moving and handling, basic life support, indemnity insurance, or other mandatory training as stipulated by the placement provider.

4.5 Dress and appearance

(a) Presentation must be acceptable to the practice staff and comply with any specific placement provider organisation (e.g. NHS Trust) guidelines/policies.

i) A standard expectation is that students must not travel to and from their placement in their uniform if there are changing facilities available.

ii) If changing facilities are not available, students must ensure that their uniforms are covered and not identifiable as a student of the College and Oxford Brookes University.

iii) Visiting shops and other public places in uniform is not acceptable.

(b) Students in visible uniform out of the placement area (unless this forms part of a patient’s

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\(^1\) Since 1st December, the Criminal Records Bureau has re-branded and is known as The Disclosure and Barring Service (DBS) this is due to the merger of the Criminal Records Bureau (CRB) and The Independent Safeguarding Authority (ISA). For further information please go to www.criminalrecordsservices.co.uk.

\(^2\) The admissions process includes enrolment of students, subject to receipt of satisfactory DBS and Occupational Health clearance. Both of these clearances may take several weeks to complete and are required prior to issue of Fitness to Practise. Students are unable to commence placement experience without completion of these processes.
treatment) may be reported to their course leader. Students are expected to wear their placement provider identity badge at all times, while on placement.

(c) Where uniform is not required students are expected to consider the impact of their presentation on the service user/patient group. Dressing in a more neutral/modest way is less likely to provoke an adverse reaction. Logos and words on clothing may be fashionable but inappropriate as they may have inadvertent connotations. Similarly, clothes should not be too revealing (whatever the gender of the student), i.e. too tight, too short, revealing parts of the body area.

(d) Any student whose appearance is deemed inappropriate by the supervisor or most senior member of staff present in the practice area may be excluded from the practice area and will be reported absent until they return dressed appropriately. Practice hours will be deducted for this absence.

(e) Students are expected to be mindful of personal safety, infection control and being a representative of the College and University and the programme they are undertaking in addition to any placement provider policies and guidelines.

4.6 Performance

(a) Practice undertaken must be negotiated with the relevant professionals within the placement. It must only be undertaken with the authorisation of those members of staff and with an agreed level of supervision.

(b) It is the student’s responsibility to ensure they are familiar with all the relevant programme-specific guidelines on the nature of practice which can be undertaken.

4.7 Attendance/Sickness

(a) For the purposes of this section, attendance is defined as the student’s presence in either classroom based or placement area, on scheduled learning experiences as described in each Programme’s curriculum. It is the student’s responsibility to ensure that they are familiar with, and comply with, the College’s Student Attendance Policy. Students are expected to attend all preparation sessions relevant to their placement experience.

(b) Students are required to comply with the attendance and reporting sickness policies of the placement provider organisation and must familiarise themselves with this within the first week of their placement. If absence is before start of a placement the student must contact the named person (i.e. the placement supervisor) to report any sickness/absence. You are also required to report any absences to your course leader.

(c) Students with persistent difficulty in attending practice must discuss this with the course leader. Students must familiarise themselves and comply with the College’s regulations concerning absence due to sickness.

(d) Absence from a placement that cannot be demonstrated as having been agreed through appropriately timely negotiations between the student and the supervisor (and is not sick leave) is unacceptable. It indicates a low level of conduct on the part of the student and will not be tolerated. All such instances shall be investigated by the College and the placement area and may lead to disciplinary action.

(e) Time off during a placement to attend routine personal health care appointments (e.g. doctor/dentist appointments), is considered inappropriate and not commensurate with standards of conduct. If, however, a student has an appointment that cannot be rearranged, absence from the placement must be negotiated with the senior member of staff on duty. This time will not be recorded as practice hours.

4.8 Acceptance of gifts and hospitality

It is rarely appropriate for students to accept personal gifts from patients/users or their friends or family. This must always be discussed prior to acceptance with the student’s supervisor.
4.9 Employment whilst a student

(a) College and University staff are aware that most students now find it essential to work whilst studying. However, employment obtained outside of the programme must not adversely affect students’ work during placement.

(b) Any employment undertaken outside of the course must not in any way hinder or conflict with the interests of the placement provider with whom the programme is delivered.

(c) Conducting private business on practice area premises or within placement time is forbidden.

5 QUESTIONING FITNESS TO PRACTISE

5.1 A student’s fitness to practise can be called into question by information or allegations relating to the student’s:
   a) health, emotional state, judgement or character; or
   b) conduct or behaviour, such that the student has breached one or more terms and conditions of these Standards of Conduct: Fitness to Practise;
   c) conduct or behaviour is such that the student
      i. is a danger to themselves or
      ii. is a potential danger to patients/clients/patients in their care causing major concern to the practice area. ‘Major concern’ means there is clear evidence from senior staff in the practice area or academic staff (e.g. Work Based Learning team member)
      iii. disrupt the work environment so that patient/client care is at risk;

5.2 Any such information or allegations shall be considered by a Fitness to Practise panel (see 4.1) and, if information or allegation has arisen after the admissions process this shall be sent to the CAM as soon as possible, who shall consider whether there is a need to investigate further. If, in the view of the CAM, the information or allegations are such that, even if they were accurate, they would not affect the student’s Fitness to Practise, the CAM shall not take any further action under this Procedure other than to inform the person providing the information or making the allegations of that decision and, if appropriate, the student concerned.

5.3 If the information or allegations could, if accurate, affect the student’s continued fitness to practise, the CAM shall
   5.3.1 initiate an investigation as set out in paragraph 7.
   5.3.2 also consider whether or not it is appropriate to suspend the student’s Fitness to Practise while this investigation is undertaken, as set out in paragraph 6.

5.4 Time-out from practice

Please refer to Appendix 6: Time-out from practice (See Section 5.4)

5.4.1 In certain circumstances, before a final decision is taken under either part of paragraph 5.3, it is good practice to allow a period of NO MORE THAN three working days, during which the student remains away from the placement. This allows time for both staff and student to consider the most appropriate course of action. This ‘Time Out’ provides a short period of time for student and others to identify issues and to reflect on the best way forward/relevant action required. Time out may be required for personal or professional issues, and it is intended to be supportive of the student. This is NOT a suspension from practice. It allows time for effective decision-making prior to any formal procedure that may be invoked.

5.4.2 The student has the right to seek advice at any reasonable point in this procedure. They have the right to be accompanied or represented at any interview or hearing under this procedure by an individual acting as a ‘friend’, e.g. fellow student, professional union or
student union representative. This person may not be a lawyer acting in a professional capacity. Students may wish to contact

- the College Student Experience Manager
- UNISON (http://www.unison.org.uk/)
- the RCN (http://www.rcn.org.uk/)
- COT (http://www.cot.org.uk/)
- CSP (http://www.csp.org.uk/)

as appropriate for help, advice and representation.

6. SUSPENDING FITNESS TO PRACTISE

6.1 While a student’s fitness to practise is being investigated, the student may be:

(i) allowed to continue working without limitation;
(ii) suspended from working in any practice area.

6.2 This suspension or temporary restriction of a student’s Fitness to Practise is not a formal penalty but, if it continues for any length of time, it is likely to cause significant disruption to the student’s studies. Consequently, a student’s Fitness to Practise will not be suspended or temporarily restricted lightly or automatically. However, the University and College has an over-riding responsibility to service users, patients and the general public that the student may come into contact with. A student’s Fitness to Practise shall be suspended or have temporary restrictions applied to it when there is little reason to doubt the accuracy of the information provided or allegation made and the nature of the information or allegation:

a) is such that the student may:
   • pose a danger to patients/service users;
   • disrupt the work environment so that patient/client care is at risk;
   • interfere with the investigation;
   • repeat the alleged incident; or
b) is such that it is reasonable for other staff or students to refuse to work with the student pending the outcome of the investigation, due to patient/client care being at risk.

6.3 Normally, only the CAM, and Course Leader can suspend or impose temporary terms and conditions on a student’s Fitness to Practise. However, any professionally qualified member of College or University staff who believes that there is a genuine risk of any of the circumstances listed in paragraph 6.2 occurring may suspend the student’s Fitness to Practise on a temporary basis, subject to the confirmation or otherwise of one of the individuals listed above.

6.4 As soon as possible after the decision has been made, the staff member who has taken the decision shall inform the student in writing that their Fitness to Practise has been suspended or temporarily restricted, setting out:

a) a brief summary of the information and/or allegation that has prompted the suspension (unless there is evidence that this would materially hamper the investigation – see paragraph 7.3);
b) the reasons for the decision to suspend or temporarily restrict the student’s Fitness to Practise;
c) the details of any such temporary restrictions;
d) the student’s rights under this procedure, including their right to make representations about the decision;
e) the importance of the student not discussing the case with anyone except an advisor or interfering in
any way with the investigation or any witnesses.

6.5 A student whose Fitness to Practise has been suspended or temporarily restricted may make written representations to the CAM about this decision. The CAM shall consider these representations and either confirm or vary their original decision and then inform the student in writing of their decision and the reasons for it.

6.6 The CAM shall regularly review the Fitness to Practise of a student whose fitness to practise is being investigated in the light of any new or more detailed information that becomes available during the investigation. This may make it appropriate to impose temporary restrictions on or even suspend the Fitness to Practise of a student who was initially allowed to continue to work without limitation. Equally, it may make it appropriate to allow a student whose Fitness to Practise was previously suspended to return to the practice area, with or without temporary restrictions, or to relax certain temporary restrictions initially placed on a student. The CAM shall inform the student in writing of any such changes and the reasons for them and consider any written representations made by the student as described in paragraph 6.5.

6.7 If a student’s Fitness to Practise is suspended or temporarily restricted, or if the status of the student’s Fitness to Practise changes following a review, the staff member shall inform, in writing and confidence:

a) the relevant senior manager of the placement host’s organisation (e.g. Director of Nursing, or Head Occupational Therapist);
b) the CAM, who shall inform the supervisor and appropriate work based learning team member, also in writing and in confidence;
c) the Course Leader.

6.8 It is also acknowledged that there may be occasions when placement colleagues deem it appropriate to remove students from the placement area immediately, normally for reasons relating to patient/service user safety or to the relationship between the student and members of staff of the placement host. Placement staff have authority to do so. While, on these rare occasions, the placement organisation will report the matter at their earliest convenience to the College, the student is also required to inform their work based learning team member and Course Leader immediately any such event occurs. In such circumstances, the CAM shall apply this procedure from paragraph 5.2 on the basis that, while the College or University cannot require a placement host to accept any individual student, the decision whether or not to suspend a student’s Fitness to Practise and/or investigate their fitness to practise is solely for the CAM acting on behalf of the College.

7 INVESTIGATING & DETERMINING FITNESS TO PRACTISE

7.1 It is important that matters regarding fitness to practise are dealt with promptly, fairly, consistently, reasonably, sensitively and with due regard to equity and the particular circumstances of each case.

7.2 Upon receipt of information or an allegation that calls into question a student’s fitness to practise, if the student’s Fitness to Practise was not suspended or temporarily restricted and hence the letter described in paragraph 6.4 was not sent, the CAM shall write to the student (unless they believe that this would materially hamper the investigation – see paragraph 7.3):

a) providing them with a summary of the information or allegation that has prompted the investigation;
b) confirming that no change has been made to their Fitness to Practise but that changes may be made on the basis of information brought out during the investigation;
c) advising them of their rights under this procedure;
d) reminding them of the importance of not discussing the case with anyone except an advisor or interfering in any way with the investigation or any witnesses.

7.3 If the CAM believes that informing the student of the details of the information that has been provided or the allegations that have been made before the investigation has started would materially hamper the investigation, they may delay doing so until the stage of the investigation described in paragraph 7.6, at which point they must provide the student with all the information set out in paragraph 7.2.

7.4 In any event, the CAM shall appoint an Investigating Officer for the case who shall:

a) determine the nature and the range of the alleged breaches of this procedure.
b) request written statements from the College and practice area personnel and others having knowledge of the relevant circumstances;
c) produce a report setting out the alleged breaches, the evidence for and against the breaches having occurred, the details of any mitigating factors, and their conclusions and recommendations.

7.5 The Investigating Officer shall submit their report, together with all the background information and statements, to the CAM who shall decide whether or not to proceed with the case. If the CAM decides not to proceed, they shall inform the student of this in writing, together with the reasons for the decision.

7.6 If the CAM decides to proceed with the case, they shall send a copy of the Investigating Officer’s report, the background information and the statements to the student (together with the information set out in paragraph 7.2, if this has not already been provided to them) and invite them to submit a written statement.

7.7 Upon receipt of the student’s statement, the CAM may deem it necessary to seek further clarification from other witnesses as appropriate.

7.8 The CAM shall also convene a Fitness to Practise Panel, which shall consist of:

a) the CAM (who shall chair the Panel);
b) a member of the student’s programme teaching team;
c) a representative from a placement area (normally from a local NHS Trust or Social Care provider Where the student is a secondee of a health or social care organisation, the representative of the placement area will normally be the line manager of the post from which they are seconded).

No one who, in the judgement of the CAM, has too close a personal or professional association with the investigation, the student or any other person or any issue involved in the case shall be eligible to serve as a member of the Panel. In particular, the Investigating Officer shall not be a member of the Panel but shall attend the hearing in order to present their report and answer any questions on it.

N.B. The Fitness to Practise Panel will be serviced by a secretary who is not a member, but who will be present throughout the proceedings.
7.9 Before the hearing the CAM shall circulate all of the relevant documentation, including any information regarding previous breaches of professional standards, to the members of the Panel, the Investigating Officer and the student. The procedure at the hearing shall be at the discretion of the Chair, provided that the student is given the opportunity to:

a) be present;
b) be accompanied or represented in accordance with the terms and conditions of paragraph 5.4.2;
c) bring witnesses;
d) hear all of the evidence that the Panel will take into account in reaching its decision;
e) ask questions about and comment on that evidence.

7.10 Where a student chooses not to be present or does not attend the scheduled hearing (or any part of it), the Panel shall consider whether it is appropriate to proceed in their absence and reach a decision on the basis of the evidence available to it or to adjourn.

7.11 The panel shall consider all of the documentation circulated by the CAM together with any additional evidence arising at the hearing and shall reach a decision which shall be one of the following:

a) No case to answer: Minimal breaches of conduct: No penalty is imposed;
b) Minor breaches of conduct: A formal warning letter is issued to the student;
c) Significant breaches of conduct: Any suspension of, or temporary restriction on, the student’s Fitness to Practise shall be lifted. A formal letter is issued to the student including specified limitations or terms and conditions which are placed on the student’s Fitness to Practise for the future. These may include an increased level of support or supervision in practice; regular meetings with identified staff to review progress in practice; or specific medical advice or counselling support. The Panel shall specify the limitations and terms and conditions and shall also stipulate the period of time (not normally exceeding twelve months) following which, or the circumstances in which, the continuation of the limitations and terms and conditions shall be reviewed.
d) Serious breaches of conduct: A formal letter is issued to the student. The student’s Fitness to Practise is temporarily withdrawn (replacing any suspension of the student’s Fitness to Practise). The Panel shall specify a minimum and a maximum period of time within which the withdrawal shall be reviewed. The maximum shall not exceed twelve months. The evidence that will need to be presented, and/or the developments that will need to be demonstrated, for the restoration of the student’s Fitness to Practise shall be specified by the Panel.
e) Major breaches of conduct: The student’s Fitness to Practise is permanently withdrawn and the student withdrawn from their programme. Counselling shall be offered to the student to explore the academic and career implications of the decision.

7.12 The CAM shall inform the student of this outcome in person if possible and, in any event, in writing normally within five working days. The letter shall include the reasons for the decision, any details required by paragraphs 7.11c) and 7.11d) and set out the student’s right to request an appeal against the decision. The CAM shall also inform all those listed in paragraph 6.7 of the outcome, in writing and in confidence. Where a student’s Fitness to Practise is temporarily or permanently withdrawn, the CAM shall inform the funding sponsor of the student, if appropriate, (e.g. Strategic Health Authority) of the reason for the student’s delay in or failure to complete the course.

7.13 The CAM shall keep a complete record of the case in a file specific to the issue. This record is confidential and shall only be available to those immediately concerned. This includes the student and their representative, the CAM, the Course Leader, the relevant Senior Manager.
or their nominee of the placement hosts’ organisation (e.g. Physiotherapy Manager or Head Occupational Therapist) and members and officers of the Fitness to Practise Panel.

7.14 A record of the investigation and the outcome shall be placed in the student file.

8 REVIEWING WITHDRAWAL OF OR RESTRICTION ON FITNESS TO PRACTISE

8.1 Any limitations or terms and conditions imposed on the student’s Fitness to Practise under paragraph 7.11c), and the withdrawal of the student’s Fitness to Practise under paragraph 7.11d), shall remain in force until the appropriate review has taken place and a positive decision has been taken to lift them.

8.2 The review shall take place when one of the following has occurred:

a) the period of time specified in paragraph 7.11c), 8.4b) or 8.4c) has passed;
b) the student has provided evidence of the circumstances specified in paragraph 7.11c), 8.4b) or 8.4c);
c) the minimum period of time specified in paragraph 7.11d) has passed and the student has provided the evidence specified in that paragraph;
d) the maximum period of time specified in paragraph 7.11d) has passed;
e) a period of twelve months has passed since the imposition of the penalty;
f) the CAM has received other evidence suggesting that a change in the decision made under paragraph 7.11 or 8.4 is appropriate.

8.3 The review shall be undertaken by the CAM, who shall seek such further evidence as may seem necessary, shall provide copies of that evidence to the student and shall invite the student to submit a statement and any other evidence that they wish. The student will also be invited to attend. The review will normally be, and at the sole discretion of the CAM, undertaken by means of written submissions rather than oral presentations. The panel may be re-convened to consider whether the student is able to return to practise, or else may be undertaken by means of written submissions. The CAM may consult with colleagues, either within the College or from a partner placement provider, before reaching a decision but any additional information (as opposed to opinion) obtained through this process shall be provided to the student who shall be given an opportunity to comment on or rebut it before the review is determined.

8.4 The decision following such a review shall be one of the following:

a) the limitations or terms and conditions on, or the temporary withdrawal of, the student’s Fitness to Practise are lifted;
b) the limitations or terms and conditions on the student’s Fitness to Practise are varied and shall be reviewed again after a further specified period of time (not exceeding twelve months) or in certain specified circumstances;
c) the limitations and terms and conditions remain and shall be reviewed again after a further specified period of time (not exceeding twelve months) or in certain specified circumstances;
d) the student’s Fitness to Practise continues to be temporarily withdrawn and shall be reviewed again after a further specified period of time (not exceeding twelve months);
e) the student’s Fitness to Practise is withdrawn permanently and the student withdrawn from their programme.

8.5 The CAM shall inform the student of the outcome of the review in writing, normally within five
working days. The letter shall include the reasons for the decision, any details required by paragraph 8.4 and the student’s right to request an appeal against the decision.

9 GROUNDS FOR APPEAL AND THE APPEAL PROCESS

9.1 Students have the right to request an appeal against the outcomes reached under paragraphs 7.11 and 8.4 on one or more of the following grounds:

   a) they wish to present new evidence that they could not have reasonably produced before the outcome was determined;
   b) there was a procedural irregularity in determining the outcome of the Fitness to Practise Panel or of the Review such that the decision of the Panel or of the CAM may have been different had the irregularity not occurred;
   c) the decision is one that no fair and reasonable panel or person could have reached;
   d) the penalty imposed is disproportionate to the breach.

9.2 A student who wishes to request an appeal shall write to the University Academic Registrar, setting out the ground(s) under which they wish to appeal, the details of the appeal and including any evidence they wish considered as part of the appeal. This shall be received by the University Academic Registrar within one month of the dispatch of the written notification referred to in paragraph 7.12 or 8.5. A student who is unable to submit a complete appeal within the month may, within that period, submit a written declaration of intent to appeal to the University Academic Registrar who may impose a time limit for the submission of the full appeal. The University Academic Registrar shall summarily dismiss a request for an appeal that does not comply with these time-scales without good reason.

9.3 Upon receipt of a request for an appeal, the University Academic Registrar (having, where appropriate, consulted with an independent person with relevant professional expertise) shall decide whether or not the student has established a prima facie case. The University Academic Registrar shall summarily dismiss a request for an appeal where they are satisfied that the student has not established a prima facie case for the appeal.

9.4 If the University Academic Registrar accepts that the student has established a prima facie case, they shall forward the full appeal to the Chair of the relevant Fitness to Practise Panel and request their written response, together with a copy of the outcome of, and all the evidence considered by, the Fitness to Practise Panel.

9.5 The University Academic Registrar shall also convene, administer and provide procedural advice to an Appeal Panel which shall consist of:

   a) a member of the Senior Leadership Team (who shall chair the Panel);
   b) two senior health or social care professionals, at least one of whom shall be involved in practice education or placement learning;
   c) two students of the College nominated by the Student Experience Team, wherever possible at least one of whom shall be studying a health or social care programme.

No one who, in the judgement of the University Academic Registrar, has too close a personal or professional association with the appellant or any other person or any issue involved in the case shall be eligible to serve as a member of the Panel.

9.6 Before the hearing, the University Academic Registrar shall circulate to the appellant, the Chair of the Fitness to Practise Panel and the members of the Appeal Panel:

   a) the evidence and documentation which the Fitness to Practise Panel considered,
b) the decision of the Fitness to Practise Panel and the reasons for it;
c) the full appeal submitted by the appellant;
d) the response from the Chair of the Fitness to Practise Panel.

9.7 The procedure at the hearing shall be at the discretion of the Chair, provided that both the appellant and the Chair of the Fitness to Practise Panel are given the opportunity to:

a) be present;
b) bring witnesses (when the appeal is based upon new evidence);
c) hear all of the evidence that the Appeal Panel will take into account in reaching its decision;
d) ask questions about and comment on that evidence;

and that the appellant is given the opportunity to be accompanied or represented in accordance with the terms and conditions of paragraph 5.4.2.

9.8 The Appeal Panel shall consider, firstly, whether or not the appellant has, on the balance of probability, established one or more of the grounds on which they appealed. If the appellant has not, the Appeal Panel shall dismiss the appeal. If the appellant has established a basis for the appeal, the Appeal Panel shall go on to consider whether to uphold the decision of the Fitness to Practise Panel (notwithstanding the establishment of a basis for the appeal) or to substitute its own decision (which is not limited in any way by that reached by the Fitness to Practise Panel). If the Appeal Panel decides to substitute its own decision, it must be satisfied beyond reasonable doubt that its decision would not put any patient's, service user's, colleague's or the appellant's own safety or welfare at risk, or disrupt the work environment.

9.9 The decision(s) of the Appeal Panel shall be by a simple majority vote of the members other than the Chair except that, if the two health and social care professional members are in agreement on any issue, the other members shall defer to them. The Chair shall have a casting vote in the case of a tie. As far as the College and University are concerned, the decision of the Appeal Panel is final.

9.10 The University Academic Registrar shall inform the student in a completion of procedures letter, indicating the outcome of the appeal, the reasons for the decision, and that the student has completed the College’s and University’s internal procedures.

9.11 If a student has completed the procedures described above and they are still dissatisfied with the outcome, they may be able to refer the issue to the Office of the Independent Adjudicator for Higher Education (the OIA) provided that the issue is eligible under the OIA’s Rules.
Appendix 1: Relationship between the College Student Conduct Regulations and these Standards of Conduct: Fitness to Practise

Relationship between the College, the College Student Conduct Regulations and these Standards of Conduct: Fitness to Practise

For any issues raised regarding Student Conduct please refer to Appendix 2 - Guidelines for professional behaviour/suitability Foundation Degree in Health and Social Care

It is intended that the Standards of Conduct for Fitness to Practice should be consulted for all issues of student conduct and discipline; however as recognised in section 1.4, some instances where an issue has been identified, will also involve breach of the Colleges Student Code of Conduct and Disciplinary Policy.

Therefore only in rare cases would the colleges policy be applied in isolation as it is recognised that in the majority of cases a breach of conduct will have some implications to the students continuing suitability or conduct in practise, and this should be prioritised using the Fitness to Practise Standards for Conduct.

Once the outcomes of all investigation and hearings have been determined through the Fitness to Practice process, the College may then decide to pursue the matter further under its own jurisdiction where appropriate.
Appendix 2: Guidelines for professional behaviour/suitability Foundation Degree in Health and Social Care students

These guidelines are intended to help you, as a student, understand and learn about professional behaviour. They also will provide guidance for staff in supporting students’ development of professional behaviour/suitability and address issues which warrant attention before initiating College Regulations or Standards of Conduct – Fitness to Practise.

There are two main sets of regulations which relate to behaviour and conduct whilst you are a student. The College Regulations which apply to all students

There are four main areas which the two sets of regulations relate to and this paper and the flow charts in this paper illustrate the processes which will be followed if it is suspected that the regulations have been breached.

The four areas are:

- Academic misconduct - which will mostly be dealt with through the College regulations and will be referred to the Academic Registrar (acting as the Academic Misconduct Officer)

- Unprofessional behaviour within College based settings or social networking sites— which will mostly be dealt with through primarily College regulations but possibly regulations via the Fitness to Practise documentation – see flowchart 2

- Unprofessional behaviour in practice settings – primarily via the Fitness to Practise documentation – see flowchart 3

- All health and social care staff shall meet strict rules for character, conduct and health in order to safeguard the health and social well being of those who use or need their services. You need to commit to these same standards and adhere to the College Regulations.

In order to practice as a health or social care member of staff.

You are expected to:

- respect everybody including: patients, peers, all staff and other practice and college and university colleagues
- behave in a professional and ethical manner
- behave with integrity
- maintain proper and effective communications with everyone
- respect patient/client confidentiality
- behave in an appropriate and non-disruptive way
- disclose to the university any information which may affect your good character, health and performance - see flowchart 4
- communicate effectively and take responsibility for any planned or unplanned absence
- uphold the reputation of the profession and College

Examples deemed to be evidence of unprofessional behaviour/suitability:

- any insulting, undermining/slanderous inappropriate communication about peers, staff or other colleagues;
- deliberate falsification of facts, as in lying, cheating or attempting to defame colleagues (staff, students) and/or patients and clients; for example: lying about attendance, or falsely claiming to have undertaken activities, making false claims for expenses;
- regular and/or repeated lack of focused attention to student learning due to, anything that has an effect on your performance for example undeclared ill health;
- misuse of equipment or materials or monies of the educational institution or of the place of work;
- regular and/or repeated conduct that demonstrates inability to maintain appropriate professional boundaries including inappropriate involvement with staff/patients/clients;
- failure to recognise factors and respond to issues which can affect your health or well-being as a professional and to take appropriate steps to minimise harm to self and or others;
- regular and/or repeated failure to maintain appointments and failure to carry out agreed actions without explanation;
- regular and/or repeated unexplained absences
- dress inappropriately for the activities you will be undertaking;
- repeated failure to respond to feedback from appropriate others in relation to your performance and behaviour.
PROCESS FOR ADDRESSING ISSUES RELATING TO UNPROFESSIONAL BEHAVIOUR/ SUITABILITY

Overview (see Flowchart 1)

Concerns regarding unprofessional behaviour/ unsuitability will be discussed with you and the appropriate staff member. If issues are resolved there may not be any need for further action, however, your Course Leader /Personal Tutor may need to be informed.

It is important that you respond to feedback and ensure that any unprofessional behaviour does not reoccur.

Once your Course Leader has been notified of concerns about your professional behaviour/suitability they will follow flowchart 1.

- If the concern is of an academic nature, they will refer to Flowchart 2
- If College Regulations have been contravened –they will refer to Flowchart 2
- If the concern is a practice issue– refer to Flowchart 3
- If the concern is related to health issues, refer to Management of Health Related Issues (Flow chart 4).

College based settings (See Flowchart 2)

N.B. If at any time the incident or behaviour is health related please refer to Management of Health Related issues flowchart 4.

Once your Course Leader has identified that the concerns are related to College based settings, the following process applies:

N.B. Please see case examples to aid understanding/decisions (Appendix A)

<table>
<thead>
<tr>
<th>Process</th>
<th>People involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial action</td>
<td>Course Leader , / or appropriate staff</td>
</tr>
<tr>
<td>Discuss the issues with you and agree outcome and time for review. You will be informed in writing and a record will be kept in your file held by your Personal Tutor.</td>
<td></td>
</tr>
<tr>
<td>If agreed outcomes are achieved at review time then no further action will be taken.</td>
<td></td>
</tr>
<tr>
<td>If outcomes are not achieved at review time then a programme professional behaviour meeting will be convened to identify, discuss and document concerns. The meeting will hear from all parties what has occurred, the seriousness of the issue and will consider whether or not action needs to be taken. If there is no case to answer, there will be no further action, and no record will be kept on your file held by your Personal Tutor.</td>
<td>Meeting will consist of at least 2 relevant programme team members and the Course Leader (chair). Practice staff member where appropriate. Student may bring friend/representative</td>
</tr>
</tbody>
</table>
### Minor infringement

If *minor*, you will be notified in writing identifying the behaviour/act deemed to be unprofessional, identifying the nature of the incident, the circumstances and any other significant factors. No further action is taken unless the behaviour is repeated. A record will be kept in your file. If the behaviour is repeated refer to ‘significant but not serious infringement’ guidance below.

### Significant but not serious infringement

If *significant but not serious*, objectives will be developed/revised in consultation with you and appropriate others and an action plan and review date will be set. You will be informed in writing that the programme may instigate the college disciplinary procedures. A record will be kept in your file held by your Personal Tutor.

If the behaviour continues to be repeated. If the behaviour is repeated refer to ‘serious infringement’ guidance below.

### Serious infringement

If *serious*, refer to the College regulations or Standards of Conduct: Fitness to Practise

You will be notified in writing explaining the serious nature of the offence. You will also be advised that the nature of your infringement may be noted in any future reference.
3. Practice based settings (Flow Chart 3)

N.B. If at any time the incident or behaviour is health related please refer to Management of Health related Issues Flowchart 4.

Once your Course Leader has identified that the concerns are related to Practice based settings, the following process applies:

N.B.
- If any infringement relates to practise assessment criteria then assessment processes also apply.
- Please see case examples to aid understanding/decisions (Appendix A)

<table>
<thead>
<tr>
<th>Process</th>
<th>People involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial action</td>
<td>Supervisor, work based learning team member/personal tutor</td>
</tr>
<tr>
<td>Supervisor will discuss with you the issues and agree actions and time for review. Practice staff may involve the work based learning team member/Personal Tutor and/or a senior member of practice staff as required. If outcomes are achieved then no further action is required. A record kept in your file held by your Personal Tutor.</td>
<td></td>
</tr>
<tr>
<td>If outcomes are not achieved at the review time, work based learning team member will discuss with the supervisor and determine the nature of the unresolved incident or behaviour and will identify, discuss and document concerns in your practice record.</td>
<td>work based learning team member/supervisor</td>
</tr>
<tr>
<td>All parties will consider the seriousness of the issue and will determine whether or not further action needs to be taken.</td>
<td>work based learning team member/supervisor and Student</td>
</tr>
<tr>
<td>Minor infringement</td>
<td>work based learning team member/supervisor and Student</td>
</tr>
<tr>
<td>If minor, you will be notified in writing identifying the behaviour/act deemed to be unprofessional, identifying the nature of the incident, the circumstances and any other significant factors. No further action is taken unless the behaviour is repeated. A record will be kept in your file. If the behaviour is repeated refer to ‘significant but not serious infringement’ guidance below.</td>
<td></td>
</tr>
<tr>
<td>Significant but not serious infringement.</td>
<td>work based learning team member/supervisor and Student</td>
</tr>
<tr>
<td>If significant but not serious, objectives will be developed/revised in consultation with you and appropriate others and an action plan and review date will be set. You will be informed in writing that the programme may instigate the college disciplinary</td>
<td></td>
</tr>
</tbody>
</table>

Standards of Conduct for Fitness to Practise 2013-2014
Page 18 of 39
procedures/ Standards of Conduct. A record will be kept in your file held by your Personal Tutor.
If the behaviour continues to be repeated. If the behaviour is repeated refer to ‘serious infringement’ guidance below..

<table>
<thead>
<tr>
<th>Curriculum Area Manager</th>
</tr>
</thead>
</table>

Serious infringement
If serious, refer to the College Regulations or Standards of Conduct: Fitness to Practise
You will be notified in writing explaining the serious nature of the offence. You will also be advised that the nature of your infringement may be noted in any future reference.

<table>
<thead>
<tr>
<th>Work based learning team member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Course Leader</td>
</tr>
<tr>
<td>Curriculum Area Manager,</td>
</tr>
</tbody>
</table>

4. **Guidelines for the Management of Health Related Issues (College and Practice Based Education) (See Flowchart 4)**

As a student health or social care student, you, like all health or social care staff, have a duty to adhere to the requirements for statement of good character, conduct or health. You are required to notify us if you believe that your judgment or your performance could be affected by a condition, or illness, or by its treatment.

The management of ongoing health problems affecting performance is a partnership between occupational health, practice experience/placement providers, the College and the individual student.

If you do have a temporary or ongoing health problem which impacts on performance, the following procedures are there to ensure that you are enabled to meet the demands of the practice education. It is important to see these within a philosophical context of supporting your learning – they are not designed to exclude you from learning or placement. If tensions should arise between your needs and the prevention of risk to self or others, this will be managed with sensitivity and on an individual basis.

**Declaration of Health during your progression through the programme**

Annually, an ongoing health declaration needs to be in place. Prior to each issue of the Fitness to Practise /identity badge, you are required to complete and sign a self-declaration. This confirms that-

There have been no changes to your psychological or physical health since your health clearance was completed prior to entry to the course which could impact on your performance or your safety or that of others.

- Self-declaration is dependent on honesty and insight on your behalf and disclosure, whilst not a legal obligation, is certainly a moral and ethical obligation. The focus of the declaration, and the subsequent process with occupational health, is entirely on the impact of the condition on performance as opposed to the condition itself.
- Confidentiality is maintained throughout in relation to any identified condition.
- If health problems impact or have potential to impact on your performance or any risk issues have been identified, you are strongly advised to disclose these issues to your Personal Tutor (this information will be held on a need to know basis).
The College reserve the right to disclose on your behalf should it be deemed necessary where failing to disclose compromises the safety of you or others.

Completion of clearance by occupational health is required for the Fitness to Practise.

No student will be able to commence practice experience learning/placement without this Fitness to Practise. The College reserves the right to withdraw this at any time.

When risk assessment has identified serious and likely risk of harm to yourself or others the question of whether you should be withdrawn from placement/practice experience or not is given serious consideration.
Flow Chart 1 – Learning Professional Behaviour/ Suitability (overview)

Concerns arise and feedback to be given to student by appropriate member of staff:

If unresolved staff member has informal discussion with Programme lead/ personal tutor

If resolved no further action

Programme lead/ personal tutor considers and decides if action required

Is the concern related to College based settings??

Yes

See Flowchart 2

No

Are College regulations infringed?

Yes

See Flowchart 2

No

Is it a practice issue?

Yes

Refer to flowchart 3

No

Is it a health related issue?

Yes

Refer to flowchart 4

No
Flow Chart 2 – Learning Professional Behaviour/ Suitability (College based settings)

Programme lead/field chair/ appropriate staff discuss the issues with student and agree outcome and time for review. Document for student and in student record.

Are outcomes achieved at review time?

Yes

- Document for student and in student record.

No

A programme professional behaviour meeting to identify, discuss & document the concerns and to decide how

Health related

Is incident or behaviour: Minor Significant but not Serious

Serious

Significant but not serious

Is incident or behaviour repeated?

Yes

Minor

Student informed in writing that stage 1 of process started. No further action unless incident repeated.

No

Management of Health Related Issues (Flowchart 4)

Significant but not Serious

Mutual objectives will be revised in consultation with student and appropriate others and an action plan and review date set. Communication to student in writing that the programme may instigate the university disciplinary procedures if the behaviour continues to be repeated.

Is incident or behaviour repeated?

Yes

Outcome achieved. No further action

No

Serious

Refer to Standards of Conduct: Fitness to Practise in consultation with CAM

No

No case to answer.

Significant but not Serious

Major

Student informed in writing that stage 1 of process started. No further action unless incident repeated.
Flow Chart 3 – Learning Professional Behaviour/ Suitability, (Practice based settings):
If any infringement relates to practise assessment criteria then assessment processes also apply

- If unresolved staff member has informal discussion with work based learning team member /Programme Leader

Practice staff discuss the issues with student and agree action plan and time for review (involving work based learning team member/Personal Tutor and/or a senior member of practice staff as required)

- Is action plan achieved at review time?

No

- Health related

Minor

- Is incident or behaviour: Minor

Serious

- Significance but not Serious or Serious

Significant but not serious

- Is incident or behaviour repeated?

No

- Minor.

Action plan developed and agreed by student, placement staff/ work based learning team member /Programme Leader.Review time set. Student informed in writing.

Yes

- Significant but not Serious

Mutual objectives will be revised in consultation with student and appropriate others and an action plan and review date set. Communication to student in writing that the programme may instigate the university disciplinary procedures/ Standards of Conduct: Fitness to Practise if the behaviour is repeated.

- Is incident or behaviour repeated?

No

Outcome achieved. No further action

Yes

Management of Health Related Issues (Flowchart 4)

Serious

- Refer to Standards of Conduct: Fitness to Practise: in consultation with CAM
Flow Chart 4 - Management of Health Related Issues

Health issues declared on

- Occupational health screening (condition of recruitment)
- Student disability service assessment of student needs.

Is support required?

No

Yes

Health issue declared during programme

Two branches consider practice and academic situations

Will issue/s impact on practice placement?

No

Yes

Progress to practice placement

Can student enter or continue the academic programme with support?

No

Yes

Identify support strategy

Are issues continuing?

Yes

No

Modify practice education experience and monitor with practice assessors.

Are alternative options available?

No

Yes

Progress through course

Can student’s needs be met through provision of reasonable adjustment/modifications?

No

Yes

Occupational health screening (condition of recruitment)

Will issue/s impact on academic performance?

No

Yes

Programme Leader and occupational health to monitor

Monitor with occupational health/student disability service

Refer to Guidelines for professional behaviour/suitability flow charts

No further action
CASE EXAMPLES OF UNPROFESSIONAL BEHAVIOUR

The following examples are presented to help students learn professional behaviour and to guide the College and practice staff in implementing the guidance.

The list is not exhaustive, and has been drawn from specific cases within the College over the last ten years.

In each of the following examples, the use of digital data recording (e.g. camera, social networking sites, blogs, internet websites, email) is likely to have an impact upon professional behaviour decisions as the data is ‘permanent’ and is therefore easily accessed. For example, once you upload data onto ‘Facebook’ it becomes the property of Facebook and is no longer your own.

MINOR

A student cannot refuse to go to an allocated placement, without providing a relevant educational rationale for consideration. If a student has concerns as to where they have been allocated these concerns can be discussed with the Work based learning module leader, who will apply agreed principles and guidance to any decisions taken.

N.B. Most case examples of a minor nature are so when they occur for the first time. If the behaviour is repeated, the behaviour may have more significant implications:

1. Two students walk into the lecture theatre at the front. They both sign the attendance register and continue to walk straight up to the back of the theatre and exit through the back door.

2. Student on placement has been advised on lone working policy and the need to contact the placement by telephone at the end of a visit before returning home and student fails to do this

3. Posting on a social networking site questions asked at interview for a place on a health or social care programme.

4. Making opinionated or insensitive remarks in a professional setting (e.g. stating opinion of every child requires two parents of opposite gender in a staff room).

5. Angry or sarcastic response to feedback in any setting

6. being late for duty in practice or for lectures/seminars

7. disruptive behaviour in the classroom

8. dress and appearance is inappropriate for the activity to be undertaken (e.g. high heeled shoes for skills suite activities, or trousers that are baggy and worn very loosely around the hips)

9. taking personal telephone calls or texting whilst on placement.

10. any insulting, undermining/slanderous inappropriate communication about peers, staff or other colleagues, whether verbal or written, this includes email and other electronic means of communication e.g. blogs; social networking sites etc;

SIGNIFICANT
1. Use of photography using camera phone to record peer performance within a clinical skill.

2. Uploading photographs of any student in professional uniform in an inappropriate setting (e.g. in a supermarket, or in a nightclub)

3. The smell of alcohol on your breath

4. Police caution

5. Regular and/or repeated lack of focused attention to student learning due to, anything that has an effect on your performance for example undeclared ill health;

6. Failure to recognise factors and respond to issues which can affect your health or wellbeing as a professional and to take appropriate steps to minimise harm to self and or others;

7. Repeated failure to respond to feedback from appropriate others in relation to your performance and behaviour.

8. Putting yourself at risk of being a victim of identity fraud (e.g. posting DOB and contact details onto social networking websites);

9. Covert (secret / without permission or consent) recording (audio / video) of clients, patients, placement or College staff, regardless of the reason

SERIOUS

1. Fraudulent claims of identity;

2. Harassment, intimidating or bullying of a colleague or fellow student;

3. Regular and/or repeated unexplained absences [http://portal.swindon-college.ac.uk/system/files/docs/francd/Retention%2C%20Attendance%20and%20Punctuality_0.doc](http://portal.swindon-college.ac.uk/system/files/docs/francd/Retention%2C%20Attendance%20and%20Punctuality_0.doc)

4. Breaching confidentiality of patients/clients (e.g. inappropriate discussions or neglect in keeping information in a safe and secure environment such as losing memory/data sticks, or the unauthorised use or recording of situations which would breach client/patient/colleague confidentiality)

5. Regular and/or repeated conduct that demonstrates inability to maintain appropriate professional boundaries including inappropriate involvement with staff/patients/clients (this includes conduct within online environments such as blogs and social networking sites);

6. Unprofessional behaviour online including behaviours which are considered bullying, harassing, neglectful (to those in your care) or offensive; these may be presented as digital media (text, photos, videos etc.) and/or be deemed professionally inappropriate) and/or may present an image to members of the public which would place the profession, placement provider or the college into disrepute;

7. Misuse of equipment or materials or monies of the educational institution or of the practice area;
8. Theft;
9. Substance misuse in any environment;
10. bringing the placement setting into disrepute (e.g. posting comments about patients or other staff which could cause offence, even if names are not mentioned;
11. police prosecutions;
12. failing to return a security pass after placement is completed;
13. regular and/or repeated failure to maintain appointments and failure to carry out agreed actions without explanation;
14. Accessing social networking sites from placement provider equipment
15. deliberate falsification of facts, as in lying, cheating or attempting to defame colleagues (staff, students) and/or patients and clients; for example, lying about attendance, or falsely claiming to have undertaken activities, making false claims for expenses;
16. Breaches of online etiquette (netiquette), a breach of netiquette during online communications https://mw.brookes.ac.uk/display/irmgard/Netiquette. This includes email and other electronic means of communication e.g. online discussions within learning activities (VLE), email and social networking sites (Twitter, Bebo, Facebook, My Space etc). A breach of netiquette may include abusive or discriminatory language, or be deemed professionally inappropriate (in accordance with your professional code of conduct) and/or may present information to members of the public which would place the profession, placement provider or the College into disrepute.

Further information:


News articles -

- A university student has been telling how a social networking website was used to set up a group which aimed to target him with bullying and hate. BBC (2007) ‘Fat library man’ bullied online. Available at: http://news.bbc.co.uk/1/hi/england/kent/6912409.stm (accessed 24/10/11).

- A university has written to all its students threatening them with disciplinary action for comments made about staff on the internet. BBC (2007) Students criticise staff on net. Available at: http://news.bbc.co.uk/1/hi/england/staffordshire/6686619.stm (accessed 24/10/11).

- Students at Oxford University are being warned that university authorities are using the Facebook website to gain evidence about unruly post-exam pranks. BBC (2007) Unruly students’ Facebook search. Available at: http://news.bbc.co.uk/1/hi/education/6902333.stm (accessed 24/10/11).

- Photographs posted on Facebook of a smiling nurse flicking a V-sign over a patient
during surgery.


- Yards from patients, two nurses giggle as they toss yoghurt and juice over each other in an impromptu food fight.


- A dentist who gave a nurse a 'wedgie' and pranced around his surgery wearing a leopard-print thong has been struck off.


- A nurse posted photos of herself clutching a lump of human flesh beside a patient having a brain operation for her Facebook page.


- A student nurse has been given an official warning after causing offence with comments on internet networking site Facebook.


- A nurse has reportedly been suspended after putting photos of patients having operations on social networking website facebook.


**Further reading** -

- Article explaining how nurses can use social networking sites safely.


- Compilation of the most common Social Networking Do’s and Dont’s.

Nurse Together (no date) Nurses: Your Online Social Networking Do’s and Don’ts. Available at: [http://www.nursetogether.com/Life/LifestyleArticles/LifestyleArticle/tabid/100/VersionId/12059/Default.aspx](http://www.nursetogether.com/Life/LifestyleArticles/LifestyleArticle/tabid/100/VersionId/12059/Default.aspx) (accessed 24/10/11).

- Resource guide from the RCN providing legal advice on using the internet.

- Horizon Report - The core of the report describes six areas of emerging technology that will impact higher education within three adoption horizons over the next one to five years.

- Article discussing the Web 2.0 networking tools and their potential for transforming nursing education.

- Advice on how you can manage your online reputation and use social networks to your advantage when searching for your graduate job.
  Target Jobs (no date) Manage your online reputation: social networking and graduate recruitment. Available at: http://targetjobs.co.uk/careers-advice/where-to-begin-your-job-hunt/manage-your-online-reputation-social-networking-and-recr (accessed 24/10/11).
Appendix 3: Disclosure and Disbarring Service (DBS) and Occupational Health (OH) clearance processes

The College ensures that students meet all current DH guidelines for Occupational Health (OH) and DBS checks prior to first practice education experience through the following process in accordance with placement providers.
Appendix 4: Letter of Fitness to Practise

Dear Student

RE: Letter of Fitness to Practise

Welcome to Swindon FE College.

All Health & Social Care staff are bound by, setting out levels of expectation in relation to conduct and behaviour. While it is certainly the case that this code is expected in all professional areas and situations, such expectations, continue in areas outside of your chosen field of health or social care.

As Foundation degree in Health and Social Care student you are required to notify us if you believe that your judgement or performance could be affected by any condition, or illness, or its treatment and of any events that could undermine public trust and confidence in you.

I draw your attention to the fact that by completing the self-declaration, you are confirming that you have read the student ‘Standards of Conduct: Fitness to Practise’ document (see link below), and that you agree to abide by its provision, and any subsequent amendments which you will be notified of by email.

Any alleged breaches of these Standards will be dealt with by the Standards in place at the time of the alleged breach.

In addition, in making the declaration, you are making the following three declarations.

1) Declaration of Health (College and Practice Based Education):
   That there have been no changes to your psychological or physical health since health clearance was completed during the admissions process as part of being accepted onto a professional practice programme, which could impact on your performance or safety of self or others.

2) Declaration of Good Conduct:
   That there have been no events affecting your criminal record since the enhanced Disclosure and Disbarring Service check was completed during the admissions process as part of being accepted onto a professional practice programme.

N.B. (It is your responsibility to have read the current Standards of Conduct: Fitness to Practise which is available on the VLE (Moodle) course page and in paper copy.

Yours sincerely,

Teresa Woolf
Curriculum Area Manager
Appendix 5: Process for notification of withdrawal of Fitness to Practise (student)

The Programme Lead is informed that student’s Fitness to Practise needs to be withdrawn. The Programme Lead will notify the student in writing that he/she must stop any placement activity until further notice.

N.B. The student must be informed that they must return their Fitness to Practise Identity Badge to the Programme Lead in the College within 2 working days

The Programme Lead will also inform the following people in writing:

- Work based learning team member
- The supervisor
- Programme lead and curriculum manager

The Fitness to Practise ID Badge will be stored by the programme lead in the College

Once the situation has been resolved and if the student is then able to continue with the placement the College will contact the student and placement staff.
Appendix 6: Time-out from practice
(See Section 5.4)

Guidance

This ‘Time-out’ period would normally be for NO LONGER THAN 3 working days.

This period allows for reflection by all upon the situation. It is intended for this to be supportive to the student so that any personal issues which impacted upon their ability to learn in practice may be addressed. Time out also facilitates any action-planning which may be required.

Key actions to consider include:

- the student considers how he/she may best address personal issues which may be impacting upon his/her learning;
- the student seeks support from the Student Experience Manager for Higher Education.
- the work based learning team member, supervisor and student meet to discuss and agree action/objectives for the student, and to have these in place prior to the student returning into the practice area after the time-out of practice.

- Making reference to guidance available on the PEU web pages:-
  [http://www.hls.brookes.ac.uk/peu](http://www.hls.brookes.ac.uk/peu)

Including:

- Guidelines for Professional Behaviour/suitability
  [http://www.hls.brookes.ac.uk/images/pdfs/plu/guidelines-for-professional-behaviour-suitability-for-pre-qualifying-students_hscq_0847.pdf](http://www.hls.brookes.ac.uk/images/pdfs/plu/guidelines-for-professional-behaviour-suitability-for-pre-qualifying-students_hscq_0847.pdf)

- Guidance notes for Discontinuation of Placement for pre-qualifying students

- Failing competency statement - [http://www.hls.brookes.ac.uk/peu/failing-competency-statement](http://www.hls.brookes.ac.uk/peu/failing-competency-statement)

- Guidance for supporting a student who may be failing in practice –

All the above documents can be found on - [http://www.hls.brookes.ac.uk/peu/resources-for-supporting-students](http://www.hls.brookes.ac.uk/peu/resources-for-supporting-students)
Appendix 7: Occupational Health Information

All students undertaking a practice programme must have a health profile that will enable them to meet Occupational Health clearance requirements for their programme of study Appendix 3: Disclosure and Disbarring Service (DBS) and Occupational Health (OH) clearance process and Appendix 4: Letter of Fitness to Practise (confirmation process is undertaken as a self-declaration)

The College can involve Occupational Health if there are concerns at any time regarding the student’s health, which may affect their ability to either undertake or continue a professional practice programme, even if the student does not feel this is necessary. This will be done by an appropriate member of the College staff (e.g. work based learning team member) who may consult (in confidence) with the student’s Course Leader, Curriculum Area Manager / relevant placement staff within the placement area.

It is possible that a student may have health status changes after entry to their Programme. Students will therefore be expected to declare these to Occupational Health and to acknowledge this when completing the self-declaration process, as outlined in section 2.3 above, confirming that there are no changes to psychological or physical health since their health clearance was completed prior to entry to the course, which could impact on their performance or the safety of themselves or others.
Appendix 8: Process for addressing change or potential change in student’s DBS status POST admission

Process for addressing change or potential change in student’s DBS Status POST Admission

The college receives notification from the student or other verified source of any changes or potential changes to the student’s DBS status since the student last completed their self-declaration.

Programme Leader to write to applicant & request more information about the potential change to status.

Programme Lead and Curriculum Area Manager to be informed of the above notification.

Does the information require Disciplinary Investigation? N.B. All criminal cautions and convictions will require Disciplinary Investigation.

YES

Standards of Conduct\(^1\) applies

NO

Guidelines for professional behaviour/suitability for Students applies

Appendix 2 of the Standards of Conduct