

STANDARDS OF CONDUCT: Fitness to Practise

Pre-registration health and social care students

September 2018

This document is reviewed annually and all new students are issued with a hard copy on admission to the university. All students are notified of any changes during their programme. A current version of this document is available on -

<http://www.hls.brookes.ac.uk/peu>

Table of Contents

1. INTRODUCTION	1
2. PRACTICE BASED LEARNING AND FITNESS TO PRACTISE	2
3. GENERAL STANDARDS OF CONDUCT	3
4. SPECIFIC EXAMPLES OF ISSUES AFFECTING FITNESS TO PRACTISE	3
4.1. ISSUES REVEALED THROUGH A DISCLOSURE AND BARRING SERVICE (DBS) CHECK	3
4.2. OCCUPATIONAL HEALTH ISSUES	4
4.3. HEALTH AND SAFETY POLICIES/PROGRAMME SPECIFIC REQUIREMENTS	4
4.4. DRESS AND APPEARANCE	5
4.5. PERFORMANCE	5
4.6. ATTENDANCE/SICKNESS	5
4.7. ACCEPTANCE OF GIFTS AND HOSPITALITY	6
4.8. EMPLOYMENT WHILST A STUDENT	6
4.9. FURTHER GUIDANCE	7
5. QUESTIONING FITNESS TO PRACTISE	7
5.4. TIME-OUT FROM PRACTICE (FOR ADDITIONAL GUIDANCE SEE APPENDIX 4)	7
6. SUSPENDING FITNESS TO PRACTISE	8
7. INVESTIGATING & DETERMINING FITNESS TO PRACTISE	9
8. REVIEWING WITHDRAWAL OF OR RESTRICTION ON FITNESS TO PRACTISE	11
9. GROUNDS FOR APPEAL AND THE APPEAL PROCESS	12
10. FURTHER STAGES OF REVIEW	14
APPENDIX 1: RELATIONSHIP BETWEEN THE UNIVERSITY STUDENT CONDUCT REGULATIONS AND THE STANDARDS OF CONDUCT: FITNESS TO PRACTISE	15
APPENDIX 2: GUIDELINES FOR PROFESSIONAL BEHAVIOUR/SUITABILITY FOR PRE-QUALIFYING STUDENTS	18
APPENDIX 3: LETTER OF FITNESS TO PRACTISE	26
APPENDIX 4: TIME-OUT FROM PRACTICE	27

1. INTRODUCTION

- 1.1 This document will be referred to throughout as '**Fitness to Practise**' and refers to the Standards of Conduct of pre-registration students in health and social care programmes, in relation to their practice learning experiences.
- 1.2 In order to meet the stringent requirements of professional statutory bodies within the health sector the University has approved a procedure relating specifically to alleged breaches of the practice requirements for pre-registration students. This procedure is set out within this document and is implemented by the Dean, subject to the relevant appeal processes, on behalf of the University. It can result in the temporary or permanent removal of, or restrictions being placed upon, a student's Fitness to Practise.
- 1.3 The University is committed to promoting equality and valuing diversity and to Fitness to Practise processes which are fair, inclusive, objective, transparent and free from discrimination.
- 1.4 These Standards of Conduct: Fitness to Practise procedures are drawn from the relevant legislation or regulations and/or codes of conduct, professional standards or similar documents produced by the applicable PSRB(s). They are also underpinned by key principles which are:
- promoting and safeguarding the public interest;
 - maintaining confidence in the profession by demonstrating professionalism;
 - probity (i.e. being honest and trustworthy, and acting with integrity);
 - fairness and equity (impartial and free from discrimination).
- 1.5 The principles can be applied as in relation to the following areas:
- relationships with patients and clients;
 - probity (including serious or repeated instances of plagiarism could be considered to have implications for professional practise if it is found to be indicative of dishonesty or lack of integrity);
 - maintaining good practice;
 - working with colleagues;
 - satisfactory health status, as defined by occupational health clearance.
- 1.6 Professionalism can be regarded as ethical competence in all aspects of professional activity. The concept can be divided into three main themes (Bossers et al 1999):
- professional parameters (e.g. legal and ethical aspects)
 - professional behaviours (e.g. discipline related knowledge and skills)
 - professional responsibilities (e.g. responsibility to patients, oneself, employers and the public)

Professionalism also comprises situational awareness and contextual judgement, which allow individuals to draw on the communication, technical and practical skills appropriate for a given professional scenario (HCPC 2011), rather than it comprising a set of discrete skills. Such professional judgement will be dependent upon the knowledge developed through logic, sensed intuitively, gained through experience – particularly prior experience of similar events – and influenced by education and socialisation (Johns 1992). In addition to this, a consistent demonstration of a set of identifiable positive professional attributes, values and behaviours is required.

(Examples of unprofessional behaviour can be found in Appendix 2)

1.7 Terminology

- the term **practice assessor** means mentor, sign-off mentor, practice educator, clinical educator, supervisor, practice teacher, clinical tutor, instructor or practice supervisor, or others qualified to support students learning in practice;
- the **Dean** means the Dean of the Faculty of Health & Life Sciences;
NB the Dean (and the Academic Registrar) may each nominate a senior member of their staff to act on their behalf at any stage of these procedures;
- **Investigating Officer** means the person with responsibility for investigating alleged breaches of

the Fitness to Practise as defined in 7.4;

- **Disciplinary Officer** means the person responsible for investigating and determining alleged breaches of the University's Student Conduct Regulations.

Relationships with other processes

- 1.8 The University has a disciplinary procedure that applies to all University students and relates to alleged breaches of the University's Student Conduct 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 Dean. 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.
- 1.9 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 Regulations is solely for the Dean¹ to decide; whether or not an allegation should be progressed under the Student Conduct Regulations is solely for the Disciplinary Officer to decide.
- 1.10 When the Dean is not the relevant Disciplinary Officer, this will require effective liaison between the Dean 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 Dean 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.
- 1.11 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 Dean; 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 Dean or their nominated delegate or the Academic Registrar, as appropriate.
- 1.12 A student on placement, who is employed by a Health or Social Care provider, may be subject to the disciplinary process of the employer, as well as Fitness to Practise. These are different processes which may apply different standards, so the outcome of one process should not influence the outcome of the other. However, as in 1.9 above, and as required by the Workplace Agreement (WPA) or Practice Placement Agreement (PPA) between the University and the employer, effective liaison is required between the Dean and the employer 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.

2. PRACTICE BASED LEARNING AND FITNESS TO PRACTISE

- 2.1 Students on programmes in the Faculty of Health & Life Sciences, leading to professional registration or awards, require experience with patients and service users in order to fulfil the professional requirements. This experience is gained through, and these professional requirements apply during, practice education 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 University and the Professional Body with which the student is registered.
- 2.2 Students undertaking courses requiring access to patients and service users must obtain a Fitness to

¹ Or their delegate

Practise card 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 University, on behalf of the placement partner, and this responsibility is exercised by the Dean.

- 2.3 Before being issued with their Fitness to Practise card, students are required to log into the Practice Education Management System (PEMS) to complete 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 It is a requirement that the behaviour and conduct of pre-registration students throughout their programme complies with the expectations of the professional group with which they will be able to register on successful completion. Within the limitations of their status as students, all students are expected to comply with the code of professional conduct laid out by their Professional Body, i.e.:
- the Nursing & Midwifery Code <https://www.nmc.org.uk/standards/code/> (accessed 12/06/18)
 - the College of Occupational Therapists (C.O.T.) Code of ethics and professional conduct for Occupational Therapists <http://www.cot.co.uk/publication/baotcot/code-ethics-and-professional-conduct> (accessed 16/04/16)
 - the Physiotherapy Code of Professional Conduct; Chartered Society of Physiotherapy (CSP) – rules of conduct <http://www.csp.org.uk/publications/rules-professional-conduct-2nd-edition> (accessed 12/06/18)
 - the Health and Care Professions Council Standards of conduct, performance and ethics <http://www.hcpc-uk.org/publications/standards/index.asp?id=38> (accessed 12/06/18).

These codes expect behaviour that justifies public trust and confidence and respects the privileged relationship with patients and service users and, as such, include behaviours outside the placement or programme situation.

It is the responsibility of all students to ensure that they are familiar with all the requirements of the relevant professional Code of Conduct, as well as the terms and conditions of this document.

- 3.2 Students are also expected to:
- observe or undertake practice in accordance with arrangements negotiated with the relevant practice and university staff;
 - 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 for Pre-Qualifying Students and on the following link - <http://www.hls.brookes.ac.uk/peu> (Accessed on 12/06/18)

4. SPECIFIC EXAMPLES OF ISSUES AFFECTING FITNESS TO PRACTISE

4.1. Issues revealed through a Disclosure and Barring Service (DBS) check

- 4.1.1. Students on professional practice programmes are exempt from the Rehabilitation of Offenders Act (1975). Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975: Guidance which applies from March 2014 : www.gov.uk/government/uploads/system/uploads/attachment_data/file/299916/rehabilitation-of-offenders-guidance.pdf (Accessed 12/04/18)

- 4.1.2 **During the admission process.** Students will have new fully enhanced DBS clearance during the admissions process as this is an entry requirement/clearance to be accepted onto a professional practice programme². If students do not have a clear DBS upon receipt, (whether pre or post enrolment), for whatever cause, **scrutiny of DBS Certification** will be undertaken following the Faculty approved process in “Disclosure and Barring Service Process for Faculty of Health and Life Sciences professional courses (2016)” on http://www.hls.brookes.ac.uk/images/peu/dbsprozess%202016_version_health%20care%20and%20social%20work.pdf (Accessed on 12/06/18). The outcome of this investigation will determine whether the student will be permitted to continue on the programme or not.
- 4.1.3 **Changes to DBS status during Admissions and/or post enrolment.** It is possible that a student may commit an offence after the clearance application during the admissions process or during the course of their education. Students will therefore be required to complete their self-declaration through PEMS at a minimum of annually, according to placement patterns for their programme, (e.g. at the end of their first, and subsequent years of their programme, at specified times as required by placement patterns of the student’s programme). Students must declare all incidents that potentially may appear on any subsequent DBS disclosure form, as and when they occur, so that, **scrutiny of DBS Certification** can be undertaken following the Faculty approved process in “Disclosure and Barring Service Process for Faculty of Health and Life Sciences professional courses (2016)” on http://www.hls.brookes.ac.uk/images/peu/dbsprozess%202016_version_health%20care%20and%20social%20work.pdf (Accessed on 12/06/18).

4.2. Occupational Health Issues

- 4.2.1. All students must have a health profile that will enable them to meet Occupational Health clearance requirements for their programme of study. They will have Occupational Health clearance during the admissions process as part of being accepted onto a professional practice programme
- 4.2.2. Appendix 3: Letter of Fitness to Practise is issued to students on arrival, explaining how they use the Practice Education Management System (PEMS) to self-declare their fitness prior to them being issued with a Fitness to Practise identity badge.
- 4.2.3. 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 through PEMS.
- 4.2.4. Students must declare all changes to their psychological or physical health by notifying the Occupational Health Department, as and when they occur.
- 4.2.5. The Faculty 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 Faculty staff (e.g. Link Lecturer) who may consult (in confidence) with the student’s Academic Advisor, Subject Coordinator/ Programme Lead /Head of Practice Education/ relevant placement staff within the placement area, using the referral form: Request for Occupational Health Advice for Pre-qualifying Students document which is available from the staff section of the document store (PEU folder).

4.3. Health and Safety Policies/Programme specific requirements

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

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 the student Fitness to Practise identity badge. Students are unable to commence practice education experience without completion of these processes .

Standards of Conduct: Fitness to Practise 2018

- are fit to practise;
- do not undertake work unsupervised with patients/service users for which they do not feel competent;
- take every reasonable care to ensure they carry out work in a manner that is safe to all concerned;
- attend relevant compulsory Health & Safety lectures organised by the Faculty as part of the curriculum;
- conform to the Occupational Health Policies of the initial clearance process and the relevant practice area, including obtaining vaccinations where required.
- have met the programme specific requirements. E.g. manual handling, basic/advance life support, professional indemnity insurance, food hygiene or other mandatory training as stipulated by the programme and on PEMS.

4.4. Dress and appearance

- 4.4.1. Students must comply with the Statement on Dress and Appearance on <http://www.hls.brookes.ac.uk/peu/statement-regarding-uniform-dress-and-appearance-for-students-on-placement> (accessed on 12/06/18)
- 4.4.2. Any student whose appearance is deemed inappropriate by the practice assessor 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.
- 4.4.3. Students are expected to be mindful of personal safety, infection control and being a representative of the university and the professional programme they are undertaking in addition to any placement provider policies and guidelines.

4.5. Performance

- 4.5.1. 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.
- 4.5.2. Practice undertaken must conform to Professional Statutory Body Regulations concerning the training of the relevant profession. If a student is uncertain whether or not any particular area of practice does conform, they must check with their practice assessor, Link Lecturer, Programme/ Placement Lead or the Clinical Education Co-ordinator before carrying out the area of practice.
- 4.5.3. 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.

4.6. Attendance/Sickness

- 4.6.1. 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 Faculty of Health & Life Sciences Student Attendance Policy <http://www.hls.brookes.ac.uk/images/pdfs/plu/fhls%20aesc%20151021-18-faculty-attendance-policy.pdf> (Accessed on 06/12/18)
- 4.6.2. Students are expected to attend all preparation sessions relevant to their practice education experience.
- 4.6.3. Students are required to comply with the attendance and reporting sickness policies of the placement host organisation and must familiarise themselves with this within the first week of their

placement. If absence is before the start of a placement the student must contact the named person (i.e. either the placement area contact name from the placement profile or the name of the person you have been asked to contact on the first day) to report any sickness/absence. Students are also required to record any absences on PEMS no later than 12 noon on the first day of your absence. Students must also record any sickness on the Practice Hour's Record and have this countersigned by their practice assessor. See, for example, the Record Sheet for Direct Care practice hours (N&M); these forms are recorded on PEMS by the PEU and will be taken into account when testimonies or references are provided for students. Alternatively your record of practice hours is contained within the Brookes electronic Practice Assessment Document (BePAD).

- 4.6.4. Students are expected, under the requirements laid down by their Professional Regulatory Body, to experience the full range of care provision given. This includes undertaking practice at weekends, evenings and/or nights for the relevant professions, e.g. nursing, midwifery, osteopathy, paramedics and operating department practice.
- 4.6.5. Students are expected to plan their practice education experience in advance (where students are not included in placement area rosters). Students are required to match their working patterns to those in operation in the placement area. Students must recognise that flexibility on the part of the host placement organisation is not to be expected and is only at the discretion of the practice assessor.
- 4.6.6. Students with persistent difficulty in attending practice must discuss this with the relevant Link Lecturer, Academic Advisor, Placement Lead, or Practice Assessor.
- 4.6.7. Students must familiarise themselves and comply with the University Student Conduct Regulations and Procedure concerning absence due to sickness.
- 4.6.8. Unauthorised absence from a placement that is not due to sickness is always unacceptable. It indicates an unacceptable level of professional behaviour on the part of the student and will not be tolerated. All such instances shall be investigated by the Faculty and the placement area and may lead to disciplinary action.
- 4.6.9. Time off during a placement to attend routine personal health care appointments (e.g. doctor/dentist appointments), is considered inappropriate and not commensurate with professional behaviour. If, however, a student has an appointment that cannot be rearranged, absence from the placement must be negotiated in advance with the placement area. This time will not be recorded as practice hours.

4.7. 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 practice assessor.

4.8. Employment whilst a student

- 4.8.1. 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.
- 4.8.2. Any employment undertaken outside of the course must not in any way hinder or conflict with the interests of the NHS Trusts or other placement host organisations with whom the programme is delivered.
- 4.8.3. Conducting private business on practice area premises or within placement time is forbidden

4.9. Further guidance

Further guidelines on professional behaviour can be found in Appendix 2.

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:
- health, emotional state, judgement or character; or
 - conduct or behaviour, such that the student has breached one or more terms and conditions of the relevant Code of Professional Conduct or of these Standards of Conduct: Fitness to Practise;
 - conduct or behaviour is such that the student:
 - is a danger to themselves or
 - is a potential danger to patients/clients/persons 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. Link Lecturer or Placement/Programme Lead) or
 - disrupts the work environment so that patient/client care is at risk;
- 5.2 Any such information or allegations shall be considered in the first instance by the Head of Practice Education, who will refer the case to the Dean³ as soon as possible. The Dean will consider whether there is a need to investigate further. If, in the view of the Dean, the information or allegations are such that, even if they were accurate, they would not affect the student's Fitness to Practise, the Dean 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 Dean shall:
- initiate an investigation as set out in paragraph 7.
 - 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 (for additional guidance see Appendix 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 five 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 following as appropriate for help, support and advice:
- Brookes Union (<https://www.brookes.ac.uk/studying-at-brookes/living/brookes-union/>)
 - UNISON (<http://www.unison.org.uk/>)
 - the RCN (<http://www.rcn.org.uk/>)
 - the RCM (<https://www.rcm.org.uk/>)
 - COT (<http://www.cot.org.uk/>)
 - CSP (<http://www.csp.org.uk/>)
 - HCPC (<http://www.hcpc-uk.org/>)
 - British College of Paramedics (<https://www.collegeofparamedics.co.uk/>)

³ Or their delegate

6. SUSPENDING FITNESS TO PRACTISE

- 6.1 While a student's Fitness to Practise is being investigated, the student may be:
- a) allowed to continue working without limitation;
 - b) 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 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 is such that:
- a) the student may:
 - i. pose a danger to patients/service users;
 - ii. disrupt the work environment so that patient/client care is at risk;
 - iii. interfere with the investigation;
 - iv. repeat the alleged incident;
- or
- b) 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 Dean⁴, the Head of Practice Education, one of the Faculty Heads of Department or Associate Dean can suspend or impose temporary terms and conditions on a student's Fitness to Practise. However, any professionally qualified member of 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 Dean 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.
 - f) that paragraph 7.4 will apply.
- 6.5 A student whose Fitness to Practise has been suspended or temporarily restricted may make written representations to the Dean about this decision. The Dean 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 Dean shall regularly review the Fitness to Practise of a student who is being investigated in the light of any new or more detailed information that becomes available during the investigation. This

⁴ Or their delegate

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 Dean⁵ 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 Dean shall inform, in writing and confidence:
- a) the Head of Practice Education, who shall inform the practise assessor⁶ and appropriate link lecturer, (and/or Learning Environment Lead where applicable) also in writing and in confidence;
 - b) the relevant Head of Department, Programme Lead, Placement Lead.
- 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 Faculty of Health & Life Sciences, the student is also required to inform their Link Lecturer or Practice Education Unit (peu@brookes.ac.uk) immediately any such event occurs. In such circumstances, the Dean shall apply this procedure from paragraph 5.2 on the basis that, while the University cannot require a placement host to accept any individual student, the decision whether or not to suspend and/or investigate a student's Fitness to Practise is solely for the Dean acting on behalf of the University.

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. If the student's Fitness to Practise has not been suspended (as described in paragraph 6.4), the Dean shall write to the student (unless they believe that this would materially hamper the investigation – see paragraph 7.3):
- a) providing the student with a summary of the information or allegation that has prompted the investigation;
 - b) confirming that their Fitness to Practise has not been suspended 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 Dean 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 Dean shall appoint an Investigating Officer for the case who shall:
- a) determine the nature and the range of the alleged breaches of relevant Code of Professional Conduct or of this procedure.

⁵ Or their delegate

⁶ Practice assessor means the person supporting the student in practice, e.g. mentor or clinical educator

Standards of Conduct: Fitness to Practise 2018

- b) request written statements from the Faculty 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, following the Investigating Officer Guidance, together with all the background information and statements, to the Dean⁷ who shall decide whether or not to proceed with the case. If the Dean decides not to proceed, they shall inform the student of this in writing, together with the reasons for the decision.
- 7.6. If the Dean 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 Dean may deem it necessary to seek further clarification from other witnesses as appropriate.
- 7.8. The Dean shall also convene a Fitness to Practise Panel, which shall consist of:
- a) the Dean (who shall chair the Panel);
 - b) a member of the student's programme teaching team, or one from another profession;
 - c) a senior representative from a placement provider;
 - d) an external member of the profession if not in a, b, or c.
 - e) witnesses as determined by the Panel Chair

No one who, in the judgement of the Dean, 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 about 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 Dean 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.

Although not desirable, it is possible for the hearing to be adjourned to seek further 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 Dean together with any additional evidence arising at the hearing and shall reach a decision on the severity of the breach and any potential risk to the public. If the panel decides that it is appropriate to (a) set limitations,

⁷ Or their delegate

terms or conditions on a student's Fitness to Practise, or (b) require evidence of development before Fitness to Practise is restored, the conditions set are not a punishment, but should be the minimum necessary to protect the public and provide reassurance of this protection. The outcomes arising from the decision-making process are:

- 7.11.1. Level 1: No case to answer:
- 7.11.2. Level 2: Minor breach of conduct. No remedial action required; A formal warning letter is issued to the student together with conditions and/or action plan;
- 7.11.3. Level 3: Significant breaches of conduct: Any suspension of, or temporary restriction on, the student's Fitness to Practise shall be lifted. The Panel shall specify limitations and/or terms and conditions which are placed on the student's Fitness to Practise. 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 and/or health referral 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. A formal letter is issued to the student.
- 7.11.4. Level 4: Serious breaches of conduct. 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. A formal letter is issued to the student.
- 7.11.5. Level 5: Major breaches of conduct. The student's Fitness to Practise is permanently withdrawn and the student discontinued from their programme. Counselling shall be offered to the student to explore the academic and career implications of the decision.
- 7.12. The Dean⁸ 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 7.11.3 and 7.11.4 and set out the student's right to request an appeal against the decision. The Dean shall also inform all those listed in paragraph 0 of the outcome, in writing and in confidence. Where a student's Fitness to Practise is temporarily or permanently withdrawn, the Dean shall inform the funding sponsor of the student of the reason for the student's delay in or failure to complete the course.
- 7.13. The Dean 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 Dean, the Head of Department, the Programme Lead, the Head of Practice Education, 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 7.11.3, and the withdrawal of the student's Fitness to Practise under paragraph 7.11.4, shall remain in force until the appropriate review has taken place and a decision has been taken to lift them.

⁸ Or their delegate

- 8.2. The review shall take place when one of the following has occurred:
- 8.2.1. the period of time specified in paragraph 7.11.3, 8.4.2 or 8.4.3 has passed;
 - 8.2.2. the student has provided evidence of the circumstances specified in paragraph 7.11.3, 8.4.2 or 8.4.3;
 - 8.2.3. the minimum period of time specified in paragraph 7.11.4 has passed and the student has provided the evidence specified in that paragraph;
 - 8.2.4. the maximum period of time specified in paragraph 7.11.4 has passed;
 - 8.2.5. a period of twelve months has passed since the imposition of the limitation or withdrawal;
 - 8.2.6. the Dean⁹ 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 Dean, 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 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. If the panel is reconvened, the student will be invited to attend. The Dean may consult with colleagues, either within the University 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:
- 8.4.1. the limitations or terms and conditions on, or the temporary withdrawal of, the student's Fitness to Practise are lifted;
 - 8.4.2. 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;
 - 8.4.3. 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;
 - 8.4.4. 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);
 - 8.4.5. the student's Fitness to Practise is withdrawn permanently and the student discontinued from their programme.
- 8.5. The Dean 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:
- 9.1.1. they wish to present new evidence that they could not have reasonably produced before the outcome was determined;
 - 9.1.2. 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 Dean may have been different had the irregularity not occurred;
 - 9.1.3. the decision is one that no fair and reasonable panel or person could have reached;
 - 9.1.4. the penalty imposed is disproportionate to the breach.

⁹ Or their delegate

- 9.2. A student who wishes to request an appeal shall write to the 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 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 Academic Registrar who may impose a time limit for the submission of the full appeal. The Academic Registrar shall summarily dismiss a request for an appeal that does not comply with these time-scales without good reason (see paragraph 7.10.1).
- 9.3. Upon receipt of a request for an appeal, the 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 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 (see paragraph 7.10.1).
- 9.4. If the 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 Academic Registrar shall also convene, administer and provide procedural advice to an Appeal Panel which shall consist of:
- a member of the University's Senior Management Team (who shall chair the Panel);
 - two senior health or social care professionals in the area for which the student is intending to qualify, at least one of whom shall be involved in practice education or placement learning;
 - two students of the University nominated by the Students' Union, wherever possible at least one of whom shall be studying a health or social care programme.

No one who, in the judgement of the 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 Academic Registrar shall circulate to the appellant, the Chair of the Fitness to Practise Panel and the members of the Appeal Panel:
- the evidence and documentation which the Fitness to Practise Panel considered,
 - the decision of the Fitness to Practise Panel and the reasons for it;
 - the full appeal submitted by the appellant;
 - 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.

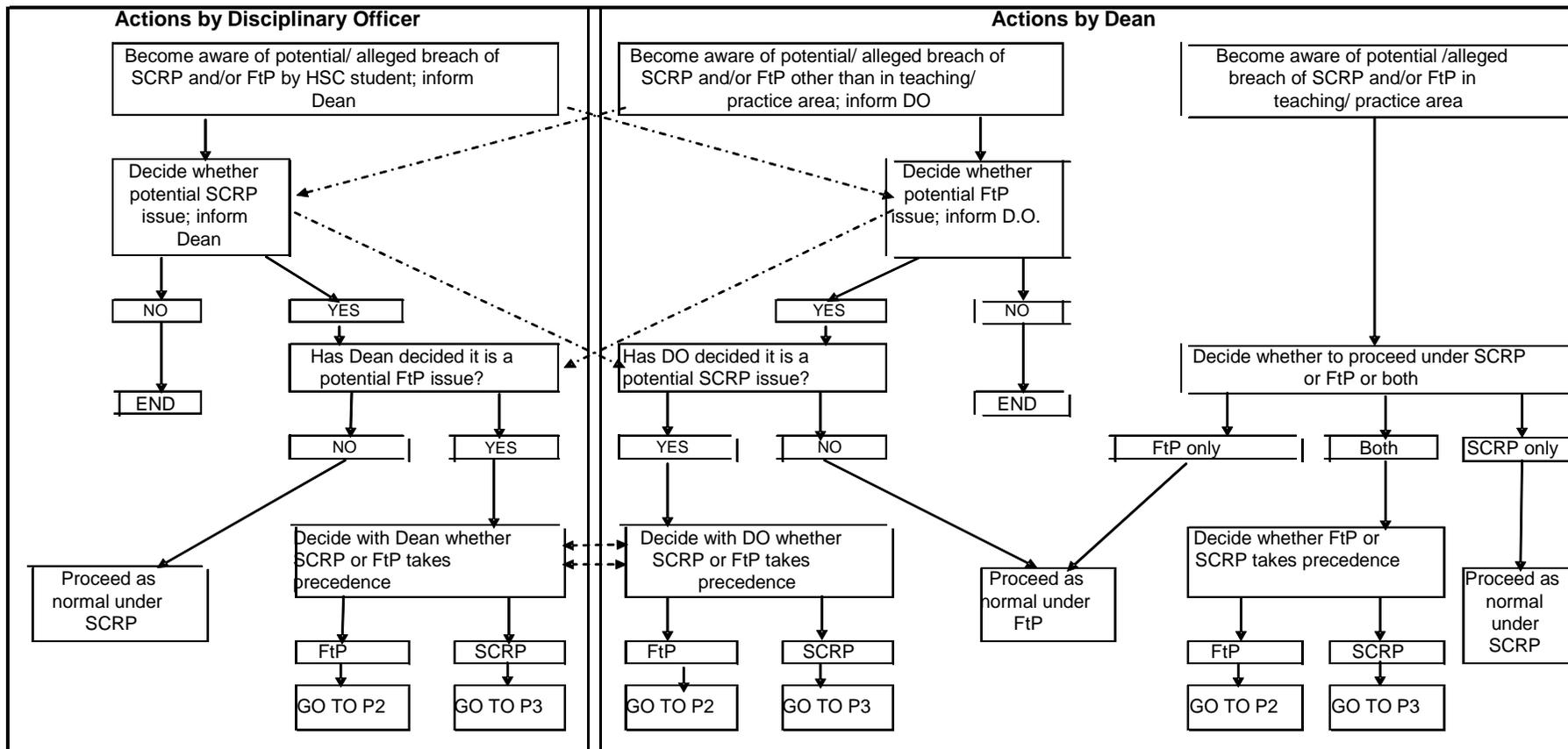
- 9.9. The decision(s) of the Appeal Panel shall be by a simple majority vote of the members other than the Chair except that, if the two health and social care professional members are in agreement on any issue, the other members shall defer to them. The Chair shall have a casting vote in the case of a tie. As far as the University is concerned, the decision of the Appeal Panel is final.
- 9.10. The Academic Registrar shall inform the student in writing of: the outcome of the appeal; the reasons for the decision and that the student has now completed the University's internal procedures (as set out in paragraph 7.10.3).

10. FURTHER STAGES OF REVIEW

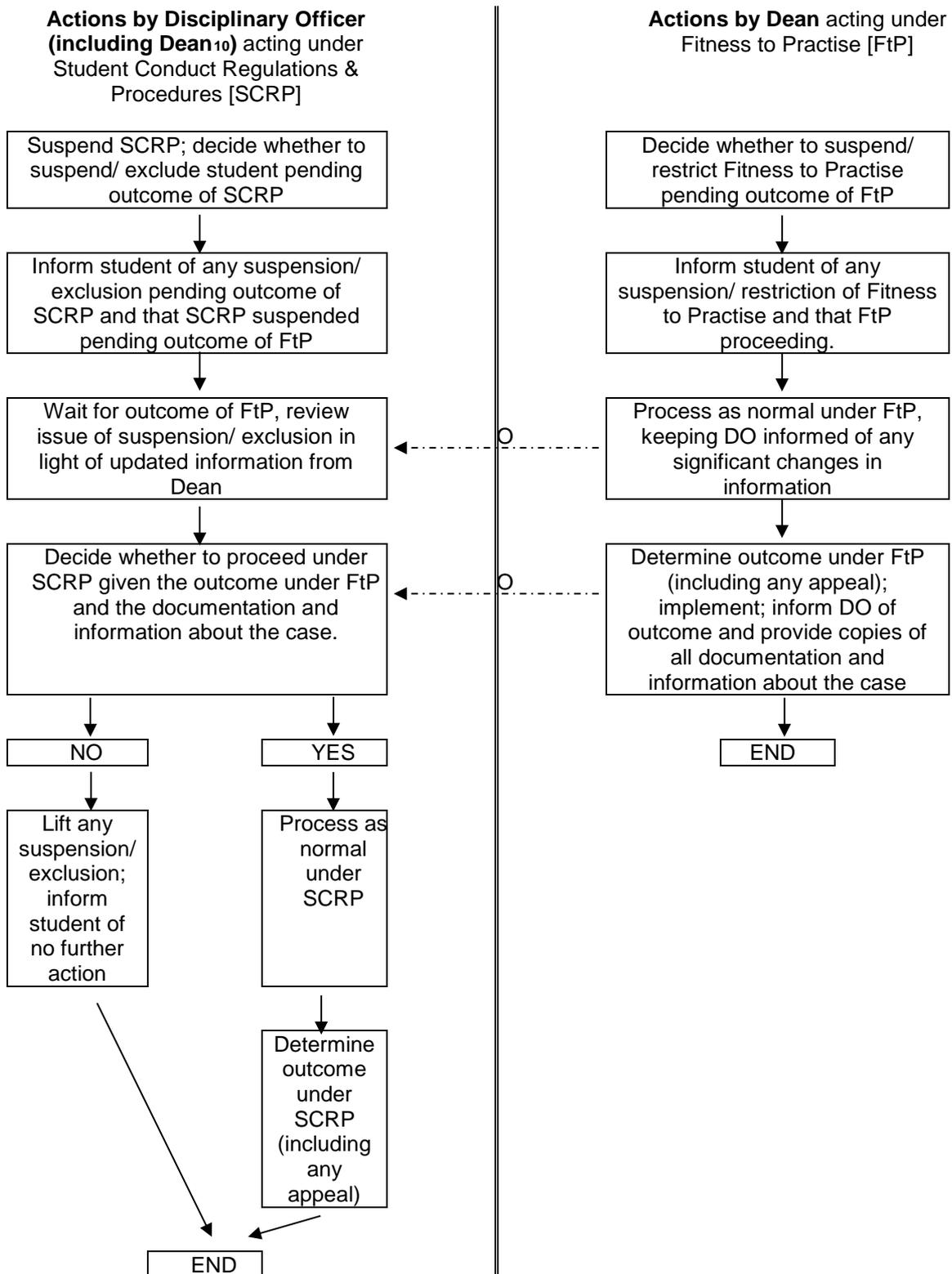
- 10.1. If the Academic Registrar summarily dismisses an appeal, they shall write to the student setting out the reasons why and the student's right to have that decision reviewed by the Registrar of the University. Any request for such a review shall be submitted to the Academic Registrar in writing within ten working days of the despatch of the Academic Registrar's decision and shall set out the full reasons why the student believes that the decision of the Academic Registrar is incorrect.
- 10.2. Registrar of the University shall review the decision of the Academic Registrar and inform the student in writing of the outcome of the review and the reasons for it. If the Registrar of the University overturns the decision of the Academic Registrar, the Academic Registrar shall resume the appeal procedure at paragraph 9.4. If the decision of the Academic Registrar is upheld, the letter to the student shall inform them that they have now completed the University's internal procedures (as set out in paragraph 10.3).
- 10.3. If a student has completed the University's internal procedures 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. A letter stating that a student has completed the University's internal procedures shall include information on the OIA and comply with the OIA's guidance for a "Completion of Procedures" letter.

Appendix 1: Relationship between the University Student Conduct Regulations and the Standards of Conduct: Fitness to Practise

P1 When Dean (or their delegate) or Disciplinary Officer first becomes aware of a potential breach of the Fitness to Practise and/or the Student Conduct Regulations & Procedure

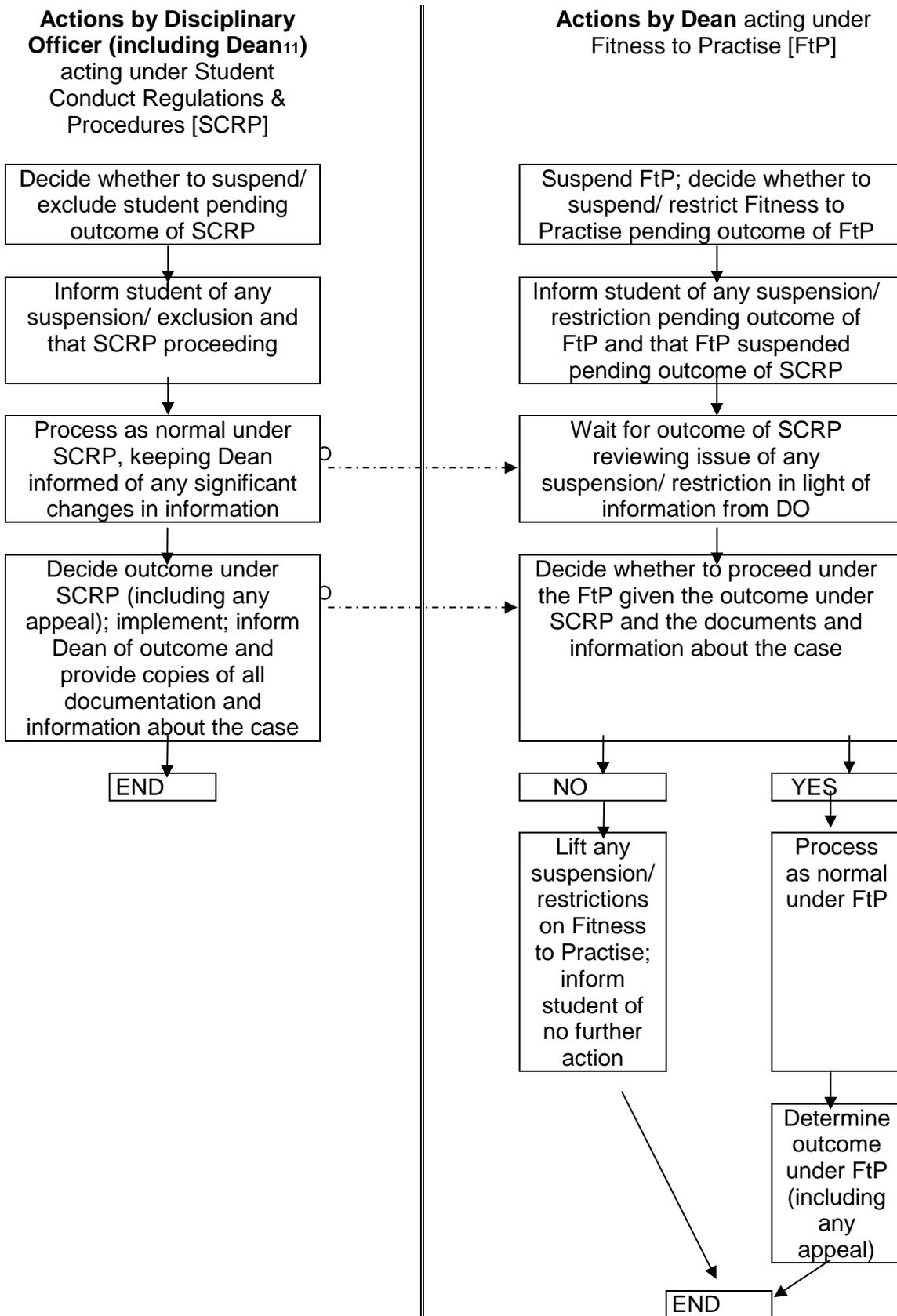


P2 When the Fitness to Practise [FtP] takes precedence



¹⁰ Or their delegate

P3 When the Student Conduct Regulations & Procedure [SCRP] takes precedence



¹¹Or their delegate

Appendix 2: Guidelines for professional behaviour/suitability for Pre-Qualifying 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 University Regulations or the Faculty's 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 University Regulations which apply to all students and those laid down by the professional and or regulatory body to which you will apply for registration on completion of your programme (see below). The professional and regulatory regulations are integrated into the Standards of Conduct: Fitness to Practise document.

There are three 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 three areas are:

- Academic misconduct - which will mostly be dealt with through the University regulations and will be referred to an Academic Conduct Officer within Faculty of Health and Life Sciences, (see <https://www.brookes.ac.uk/students/your-studies/student-disputes/student-conduct/academic-misconduct/>) (accessed 12/06/18)
- Unprofessional behaviour within University or practice based settings or social networking sites
- Unprofessional behaviour -health related issues

All health and social care professionals 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 University Regulations and professional body requirements.

Nursing & Midwifery Council (NMC) Code of Professional Conduct, standards for conduct, performance and ethics

<https://www.nmc.org.uk/standards/code/> (accessed 12/06/18)

The Chartered Society of Physiotherapy (CSP) – rules of conduct

<http://www.csp.org.uk/publications/rules-professional-conduct-2nd-edition> (accessed 12/06/18)

College of Occupational Therapists (C.O.T.)code of ethics and professional conduct for Occupational Therapist

<http://www.cot.co.uk/publication/baotcot/code-ethics-and-professional-conduct> (accessed 12/06/18)

Health and Care Professions Council (HCPC) – standards of conduct, performance and ethics

<http://www.hcpc-uk.org/publications/standards/index.asp?id=38> (accessed 12/06/18)

In order to practice as a health or social or care professional, statutory professional regulatory

Standards of Conduct: Fitness to Practise 2018 Appendix 2

bodies and professional associations may require a statement of good character, conduct and health. This process is intended to protect the public from unprofessional and unethical behavior, by seeking to ensure that standards are adhered to by prospective health and social care professionals and maintained by those in practice.

You are expected to:

- respect everybody including: patients, peers, all staff and other practice 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 university
- comply with social media guidelines including the university guidelines: http://www.brookes.ac.uk/services/hr/handbook/terms_conditions/social_media_guidelines.html (Accessed on 12/06/18) or professional body guidance such as <https://www.nmc.org.uk/standards/guidance/social-media-guidance/> (Accessed on 12/06/18)

Examples of student unprofessional behaviour are on the next page:



The Code (NMC 2015)
Standards of Conduct, Performance & Ethics (HCPC 2008)

PROCESS FOR ADDRESSING ISSUES RELATING TO UNPROFESSIONAL BEHAVIOUR/ SUITABILITY

Overview

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 Programme Lead /Academic Advisor may need to be informed.

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

Once your Programme Lead has been notified of concerns about your professional behaviour/suitability they will apply the following process:

- If the concern is of an academic nature, refer to Academic misconduct <https://www.brookes.ac.uk/students/your-studies/student-disputes/student-conduct/academic-misconduct/>) (Accessed on 12/06/18)
- If University Regulations have been contravened –refer to Flowchart 1
- If the concern is a practice issue– refer to Flowchart 1
- If the concern is related to health issues, refer to Management of Health Related Issues (Flow chart 2).

University and practice based settings (See Flowchart 1)

N.B. If at any time the incident or behaviour is health related please refer to Management of Health Related issues flowchart 2.

Once your Programme Lead has identified that the concerns are related to University or practice based settings, the following process applies:

N.B.

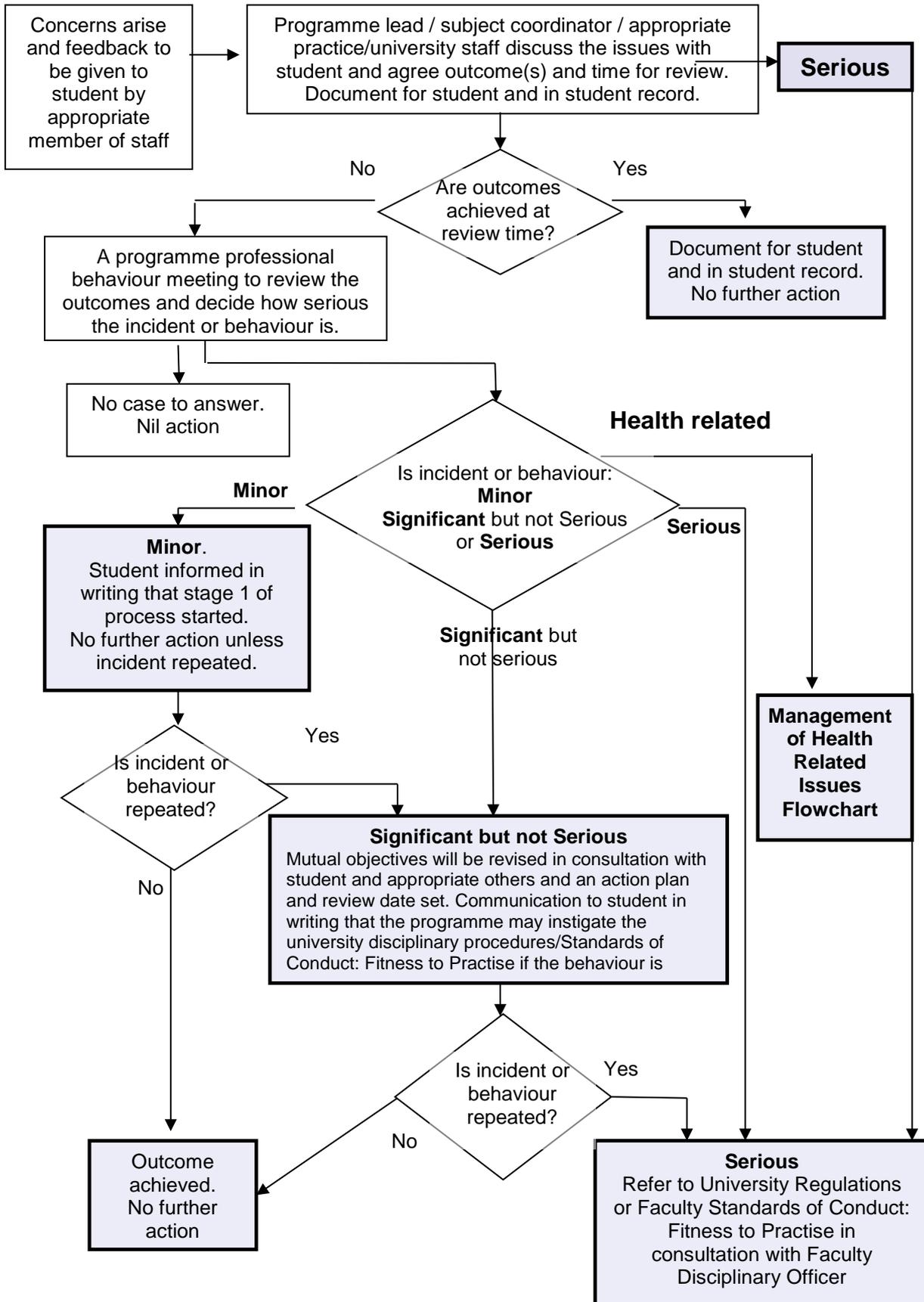
- **Please see examples of unprofessional behaviour above to aid understanding/decisions**
- **If any infringement relates to practise assessment criteria then assessment processes also apply.**

<u>Process</u>	<u>People involved</u>
<p><u>Initial action</u></p> <p>Practice settings:</p> <p>Your practice assessor¹² will discuss with you the issues and agree actions and time for review.</p> <p>Practice staff may involve the Link Lecturer/Academic Advisor and/or a senior member of practice staff as required.</p> <p>If outcomes are achieved then no further action is required.</p> <p>If outcomes are not achieved at the review time, Link Lecturer/Placement Lead will discuss with the practice assessor</p>	<p>Practice assessor, Link Lecturer/ Placement Lead and student</p>

¹² Practice assessor is a generic term for the person supporting a student during their practice education experience

<p>and determine the nature of the unresolved incident or behaviour and will identify, discuss and document concerns in your practice record.</p> <p>University settings</p> <p>Academic staff will discuss with you the issues and agree actions and time for review.</p> <p>If outcomes are achieved then no further action is required.</p> <p>You will be informed in writing and a record will be kept in your file held by your Academic Advisor.</p> <p>If agreed outcomes are achieved at review time then no further action will be taken.</p>	<p>Programme Lead, /Subject Coordinator or other appropriate staff</p>
<p>If outcomes are not achieved at review time then a programme professional behaviour meeting will be convened to identify, discuss and document concerns.</p> <p>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.</p> <p>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 Academic Advisor.</p> <p><u>Minor infringement</u></p> <p>If <i>minor</i>, 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.</p>	<p>Meeting will consist of at least 2 relevant programme team members one of who will be the placement or programme lead (Chair). Practice staff member where appropriate.</p> <p>Student may bring friend/representative</p>
<p><u>Significant but not serious infringement.</u></p> <p><i>If significant but not serious</i>, 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 university disciplinary procedures/Faculty Standards of Conduct. A record will be kept in your file held by your Academic Advisor.</p> <p>If the behaviour continues to be repeated. If the behaviour is repeated refer to 'serious infringement' guidance below.</p>	<p>Programme Lead/ Seek advice from relevant leads (e.g. Head of Practice Education, Academic Conduct Officer)</p>
<p><u>Serious infringement</u></p> <p>If <i>serious</i>, refer to the Faculty Standards of Conduct: Fitness to Practise</p> <p>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.</p>	<p>Programme Lead/ Head of Practice Education Link Lecturer/Placement Lead</p>

Flow Chart 1 – Learning Professional Behaviour/ Suitability (in university and practice settings)



Guidelines for the Management of Health Related Issues (See Flowchart 2)

As a student health or social care professional, you, like all health or social care professionals, have a duty to adhere to the relevant Professional Statutory Regulatory Body 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 Faculty of Health & Life Sciences, 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 professional 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

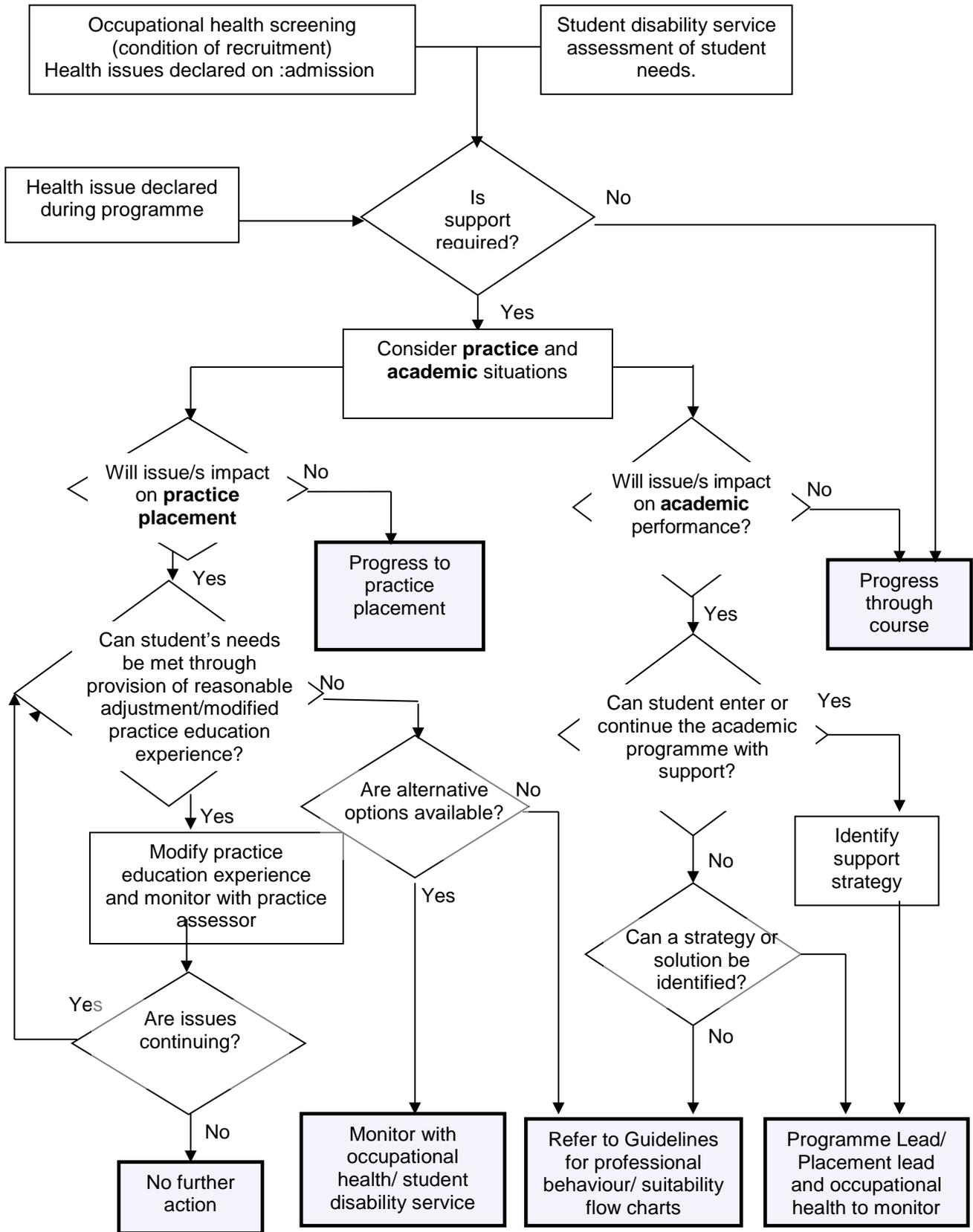
Annually, an ongoing health declaration needs to be in place. Prior to each issue of the Fitness to Practise /identity badge, you are required to complete a self-declaration through PEMS. This confirms that-

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 the Placement Lead for your programme (this information will be held on a need to know basis).
- The Faculty of Health & Life Sciences 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 badge being issued by the PEU, through PEMS.
- No student will be able to commence practice experience learning /placement without this Fitness to Practise badge and the Faculty 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 2- Management of Health Related Issues



Appendix 3: Letter of Fitness to Practise

Re: Letter of Fitness to Practise

Welcome to the Faculty of Health and Life Sciences

All Health & Social Care professionals are bound by a code of professional conduct, setting out levels of expectation in relation to conduct and behaviour. All students are expected to adhere to this code in all professional areas and situations. This expectation of behaviour also applies to outside of your chosen field of health or social care.

As a pre-registration health & 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.

It is your responsibility to have read the current Standards of Conduct: Fitness to Practise Document under "Essential Information" on <http://www.hls.brookes.ac.uk/peu>. Any alleged breaches of these Standards of Conduct: Fitness to Practise will be dealt with by the Standards in place at the time of the alleged breach.

I draw your attention to the fact that by recording your self-declaration by logging in to the Practice Education Management System (PEMS) you are confirming that you have read the student 'Standards of Conduct: Fitness to Practise' document and that you agree to abide by its provision, and any subsequent amendments (notified to you by email).

In addition, you are making the following two declarations.

1) **Declaration of Health** (University and Practice Based Education):

Your psychological or physical health has remained the same 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 Barring Service (DBS) clearance was completed during the admissions process as part of being accepted onto a professional practice programme.

Yours sincerely,

Astrid Schloerscheidt
Pro Vice-Chancellor and Dean of Faculty (Health and Life Sciences)

Appendix 4: Time-out from practice

(See Section 5.4)

This 'Time-out' period would normally be for NO LONGER THAN 5 working days.

The student will be formally informed when the time out period commences. This period allows for reflection by all upon the situation, and for any initial information which may be required to inform actions required. It is intended for this period to be supportive to the student so that, for example, any personal issues which may have impacted upon their ability to learn in practice may be addressed. Time out also facilitates any action-planning which may be required and time for decision-making regarding next steps.

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 Student Support co-ordinators – email: shsc-studentsupport@brookes.ac.uk
- the practise assessor, link lecturer 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>

including:

- Guidelines for Professional Behaviour/suitability (Appendix 2 of this document)
- Guidance notes for Discontinuation of Placement for pre-qualifying students <http://www.hls.brookes.ac.uk/peu/guidance-notes-for-discontinuation-of-placements-for-pre-qualifying-students> (Accessed on 12/06/18)
- Failing competency statement <http://www.hls.brookes.ac.uk/peu/failing-competency-statement> (Accessed on 12/06/18)

All the above documents can be found on - <http://www.hls.brookes.ac.uk/peu/resources-for-supporting-students> (Accessed on 12/06/18)