

Lincoln College
University
Centre



LINCOLN COLLEGE

FITNESS TO PRACTISE PROCEDURE
Higher Education

POLICY CQ/PO/15

SPONSOR

Director – Performance and
Standards

EQUALITY AND DIVERSITY STATEMENT

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate all forms of unlawful discrimination, specifically across all protected characteristics. We will work towards a fair and just organisation and promote inclusion for all those impacted by Lincoln College and the wider community.

LINCOLN COLLEGE

FITNESS TO PRACTISE PROCEDURE

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FITNESS TO PRACTISE PROCEDURE

1 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 students are safe and a suitable candidate for that profession. In order to receive a degree and achieve professional status, students must abide by the college's regulations and the requirements of the relevant professional body (for example, 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. The Fitness to Practise procedure applies to the following courses:

- BSc Clinical Herbalism
- BSc Acupuncture
- MSc Herbal Therapeutics
- FdSc Sports Therapy and Rehabilitation
- BSc Sports Therapy

This policy should be read in conjunction with the following related policies and procedures:

- Learner Conduct Procedure
- Safeguarding Policy and Procedures
- 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 student's fitness to practise 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 Assistant Principal – Higher Education to determine which procedure is most relevant in each individual circumstance following detailed investigation and consultation with the academic teaching teams.

2 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.

3 DUTIES OF STUDENTS IN RELATION TO HEALTH

In order to demonstrate that a student is fit to practise, they should:

- be aware that health problem(s) may put them and/or others at risk;
- seek medical or occupational health advice, or both, if there is a concern about their health, including mental health and wellbeing. They must register with a GP so that they have access to independent and objective medical care;
- accept that they may not be able to assess their own health accurately, and be willing to be referred for treatment and to engage in any recommended treatment programmes. They must protect themselves 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 their own or another student's assessment of the risk their health problem(s) pose to them self or others and they should seek advice from a healthcare professional;
- be aware that when they graduate, they are responsible for informing their employer or other appropriate person if their health poses a risk to them self or others and to declare any health problem(s).

4 WHAT CIRCUMSTANCES COULD AFFECT A STUDENT'S FITNESS TO PRACTISE?

Examples of potential fitness to practise issues:

- If a student has deliberately tried to mislead / been dishonest with the college – for example they have intentionally not disclosed something which is relevant to their fitness for their chosen profession or have misled college staff over assignments or placements.
- A student has committed violence or been involved in illegal acts which would make them unsuitable for your chosen profession.
- If a student has been absent from their studies due to illness or a personal issue, such as bereavement, and that issue may affect their ability to focus or perform to standard on their course – they will need a report from your healthcare practitioner to help show that you are fit and ready to resume your studies.
- If a student has ignored guidance given to by the college, or have otherwise shown a lack of awareness of their own fitness to practice then this in itself can be a fitness to practise issue – as a professional a student will be expected to monitor their own performance and be able to identify any issues which could compromise their work.

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

5 WHAT HAPPENS IF YOUR FITNESS TO PRACTISE IS QUESTIONED?

If issues regarding a student's fitness to practise are raised, and the Assistant Principal – Higher Education judges that it is a fitness to practise issue and not unrelated misconduct, then there are two possible routes that may follow:

5.1 Informal resolution

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

If the student fails to fulfil the terms of the 'Official Caution' 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 Assistant Principal – Higher Education 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 five 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).

5.2 Formal process

Referral to the Lincoln College Strategic Safeguarding Panel.

Students should be referred to the college's Safeguarding Policy and Procedure with regard to their right to provide a statement in support of their case; appendix 9, paragraph 1.4.

The Strategic Safeguarding Panel will hear the case for the student and each member will vote on an outcome along with stating their reasons why they have chosen this. The outcome of the Strategic Safeguarding Panel can 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 Strategic Safeguarding Panel, the student may submit an appeal to the Lincoln College Appeals Panel within ten working days.

To lodge an appeal, it is important that the student should be able to provide additional evidence to support their claim or to highlight that due college process has not been followed. The Lincoln College Appeals Panel can either rule to uphold or not uphold the appeal, with the ability to recommend a lesser penalty if the appeal is upheld.

6 REVIEW OF THE FITNESS TO PRACTICE POLICY

The Fitness to Practise Policy will be reviewed annually at the college's Learning Standards Quality Committee and Academic Affairs Committee.

Appendix 1 - Procedure summary chart

