



Student Fitness to Practise Policy

Introduction

The University's expectations regarding a student's conduct and behaviour are clearly articulated in the [Student Code of Conduct and Code of Discipline](#). The University Fitness to Study policy outlines the University's expectations of a student while studying at the University and how it supports students who require additional support and guidance if they find themselves unable to complete a programme of study due to fitness to practise concerns. Some University programmes which lead to a professional qualification and/or licence to practise, however, often require students to undertake practical training / placement experiences that entails working in a professional environment with patients, clients, young people or other service users.

DCU promotes best practice and seeks to ensure that students who are placed in positions of trust or responsibility with children, young people or adults, always act in a professional and ethical manner and are fit to practise while undertaking these placements.

Definition of Fitness to Practice

Fitness to Practise means having the necessary skills, knowledge, health, personal resilience and ongoing appropriate conduct and dispositions to undertake and complete, safely and effectively, a programme that includes elements of professional practice, experiential learning or clinical work.

Purpose

The purpose of this policy is to:

- Support the attainment of the qualities, competencies and standards which are required for professional practice
- Support students who may experience issues that may affect their ability to practise
- Protect the public, students and placement providers
- Ensure the University fulfils its responsibility to our partners, students and professional bodies
- Provide a framework to effectively manage fitness to practise issues which may arise during a student's programme of study.

Scope

This policy applies to all students registered on programmes that are subject to the University Fitness to Practise policy. It is a matter for the Dean of the Faculty to confirm to Academic Council, the undergraduate and postgraduate programmes which will be subject to the Student Fitness to Practise Policy. Academic Council will, on an annual basis, approve the inclusion of any new programmes as being subject to the Fitness to Practice Policy.

The policy should be read in conjunction with all other policies and procedures of the University, in particular, the DCU [Student Code of Conduct and Code of Discipline](#), the [Child Protection Framework](#), the [Garda Vetting regulations](#) and the programme specific regulations.



The relevant Regulatory / Registration Body outlines the competencies required to practise in the relevant field.¹ In addition to being subject to this Fitness to Practise Policy, students should be aware that they are required to fulfil the professional expectations outlined at programme level in respect of conduct, competences and dispositions. They may also be subject to the fitness to practise policies of other relevant regulatory professional bodies and to the HR and fitness to practise policies of the placement partner.

Policy Statement

Issues that might impair a student's fitness to practise are broad-ranging and can arise at any time throughout a student's programme of study. In many cases, issues may be temporary and can be addressed through the normal channels of advising a student on how best to manage conduct, competence or health issues in order to begin or continue with professional placement. Students can also be supported in accessing relevant student supports in the University.

In some cases, however, cases may need to be escalated to ensure that fitness to practise issues are appropriately resolved.

Under normal circumstances, the procedure should start with raising a Note of Concern at Level 1 and escalate, if necessary, through Level 2 and 3. If the situation is deemed serious enough, however, Level 2 or 3 can be invoked at any point by the Chairperson of the programme in consultation with the Head of School, as appropriate.

Where necessary, a Note of Concern may be raised in advance of a period of placement, where there are significant concerns for the wellbeing of the student and the safety of the patients, clients, young people or other service users.

Fitness to Practise issues should be addressed as follows:

Level 1: A concern about a student's fitness to practise is brought to the attention of the Placement Coordinator of the programme. It may be dealt with at this level or, if necessary, move to Level 2.

Level 2: The Placement Coordinator, in consultation with the Chairperson of the Programme, considers that a formal fitness to practise hearing is required and calls the School/Faculty² Fitness to Practise Committee to address the issues raised. The issue may be dealt with at this level, or, if necessary, move to Level 3.

Level 3: The Chairperson of the School/Faculty Fitness to Practise Committee refers the case to the University Fitness to Practise Committee, if the issue is deemed serious enough to invoke considerable academic consequences for the student.

¹ [The Teaching Council](#) specifies competencies in relation to the teaching profession; [The Nursing and Midwifery Board](#) of Ireland outlines competencies in the nursing profession.

² In the case of the Institute of Education, the Fitness to Practise Committee will be convened by the Faculty; in the Case of the Faculty of Science & Health, the Fitness to Practise Committee will be convened by the relevant School.



These are described in detail below.

Level 1

A Note of Concern (see Appendix 1) is submitted, in writing, to the Placement Coordinator of the programme by a member of staff or the placement provider. This should clearly indicate the reason for concern and any attempts made to address the situation.

The student is informed by the Placement Coordinator that a Level 1 Note of Concern has been submitted and a meeting is arranged by the Placement Coordinator with the student and the Programme Chairperson to discuss the Note of Concern. This meeting should be convened normally within 5 working days of the Note of Concern being raised. The student should be notified in writing and the Note of Concern sent to them for their information.

At Level 1, the student can continue in placement until the case has been discussed.

Having spoken with the student and the individual who has submitted the Note of Concern, the Programme Chairperson and Placement Coordinator shall decide:

- That no ongoing Fitness to Practise concerns exist. The Note of Concern shall be closed and no further action is necessary under this Policy.
- That the development of an agreed management plan with the student is required. The Note of Concern remains open until such time as the concerns are addressed.
- That the matter is deemed serious enough, after due consideration, to escalate to a Level 2 Response, convening the School's / Faculty's Fitness to Practise Committee.

The outcome of the Fitness to Practise Level 1 deliberations will be communicated in writing to the student.

All Notes of Concern and accompanying documentation should be kept by the Placement Coordinator and Head of School or Dean of Faculty in secure format in line with GDPR regulations until such time as the student has graduated from their programme.

Level 2

A Level 2 Response is intended for circumstances where a) the Placement Coordinator and the Chairperson of the programme believe that the issue requires further investigation or b) the Placement Coordinator and Chairperson of the programme are concerned that the agreed management plan is not being carried through or c) there are continuing concerns about the student's fitness to practise expressed by staff in the University or in the Placement Setting. If a case is escalated to Level 2 and if there is a concern over the welfare of the children, young people or service users in the placement setting, the Placement Coordinator, in consultation with the Programme Chair and the Head of School / Executive Dean³, may decide on temporary suspension of the student from the placement. The composition of the School / Faculty Fitness to Practise Committee is outlined in ***Roles and Responsibilities***, below.

³ In the case of the Institute of Education, this will be the Executive Dean; in the case of the Faculty of Science & Health, it will be the Head of the relevant School.

Procedure

- A written Note of Concern is brought to the Chairperson of the relevant programme by the Placement Coordinator
- The Chairperson of the programme, in conjunction with the Placement Coordinator, documents their concerns in a Level 2 Note of Concern and submits this to the Chairperson of the School / Faculty Fitness to Practise Committee
- All relevant documentation is submitted for consideration
- The School/Faculty Fitness to Practise Committee convenes a meeting normally within 10 working days of receipt of the documentation and sends a formal note to the student inviting them to the meeting
- The student can bring a friend, member of their family or a member of the Students' Union to be present in a support capacity, if required. The supporter is not present to represent the student or contribute to the conversation, but rather to support the student. If the student is bringing legal representation, the case will immediately be escalated to the University Fitness to Practise Committee, and a University legal adviser will also be present. The meeting shall be conducted in such a way that all parties have sufficient opportunity to explore the issues raised in detail. The student must inform the Chairperson of the Committee at least 3 days prior to the meeting, if they plan to bring another person and/or a legal representative with them.
- The meeting should be conducted in a supportive manner, ensuring that all parties have sufficient opportunity to explore the issues raised.

The School / Faculty Fitness to Practise Committee shall have the authority to impose one or more of the following outcomes:

- a) To permit the student to continue on the programme of study / placement with no further action
- b) To permit the student to continue on the programme of study / placement, subject to review, under certain conditions and for a specified timeframe
- c) To require the student to repeat certain elements of the programme / placement. This may result in the student having to repeat the year.
- d) To require a student to interrupt their programme of study / placement for an unspecified period of time to resolve the issues and engage in a relevant programme of support agreed with the University
- e) To decide that the student be suspended with immediate effect from the placement or programme of study
- f) To invoke the Level 3 Response and to refer the matter to the University Fitness to Practise Committee, if it is considered that the student's Fitness to Practise may be so impaired as to mean that the student a) may not be considered fit to continue and potentially complete the programme or b) may be required to exit the University entirely.

The outcome of the Fitness to Practise Level 2 deliberations will be communicated in writing to the student. All Notes of Concern and accompanying documentation should be kept by the Head of School or Dean of Faculty in secure format in line with GDPR regulations until such time as the student has graduated from their programme.

The student may exercise their right to appeal any of the above recommendations, apart from the decision to refer the case to the University Fitness to Practise Committee. The Appeals procedure is documented below.

Level 3

A Level 3 Response is intended for circumstances where the School/Faculty Fitness to Practise Committee (at Level 2) has referred a student to the University Fitness to Practise Committee, as they consider that the student's Fitness to Practise may be so impaired as to merit consideration of a) not allowing a student to progress to the next academic year of the programme or b) the student being asked to consider transferring to an alternative programme of study or leave the University. A Level 3 Response can also be invoked from Level 1 if there is a concern over the welfare of the children, young people or service users in the placement setting. The student shall be withdrawn from placement while their case is being considered. The composition of the University Fitness to Practise Committee is outlined in the **Roles & Responsibilities** below.

Procedure

- The Chairperson of the School / Faculty Fitness to Practise Committee documents their concerns in a Level 3 Note of Concern and submits this, along with any other relevant documentation, to the Chairperson of the University Fitness to Practise Committee
- The Committee should convene a meeting normally within 10 working days of receipt of the documentation and send a formal note to the student inviting them to the meeting
- The student can bring a friend, member of their family or a member of the Students' Union to be present in a support capacity, if required. The nominated person is not present to represent the student or contribute to the conversation, but rather to support the student. If the student chooses to bring legal representation, the University shall also organise for legal representation to be present. The student must inform the Chairperson of the Committee at least 3 days prior to the meeting, if they plan to bring another person and/or a legal representative with them.
- The meeting should be conducted in a supportive manner, ensuring that all parties have sufficient opportunity to explore the issues raised.

The University Fitness to Practise Committee shall have the authority to impose one or more of the following outcomes:

- a) To advise the student that they seek professional support from a relevant practitioner or undertake a relevant self-development programme at their own cost and in their own time, to address their Fitness to Practise issues. The University Fitness to Practise Committee will review the case on completion of this programme of support. During this time, the student's studies shall be suspended and their place deferred to an unspecified future time, having regard to the regulations outlined in *Marks & Standards* regarding the allowed period of time to complete a programme of study at the University.
- b) To advise the student that the student's Fitness to Practise is of such concern that they will be unable to continue with the programme and may apply for a transfer for an exit award.

The outcome of the Fitness to Practise Level 3 deliberations will be communicated in writing to the student.

All Notes of Concern and accompanying documentation should be kept by the Head of School / Dean of Faculty and the Vice-President Academic Affairs / Registrar's Office in secure format in line with GDPR regulations.

Appeals

A student has the right to appeal a decision of the Fitness to Practise Committees on the following grounds:

- That there is new evidence or evidence which was, for good cause, not presented to the Fitness to Practise Committee which might reasonably have resulted in a different decision
- That there were procedural irregularities (including administrative error) such as might give rise to reasonable doubt as to whether the Fitness to Practise Committee would have reached the same decision had they not occurred
- That the findings of the Fitness to Practise Committee do not warrant the resolution that there was a breach of conduct as charged
- That the penalty imposed by the Fitness to Practise Committee was unreasonable having regard to all the circumstances of the case

Procedure

- Student lodges an appeal, in writing, **within 7 working days** of the outcome of the School / Faculty Fitness to Practise Committee or University Fitness to Practise Committee, to the Deputy President. The appeal must state in sufficient detail the grounds of the appeal and must be documented on the [Appeals Form](#).
- Where an appeal is lodged in accordance with the above, the decision made by the School / Faculty Fitness to Practise Committee or the University Fitness to Practise Committee will be deferred until the outcome of the appeal is determined. The provision for deferral does not apply to students who have been suspended or de-registered from the programme, based on a decision that suspension was necessary to protect the welfare of people in the placement setting.
- On receipt of the Appeal, the Deputy President will ask the Chairperson of the University Fitness to Practise Committee to furnish them with all relevant documentation pertaining to the case. This should be issued within 10 working days.
- It is at the absolute discretion of the Chair of the Disciplinary Appeals Committee to decide that there are reasonable grounds for an appeal to proceed.
- The Appeals Committee shall not be obliged to receive further submissions (orally or in writing) from the student but, if it decides to do so, must receive such information within 10 days of the request.
- The Appeals Committee meets and discusses the case. The Committee may request the student to be present, but is not obliged to do so.
- The decision of the Appeals Committee will be communicated to the student no later than 30 days after the original appeal was received by the Deputy President.
- The Appeals Committee has the right to revoke or amend any decision made by the School / Faculty Fitness to Practise Committee or the University Fitness to Practise Committee or ask them to reconsider their position further. This does not override the right of the placement setting to refuse to take the student back on placement.
- The decision of the Appeals Committee is final and will also be communicated to the Vice-President, Academic Affairs/Registrar.



The composition of the Appeals Committee is outlined in the ***Roles & Responsibilities*** below.

Roles and Responsibilities

School / Faculty Fitness to Practise Committee

The School / Faculty Fitness to Practise Committee shall be a Standing Committee of the School / Faculty and be constituted as follows:

- Chair: Senior and experienced member of academic staff in the School / Faculty who is familiar with placement and professional practice, appointed by the Head of School or Dean of Faculty, or the Head of School or Dean of Faculty themselves
- 2 senior and experienced members of academic staff from the School / Faculty, one of whom has direct responsibility for placement
- 1 senior and experienced member of academic staff who is a member of another School's / Faculty's Fitness to Practise Committee
- Students' Union President or nominee (ex-officio)
- A suitable representative or representatives from the profession, external to DCU

The Head of School / Dean of Faculty nominates a secretary to the Committee. The Secretary's role is to take minutes of the meeting and not to participate in deliberations.

The quorum for the Committee shall be five, and must include the Chairperson, the specialist representative from the profession and the member of staff from another School's / Faculty's Fitness to Practise Committee.

Decisions are reached by consensus with a vote taking place if consensus cannot be reached. In the case of a vote, a simple majority will determine the outcome, with the Chairperson as a casting vote in the event of a tied vote.

The term of office for all members shall be 3 years, with the possibility of extension for a further term if desired. The Chairperson will hold an annual meeting to update the Committee on any changes in the Fitness to Practise policy or related issues.

University Fitness to Practise Committee

The University Fitness to Practise Committee shall be convened as and when necessary by the Vice-President for Academic Affairs/Registrar or their nominee and will be constituted as follows:

- Chairperson: Vice-President for Academic Affairs / Registrar
- Secretary (minute-taking role only)
- 2 senior and experienced members of academic staff who are members of a School / Faculty Fitness to Practise Committee
- 1 member of academic staff from the relevant School /Faculty but not connected to the student in any way
- Director of SS&D
- A suitable specialist representative from the profession, external to DCU
- Students' Union President or nominee (ex-officio)
- Legal Adviser, as deemed necessary by the University



The Vice-President, Academic Affairs/Registrar nominates a secretary to the Committee. The quorum for the Committee shall be five, and must include the Chair, a specialist representative from the profession and a member of staff from another School's Fitness to Practise Committee. No individuals involved in decision-making at earlier levels will be involved in Level 3 decision-making.

Decisions are reached by consensus with a vote taking place if consensus cannot be reached. In the case of a vote, a simple majority will determine the outcome, with the Chairperson as a casting vote in the event of a tied vote.

The University Fitness to Practise Committee will be convened as and when necessary, to consider a Level 3 Fitness to Practise submission.

Appeals Committee

The Appeals Committee shall be convened as and when necessary, by the Deputy President (or their nominee) and will be constituted as follows:

- Chair: Deputy President, or their nominee
- 4 senior and experienced members of academic staff from Academic Council
- 1 member of a School Fitness to Practise Committee outside of the School where the student is registered
- President of the Students' Union or their nominee (ex-officio)

No member of the relevant School's / Faculty's Fitness to Practise Committee or of the University Fitness to Practise Committee or the Students' Union who has been involved in the case prior to the Appeal, shall be a member of the Appeals Committee.

Academic Council

Academic Council will receive, at the end of the academic year, an updated list from each Faculty, including any additional programmes which will be subject to the Fitness to Practise Policy in the following academic year. This will be approved by Academic Council for implementation in the following academic year.

Related Documentation

All programmes which are subject to the Fitness to Practise Policy have clearly outlined requirements and expectations in addition to those specified by the relevant professional regulatory body.

In some cases, a Fitness to Practise Committee may decide that the issue being brought to their attention is best dealt with under the [Student Code of Conduct and Code of Discipline](#). In this case, the issue should be referred to the COO's Office.

The Note of Concern can be accessed in Appendix 1.

Contacts

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Policy Review

The Policy will be reviewed every three years by Academic Council or, if required, more often.

Version Control

Document Name	Student Fitness to Practise Policy	
Version Reference	V1.0	
Owner	Office of the Vice President for Academic Affairs	
Approved by	Executive	
Date	29th September 2020	



Appendix 1: Note of Concern

LEVEL 1 - 2 - 3 (circle, as appropriate)

Note of Concern as to a Student's Support needs and/or Fitness to Continue in Practise

Student's Name:

Programme and Year of Study:

Student ID Number:

Mobile Phone:

Email:

Concern raised by:

Brief Outline of Concern

Please provide a brief factual description of the concern. Specific examples/observations are particularly helpful.

Comments/Observations of Academic/Administrative/Support Staff/Placement Setting:

Record observations, with specific examples where available, of staff/others, other than the person who first reported the concern. This can include observations / comments made by the placement provider, appropriate professional support services or academic tutors/ Year Heads.

Student's Comments/Observations:

The student should be invited to discuss his/her comments and observations on the concerns and the support plan/follow-up arrangements. This will be minuted at the meeting by the secretary.

Agreed Action Plan:

This may include details of any supports recommended, as well as agreed outcomes that are desirable and limits of acceptable interactions and behaviour, where appropriate. This is to be noted at the meeting.

Review Date: *(Insert date that the case will be reviewed, if relevant)*

Important Note: *(If Leave of Absence or Withdrawal is being considered)*



It is important to consider all possible financial implications of a leave of absence or withdrawal from your degree programme. There may be financial implications for your registration/tuition fees or grant if or when you return to third level at a later date. Further detailed advice can be obtained from the Fees Office or Student Support & Development staff at DCU.

Declaration:

I understand the nature of the concern(s) raised by the University, as has been explained to me and outlined in this document and the possible impact/consequences that this/these concern(s) may have upon my own fitness to continue in practise.

I also understand the impact that this/these concern(s) may have upon the public, service users, young and potentially vulnerable individuals, with whom I am working.

I have agreed to work towards the management plan outlined above, which has been developed to support me.

I understand that if I am unable or unwilling to carry out the management plan, the university will need to consider taking appropriate actions, or referral as my situation will require.

I understand and consent to information surrounding my fitness to begin or continue in practise being shared with other relevant services within the University. A copy of this Management Plan will therefore be submitted to academic and other staff as deemed appropriate by the Chairperson of my Programme, Head of School, Dean of Faculty and/or the Vice-President, Academic Affairs/Registrar.

I am aware that this Note of Concern will be retained by relevant staff in DCU until I successfully graduate or leave the University.

Whilst I understand that the University has a duty of care to provide reasonable supports to me, I am responsible for my own health, wellbeing and actions and it is my responsibility to be fit to continue in practise.

I agree to this case being reviewed (insert X days/weeks or months' time).

Signed: (Student)

Date:

Signed: (Chairperson of Committee)

Date:

Both the student and the Chairperson should sign the document once both parties are satisfied that the minutes noted in the Note of Concern are an accurate reflection of the discussions.



Appendix 2: Programmes subject to the Fitness to Practise Policy

Undergraduate Programmes:

Institute of Education

Bachelor of Early Childhood Education
Bachelor of Education
Bachelor of Education in Gaelige and French or German or Spanish
Bachelor of Religious Education with English, History or Music
BSc in Education and Training

Faculty of Science and Health

BSc in Physical Education with Biology
BSc in Physical Education with Maths
BSc in Athletic Therapy and Training
BSc in Science Education
BSc in Psychology
BSc in Nursing (General)
BSc in Nursing (Mental Health)
BSc in Nursing (Intellectual Disability)
BSc in Children's and General Nursing
Higher Diploma in Children's Nursing
Certificate in Peer Support Working in Mental Health

Postgraduate Programmes:

Institute of Education

Professional Master of Education (Primary Teaching)
Professional Master of Education (Post Primary Teaching)
Graduate Diploma in Guidance Counselling
MA in Chaplaincy Studies and Pastoral Work
Masters in Special Educational Needs
Master of Education in Autism
MSc in Guidance Counselling

Faculty of Science & Health

Professional Diploma in Clinical Supervision
MSc in Dementia Nursing Practise
MSc in Dementia Healthcare Practise
MSc in General Health Care Practise
MSc in General Nursing Practise
MSc in Mental Health Care Practise
MSc in Mental Health Nursing Practise
MSc in Intellectual Disability Nursing Practise
MSc in Intellectual Disability Health Care Practise
MSc in Psychotherapy



Appeals Form

If you wish to appeal the decision of the Fitness to Practise Committee, please submit this completed form to the Deputy President of DCU, Albert College, DCU Glasnevin campus or by email to deputypresident@dcu.ie. The appeal must be lodged within 7 days of the outcome of the Fitness to Practise Committee.

Section A - Details of the Appellant

First Name:	
Surname:	
Student ID:	
Email:	
Mobile:	
Home Address:	
Programme of Study:	
Year of Study:	

Section B - Details of the Decision Being Appealed

Date of Hearing:	
Decision of the Fitness to Practise Committee being appealed:	

Section C – Grounds for Appeal

Tick the relevant box below.

There is new evidence or evidence which was, for good cause, not presented to the Fitness to Practise Committee which might reasonably have resulted in a different decision	
There were procedural irregularities (including administrative errors) which might give rise to reasonable doubt as to whether the Fitness to Practise Committee would have reached the same decision had they not occurred.	
The findings of the Fitness to Practise Committee do not warrant the resolution that there was a breach of practise as charged	
The penalty imposed by the Fitness to Practise Committee was unreasonable having regard to all the circumstances of the case	



Section D – Evidence for submission to the Fitness to Practise Appeals Committee (i.e. evidence not made available to the Fitness to Practise Committee)

Is evidence being submitted? (please X as appropriate)	Yes	No
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If yes, describe the evidence and explain why this was not made available to the Fitness to Practise Committee at the time of the hearing. Submit this evidence along with your appeal.

If relevant, please provide the names and contact telephone numbers and email addresses of any witnesses who can and are willing to corroborate the evidence you are providing.

Section E – Statement to Support Appeal

Provide a concise statement to support the appeal.

Signature of appellant:

Date on which Appeal submitted: