

## Fitness to Practise Policy SCA39

**Equality Impact Assessment:** Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

### 1. POLICY STATEMENT

- 1.1 Askham Bryan College is committed to the provision of professional practice awards. The College has a responsibility to ensure that graduates of a range of programmes leading to professional practitioner status are 'fit to practise' in their profession on completion of their studies.

### 2. DEFINITIONS

- 2.1 This policy and its associated procedure refer to "Fitness to practise". Students must demonstrate, in both their professional and private lives that they can practise their profession properly, safely and for those on Veterinary Nursing programmes "and with respect for the trust and responsibility placed upon them." (RCVS Fitness to Practise Guidance for Student Veterinary Nurses, 2016; 5.)

### 3. PRINCIPLES

- 3.1 The College will exercise professional judgement, outside of the normal assessment and/or disciplinary processes as to whether an individual meets Fitness to Practise requirements. Such decisions need to be made either on recruitment and during the standard initial assessment and guidance (IAG) processes, and / or during the programme, when concerns might be raised which bring into question whether an individual is fit to practise, or at the point of registration with the professional body (e.g. on completion of the RCVS Record of Training documentation).
- 3.2 Fitness to Practise assessment is not confined to the initial recruitment period it is a continuous process assessed throughout the programme.
- 3.3 If an applicant has previously been removed from a programme of study due to Fitness to Practise concerns, the College reserves the right to reject an application to return to study.
- 3.3 For some programmes this assessment will be integral to the programme of study e.g. Veterinary Nursing and will be formally assessed. In such cases where students fail to

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achieve the necessary professional practice standards, then the licence to practise component of the programme of study would be at risk and this could affect the individual's ability to work as a practitioner in their chosen profession.

- 3.4 For others programmes the assessment of Fitness to Practise may take the form of a declaration, which whilst not part of the formal assessment process is required to ensure that students meet the professional practice component of their chosen career e.g. satisfactory DBS clearance for students on Early Years or ITT programmes.

The above is an outline only as each individual programme with a Fitness to Practise element will be bound by the requirements of its associated professional body. If in doubt students are advised to consult their Course Manager or the professional body which governs their practice.

- 3.5 In some cases the concern with respect to Fitness to Practise may not be related to competence, but rather to misconduct.

Where the misconduct relates to academic practice e.g. plagiarism, then this will be addressed through the procedures described in the appropriate College Disciplinary policy, which may include referral to the Fitness to Practise panel.

Where the misconduct is related to student conduct and discipline, again the appropriate Disciplinary policy will apply. However if the concern is serious and there is a real concern that the behaviour will be repeated with the potential to cause harm to animals or humans, then very careful consideration will be given to assess whether any restrictions should be put into place e.g. temporary suspension from practical work or from the course as a whole. Decisions of this nature, where speed of action is paramount to prevent harm, will be taken by the relevant Director of Curriculum / Director of HE based on the level of the perceived risk and will be communicated in writing to the student and their Course Manager. The relevant professional body will also be informed.

## **4. SCOPE**

### **4.1 Prospective students of Askham Bryan College:**

- All students on programmes with a 'Fitness to Practise' element should be informed of and given access to this policy at the earliest opportunity, ideally at induction, so that they understand the processes involved. This is in addition to any pertinent documentation produced by regulatory/validating organisations or awarding bodies.

### **4.2 All applicants:**

- As part of the IAG process the College will assess applicants 'fitness to practise prior to admission. This will include, but may not be limited to:
  - self-affirmation of health status;

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- self-affirmation of any criminal record (undertaken at re-enrolment for subsequent years of a programme);
- references;
- interview transcripts;
- where appropriate DBS (Disclosure and Barring Service) clearance.

### **4.3 Current students:**

- Where concerns are raised about the 'fitness to practise' of a current student, this Policy and associated Procedure will apply.

### **4.4 Procedures**

- All students on a programme of study leading to professional practitioner status making a disclosure in relation to a physical or mental health disability or about who concerns are raised, may be referred to the College Fitness to Practise Panel for further consideration
- **Please see SCA39a for details of associated procedures**

## **5 FITNESS TO PRACTISE PANELS**

### **5.1 Terms of reference:**

Under the direction of the Chair, the Fitness to Practise Panel is responsible for providing professional advice/judgments on:

- Applicants'/students' fitness to practise where issues fall outside of existing admissions, assessment and disciplinary procedures are identified;
- Policy/procedural amendments to the appropriate forum as required.

Decisions will be made on the basis of one standard of proof i.e. What is considered reasonable for the Chair to determine, based on the evidence presented.

Within these terms of reference any member of academic staff can refer a student to the Fitness to Practise Panel.

The Panel is responsible for ensuring that all cases which they consider are fully recorded and that these records are stored safely and in accordance with the requirements of the Data Protection Act 2018.

### **5.2 Principles upon which the Fitness to Practise Panel operates:**

- transparency, consistency and fairness in the way in which professional judgements on fitness to practise are made;

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- in conjunction with the policies and procedures of Askham Bryan College;
- in conjunction with the Academic Regulations of the awarding body, Regulator or validating institution;
- clear communication and regular updates for all parties during the course of the decision making process.

### 5.3 Reasonable Adjustment

Reasonable adjustment extends and includes ‘the adjustment required to provide access to an education as far as reasonably possible to the standard normally offered to the students at large’, and which can be **reasonably** replicated in industry (Equality Act, 2010).

## 6. PREVENT STRATEGY

Where any student who is considered at risk of extremism/radicalisation (UK Government *Prevent* Strategy - see SCA6 Safeguarding Policy) is studying on a practitioner based programme, then in addition to referral to the Designated Safeguarding Lead, the Course Manager should also consider if the student's fitness to practise status has been compromised and if appropriate refer the matter to the Fitness to Practise Panel.

## 7. MONITORING AND REVIEW

- 7.1 This policy and the implementation arrangements which underpin it will be reviewed annually by the Head of Veterinary Nursing.

## 8. SUPPORTING/RELATED DOCUMENTS

- **RCVS.** 2016. *Fitness to Practise: A Guide for UK Providers of Veterinary Nursing Education and Student Veterinary Nurses*. Available at: <https://www.rcvs.org.uk/news-and-views/publications/fitness-to-practise-a-guide-for-uk-providers-of-veterinary/?destination=%2Fnews-and-views/publications%2F> [Accessed 5<sup>th</sup> January 2018]
- HE1 HE Admission Policy
- HE2 Work Placement Policy (Higher Education)
- HE4 HE Assessment Policy
- HE5 HE Mitigating Circumstances
- HE6 OSCE Policy
- SCA6 Safeguarding Policy
- Student Guidance to Work-Based Placement

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## **9. REGULATIONS**

- The Data Protection Act 2018
- General Data Protection Regulations (GDPR)
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006
- Counter-Terrorism and Security Act (2015)
- Revised Prevent Duty Guidance: for England and Wales (Home Office July 2015)

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