

Low Level Concerns a Fitness to Practice Policy

Approved by: Faculty Executive Board	Effective date: 1 September 2024	Next review: 1 March 2025
--	--	-------------------------------------

Policy

This Policy applies to all students undertaking a course leading to eligibility to apply for entry to the Nursing Midwifery Council (NMC), Health and Care Professions Council (HCPC), Social Work England (SWE) or General Medical Council (GMC) registers. It also applies to those students already registered with a Statutory Regulatory body. The procedural arrangements are set out in the Low-Level Concerns, and Fitness to Practise Procedures.

Who needs to know about this Policy

Whilst undertaking a professional course, students must adhere to the professional conduct requirements of the relevant Statutory Regulatory body and the University's Code of Student Conduct. The Policy takes account of the perspective of multiple stakeholders. The intention is to reassure students, the University and the general public that students and graduates are fit to practise through the appropriate implementation of the associated procedures. The identification and addressing low-level concerns will utilise the Low-Level Concerns and Fitness to Practise Procedures in assessing concerns.

Purpose of this Policy

The purpose of this Policy, and associated procedures, is to ensure that all students whose behaviours raise concerns are supported and managed equitably. The intention is to provide transparent and consistent processes regardless of how the concerns are raised. The Policy includes matters relating to a student's health, circumstances and conduct which may affect their fitness to practise.

Contacts

The Quality and Compliance Team and the Faculty Fitness to Practise Lead are responsible for:

- Providing advice and assistance
- Guidance and templates
- Accessing training

The team can be contacted by emailing: health.sftpp@canterbury.ac.uk

Low Level Concerns a Fitness to Practice Policy

Contents

1. Policy and Introduction of Procedures	3
2. Health.....	4
3. Professional Conduct	5
4. Student Obligations.....	6
Document Information	7

Low Level Concerns a Fitness to Practice Policy

1. Policy and Introduction of Procedures

The University and its staff working on professional courses have professional responsibilities to protect the public and students. It is essential to uphold public confidence in the profession. This Policy and the Low-Level Concerns and Fitness to Practise Procedures take precedence, except in cases of alleged sexual misconduct which will be processed under the University Sexual Misconduct Procedures.

- 1.1. Professionalism is a learning and developmental process embedded within the Faculty of Medicine, Health and Social Care curriculums and is provided to support students to develop their professional identity and practice
- 1.2. This Policy applies to all students and apprentices undertaking a course leading to eligibility to apply for entry to the Nursing Midwifery Council (NMC), Health Care Professions Council (HCPC) or Social Work England (SWE) registers. It also applied to those students already registered with a Statutory Regulatory body. The procedural arrangements are set out in the Low-Level Concerns, and Fitness to Practise Procedures.
- 1.3. For those students already registered with a Statutory Regulatory body concerns about fitness to practice should be managed and investigated by the employer in the first instance. Dependant on the outcome of this investigation, there may be a requirement to undertake a further investigation within the University, giving due regard to this policy and the associated procedures. The exception is where concerns about fitness to practice arise solely within the context of the University and not in the workplace.
- 1.4. The purpose of this Policy, and associated procedures, is to ensure that all students whose behaviours raise concerns are supported and managed equitably. The intention is to provide transparent and consistent processes regardless of how the concerns are raised. The Policy includes matters relating to a student's health, circumstances and conduct which may affect their fitness to practise.
- 1.5. Students are subject to the Policy's requirements set out in this Policy from the point of initial registration as a student until the ending of their registration.
- 1.6. The Policy takes account of the perspective of multiple stakeholders. The intention is to reassure students, the University and the general public that students and graduates are fit to practise through implementing the associated procedures. The identification and addressing low-level concerns will utilise the Low-Level Concerns and Fitness to Practise Procedures in assessing concerns.
- 1.7. This Policy sits alongside the following:
 - The Student Conduct Procedure
 - The Student Complaints Procedure

Low Level Concerns a Fitness to Practice Policy

- The Student Academic Integrity Policy
 - The Student Academic Appeals Procedure
 - The Student Fitness to Practice Privacy Notice
- 1.8. Individuals with a conflict of interest will be excluded from fitness to practise decisions. A conflict of interest occurs when an individual becomes conflicted because of a clash between personal interests and professional duties or responsibilities. It impairs their impartiality.
- 1.9. Issues raised in this Policy will be divided into health issues and those regarding good character and conduct. There may be an overlap of health and conduct issues in some cases, and both aspects would need consideration.
- 1.10. It is the responsibility of CCCU to establish that there is a professional capability or fitness to practise concern. This is called the “burden of proof”. In a disciplinary case the burden of proof is on the University. The University must prove that the student has done what they are accused of doing. The student should not have to disprove the allegation.¹
- 1.11. The “standard of proof” in fitness to practice procedures refers to the level of evidence required to make a decision. These procedures use the “balance of probabilities” standard, meaning it must be more likely than not that an event occurred. However, decisions must be based on evidence stronger than simply believing that something probably happened. The seriousness of the matter under consideration increases the necessity for robust evidence showing that the alleged incident occurred.²
- 1.12. In line with any regulatory requirements, concerns that have breached the threshold of professional standards will be reported to the relevant Statutory Regulatory Body as per their requirements.

2. Health

- 2.1. A student’s fitness to practise may be impaired for reasons of adverse physical or mental health

¹ <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/disciplinary-procedures/good-disciplinary-procedures/>

² <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/disciplinary-procedures/good-disciplinary-procedures/>

Low Level Concerns a Fitness to Practice Policy

- 2.2. Health refers to health conditions that may affect a student's fitness to practise (HCPC 2022)³. The NMC⁴ and the GMC (2023)⁵ consider ill health as a fitness to practice issue when this poses a risk of harm to patients.
- 2.3. While undertaking the course, students must disclose any relevant changes to their health and seek the appropriate help or engage in the process to manage any condition.

3. Professional Conduct

- 3.1. A student's fitness to practise may be impaired by misconduct, including cautions and convictions and/or deficiencies in professional performance and conduct.
- 3.2. The Statutory and Regulatory guidance outlined below establishes the importance of good character and that health and social care practitioners must be honest and trustworthy. A judgement regarding good character is based on an individual's conduct. It takes account of any relevant criminal convictions i.e., those which are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended). The safeguarding of vulnerable individuals is an underpinning principle while selecting potential students, continuous monitoring during preparation and progression onto the Statutory and Regulatory registers.
- 3.3. The NMC Code (2018) is the foundation of good nursing and midwifery practice, and a vital tool in safeguarding the health and wellbeing of the public. The HCPC set out the Standards of Conduct, Performance and Ethics (2024) expected from registrants; these also apply to people who are applying to become registered. SWE (2020) standards set out what a social worker in England must know, understand and be able to do. The GMC set out their professional standards in the Good medical practice (2024). Each Statutory Regulatory Professional body expects students to aspire to the code or standards of conduct as appropriate to the individual profession.
- 3.4. These standards, as set out by the statutory regulatory bodies, will be used to assess a student's conduct.
- 3.5. Applicants must disclose relevant issues concerning their good character and conduct at the point of application. If it is shown later, the student failed to declare all relevant matters, the University may void the registration.
- 3.6. Academic misconduct is managed through the CCCU policy for Student Academic Misconduct Procedure.

³ <https://www.hcpc-uk.org/globalassets/resources/policy/threshold-policy-for-fitness-to-practise-investigations.pdf?v=637922877830000000>

⁴ <https://www.nmc.org.uk/concerns-nurses-midwives/what-is-fitness-to-practise/an-introduction-to-fitness-to-practise/what-types-of-concerns-we-consider/>

⁵ https://www.gmc-uk.org/-/media/documents/dc21132---what-we-mean-by-fitness-to-practise_pdf-104226687.pdf

Low Level Concerns a Fitness to Practice Policy

4. Student Obligations

- 4.1. Whilst undertaking a programme of study, students must adhere to their professional conduct guidance issued by NMC, HCPC, GMC or SWE as appropriate.
- 4.2. Students must disclose promptly and fully to the Course Director, Lead Midwife for Education (LME), or nominee, relevant issues relating to their good character and conduct, which occur at any time during their course.
- 4.3. Students are subject to a satisfactory Enhanced Disclosure and Barring Service (DBS) and Occupational Health (OH) clearance. Students are required to provide full and accurate information. Any relevant information that subsequently comes to light may lead to the University withdrawing the offer of a place or commencing a formal investigation.
- 4.4. Students must disclose any relevant information that may affect their ability to be on the course. It is not limited to their health and character but includes any other material information. In addition, students must keep the Course Director/LME informed of any material changes that have the potential to affect their registration.
- 4.5. A student subject to any criminal proceedings must promptly consult with the Course Director/LME and not wait until after the conclusion of the procedures.
- 4.6. A student must seek the appropriate help or engage in processes to manage any condition that may affect the safety of service users, themselves or colleagues, as advised by the Course Director/LME or nominee.
- 4.7. Students must complete an annual declaration of their health and character (Good Health, Good Character).
- 4.8. Failure by a student to adhere to professional obligations may lead the University to instigate the Low-Level Concerns and Fitness to Practise Procedures.

Low Level Concerns a Fitness to Practice Policy

Document Information

Document information	Description of document information
Document title	Low Level Concerns and Fitness to Practice Policy
Department owner	Faculty of Medicine, Health and Social Care
Document category	<p>Academic - Documents directly affecting research, assessment or teaching within the University</p> <p>Equality and diversity - Documents relating to the promotion of equality and diversity</p> <p>Ethics and compliance - Documents concerning appropriate conduct or compliance with legal or regulatory requirements</p> <p>Governance - Documents relating to the governance of the University</p> <p>Health, safety and environmental - Documents relating to the health, security and safety of staff, students and visitors</p> <p>Human resources - Documents impacting working relationships with the University for members of staff irrespective of status</p> <p>Information technology - Documents relating to IT systems, data, and related issues</p> <p>Students - documents directly affecting student life at the University</p>
Document owner	Pro Vice Chancellor and Dean of Faculty of Medicine, Health and Social Care
Document manager	Faculty Direct for Quality and Compliance
Related University policies	<p>Student Low Level Concerns and Fitness to Practice Policy</p> <p>Student Academic Integrity Policy</p> <p>Low Level Concerns and Fitness to Practice Privacy Notice</p>
Related University procedures	<p>University Code of Conduct</p> <p>Disciplinary Procedure</p> <p>Student Academic Misconduct Procedures</p>
Approved by	<p>Faculty Board</p> <p>Academic Board</p>
Date approved	2 September 2024
Date of commencement	9 September 2024
Review date	1 March 2025
Version	V10

Low Level Concerns a Fitness to Practice Policy

Document information	Description of document information
	V10_ Updated to include LME April 2025
History of revisions of the document	<p>V1.4 F. McArthur-Rouse 07/11/08 Approved by the VC for Academic Board by Chair's Action</p> <p>V2 A. Hayford 09/12/09 Approved by Academic Board</p> <p>V4 F. McArthur-Rouse 24/10/11 Revised for QSC. Approved by AB 7.12.11</p> <p>V5 F. McArthur-Rouse 25/05/12 Revised for Academic Board approval. Approved by AB 27.06.12</p> <p>V6 I. Felstead 01/09/15 Final version Effective 01/09/15</p> <p>V7 I. Felstead 01/09/16 Final version Effective 01/09/16</p> <p>V7.2 E. Welch 24/01/18 Updated website links within document</p> <p>V8.01 A. Levine & A. Hayford-Joyner 16/04/18 Draft for review by Faculty SFTP Sub-Committee</p> <p>V8.02 A. Levine, A. Hayford-Joyner & E Welch 02/07/18 Final draft for approval by Faculty Board</p> <p>V8 A. Hayford-Joyner 30/08/18 Final version Effective 01/09/18</p> <p>V9. A. Levine Final Versions Effective 1/9/22</p> <p>V10 L. Morgan date final version effective from date 9/9/24</p>
Web address	