

FITNESS TO PRACTICE PROCEDURE

Academic year 2019/20



EQUALITY AND DIVERSITY STATEMENT

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

Purpose

For the programmes identified below, completion of the academic award leads directly to a professional qualification, statutory registration and eligibility to practise, therefore the College has a responsibility to ensure that you will be a safe and suitable candidate for that profession – therefore in order to receive your degree and professional status you must abide by the College's regulations and the requirements of the relevant professional body (e.g. the British Acupuncture Accreditation Board for students on the Acupuncture programme). The purpose of the procedure is to ensure that professional body standards are met by students across all accredited programmes and to initiate timely and supportive action when these standards are not being met.

BSc Clinical Herbalism

BSc Acupuncture

MSc Herbal Therapeutics

FdSc Sports Therapy and Rehabilitation

BSc Sports Therapy

This Policy needs to be read in conjunction with the following related policies and procedures:

- Learner Conduct Procedure
- Professional Statutory Regulatory Body (PSRB) regulations and award requirements
- Programme specifications

This policy should be implemented when there are concerns that directly impact on a learner's fitness to practice within their chosen profession. It cannot be implemented as part of, or in addition to the Learner Conduct Procedure. It is the responsibility of the Head of Learning and Skills (HLS) to determine which procedure is most relevant in each individual circumstance following detailed investigation and consultation with the academic teaching teams.

Definition

A student's Fitness to Practise may be challenged when their behaviour, physical health, mental health and/or professional conduct gives cause for concern.

In accordance with professional body requirements and College procedures for academic progression and professional conduct, the College must endeavour to ensure that the behaviour, health and professional conduct of students does not constitute a risk to themselves or others.

Duties of Students in Relation to Health

In order to demonstrate that you are fit to practise, you should:

- be aware that your health problem(s) may put you and/or others at risk;
- seek medical or occupational health advice, or both, if there is a concern about your health, including your mental health and wellbeing. You must register with a GP so that you have access to independent and objective medical care;
- accept that you may not be able to assess your own health accurately, and be willing to be referred for treatment and to engage in any recommended treatment programmes. You must protect yourself and others by being immunised against common serious communicable diseases if vaccines are available and are recommended by the Department of Health or relevant devolved department;
- not rely on your own or another student's assessment of the risk your health problem(s) pose to yourself or others and you should seek advice from a healthcare professional;
- be aware that when you graduate you are responsible for informing your employer or other appropriate person if your health poses a risk to yourself or others and to declare any health problem(s).

What circumstances could affect your fitness to practise?

Examples of potential fitness to practise issues:

If you have deliberately tried to mislead / been dishonest with the College – for example you have intentionally not disclosed something which is relevant to your fitness for your chosen profession or have misled College staff over assignments or placements.

You have committed violence or been involved in illegal acts which would make you unsuitable for your chosen profession.

If you have been absent from your studies due to illness or a personal issue, such as bereavement, and that issue may affect your ability to focus or perform to standard on your course – you will need a report from your healthcare practitioner to help show that you are fit and ready to resume your studies.

If you have ignored guidance given to you by the College, or have otherwise shown a lack of awareness of your own fitness to practice then this in itself can be a fitness to practice issue – as a professional you will be expected to monitor your own performance and be able to identify any issues which could compromise your work.

This is not an exhaustive list, further examples may be provided by the professional / accrediting bodies linked to the listed programmes.

What happens if your fitness to practise is questioned?

If issues regarding your fitness to practise are raised, and your Head of Learning and Skills (HLS) judges that it is a fitness to practise issue and not unrelated misconduct, then there are two possible routes that may follow:

Informal resolution:

Initial attempts to resolve the issue will be made by trying to come to a mutual agreement between you and relevant members of staff. Outcomes at this stage range from no action taken to being issued with a 'notice of improvement'; for which objectives and timescales for completion will be mutually agreed between you and the course team. This 'notice of improvement' will be recorded on Promonitor.

If you fail to fulfil the terms of your 'notice of improvement' within the timescale agreed; or informal attempts fail to resolve the issue; or the matter is considered too serious, then it will proceed to the formal process.

If the identified concern is regarded as potentially constituting serious professional misconduct, the student may be suspended from the programme by the Director of Education and Training without prejudice and pending further investigation and initiation of the 'Fitness to Practise' procedure. The student will be informed about the suspension and reasons behind it in writing normally within 5 working days and will receive a copy of the Fitness to Practise procedure. In this instance the formal process will be initiated immediately (see below).

Formal process:

Referral to the Lincoln College Strategic Safeguarding Panel.

You will be invited to attend a meeting where the Head of Learning and Skills (HLS) will summarise the case against you and you will be allowed to summarise your own case. If you are unable to attend you can submit a written account for the panel.

Once both cases have been heard and both sides questioned the Panel will consider the case and make its decision on the evidence provided. The decisions the Panel can make range from ruling that there is no case to answer, up to the severest penalty of exclusion from the College with immediate effect.

Following the formal notification of a decision made by the Panel you may submit an Appeal to the Managing Director of Education and Training within 10 working days.

To lodge an appeal it is important to be able to provide evidence to support your claim – without it your appeal will not go ahead.

The Managing Director of Education and Training can either rule to uphold or not uphold the appeal, with the ability to recommend a lesser penalty if the appeal is upheld.

Procedure summary chart

